

[Guide to Minutes](#)

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

**TUESDAY, JULY 4, 2000,
WEDNESDAY, JULY 5, 2000 AND
THURSDAY, JULY 6, 2000**

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

CALL TO ORDER

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

The meeting opened with O Canada.

9.2 **CONFIRMATION OF MINUTES**

Councillor Bussin, seconded by Councillor Altobello, moved that the Minutes of the regular Council meeting held on the 9th, 10th and 11th days of May, 2000, be confirmed in the form supplied to the Members, which carried.

PRESENTATION OF REPORTS

July 4, 2000:

- 9.3 Councillor Nunziata presented the following Reports for consideration by Council:

Report No. 8 of The Policy and Finance Committee,
Report No. 6 of The Planning and Transportation Committee,
Report No. 10 of The Toronto Community Council,
Report No. 9 of The Policy and Finance Committee,
Report No. 14 of The Administration Committee,
Report No. 6 of The Community Services Committee,
Report No. 7 of The Economic Development and Parks Committee,

Report No. 7 of The Planning and Transportation Committee,
Report No. 13 of The Works Committee,
Joint Report No. 1 of The Policy and Finance Committee and The Works
Committee,
Report No. 7 of The York Community Council,
Report No. 7 of The East York Community Council,
Report No. 7 of The Etobicoke Community Council,
Report No. 8 of The North York Community Council,
Report No. 7 of The Scarborough Community Council,
Report No. 11 of The Toronto Community Council,
Report No. 3 of The Audit Committee,
Report No. 5 of The Board of Health, and
Report No. 4 of The Striking Committee,

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

9.4 **DECLARATIONS OF INTEREST**

Councillor Balkissoon declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in the office of another Member of Council.

Councillor Bussin declared her interest in Clause No. 2 of Report No. 7 of the Economic Development and Parks Committee, headed "Boat Club Leases – Rental Rate and Future Renewal (Various Wards)", and in Clause No. 72 of Report No. 11 of The Toronto Community Council, headed "Toronto Port Authority - Docking Fee", in that she is a member of a sailing club.

Councillor Cho declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in his office.

Councillor Gardner declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in his office.

Councillor Giansante declared his interest in Clause No. 17 of Report No. 9 of The Policy and Finance Committee, headed “New Telephone Charges to Councillors’ Offices”, in that his wife is an employee of Bell Canada; and in Clause No. 9 of Report No. 7 of The Etobicoke Community Council, headed “Amendments to the Etobicoke Zoning Code, 265 Wincott Drive (Kingsway-Humber)”, in that he resides in the notification area for the subject property.

Councillor Jones declared her interest in Item (g) entitled “Preliminary Report - Application for Amendments to the Etobicoke Official Plan and Zoning Code, Oxford Hills Development (Manitoba) Ltd., 83 and 85 Milton Street, File No. CMB 20000006 (Lakeshore-Queensway)”, as embodied in Clause No. 14 of Report No. 7 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, in that her husband is working as a consultant for an associate of the applicant.

Councillor Kelly declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in his office.

Councillor King declared her interest in Clause No. 11 of Report No. 14 of The Administration Committee, headed “Declaration as Surplus - Part of Sheppard Square Parkette as Per Official Plan and Zoning By-law Amendment UDOZ-99-20 and Draft Plan of Subdivision Application UDSB-1248 for 2-47 Sheppard Square, 1-5 Rean Drive and Parts of 17 and 19 Barberrry Place (Ward 9 - North York Centre South)”, and in Clause No. 25 of Report No. 8 of The North York Community Council, headed “Final Report - Amend the Official Plan, Zoning By-law and Draft Plan of Subdivision - Applications UDOZ-99-20 and UDSB-1248 - McCarthy, Tetrault for NY Towers Inc., 2-47 Sheppard Square, 1-5 Rean Drive and Parts of 17 and 19 Barberrry Place - North York Centre South”, insofar as such Clauses pertain to Thomas Clarke House at 9 Barberrry Place, in that a member of her extended family is the owner of such property.

Mayor Lastman declared his interest in Clause No. 20 of Report No. 9 of The Policy and Finance Committee, headed “Complaint Made Under the Development Charges Act, 1997, by 1327115 Ontario Limited Respecting Development Charges Payable for the Development of 559 Jarvis Street”, in that his son, who is not a real estate lawyer, is employed by the law firm that was involved when the By-law was developed.

Councillor Mammoliti declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in his office.

Councillor McConnell declared her interest in Clause No. 3 of Report No. 6 of The Community Services Committee, headed “Breaking the Cycle of Violence Grants Program – 2000 Allocations and Appeals Report”, in that her husband is employed by the Riverdale Action Group.

Councillor O'Brien declared his interest in Item (d), entitled "Procedure for Eliminating Duplicate Street Names (All Wards)", as embodied in Clause No. 14 of Report No. 7 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council", in that the street on which he resides would be affected by the proposed procedure.

Councillor Palacio declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in his office.

Councillor Shiner declared his interest in Notice of Motion I(1), moved by Councillor Ootes, seconded by Councillor Adams, respecting a request for a report on a corporate-wide policy to restrict the hiring of relatives throughout the Corporation, in that a member of his family is an employee in his office.

Councillor Soknacki declared his interest in Clause No. 17 of Report No. 7 of The Scarborough Community Council, headed "Purchase of 60 Sylvan Avenue (Ward 13 - Scarborough Bluffs)", in that his family owns property in the area.

Councillor Walker declared his interest in Clause No. 72 of Report No. 11 of The Toronto Community Council, headed "Toronto Port Authority - Docking Fee", as it applies to the outer harbour marina, in that his daughter is a summer student attendant at the marina.

CONSIDERATION OF REPORTS

CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 8 of The Policy and Finance Committee, Clause No. 1.

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

Report No. 10 of The Toronto Community Council, Clause No. 1.

Report No. 9 of The Policy and Finance Committee, Clauses Nos. 1, 2, 4, 5, 6, 9, 12, 13, 14, 17, 19 and 22.

Report No. 14 of The Administration Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7, 8, 11, 15, 16, 18 and 21.

Report No. 6 of The Community Services Committee, Clauses Nos. 1, 2, 4, 9 and 15.

Report No. 7 of The Economic Development and Parks Committee, Clauses Nos. 2, 3, 10, 11, 13 and 19.

Report No. 7 of The Planning and Transportation Committee, Clauses Nos. 4, 5, 6 and 7.

Report No. 13 of The Works Committee, Clauses Nos. 5, 6, 7, 9, 11 and 12.

Report No. 7 of The York Community Council, Clauses Nos. 1, 5, 6, 7, 8 and 9.

Report No. 7 of The East York Community Council, Clause No. 7.

Report No. 7 of The Etobicoke Community Council, Clauses Nos. 6 and 10.

Report No. 8 of The North York Community Council, Clauses Nos. 33 and 34.

Report No. 7 of The Scarborough Community Council, Clauses Nos. 4, 8 and 13.

Report No. 11 of The Toronto Community Council, Clauses Nos. 3, 7, 12, 19, 21, 30, 36, 40, 43, 47, 50, 60, 63, 64, 65, 66, 69, 71, 72 and 74.

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

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

Report No. 8 of The Policy and Finance Committee, Clause No. 1.

Report No. 9 of The Policy and Finance Committee, Clause No. 14.

Report No. 14 of The Administration Committee, Clauses Nos. 2, 5 and 18.

Report No. 6 of The Community Services Committee, Clauses Nos. 2, 4 and 15.

Report No. 7 of The Economic Development and Parks Committee, Clauses Nos. 2, 3 and 13.

Report No. 7 of The Planning and Transportation Committee, Clause No. 5.

Report No. 13 of The Works Committee, Clauses Nos. 7 and 12.

Report No. 7 of The York Community Council, Clauses Nos. 5, 6, 7 and 9.

Report No. 11 of The Toronto Community Council, Clauses Nos. 7, 19, 21, 36, 40, 43, 50, 60, 64 and 74.

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.**

- 9.6 **Clause No. 9 of Report No. 9 of The Policy and Finance Committee, headed “Transition Funding for a Unified Business Application System for the Transportation Services Division”.**

Motion:

Councillor Shiner 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, for consideration with the 2001 Operating Budget of the Transportation Services Division, highlighting the additional savings to the Division, as outlined in this report.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

- 9.7 **Clause No. 22 of Report No. 9 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Feldman moved that the Clause be received as information, subject to striking out and referring Item (a), entitled “Accord Between the City of Toronto and the Greater Toronto Airports Authority”, embodied therein, back to the Policy and Finance Committee for further consideration at its meeting scheduled to be held on July 20, 2000.

Votes:

Adoption of motion by Councillor Feldman:

Yes - 25 Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Disero, Duguid, Feldman, Gardner, Johnston, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, Minnan-Wong, Ootes, Palacio, Shaw, Shiner, Walker
No - 22 Councillors: Brown, Chow, Flint, Giansante, Holyday, Jones, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Soknacki, Tzekas, Valenti

Carried by a majority of 3.

The Clause, as amended, was received as information.

9.8 **Clause No. 8 of Report No. 14 of The Administration Committee, headed "Sheppard Subway - Bessarion Station, Initiation of Civil Lawsuit to Recover Contamination Costs".**

Vote:

The Clause was adopted, without amendment.

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

Motion to Re-Open:

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

Motion:

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

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

Moved by: Councillor Shiner

‘**WHEREAS** the City Solicitor has sought authority to commence legal proceedings in regard to the cost associated with the excavation of petroleum contaminated soil at the Bessarion Station of the Sheppard Subway line; and

WHEREAS, subject to review by the City of Toronto/Toronto Transit Commission (TTC) environmental consultants, further testing may be of assistance in proceeding with the lawsuit;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor, in consultation with TTC staff and consultants, be authorized to determine whether additional off-site testing is necessary, and, if so, to carry out such testing, at a cost not to exceed \$15,000.00; such testing to be carried out only in respect of property owners that are prepared to enter into an agreement with the City of Toronto, providing for access, restoration of property to its pre-test condition and such other terms and conditions as are satisfactory to the City Solicitor, in consultation with the TTC.’ ”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

Councillors Bossons and Johnston again requested that their opposition to this Clause be noted in the Minutes of this meeting.

- 9.9 **Clause No. 11 of Report No. 14 of The Administration Committee, headed “Declaration as Surplus - Part of Sheppard Square Parkette as per Official Plan and Zoning By-law Amendment UDOZ-99-20 and Draft Plan of Subdivision Application UDSB-1248 for 2-47 Sheppard Square, 1-5 Rean Drive and Parts of 17 and 19 Barberry Place (Ward 9 - North York Centre South)”.**

Motion:

Councillor Flint moved that the Clause be amended by deleting Recommendation No. (1) embodied in the report dated June 8, 2000, from the Commissioner of Corporate Services, and inserting in lieu thereof the following new Recommendation No. (1):

- “(1) portions of the Sheppard Square Parkette legally described as parts of Block B on Registered plan 3440, identified as Parts 3 and 18 on a draft reference plan (Job No. 99107) prepared by Vladimir Krcmar Ltd. O.L.S., be declared surplus to the City’s requirements and all steps necessary to comply with By-law No. 551-1998 be taken; and”.

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

9.10 **Clause No. 21 of Report No. 14 of The Administration 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 (f), entitled “Options for a Tenant Outreach Program for the 2000 Municipal Election”, embodied therein, back to the Administration Committee for further consideration.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, was received as information.

9.11 **Clause No. 4 of Report No. 7 of The Planning and Transportation Committee, headed “Sheraton Centre Toronto Hotel Motor Court - Relocation of Taxi Facilities”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Moscoe moved that Council adopt the following recommendation:

“It is recommended that the report dated June 6, 2000, from the Commissioner of Works and Emergency Services, as embodied in the Clause and containing the following recommendations, be adopted:

‘It is recommended that:

- (1) the existing taxicab stand on the east side of York Street, from a point 30.5 metres north of Richmond Street West to a point 13 metres further north, be adjusted to operate from a point 22.5 metres north of Richmond Street West to a point 21 metres further north thereof, to accommodate four (4) vehicles, coincident with the relocation of the Sheraton Centre driveway; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.’ ”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

9.12 **Clause No. 4 of Report No. 7 of The Scarborough Community Council, headed “Proposed Turn Prohibition at Private Driveway at 2511 Markham Road, North Side of Finch Avenue (Ward 18 - Scarborough Malvern)”.**

Motion:

Councillor Balkissoon moved that the Clause be struck out and referred back to the Scarborough Community Council for further consideration and the hearing of deputations.

Vote:

The motion by Councillor Balkissoon carried.

9.13 **Clause No. 30 of Report No. 11 of The Toronto Community Council, headed “Installation of Two Chilled Water Pipe Routes Linking 50 Sussex Avenue to 651 Spadina Avenue (Downtown)”.**

Motion:

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

“It is further recommended that the University of Toronto be requested to submit to the Commissioner of Urban Development Services, commencing in September 2000, an annual, comprehensive development and construction plan containing timelines.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

9.14 **Clause No. 63 of Report No. 11 of The Toronto Community Council, headed “Pinch Points on Robert Street (Downtown)”.**

Motion:

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

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

‘It is recommended that:

- (1) approval be given to narrow the pavement at selected locations on Robert Street, from Harbord Street to Russell Street, for traffic calming purposes, as described below:

“The narrowing of the pavement from a width of 6.4 metres to a width ranging from 5.0 metres to 6.4 metres on the west side of ROBERT STREET, from Harbord Street to a point 15.0 metres south of Harbord Street; and from a point 9 metres north of Russell Street to a point 9 metres south of Russell Street, generally as shown on the attached prints of Drawings Nos. 421F-5746 and 421F-5747, dated June 2000.”; and

- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

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

“It is further recommended that the hearing of depositions, as required by law prior to City Council enacting a by-law to authorize the work, be conducted at a meeting of the Toronto Community Council to be held in September 2000.”

Votes:

The motion by Councillor Chow carried.

The Clause, as further amended, carried.

9.15 **Clause No. 66 of Report No. 11 of The Toronto Community Council, headed “Traffic Safety on Queens Quay West and the Construction of a Lay-by (Downtown)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendation:

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

‘It is recommended that:

- (1) approval be given to alter the north curb line of Queens Quay West, from a point 100 metres west of Lower Spadina Avenue to a point 29 metres further west, fronting Premises Nos. 460/470/480 Queens Quay West, for the purpose of providing off-street loading facilities, as described below:

“The widening of the north section (westbound lanes) of QUEENS QUAY WEST, from a point 100 metres west of Lower Spadina Avenue to a point 29 metres further west, from a width of 5.15 metres to a width varying between 5.15 metres and 7.65 metres, by the construction of a lay-by on the north side of Queens Quay West, generally as shown on the attached print of Drawing No. Q-147-SK, dated June 22, 2000;”;

- (2) prior to the construction of the lay-by noted in Recommendation No. (1), the owners of Premises Nos. 460/470/480 Queens Quay West enter into an agreement with the City of Toronto to provide for a 1.5 metre wide right-of-way on their property to accommodate a continuous linkage of the public sidewalk around the lay-by;
- (3) approval be given to alter the north curb line of Queens Quay West, west of Portland Street, fronting Premises No. 500 Queens Quay West, for the purpose of providing off-street loading facilities, as described below:

“The widening of the north section (westbound lanes) of QUEENS QUAY WEST, from a point 133 metres west of Portland Street to a point 28 metres further west, from a width of 5.85 metres to a width varying between 4.85 metres and 7.35 metres, by the construction of a lay-by on the north side of Queens Quay West, generally as shown on the attached print of Drawing No. Q-145-SK, dated June 22, 2000;”;

- (4) approval be given to alter the west curb line of Lower Spadina Avenue, between Queens Quay West and Lake Shore Boulevard West, flanking Premises Nos. 460/470/480 Lower Spadina Avenue, for the purpose of providing off-street loading facilities, as described below:

“The widening of the west section (southbound lanes) of LOWER SPADINA AVENUE, from a point 12 metres north of Queens Quay West to a point 50 metres further north, from a width of 7.1 metres to a width varying between 7.1 metres and 9.1 metres, by the construction of a lay-by on the west side of Lower Spadina Avenue and the alteration of the existing concrete median/TTC passenger loading platform, generally as shown on the attached print of Drawing No. SK-2256, dated June 2000;”;

- (5) the City Solicitor and City Clerk be requested to commence the statutory advertising process of the draft by-laws to authorize the highway alterations noted in Recommendations Nos. (1), (3) and (4) such that ads are placed the weeks of July 10, July 17, July 24 and July 31, 2000, to enable the hearing of deputations on these matters at the September 7, 2000 Toronto Community Council special meeting; and
- (6) the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

9.16 **Clause No. 71 of Report No. 11 of The Toronto Community Council, headed “Traffic and Parking Regulations - New Streets in the Greenwood Subdivision (East Toronto)”.**

Motion:

Councillor Bussin moved that the Clause be struck out and referred back to the Toronto Community Council for further consideration; and the Commissioner of Works and Emergency Services and the City Solicitor be requested to submit the joint report requested in the Clause to the next meeting of the Toronto Community Council scheduled to be held on July 18, 2000.

Vote:

The motion by Councillor Bussin carried.

9.17 **Clause No. 5 of Report No. 13 of The Works Committee, headed “Delegation of Authority for Temporary Street Closings for Construction and Street Event Purposes”.**

Motion:

Councillor Saundercook moved that the Clause be amended in accordance with the report dated June 28, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendation:

“It is recommended that the recommendations of Clause No. 5 of Report No. 13 of the Works Committee be replaced with the following recommendations:

- (1) that authority be delegated to the Commissioner of Works and Emergency Services to close temporarily any highway or portion of a highway under the City’s jurisdiction during the construction, repair or improvement of such highway or portion of highway or of any works under, over, along, across or upon such highway or a portion of highway, where such construction, repair or improvement is initiated by the City of Toronto, or a utility company with statutory rights or a Municipal Access Agreement allowing occupancy of the highway;
- (2) that authority be delegated to the Commissioner of Works and Emergency Services to close temporarily any highway or portion of a highway under the City’s jurisdiction for a period up to and including 30 days during the construction, repair or improvement of such highway or portion of highway or of any works under, over, along, across or upon such highway or portion of highway where such construction, repair or improvement is privately initiated, other than by a utility company as set out in Recommendation No. (1) above. This delegated authority does not extend to the F. G. Gardiner Expressway, the Don Valley Parkway, the W.R. Allen Road, Black Creek Drive, or Highway 27, closures which must be reported to Council for approval;
- (3) that authority be delegated to the Commissioner of Works and Emergency Services to close temporarily to vehicular traffic any highway or portion of a highway under the City’s jurisdiction for a period of not more than four (4) consecutive days for social, recreational, community, athletic or cinematographic purpose, or combination of such purposes. This delegated authority does not extend to the F. G. Gardiner Expressway, the Don Valley Parkway, the W.R. Allen Road, Black Creek Drive, or Highway 27, closures which must be reported to Council for approval;
- (4) that the Commissioner of Works and Emergency Services be required to notify the Ward Councillor of temporary street closings, and if so requested by the Councillor, such street closings be brought to the appropriate Community Council or Standing Committee for consideration; and
- (5) that the appropriate City Officials be requested to take the necessary action to give effect thereto, including the introduction of all necessary Bills.”

Votes:

The motion by Councillor Saundercook carried.

The Clause, as amended, carried.

9.18 **Clause No. 1 of Report No. 6 of The Planning and Transportation Committee, headed “Pre-Payment of Taxi Fares”.**

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that the recommendations of the Licensing Sub-Committee embodied in the communication dated April 20, 2000, from the City Clerk, be adopted.”

- (b) Councillor McConnell moved that the Clause be received.
- (c) Councillor Bossons moved that motion (a) by Councillor Moscoe be amended by adding thereto the words “and further, that the Executive Director of Municipal Licensing and Standards be directed to advertise the six-month trial period”.

Votes:

Adoption of motion (b) by Councillor McConnell:

Yes - 21	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Disero, Feldman, Giansante, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Miller, Nunziata, Ootes, Pitfield, Prue, Rae, Walker
No - 21	
Councillors:	Adams, Balkissoon, Berardinetti, Berger, Bossons, Brown, Duguid, Flint, Gardner, Holyday, King, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Moscoe, O’Brien, Pantalone, Saundercook, Shaw, Soknacki

Lost, there being an equal division of votes.

Adoption of motion (c) by Councillor Bossons:

Yes - 28 Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Disero, Duguid, Gardner, Holyday, King, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Shaw, Soknacki
No - 15 Councillors:	Augimeri, Cho, Feldman, Flint, Giansante, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Pantalone, Pitfield, Prue, Rae, Saundercook, Walker

Carried by a majority of 13.

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

Yes - 20 Councillors:	Adams, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Duguid, Flint, Gardner, Holyday, King, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Pantalone, Soknacki
No - 23 Councillors:	Altobello, Ashton, Augimeri, Cho, Chow, Disero, Feldman, Giansante, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Miller, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Shaw, Walker

Lost by a majority of 3.

Having regard to the foregoing, Council took no action on this Clause.

9.19 **Clause No. 2 of Report No. 6 of The Planning and Transportation Committee, headed "Harmonization of the Division Fence By-law".**

Motions:

- (a) Councillor Moscoe moved that the Clause be amended to provide that Clause No. (5), entitled 'Public Highway', be deleted from the proposed Division Fence By-law.
- (b) Councillor Miller moved that the Clause be amended:
 - (1) to provide that the by-law be amended to maintain the current provisions of the former City of Toronto by-law within the boundaries of the former City; and

- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, in one year’s time, on the operation of this system and whether methods to facilitate dispute resolution are required in the former Cities of Etobicoke, Scarborough, East York and North York, and how and whether the City of Toronto should apply for the required special legislation.”

- (c) Councillor Mammoliti 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 appoint as many members of existing staff he deems appropriate as Fence Arbitrators; that the Fence Arbitrators be granted the authority to make a final decision in the event of fence disputes; and that the by-law be amended accordingly.”

- (d) Councillor Bossons moved that:

- (1) the Clause be amended:

(a) to provide that Section 5 of the proposed Division Fence By-law apply to front fences only; and

- (b) by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the cost implications to the City if the City is held responsible for paying one-half of the cost of basic front or back yard fences.”; and

- (2) Part (1) of motion (b) by Councillor Miller be amended by adding thereto the words “on the condition that fees be increased in order to pay as fully as possible for the cost of fence viewing/arbitration”.

- (e) Councillor Mihevc moved that Part (1) of motion (b) by Councillor Miller be amended to provide that fence viewers be continued and expanded in all former municipalities, and further that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on how this could be accomplished.

- (f) Councillor Disero moved that the Clause be struck out and referred back to the Planning and Transportation Committee for further consideration, together with motions (a), (b), (c), (d) and (e), by Councillors Moscoe, Miller, Mammoliti, Bossons and Mihevc, respectively; and the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, for consideration therewith, on the impact of the proposed amendments.
- (g) Councillor Ashton moved that motion (f) by Councillor Disero be amended by adding thereto the words “such report to address, in particular, the financial implications relative to the motion by Councillor Moscoe to delete Clause No. (5), headed ‘Public Highway’, from the proposed Division Fence By-law”.

Votes on Referral:

Motion (g) by Councillor Ashton carried.

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

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Disero, Holyday, Kinahan, King, Li Preti, Lindsay Luby, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Shaw, Soknacki, Valenti, Walker
No - 15	
Councillors:	Adams, Duguid, Feldman, Flint, Giansante, Jones, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Pitfield, Prue, Saundercook

Carried by a majority of 13.

9.20 Clause No. 1 of Report No. 10 of The Toronto Community Council, headed “Tree Removal - 4 Glen Edyth Drive (Midtown)”.

Motion:

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

Vote:

Adoption of motion by Councillor Mihevc:

Yes - 22	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berger, Disero, Duguid, Feldman, Kinahan, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Soknacki, Valenti
No - 18	
Councillors:	Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Giansante, Holyday, Jones, King, Miller, Moeser, Pantalone, Prue, Rae, Saundercook, Shaw, Walker

Carried by a majority of 4.

9.21 Clause No. 3 of Report No. 14 of The Administration Committee, headed “Purchasing Policies and By-law”.

Motions:

- (a) Councillor King moved that the Clause be amended by deleting Recommendation No. (I)(iii) of the Administration Committee and inserting in lieu thereof the following new Recommendation No. (I)(iii):

“(iii) amending Recommendation No. (11) to read as follows:

- ‘(11) authority be granted for the introduction of a Bill in Council in the form of the draft by-law, attached as Appendix “G”, to establish procedures and authority for the Procurement of Goods and Services, as follows:

Award by	Amount
CAO or Designate	Contracts up to \$500,000.00.
Bid Committee	Contracts up to \$2.0 million, where lowest bidder meeting specifications and requirements is recommended for award.
Standing Committee	Contracts greater than \$2.0 million but not greater than \$5.0 million, where lowest bidder meeting specifications and requirements is recommended for award.
Council	Contracts where the lowest bidder meeting specifications and requirements is not being recommended for award; or where a written objection to the award is received.

;’.”

- (b) Councillor Miller moved that the Clause be amended by:
- (1) amending Recommendation No. (I)(ii) of the Administration Committee by:
- (a) deleting those portions pertaining to Recommendations Nos. (7)(b) and (c) embodied in the joint report dated May 29, 2000, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Administration Committee, and inserting in lieu thereof the following:
- “(7)(b) as part of the procedures, the Purchasing and Materials Management Division, in consultation with other City Officials, as required, apply a ‘disclosure’ mechanism which includes:
- (i) provision in the call that a bidder/proponent is required to ensure that no communication is made by the bidder/proponent or its representatives, including a third party representative employed or retained by it to promote or oppose any bid/proposal, unless such communication, relating to all meetings, written correspondence and telephone discussions that the representative has had with any Member of Council, City official, appointed member of any City board, agency, commission, task force, or related organization, is disclosed to the contact party identified in the competitive call document;
- (ii) such disclosures to be submitted to the City Clerk up to the time of award of the competitive call; and
- (iii) the City Clerk being required to provide the disclosure information upon request and to post the disclosure information on the City’s web site;
- (7)(c) Council may continue to invoke a ‘prohibition’ mechanism which includes a ‘No Lobbying’ provision whereby a bidder/proponent and representatives employed or retained by them can only present their arguments advancing or opposing a bid/proposal in a public forum of Council (Committees, Task Forces,

Boards of City agencies, boards or commissions, or the Boards of City-owned organizations) or the media; and to the contact party identified in the competitive call;"; and

- (b) adding to the recommendations embodied in the joint report dated May 29, 2000, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, the following new Recommendation No. (7)(d):

“(7)(d) in the interim, the Purchasing Materials Management Division, in consultation with other City officials, as required, apply a ‘disclosure’ mechanism including the above provisions in (7)(b)(i), (ii) and (iii) for all Tender, Quotation and Proposal Calls estimated to be above the Bid Committee award limit;”; and

- (2) adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to include in her forthcoming report regarding purchasing procedures, the applicability of these disclosure provisions to Tender, Quotation and Proposal Calls estimated to be at or below the Bid Committee’s award limit.”

- (c) Councillor Saundercook moved that the Clause be amended to provide that the procedures in regard to lobbying to be applied to City Councillors also be applied to City staff.
- (d) Councillor Shiner moved that 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 Community and Neighbourhood Services be requested to submit a joint report to the Administration Committee, as soon as possible, on how to stimulate and encourage the utilization of companies which employ and/or train disadvantaged youth and how this can be taken into consideration when evaluating quotations.”
- (e) Councillor Adams moved that motion (a) by Councillor King be amended to provide that any contract over \$5.0 million require Council approval, viz.:

“ Council	Contracts greater than \$5.0 million in value; contracts where the lowest bidder meeting specifications and requirements is not being recommended for award; or where a written objection to the award is received.
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”.

Votes:

Adoption of motion (e) by Councillor Adams:

Yes - 34	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chow, Duguid, Feldman, Fillion, Gardner, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Valenti, Walker
No - 12	
Mayor:	Lastman
Councillors:	Disero, Giansante, Holyday, Kinahan, King, Lindsay Luby, Mahood, O'Brien, Palacio, Saundercook, Soknacki

Carried by a majority of 22.

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

Motion (c) by Councillor Saundercook carried.

Adoption of Part (1)(a) of motion (b) by Councillor Miller, insofar as it pertains to Recommendation No. (7)(b)(i):

Yes - 40	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Feldman, Fillion, Gardner, Giansante, Johnston, Jones, Kinahan, Layton, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Palacio, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Soknacki, Valenti, Walker
No - 7	
Councillors:	Ashton, Holyday, King, Korwin-Kuczynski, Lindsay Luby, Ootes, Saundercook

Carried by a majority of 33.

Part (1)(a) of motion (b) by Councillor Miller, insofar as it pertains to Recommendations Nos. (7)(b)(ii) and (iii), carried.

Adoption of Part (1)(a) of motion (b) by Councillor Miller, insofar as it pertains to Recommendation No. (7)(c):

Yes - 32	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Berardinetti, Brown, Bussin, Chow, Disero, Feldman, Filion, Giansante, Johnston, Jones, Kinahan, King, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Prue, Rae, Shiner, Valenti
No - 16	
Councillors:	Altobello, Balkissoon, Berger, Bossons, Cho, Duguid, Gardner, Holyday, Korwin-Kuczynski, Minnan-Wong, O'Brien, Ootes, Saundercook, Shaw, Soknacki, Walker

Carried by a majority of 16.

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

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

Motion (d) by Councillor Shiner carried.

The Clause, as amended, carried.

In summary, Council amended this Clause:

- (1) by amending Recommendation No. (I)(ii) of the Administration Committee by:
 - (a) deleting those portions pertaining to Recommendations Nos. (7)(b) and (c) embodied in the joint report dated May 29, 2000, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Administration Committee, and inserting in lieu thereof the following:
 - “(7)(b) as part of the procedures, the Purchasing and Materials Management Division, in consultation with other City Officials, as required, apply a ‘disclosure’ mechanism which includes:

- (i) provision in the call that a bidder/proponent is required to ensure that no communication is made by the bidder/proponent or its representatives, including a third party representative employed or retained by it to promote or oppose any bid/proposal, unless such communication, relating to all meetings, written correspondence and telephone discussions that the representative has had with any Member of Council, City official, appointed member of any City board, agency, commission, task force, or related organization, is disclosed to the contact party identified in the competitive call document;
 - (ii) such disclosures to be submitted to the City Clerk up to the time of award of the competitive call; and
 - (iii) the City Clerk being required to provide the disclosure information upon request and to post the disclosure information on the City's web site;
- (7)(c) Council may continue to invoke a 'prohibition' mechanism which includes a 'No Lobbying' provision whereby a bidder/proponent and representatives employed or retained by them can only present their arguments advancing or opposing a bid/proposal in a public forum of Council (Committees, Task Forces, Boards of City agencies, boards or commissions, or the Boards of City-owned organizations) or the media; and to the contact party identified in the competitive call;"; and
- (b) adding to the recommendations embodied in the joint report dated May 29, 2000, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, the following new Recommendation No. (7)(d):
 - “(7)(d) in the interim, the Purchasing Materials Management Division, in consultation with other City officials, as required, apply a 'disclosure' mechanism including the above provisions in (7)(b)(i), (ii) and (iii) for all Tender, Quotation and Proposal Calls estimated to be above the Bid Committee award limit;”;
- (2) by deleting Recommendation No. (I)(iii) of the Administration Committee and inserting in lieu thereof the following new Recommendation No. (I)(iii):
 - “(iii) amending Recommendation No. (11) to read as follows:

- (11) authority be granted for the introduction of a Bill in Council in the form of the draft by-law, attached as Appendix 'G', to establish procedures and authority for the Procurement of Goods and Services, subject to the awarding limit for contracts being as follows:

Award by	Amount
CAO or Designate	Contracts up to \$500,000.00.
Bid Committee	Contracts up to \$2.0 million, where lowest bidder meeting specifications and requirements is recommended for award.
Standing Committee	Contracts greater than \$2.0 million but not greater than \$5.0 million, where lowest bidder meeting specifications and requirements is recommended for award.
Council	Contracts greater than \$5.0 million in value; contracts where the lowest bidder meeting specifications and requirements is not being recommended for award; or where a written objection to the award is received.

- (3) to provide that the procedures in regard to lobbying to be applied to City Councillors also be applied to City staff; and
- (4) by adding thereto the following:

“It is further recommended that:

- (a) the Chief Financial Officer and Treasurer be requested to include in her forthcoming report regarding purchasing procedures, the applicability of these disclosure provisions to Tender, Quotation and Proposal Calls estimated to be at or below the Bid Committee’s award limit; and
- (b) the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Community and Neighbourhood Services be requested to submit a joint report to the Administration Committee, as soon as possible, on how to stimulate and encourage the utilization of companies which employ and/or train disadvantaged youth and how this can be taken into consideration when evaluating quotations.”

9.22 **Clause No. 47 of Report No. 11 of The Toronto Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

Motion to Re-Open:

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

Motion:

Councillor Disero 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 request by Ho Shim Bistro, 2352 Yonge Street, Main Floor, Toronto, Ontario, M4P 2E6, for a temporary extension of their liquor licence in conjunction with the Celebrate Toronto Street Festival 2000 for the following dates and times, and has no objection to such request:

- (a) Friday, July 7, 2000, from 8:30 p.m. to 11:00 p.m.;
- (b) Saturday, July 8, 2000, from 11:00 a.m. to 11:00 p.m.; and
- (c) Sunday, July 9, 2000, from 11:00 a.m. to 7:00 p.m.”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

9.23 **Clause No. 17 of Report No. 9 of The Policy and Finance Committee, headed “New Telephone Charges to Councillors’ Offices”.**

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that:

- (1) Recommendations Nos. (1), (2) and (4) embodied in the report dated July 4, 2000, from the Commissioner of Corporate Services, be adopted; and

- (2) Recommendation No. (3) embodied in the report dated July 4, 2000, from the Commissioner of Corporate Services, be referred to the Budget Advisory Committee for consideration as part of the 2001 Operating Budget process.”
- (b) Councillor Mihevc moved that Part (1) of motion (a) by Councillor Pantalone be amended by adding thereto the words “subject to amending Recommendation No. (2) by inserting, after the words ‘City Hall offices’, the words ‘and constituency offices’ ”.

Votes:

Motion (b) by Councillor Mihevc carried.

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

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (a) Recommendations Nos. (1), (2) and (4) embodied in the report dated July 4, 2000, from the Commissioner of Corporate Services, be adopted, subject to amending Recommendation No. (2) by inserting, after the words ‘City Hall offices’, the words ‘and constituency offices’, so that such recommendations shall now read as follows:
- ‘(1) the telephone budget for the Councillors’ City Hall offices, based on an allocation of \$3,000.00 per year, per Councillor’s office, be transferred from the Corporate Information and Technology account to the Council General account;
- (2) all telephone expenditures incurred in Councillors’ City Hall offices and constituency offices be charged to the Council General account; and
- (4) the City Clerk be requested to report further to the Budget Advisory Committee, if necessary, during the 2001 budget review process.’; and
- (b) Recommendation No. (3) embodied in the report dated July 4, 2000, from the Commissioner of Corporate Services, be referred to the Budget Advisory Committee for consideration as part of the 2001 Operating Budget process, viz.:

- (3) effective January 1, 2001, any telephone costs over and above the \$3,000.00 allocated for each Councillor's City Hall office be charged to the individual Councillor's global budget;’.”

9.24 **Clause No. 15 of Report No. 14 of The Administration Committee, headed ‘Long Branch Cenotaph, Southeast Corner of Long Branch Avenue and Park Boulevard (Ward 2 - Lakeshore - Queensway)’.**

Motion:

Councillor Jones moved that the Clause be amended by striking out Recommendation No. (2) embodied in the report dated June 12, 2000, from the Commissioner of Economic Development, Culture and Tourism, and inserting in lieu thereof the following new Recommendation No. (2):

- “(2) funding in the amount of \$61,325.00 be provided from the Parkland Acquisition Reserve Fund (former Metro);”.

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

9.25 **Clause No. 9 of Report No. 6 of The Community Services Committee, headed ‘Federal Announcement on Supporting Communities Partnership Initiative’.**

Motion:

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to:

- (1) develop a communications strategy to provide the public and other stakeholders with comprehensive information on all City of Toronto activities related to homelessness, including the new federal initiatives, in order to educate and involve the broader community in finding solutions and to encourage their participation in homelessness prevention programs; and
- (2) submit a report, by September 2000, to the Council Reference Group established to oversee the implementation of the Supporting Communities Partnership Initiative, on the actions taken to develop this communications strategy.”

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

9.26 **Clause No. 5 of Report No. 9 of The Policy and Finance Committee, headed “Cinram Fibre Cable System (Scarborough Malvern)”.**

Motion:

Councillor Adams moved that the Clause be amended to provide that Recommendation No. (1)(c) embodied in the report dated June 1, 2000, from the Commissioner of Works and Emergency Services, be approved on an interim basis, viz.:

“(c) resultant revenues credited to the Transportation Services, District Four (4) revenue account;”;

and that the Chief Financial Officer and Treasurer and the Executive Lead on Telecommunications be requested to submit a joint report to the Telecommunications Steering Committee on the most appropriate allocation of revenues from Municipal Access Agreements and similar agreements that would be in the best interests of the City.

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

9.27 **Clause No. 12 of Report No. 9 of The Policy and Finance Committee, headed “Criteria for Property Tax Exemption Under Section 3(16) of the Assessment Act - Request for Tax Exemption for 260 Adelaide Street East, Toronto’s First Post Office, and Request for Tax Exemption for 78-80 Gerrard Street East, Gallery Arcturus”.**

Motion:

Councillor Adams moved that the Clause be amended by amending Recommendation No. (6) of the Assessment and Tax Policy Task Force to read as follows:

“(6) the City Clerk be instructed to inform Toronto’s First Post Office, the Gallery Arcturus, and the Ontario Property Assessment Corporation of Council’s decision with respect to Recommendations Nos. (2), (3), (4) and (5), above;”.

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

9.28 **Clause No. 65 of Report No. 11 of The Toronto Community Council, headed “Installation of Speed Humps - Poplar Plains Road, from Boulton Drive (North Intersection) to St. Clair Avenue West (Midtown)”.**

Motion to Re-Open:

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

Motion:

Councillor Bossons moved that the Clause be amended by rescinding the following action taken by the Toronto Community Council:

“The Toronto Community Council reports, for the information of Council, having requested the Commissioner of Works and Emergency Services to report to the Toronto Community Council on the feasibility of installing speed humps at the extreme south end of Poplar Plains Road.”

Votes:

The motion by Councillor Bossons carried.

The Clause, as amended, carried.

9.29 **Clause No. 11 of Report No. 13 of The Works Committee, headed “Basement Flooding at 192 Prescott Avenue”.**

Motion:

Councillor Disero moved that the Clause be received.

Vote:

The motion by Councillor Disero carried.

9.30 **Clause No. 7 of Report No. 7 of The East York Community Council, headed “Intersection Reconstruction, O’Connor Drive and Glenwood Crescent”.**

Motion:

Councillor Prue moved that the Clause be amended in accordance with the report dated June 28, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the reference in Point No. 1 of the Draft By-law submitted to Council with Clause No. 7 of Report No. 7 of The East York Community Council, to ‘Drawing No. 421F-5638’, be replaced with ‘Drawing No. P-1036-40B’, to facilitate the minor intersection design refinements described in this report;
- (2) the Draft By-law, as amended, be enacted; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

The motion by Councillor Prue carried.

The Clause, as amended, carried.

9.31 **Clause No. 1 of Report No. 14 of The Administration Committee, headed “Establishing New Community Councils in the City of Toronto - All Wards”.**

Procedural Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the procedure to be followed by Council during the debate on this Clause would be that Council first decide on the number of Community Councils to be established, and then decide on the configuration and boundaries of the new Community Councils.

Motions on Number of Community Councils:

- (a) Councillor Pantalone moved that the Clause be amended to provide that:
 - (1) City Council decide on the number of Community Councils to be established at this meeting of Council, whether it be four, or six, or eight; and

- (2) consideration of the balance of the Clause be deferred to the next regular meeting of City Council scheduled to be held on August 1, 2000, and the City Clerk be requested to consult with individual Councillors and submit a report directly to Council, for consideration therewith, on the preferred Map Option.
- (b) Councillor Soknacki moved that the Clause be amended by deleting from Recommendation No. (1) of the Administration Committee, the word “eight” and inserting in lieu thereof the word “four”, so that such recommendation shall now read as follows:
- “(1) four Community Councils be established;”.

Vote Be Now Taken:

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 - 17	
Mayor:	Lastman
Councillors:	Augimeri, Berger, Brown, Disero, Feldman, Giansante, Holyday, Jakobek, Kelly, Li Preti, Mahood, Moeser, Palacio, Saundercook, Soknacki, Valenti
No - 26	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Flint, Johnston, Kinahan, King, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Shiner, Tzekas

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

Motions:

- (c) Councillor Shiner moved that the Clause be amended by deleting from Recommendation No. (1) of the Administration Committee, the word “eight” and inserting in lieu thereof the word “six”, so that such recommendation shall now read as follows:
- “(1) six Community Councils be established;”.
- (d) Councillor Jones moved that the Clause be amended:

- (1) by deleting from Recommendation No. (1) of the Administration Committee, the word “eight” and inserting in lieu thereof the word “five”, so that such recommendation shall now read as follows:

“(1) five Community Councils be established;” or, if Part (1) fails,

- (2) by deleting from Recommendation No. (1) of the Administration Committee, the word “eight” and inserting in lieu thereof the word “seven”, so that such recommendation shall now read as follows:

“(1) seven Community Councils be established;”.

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

“It is further recommended that the Chief Administrative Officer be requested to develop a mechanism for the appointment of a Community Co-ordinator in each Community; and submit a report thereon to the Administration Committee.”

Vote on Number of Community Councils:

Adoption of motion (b) by Councillor Soknacki:

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

Carried by a majority of 5.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (1) of motion (a) by Councillor Pantalone, and motions (c) and (d), by Councillors Shiner and Jones, respectively, redundant.

Part (2) of motion (a) by Councillor Pantalone, and motion (e) by Councillor Sinclair, were held down for further consideration with the balance of the Clause.

Motions on Configuration and Boundaries of New Community Councils:

- (f) Councillor Berardinetti moved that the Clause be amended by deleting from Recommendation No. (2) of the Administration Committee, the words “Map Option 49”, and inserting in lieu thereof the words “Map Option 1”, so that such recommendation shall now read as follows:

“(2) Map Option 1 contained in the Companion Document, entitled ‘Establishing New Community Councils - Options Paper’, dated May 2000, be approved as the configuration and boundaries of the new Community Councils;”.

- (g) Councillor Mihevc moved that the Clause be amended by deleting from Recommendation No. (2) of the Administration Committee, the words “Map Option 49”, and inserting in lieu thereof the words “Map Option 3”, so that such recommendation shall now read as follows:

“(2) Map Option 3 contained in the Companion Document, entitled ‘Establishing New Community Councils - Options Paper’, dated May 2000, be approved as the configuration and boundaries of the new Community Councils;”.

Deferral of Balance of Clause:

Deputy Mayor Ootes, at the conclusion of the meeting, having regard that consideration of the balance of this Clause remained on the Order Paper of Council, proposed to Council that, in accordance with the provisions of the Council Procedural By-law, consideration of the balance of this Clause be deferred to the next regular meeting of City Council scheduled to be held on August 1, 2000.

Council concurred in the proposal by the Deputy Mayor.

9.32 Clause No. 8 of Report No. 7 of The York Community Council, headed “Westmount Avenue between Cloverlawn Avenue and Rogers Road – Speed Hump Re-Survey Results, Ward 28, York Eglinton”.

Motion:

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

Vote:

The motion by Councillor Shiner carried.

9.33 **Clause No. 12 of Report No. 11 of The Toronto Community Council, headed “Angled Commercial Boulevard Parking on Euclid Avenue Flank of 533 College Street (Trinity-Niagara)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Pantalone moved that Council adopt the following recommendations:

“It is recommended that:

- (a) Recommendations Nos. (2)(b), (c) and (d) embodied in the report dated June 5, 2000, from the Manager, Right-of-Way Management, Transportation Services, District 1, be adopted, viz.:
 - ‘(2) City Council approve the application for angled commercial boulevard parking and the increase of the number of parking spaces on the Euclid Avenue flank of 533 College Street, notwithstanding that the 0.91 metre setback cannot be provided and subject to:
 - (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code;
 - (c) the applicant installing planters and two steel posts as indicated on the attached sketch (Attachment No. 1); and
 - (d) the applicant paying for the installation of additional ramping to service the proposed parking configuration, and the removal of any obsolete ramping.’; and
- (b) the Commissioner of Economic Development, Culture and Tourism be requested to ensure, if possible, that landscaping is undertaken at this location.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

9.34 **Clause No. 11 of Report No. 7 of The Economic Development and Parks Committee, headed “East Toronto Athletic Field - Outdoor Rink Conversion (East Toronto)”.**

Motion:

Councillor Bussin moved that the Clause be amended by amending Recommendation No. (2) embodied in the joint report dated May 31, 2000, from the Commissioner of Economic Development, Culture and Tourism and the Chief Financial Officer and Treasurer, to read as follows:

- “(2) the Ted Reeve Arena Board of Management be engaged in the negotiations and the agreement between Air Athletics and the City of Toronto be contingent upon Air Athletics negotiating a suitable agreement with the Ted Reeve Arena Board of Management for the shared use of equipment, staff, utilities and other costs;”.

Votes:

The motion by Councillor Bussin carried.

The Clause, as amended, carried.

9.35 **Clause No. 16 of Report No. 14 of The Administration Committee, headed “Bill C-31 - The Immigration and Refugee Protection Act”.**

Motions:

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

“It is further recommended that the report dated June 28, 2000, from the Chief Administrative Officer, be adopted, subject to deleting Recommendation No. (1)(c)(iii).”

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

“It is further recommended that:

- (1) Recommendation No. (1)(c)(iii) embodied in the report dated June 1, 2000, from the Chief Administrative Officer, be struck out and referred to the Chief Administrative Officer for further consultation, including consultation with Councillor Prue, and report thereon to the Administration Committee, through the Immigration and Refugee Working Group, viz.:

‘(1) Council request that Bill C-31 be amended:

(c) to reflect Canadian core values, democratic principles and human rights standards, specifically:

(iii) to limit the powers given to immigration officers to detain people on the basis of identity as genuine refugees are often forced to flee without proof of identity (Sections 50 – 55);’; and

(2) as recommended in the report dated June 28, 2000, from the Chief Administrative Officer, Recommendation No. (1)(c)(iv) embodied in the report dated June 1, 2000, from the Chief Administrative Officer, be adopted, viz.:

‘(1) Council request that Bill C-31 be amended:

(c) to reflect Canadian core values, democratic principles and human rights standards, specifically:

(iv) to respect the status and rights of permanent residents as in the current Immigration Act (Sections 2, 27, 42 and 58);’.”

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

“It is further recommended that the Federation of Canadian Municipalities be requested to assist the City of Toronto in approaching the federal government respecting the consultation process referred to in this Clause.”

Votes:

Motion (b) by Councillor Miller carried.

Motion (c) by Council Layton carried.

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

The Clause, as amended, carried.

- 9.36 **Clause No. 33 of Report No. 8 of The North York Community Council, headed “Ontario Municipal Board Hearing – Committee of Adjustment, Application Nos. A072/OONY and A073/OONY - Jacob Goldstein in Trust, 291 Parkview Avenue - North York Centre”.**

Motion:

Councillor Gardner moved that the Clause be received.

Votes:

Adoption of motion by Councillor Gardner:

Yes - 12 Councillors:	Altobello, Berger, Cho, Disero, Feldman, Gardner, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, O'Brien, Shaw
No - 30 Councillors:	Adams, Ashton, Bossons, Brown, Chong, Chow, Duguid, Flint, Giansante, Jones, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Sinclair, Soknacki, Tzekas, Valenti

Lost by a majority of 18.

The Clause was adopted, without amendment.

- 9.37 **Clause No. 4 of Report No. 14 of The Administration Committee, headed “An Official Town Crier for the City of Toronto (All Wards)”.**

Motion:

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

“It is further recommended that the City Clerk be requested to submit a report to the Administration Committee, prior to June 2001, on the appointment of an Official Town Crier for the City of Toronto.”

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

9.38 **Clause No. 2 of Report No. 9 of The Policy and Finance Committee, headed “Hot Weather Response Plan for the Summer of 2000”.**

Motions:

- (a) Councillor Mammoliti 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 directed to exclude Queen’s Park from the policy respecting the removal of tents and shelters from City of Toronto parkland, and that the Uniform Parks By-law No. 129-92 be amended accordingly.”

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

“It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be requested to establish additional overnight Cooling Centres; and
- (2) any additional funding required be provided from the Corporate Contingency Account.”

Councillor Disero in the Chair.

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on resource requirements necessary to provide adequate community outreach and education related to vulnerable individuals and the frail elderly.”

- (d) Councillor Chong moved that motion (b) by Councillor Moscoe be referred to the Commissioner of Community and Neighbourhood Services for report thereon to the next meeting of the Community Services Committee scheduled to be held on July 13, 2000.

Ruling by Deputy Mayor:

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

Councillor Mammoliti challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 42	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 9	
Councillors:	Adams, Chow, Kinahan, Layton, Li Preti, Mammoliti, McConnell, Moscoe, Shiner

Carried by a majority of 33.

Votes:

Adoption of motion (d) by Councillor Chong:

Yes - 26	
Mayor:	Lastman
Councillors:	Bossons, Brown, Cho, Chong, Disero, Duguid, Feldman, Flint, Holyday, Johnston, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Nunziata, Pitfield, Prue, Rae, Saundercook, Shiner, Sinclair, Tzekas, Valenti, Walker
No - 25	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bussin, Chow, Filion, Gardner, Giansante, Jones, Kelly, Kinahan, Layton, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Shaw, Soknacki

Carried by a majority of 1.

Motion (c) by Councillor Ashton carried.

The Clause, as amended, carried.

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

“It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on resource requirements necessary to provide adequate community outreach and education related to vulnerable individuals and the frail elderly; and
- (2) the following motion be referred to the Commissioner of Community and Neighbourhood Services for report thereon to the next meeting of the Community Services Committee scheduled to be held on July 13, 2000:

Moved by Councillor Moscoe:

‘It is recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be requested to establish additional overnight Cooling Centres; and
- (2) any additional funding required be provided from the Corporate Contingency Account.’ ”

9.39 Clause No. 72 of Report No. 11 of The Toronto Community Council, headed “Toronto Port Authority - Docking Fee”.

Motion:

Councillor Moscoe moved that the Clause be amended by deleting from Recommendation No. (3) of the Toronto Community Council, the words “charged towards”, and inserting in lieu thereof the words “deducted from”, so that such recommendation shall now read as follows:

- “(3) the cost to the City as a result of the Authority’s fee increase be deducted from the annual \$2.8 million City subsidy to the Authority;”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 9.40 **Clause No. 69 of Report No. 11 of The Toronto Community Council, headed “Various Modifications – Lower Jarvis Street and Lake Shore Boulevard East; Lower Jarvis Street, East Side, Between Lake Shore Boulevard East and The Esplanade - 45-77 Lower Jarvis Street; and Lower Jarvis Street, Between The Esplanade and Front Street East (Downtown)”.**

Motion:

Councillor Rae moved that the Clause be amended to provide that the cost of the entrance way into the parking garage be co-shared between the City and the developer, i.e. the City of Toronto will pay \$10,000.00, and the Developer will pay \$10,000.00.

Votes:

Adoption of motion by Councillor Rae:

Yes - 30	
Mayor:	Lastman
Councillors:	Adams, Altobello, Berardinetti, Bossons, Bussin, Chow, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Miller, Moeser, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Shaw, Sinclair, Soknacki, Tzekas, Walker
No - 10	
Councillors:	Ashton, Augimeri, Brown, Feldman, Kinahan, Li Preti, Minnan-Wong, Moscoe, Saundercook, Valenti

Carried by a majority of 20.

The Clause, as amended, carried.

- 9.41 **Clause No. 10 of Report No. 7 of The Economic Development and Parks Committee, headed “2000 Budgets - Business Improvement Areas: Report No. 4”.**

Motion:

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

“It is further recommended that the due date for the collection of the special charges for the Business Improvement Areas included in this Clause be September 8, 2000.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

9.42 **Clause No. 3 of Report No. 11 of The Toronto Community Council, headed ‘Draft By-law - Removal of the Holding Symbol (H) from the Zoning of the West Half of 401 Front Street West (Downtown)’.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendation:

“It is recommended that the report dated June 1, 2000, from the Commissioner of Urban Development Services, as embodied in the Clause, be adopted.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

9.43 **Clause No. 1 of Report No. 6 of The Community Services Committee, headed ‘Food and Hunger Action Committee Phase I Report, ‘Planting the Seeds’ ’.**

Motions:

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

“It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services, in consultation with the appropriate City staff, be requested to identify and report back to Community Services Committee on:
 - (a) how many City of Toronto wards in the 44 ward system will not have community gardens; and
 - (b) which of those wards would most benefit from access to a community garden (such as low income and seniors’ communities); and
- (2) the City of Toronto move towards building community gardens in those communities before 2003.”

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

“It is further recommended that Council express its appreciation to the Commissioner of Community and Neighbourhood Services and all staff involved in the preparation of this report.”

Votes:

Motion (a) by Councillor Pitfield carried.

Motion (b) by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

9.44 **Clause No. 10 of Report No. 7 of The Etobicoke Community Council, headed “Designation of 40 km/h Speed Limit - Prince Edward Drive South of Bloor Street West and Edgevalley Drive/Edgehill Road”.**

Vote:

Adoption of Clause, without amendment:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Disero, Duguid, Feldman, Filion, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Valenti, Walker
No - 5	
Councillors:	Chong, Holyday, Mammoliti, Moscoe, O’Brien

Carried by a majority of 36.

9.45 **Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Provincial Local Services Realignment - Making It Work, and Towards a New Relationship with Ontario and Canada”.**

Motions:

- (a) Councillor Walker, seconded by Councillor Prue, moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Chief Administrative Officer and the City Solicitor be requested to submit a report to the next meeting of the Policy and Finance Committee scheduled to be held on July 20, 2000, on holding a public plebiscite as part of the 2000 municipal election to determine public support for the establishment of a City Charter for the City of Toronto;
- (2) the Chief Administrative Officer develop an extensive communications package outlining the arguments for and against Charter City status for the City of Toronto and a plan to provoke full participation and debate on the part of citizens, prior to the plebiscite being put forth on the 2000 municipal election ballot;
- (3) the Chief Administrative Officer and the City Solicitor be requested to submit a report to the next meeting of the Policy and Finance Committee scheduled to be held on July 20, 2000, on holding a public plebiscite as part of the 2000 municipal election to determine public support for the establishment of the Province of Toronto;
- (4) the Chief Administrative Officer develop an extensive communications package outlining the arguments for and against provincial status for the City of Toronto and a plan to provoke full participation and debate on the part of citizens, prior to the plebiscite being put forth on the 2000 municipal election ballot; and
- (5) Council adopt the following Motion:

Moved by: Councillor Walker

Seconded by: Councillor Prue

‘**WHEREAS**, since being elected in 1995, the current provincial government has demonstrated open hostility towards the City of Toronto and its citizens, as demonstrated by its imposition of amalgamation; its downloading of \$251 million in annual costs onto the City without providing a means to pay for them; the elimination of local School Board power and authority; and the complete abandonment of social housing and public transit; all without any provision whatsoever for public consultation, debate and/or opportunity for amendment; and

WHEREAS the two senior levels of government collect billions of dollars in annual tax revenue from City of Toronto taxpayers which is not returned in the form of spending; and

WHEREAS the provincial government refuses to issue any additional funding to help this City deal with problems such as homelessness, transportation, education and health care; and

WHEREAS several grassroots citizen action groups (such as the Committee for the Province of Toronto or P416) which have formed in opposition to the current provincial government's course of action and their repeated attacks against this City and its citizens, are demanding that Toronto be given a new political status within Canada;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council endorse a citizen-funded movement to launch a constitutional challenge to affirm the right of the citizens of Toronto to form a Province of Ontario through public consultation and a referendum.' ”

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

(1) deleting from Recommendation No. (1) embodied in the joint report dated June 6, 2000, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, as amended by the Policy and Finance Committee, the words “acceptable to the Province”, so that such recommendation shall now read as follows:

“(1) the Chief Financial Officer and Treasurer be directed to proceed to contract an independent third party auditor, to verify the financial impacts on the City of the Province's Local Services Realignment; and if the Province decides against participating, within two weeks, the City proceed on its own to contract the auditor;” and

(2) adding thereto the following:

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

(a) list in his forthcoming report to the Policy and Finance Committee, further examples of the unique nature of the City of Toronto, such as the fact that Toronto is the largest receptor of immigrants and refugees in Canada; and

(b) review whether appeals to the Ontario Municipal Board from decisions of City Council could be eliminated as part of the City Charter.”

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

“It is further recommended that the City of Toronto’s audit to verify the financial impacts on the City of the Province of Ontario’s Local Services Realignment include statistics on the following:

- (1) the shortfall in provincial cost-sharing programs related to:
 - (a) childcare (as documented by the provincial KPMG audit);
 - (b) family resource centres;
 - (c) special needs children’s programs; and
 - (d) shelter and hostel services; and
- (2) the cost of side-loading as a result of cuts in education funding related to:
 - (a) child care centres being moved because of school closures;
 - (b) replacing playgrounds; and
 - (c) increased rental fees of schools for parks and recreation programs and community groups.”

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

“It is further recommended that:

- (1) the Chief Administrative Officer be requested to submit a report to Team Toronto on options available to City Council to ensure that any Charter cannot be unilaterally changed by the Province of Ontario; and
 - (2) Team Toronto be requested to consider holding a Constitutional Assembly, with invitations to the City Councils of the major cities of Canada, as part of the strategy set out in the report.”
- (e) Councillor Prue moved that Parts (1), (2), (3) and (4) of motion (a) by Councillor Walker, seconded by Councillor Prue, be amended by deleting the word “plebiscite” and inserting in lieu thereof the word “referendum”.
- (f) Councillor Layton moved that the Clause be amended by adding thereto the following:

“It is further recommended that City Council encourage the Federation of Canadian Municipalities (FCM) to pursue its campaign to achieve constitutional status for municipal governments in Canada; and the Chief Administrative Officer, senior City staff, Team Toronto, and the FCM Board and Committee Members explore, with the FCM staff, ways in which the City of Toronto, the Big

City Mayors' Caucus, the Presidents of the Provincial/Territorial Municipal Associations and the FCM members can work together to achieve this objective."

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

"It is further recommended that Councillor Michael Walker be appointed as a member of Team Toronto."

- (h) Councillor Cho moved that the Clause be amended by:

(1) deleting from Recommendation No. (2) embodied in the joint report dated June 6, 2000, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, the figure "\$20,000.00" and inserting in lieu thereof the figure "\$50,000.00"; and

- (2) adding thereto the following:

"It is further recommended that:

- (a) the Chief Administrative Officer be requested to:

(i) create a Toronto Citizens Campaign Bureau for the Charter City; and

(ii) submit a report to City Council for its regular meeting scheduled to be held on October 3, 2000, through the Policy and Finance Committee, on the current relationship between the following municipalities and provinces, such report to be forwarded to the Premier of Ontario and the Prime Minister of Canada:

- (1) Vancouver and British Columbia;
- (2) Winnipeg and Manitoba;
- (3) Montreal and Quebec; and
- (4) St. John's and Newfoundland;

- (b) Councillor Howard Moscoe be appointed as a member of Team Toronto; and

(c) the 'LUV TORONTO' Team proposed by Mayor Lastman be approved in principle, and the Mayor be requested to include prominent media representatives on such Team."

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

“It is further recommended that a third Team Toronto, consisting of citizens of the City of Toronto who are interested in pursuing Charter City status, be established.”

- (j) Councillor Bossons moved that the Clause be amended by:
- (1) adding to Recommendation No. (1) embodied in the report dated June 6, 2000, from the Chief Administrative Officer, the words “and Council endorse such changes also for the regional municipalities of the Greater Toronto Area”; and
 - (2) adding to Recommendation No. (3) embodied in the report dated June 6, 2000, from the Chief Administrative Officer, the words “and representatives from the GTA’s regional municipalities be invited to join Team Toronto”.
- (k) Councillor King moved that the Clause be amended by adding thereto the following:
- “It is further recommended that Members of Toronto City Council attending the Association of Municipalities (AMO) Conference be requested to put forward a motion requesting that AMO support the concept of a Charter City.”
- (l) Councillor Rae moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Federation of Canadian Municipalities be requested to appoint Councillor David Miller to its Standing Committee on the Future Role of Municipal Governments.”
- (m) Councillor Chong moved that Parts (2), (4) and (5) of motion (a) by Councillor Walker, seconded by Councillor Prue, be referred to the Chief Administrative Officer and the City Solicitor for joint report thereon to the Policy and Finance Committee.
- (n) Councillor Mihevc moved that Parts (1) and (3) of motion (a) by Councillor Walker, seconded by Councillor Prue, be amended by adding thereto the words “such report to address various ways of posing a question that is and is not consistent with provincial regulations”.
- (o) Councillor Saundercook moved that motion (g) by Councillor Moscoe, Part (2)(b) of motion (h) by Councillor Cho, Part (2) of motion (j) by Councillor Bossons and motion (i) by Councillor Korwin-Kuczynski be referred to the Mayor’s Office for consideration.

Votes:

Adoption of motion (e) by Councillor Prue:

Yes - 21 Councillors:	Ashton, Augimeri, Cho, Chow, Duguid, Feldman, Fillion, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Shiner, Silva, Walker
No - 30 Mayor: Councillors:	Lastman Altobello, Berardinetti, Berger, Bossons, Brown, Bussin, Disero, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Palacio, Pitfield, Rae, Saundercook, Shaw, Sinclair, Soknacki, Tzekas, Valenti

Lost by a majority of 9.

Adoption of motion (n) by Councillor Mihevc:

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

Carried by a majority of 37.

Adoption of Part (1) of motion (a) by Councillor Walker, seconded by Councillor Prue:

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

Carried by a majority of 21.

Adoption of motion (m) by Councillor Chong, insofar as it pertains to Part (2) of motion (a) by Councillor Walker, seconded by Councillor Prue:

Yes - 43	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 10	
Councillors:	Augimeri, Bussin, Cho, Layton, McConnell, Moscoe, Pantalone, Prue, Rae, Walker

Carried by a majority of 33.

Permission to Withdraw Motion:

Councillor Walker, with the permission of Council, withdrew Parts (3) and (4) of his motion (a).

Votes:

Adoption of motion (m) by Councillor Chong, insofar as it pertains to Part (5) of motion (a) by Councillor Walker, seconded by Councillor Prue:

Yes - 14 Councillors:	Adams, Berger, Chow, Johnston, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Pitfield, Sinclair, Tzekas
No - 39 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, King, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Valenti, Walker

Lost by a majority of 25.

Adoption of Part (5) of motion (a) by Councillor Walker, seconded by Councillor Prue:

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

Lost by a majority of 41.

Motion (o) by Councillor Saundercook carried.

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

Yes - 9	
Councillors:	Ashton, Bossons, Duguid, Jones, King, Layton, Lindsay Luby, Miller, Pantalone
No - 44	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker

Lost by a majority of 35.

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

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

Yes - 5	
Councillors:	Bossons, Cho, Layton, Sinclair, Valenti
No - 48	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Brown, Bussin, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Walker

Lost by a majority of 43.

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

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

Motion (c) by Councillor Chow carried.

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

Yes - 52
Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 1
Councillor: Jakobek

Carried by a majority of 51.

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

Yes - 32
Mayor: Lastman
Councillors: Adams, Augimeri, Brown, Cho, Chow, Feldman, Filion, Johnston, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Sinclair, Tzekas, Valenti, Walker
No - 21
Councillors: Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Disero, Duguid, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Minnan-Wong, O'Brien, Prue, Shaw, Silva, Soknacki

Carried by a majority of 11.

Adoption of motion (f) by Councillor Layton:

Yes - 50	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 3	
Councillors:	Holyday, Kelly, Minnan-Wong

Carried by a majority of 47.

Adoption of Part (2)(a)(i) of motion (h) by Councillor Cho:

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

Lost by a majority of 21.

Adoption of Part (2)(a)(ii) of motion (h) by Councillor Cho:

Yes - 29	
Mayor:	Lastman
Councillors:	Adams, Ashton, Berger, Brown, Cho, Chong, Duguid, Giansante, Johnston, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Saundercook, Shaw, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker

No - 24 Councillors:	Altobello, Augimeri, Berardinetti, Bossons, Bussin, Chow, Disero, Feldman, Filion, Gardner, Holyday, Jakobek, Jones, Kelly, King, Lindsay Luby, McConnell, Minnan-Wong, Ootes, Palacio, Pitfield, Prue, Rae, Shiner
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Carried by a majority of 5.

Adoption of Part (2)(c) of motion (h) by Councillor Cho:

Yes - 14 Councillors:	Altobello, Ashton, Bussin, Cho, Disero, Duguid, King, Lindsay Luby, Moeser, Nunziata, Pantalone, Sinclair, Valenti, Walker
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No - 39 Mayor:	Lastman
Councillors:	Adams, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Palacio, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas

Lost by a majority of 35.

Motion (k) by Councillor King carried.

Motion (l) by Councillor Rae carried.

Adoption of Clause, as amended:

Yes - 52 Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti

No - 1 Councillor: Walker

Carried by a majority of 51.

In summary, Council amended this Clause by:

- (1) deleting from Recommendation No. (1) embodied in the joint report dated June 6, 2000, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, as amended by the Policy and Finance Committee, the words “acceptable to the Province”, so that such recommendation shall now read as follows:

“(1) the Chief Financial Officer and Treasurer be directed to proceed to contract an independent third party auditor, to verify the financial impacts on the City of the Province’s Local Services Realignment; and if the Province decides against participating, within two weeks, the City proceed on its own to contract the auditor;”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) City Council encourage the Federation of Canadian Municipalities (FCM) to pursue its campaign to achieve constitutional status for municipal governments in Canada; and the Chief Administrative Officer, senior City staff, Team Toronto, and the FCM Board and Committee Members explore, with the FCM staff, ways in which the City of Toronto, the Big City Mayors’ Caucus, the Presidents of the Provincial/Territorial Municipal Associations and the FCM members can work together to achieve this objective;
- (b) the Federation of Canadian Municipalities be requested to appoint Councillor David Miller to its Standing Committee on the Future Role of Municipal Governments;
- (c) Members of Toronto City Council attending the Association of Municipalities (AMO) Conference be requested to put forward a motion requesting that AMO support the concept of a Charter City;
- (d) Team Toronto be requested to consider holding a Constitutional Assembly, with invitations to the City Councils of the major cities of Canada, as part of the strategy set out in the report;

- (e) the City of Toronto's audit to verify the financial impacts on the City of the Province of Ontario's Local Services Realignment include statistics on the following:
 - (i) the shortfall in provincial cost-sharing programs related to:
 - (1) childcare (as documented by the provincial KPMG audit);
 - (2) family resource centres;
 - (3) special needs children's programs; and
 - (4) shelter and hostel services; and
 - (ii) the cost of side-loading as a result of cuts in education funding related to:
 - (1) child care centres being moved because of school closures;
 - (2) replacing playgrounds; and
 - (3) increased rental fees of schools for parks and recreation programs and community groups;
- (f) the Chief Administrative Officer and the City Solicitor be requested to submit a report to the next meeting of the Policy and Finance Committee scheduled to be held on July 20, 2000, on holding a public plebiscite as part of the 2000 municipal election to determine public support for the establishment of a City Charter for the City of Toronto, such report to address various ways of posing a question that is and is not consistent with provincial regulations;
- (g) the following motion be referred to the Chief Administrative Officer and the City Solicitor for joint report thereon to the Policy and Finance Committee:

Moved by Councillor Walker:

'It is recommended that the Chief Administrative Officer develop an extensive communications package outlining the arguments for and against Charter City status for the City of Toronto and a plan to provoke full participation and debate on the part of citizens, prior to the plebiscite being put forth on the 2000 municipal election ballot.';

- (h) the Chief Administrative Officer be requested to:
 - (i) list in his forthcoming report to the Policy and Finance Committee, further examples of the unique nature of the City of Toronto, such as the fact that Toronto is the largest receptor of immigrants and refugees in Canada;

- (ii) review whether appeals to the Ontario Municipal Board from decisions of City Council could be eliminated as part of the City Charter;
- (iii) submit a report to Team Toronto on options available to City Council to ensure that any Charter cannot be unilaterally changed by the Province of Ontario; and
- (iv) submit a report to City Council for its regular meeting scheduled to be held on October 3, 2000, through the Policy and Finance Committee, on the current relationship between the following municipalities and provinces, such report to be forwarded to the Premier of Ontario and the Prime Minister of Canada:
 - (1) Vancouver and British Columbia;
 - (2) Winnipeg and Manitoba;
 - (3) Montreal and Quebec; and
 - (4) St. John's and Newfoundland; and
- (i) the following motions be referred to the Office of the Mayor for consideration:

Moved by Councillor Bossons:

'That the Clause be amended by adding to Recommendation No. (3) embodied in the report dated June 6, 2000, from the Chief Administrative Officer, the words "and representatives from the GTA's regional municipalities be invited to join Team Toronto", so that such recommendation shall now read as follows:

"(3) a Team Toronto, composed of a group of Councillors, be established that can provide advice to the Mayor and political guidance to staff on implementation of the strategy, and representatives from the GTA's regional municipalities be invited to join Team Toronto;".'

Moved by Councillor Cho:

'It is recommended that Councillor Howard Moscoe be appointed as a member of Team Toronto.'

Moved by Councillor Korwin-Kuczynski:

‘It is recommended that a third Team Toronto, consisting of citizens of the City of Toronto who are interested in pursuing Charter City status, be established.’

Moved by Councillor Moscoe:

‘It is recommended that Councillor Michael Walker be appointed as a member of Team Toronto.’ ”

9.46 **Clause No. 19 of Report No. 9 of The Policy and Finance Committee, headed “December 31, 1999, Operating Budget Variance Report”.**

Motion:

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

“It is further recommended that:

- (1) the following reports be submitted to the Policy and Finance Committee at such time as the June 2000 variance report is submitted to the Committee:

- (a) **Solid Waste Management:**

The Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee providing two separate schedules of all corporate charges imposed on programs and other charge backs paid by programs across the City with details of the 1999 actual and the 2000 budget;

- (b) **Outstanding Issues Between Parks and Recreation and Facilities and Real Estate Divisions:**

The City Auditor be requested to submit a report to the Policy and Finance Committee:

- (i) on the nature, background and circumstances of the issues between Parks and Recreation and the Facilities and Real Estate Divisions that have resulted in the transfer of expenditures of \$1,984.2 thousand subsequent to the reporting of the final actual expenditures as part of the year 2000 budget process;
 - (ii) containing recommendations on how this issue may be resolved, in consultation with the programs involved; and

- (iii) on the potential for a similar transfer of expenditures in year 2000 and the resulting impact on the respective budgets;

(c) **Fleet Management Services:**

The City Auditor be requested to submit a report to the Policy and Finance Committee providing a comparison of the gross and net Fleet budgets for 1997 (pre-amalgamation composite), 1998 and 1999, to verify and demonstrate how the Fleet budget had been previously reduced by \$4.0 million; and

(d) **Interest on Tax Refunds and Computer Leasing Costs:**

The Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on the circumstances behind the unbudgeted expenditures in 1999 of \$1.7 million on Tax Refunds and \$1.4 million for computer leasing costs, the reasons why these expenditures remain unbudgeted for year 2000 and the potential for incurring these expenditures in year 2000; and

- (2) the City Auditor be requested to ascertain the extent to which the financial management reporting needs of different City programs are adequately met by the City's SAP financial system and report thereon to the Policy and Finance Committee in January 2001."

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

9.47 **Clause No. 9 of Report No. 13 of The Works Committee, headed "Resurfacing of Toronto Roads in District 4, Contract No. 00D4-100RD, Tender Call No. 9-2000 (Scarborough Bluffs, Scarborough Wexford and Scarborough Civic Centre)".**

Motion:

Councillor Balkissoon moved that the Clause be struck out and referred back to the Works Committee for further consideration at its next meeting scheduled to be held on July 12, 2000; and the Manager, Fair Wage and Labour Trades Office, be requested, in consultation with the City Auditor, to review the contract and determine whether the contractor is in violation of the Fair Wage Policy of the City of Toronto and submit a report thereon to the Works Committee.

Vote:

The motion by Councillor Balkissoon carried.

9.48 **Clause No. 7 of Report No. 7 of The Planning and Transportation Committee, headed “Car Free Sunday”.**

Motion:

Councillor Gardner 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 the potential economic impacts of the ‘Car Free Sunday’ initiative on the City of Toronto.”

Votes:

The motion by Councillor Gardner carried.

The Clause, as amended, carried.

9.49 **Clause No. 6 of Report No. 14 of The Administration Committee, headed “City of Toronto Employment Equity Policy”.**

Motion:

Councillor Chong moved that the Clause be amended by deleting from Recommendation (I)(1) of the Personnel Sub-Committee, the word “fully”, and adding thereto the words “and that this be achieved through employment equity programs that remove barriers and monitor outcomes rather than by establishing requirements to precisely reflect the percentage of designated groups in the community”, so that such recommendation shall now read as follows:

“The Personnel Sub-Committee at its meeting held on June 12, 2000, recommended to the Administration Committee:

- (I) the adoption of the Employment Equity Policy Statement, Appendix 1 (Revised May 18, 2000), entitled ‘Employment Equity Policy Statement’, embodied in the report dated May 17, 2000, from the Executive Director of Human Resources, with the following principle being reflected in the Revised version of the Policy:

- (1) a recognition in the policy statement that ‘the citizens of Toronto are best served by a public service which reflects the diversity of the community which it serves’, and that this be achieved through employment equity programs that remove barriers and monitor outcomes rather than by establishing requirements to precisely reflect the percentage of designated groups in the community;”.

Votes:

The motion by Councillor Chong carried.

The Clause, as amended, carried.

9.50 **Clause No. 6 of Report No. 7 of The Planning and Transportation Committee, headed “Free Transit on Air Quality Advisory Days”.**

Motion:

Councillor Layton moved that Council adopt the following recommendations:

“It is recommended that:

- (a) Recommendations Nos. (1) and (2) embodied in the communication dated July 5, 2000, from Councillor Jack Layton, be adopted, viz.:

‘It is recommended that:

- (1) Councillor Layton’s report dated July 5, 2000, on the first-ever Toronto Smog Summit, be received for information; and
 - (2) Council endorse and authorize the City’s participation in the Toronto Intergovernmental Clean Air Working Group, as set out in the Toronto Intergovernmental Declaration on Clean Air signed by Councillor Jack Layton on behalf of Mayor Mel Lastman, which includes representatives from all orders of government operational within the GTA, to follow up on key issues identified during the Summit and to establish a series of ongoing summits.’;
- (b) Recommendations Nos. (3) and (5) embodied in the communication dated July 5, 2000, from Councillor Jack Layton, be referred to the Policy and Finance Committee, viz.:

‘It is recommended that:

- (3) staff report directly to the August City Council meeting on any additional costs involved in purchasing Ultra Low Emissions Vehicles above those to be allocated in the 2000 Capital Budget for the replacement of automobiles, including any funding already provided by the Toronto Atmospheric Fund; and
 - (5) staff report directly to the August City Council meeting on any additional costs involved and actions necessary in purchasing on-road diesel fuel, which has a much lower sulphur content, for use by off-road vehicles.’;
- (c) Recommendation No. (4) embodied in the communication dated July 5, 2000, from Councillor Jack Layton, be referred to the Administration Committee, viz.:

‘It is recommended that:

- (4) staff report directly to the August City Council meeting on any funding required for Fleet Management Services to develop a Transition Plan for Fleet Vehicles to Reduce Vehicle Emissions, including any funding already provided by the Toronto Atmospheric Fund.’; and
- (d) Recommendation No. (6) embodied in the communication dated July 5, 2000, from Councillor Jack Layton, be referred to the Toronto Transit Commission, viz.:

‘It is recommended that:

- (6) TTC Staff report directly to the August City Council meeting on the feasibility and costs associated with the TTC buying Ultra Low Emission Vehicles for its non-revenue vehicle fleet.’ ”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

9.51 **Clause No. 34 of Report No. 8 of The North York Community Council, headed “Ontario Municipal Board Hearing – Committee of Adjustment, Application No. A058/OONY – Hassan A. Ibrahim – 397 Hillcrest Avenue – North York Centre”.**

Motion:

- (a) Councillor Gardner moved that the Clause be received.

Permission to Withdraw Motion:

Councillor Gardner, with the permission of Council, withdrew his motion (a).

Motion:

- (b) Councillor Shiner moved that the Clause be amended by adding to the recommendation of the North York Community Council the words “subject to there being a below grade garage”, so that such recommendation shall now read as follows:

“The North York Community Council recommends the adoption of the following Resolution by Councillor Filion, North York Centre, subject to there being a below grade garage.”.

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

9.52 IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE

July 4, 2000:

Motion:

Deputy Mayor Ootes, at 6:50 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 19 of Report No. 7 of The Economic Development and Parks Committee, headed “Organizational Structure of the Parks and Recreation Division - Staffing of Front Line Recreationist Positions (All Wards)”, in accordance with the provisions of the Municipal Act, having regard that such Clause contains information pertaining to labour relations matters.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:55 p.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:28 p.m., and met in public session in the Council Chamber.

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

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the Committee of the Whole had not concluded its consideration of the above Clause and had deferred further consideration thereof until later in the meeting.

July 5, 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(17), moved by Councillor Berardinetti, seconded by Councillor Holyday, respecting a confidential personnel matter pertaining to the Toronto Port Authority, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 3:50 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:

- (a) Clause No. 4 of Report No. 9 of The Policy and Finance Committee, headed "Telecommunications Strategy", having regard that such Clause contains information related to the security of property interests of the municipality;
- (b) Clause No. 6 of Report No. 9 of The Policy and Finance Committee, headed "Toronto Port Authority - Legal Advice", having regard that such Clause contains information which is subject to Solicitor/Client privilege;
- (c) Clause No. 13 of Report No. 9 of The Policy and Finance Committee, headed "Exempting Non-Profit Housing from Planning Application Fees, Building Permit Fees and Parkland Dedication Requirements", having regard that such Clause contains information which is subject to Solicitor/Client privilege; and

- (d) Notice of Motion J(17), having regard that the confidential report dated June 26, 2000, from the Chief Administrative Officer, appended thereto, contains personal information with respect to an identifiable individual.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 3:55 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 5:17 p.m., and met in public session in the Council Chamber.

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

9.53 Clause No. 4 of Report No. 9 of The Policy and Finance Committee, headed "Telecommunications Strategy".

Motions:

Deputy Mayor Ootes advised the Council that the following motions (a), (b), (c) and (d), by Councillors Ashton, Moscoe, Adams and McConnell, respectively, had previously been moved during the public session of the meeting and, in accordance with the provisions of the Municipal Act, reported that the following motions (e), (f) and (g), by Councillors Moscoe, Adams and Pantalone, respectively, had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

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

"It is further recommended that:

- (1) the Executive Lead on Telecommunications be requested to:
- (a) proceed with the preparation of a business case, with the source of funding, to an upset limit of \$300,000.00, to be allocated from telecommunications revenues; and
 - (b) submit a quarterly report to the Telecommunications Steering Committee on the expenditures associated with the business case; and

- (2) the confidential report dated June 23, 2000, from the Commissioner of Works and Emergency Services, be adopted.”

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

- (1) adding to Recommendation No. (6) embodied in the joint report dated June 16, 2000, from the Chief Administrative Officer and the Executive Lead on Telecommunications, the sentence “Additionally, the Interim Lead on Telecommunications, with the approval of the Chief Administrative Officer and the Chief Financial Officer and Treasurer be authorized to enter into agreements for pilot projects in co-operation with various boards, agencies and commissions and private sector providers, utilizing both existing budgeted funds and revenues generated from existing telecommunications agreements.”; and
- (2) adding thereto the following:

“It is further recommended that the following motion be referred to the Executive Lead on Telecommunications for consideration and report thereon to the next meeting of the Telecommunications Steering Committee:

Moved by Councillor Moscoe:

‘That the Clause be amended by adding to Recommendation No. (2) embodied in the joint report dated June 16, 2000, from the Chief Administrative Officer and the Executive Lead on Telecommunications, the sentence “As an interim measure, to limit the number of road cuts and until such time as the City has developed a Rights-of-Way Management Plan, the City shall require, as a condition of the issuance of a road cut permit, all below grade users of the public road allowance to install spare conduit to the specifications of the Commissioner of Works and Emergency Services, at no cost to the City.” ’ ’ ”

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

“It is further recommended that:

- (1) the Chair of the Telecommunications Steering Committee and the Executive Lead on Telecommunications be authorized to convene an information meeting with interested representatives of school boards, universities, colleges, hospitals, as well as the City’s agencies, boards and commissions, to explore ideas for joint arrangements for fibre optic builds;

- (2) the Executive Lead on Telecommunications be requested to submit a report to the Telecommunications Steering Committee on how best to guarantee the removal of telecommunications plant when no longer useful;
 - (3) the Chief Financial Officer and Treasurer be requested to submit a report to the Telecommunications Steering Committee, in September 2000, on all of the one-time and annual payments for telecommunications use of the City of Toronto's rights-of-way;
 - (4) the Executive Lead on Telecommunications be requested to identify opportunities for public/private and public/public partnership opportunities, both in the development of the forthcoming Business Case Analysis for a City-owned Dark Fibre Build and in the interim report requested in Recommendation No. (9) of the joint report dated June 16, 2000, from the Chief Administrative Officer and the Executive Lead on Telecommunications; and
 - (5) the City of Toronto enter into an agreement with Stream Intelligent Networks Corp. for a demonstration project of a fibre optic build employing sewer robot technology, based upon the confidential communication dated May 5, 2000, from the company, subject to an agreement being reached which is acceptable to the Executive Lead on Telecommunications, the City Solicitor, the Chief Financial Officer and Treasurer, the Commissioner of Works and Emergency Services, the Chief of Police, the Fire Chief and the General Manager, Toronto Ambulance.”
- (d) Councillor McConnell moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) the Commissioner of Works and Emergency Services be directed to include in all road reconstruction and new road construction projects, including, where feasible, those in the current Capital Budget, fibre optic conduit for the use of the City; and
 - (2) the Commissioner of Urban Development Services, in consultation with the Commissioner of Works and Emergency Services, be directed to require the construction of fibre optic conduit for the ownership of the City in all Section 37 agreements and subdivision agreements.”
- (e) Councillor Moscoe further moved that motion (d) by Councillor McConnell be amended by:

- (1) inserting in Part (1), prior to the word “include”, the word “generally”, and deleting word “all”;
 - (2) inserting in Part (2), after the words “the City”, the word “generally, and deleting the word “all”; and
 - (3) adding thereto the following new Part (3):
 - “(3) the Executive Lead on Telecommunications be requested to submit a report to the Telecommunications Steering Committee on the implications of Recommendations Nos. (1) and (2), above.”
- (f) Councillor Adams further moved that Part (2) of motion (a) by Councillor Ashton be amended by adding thereto the words “subject to amending Recommendation No. (4) by adding thereto the words ‘and subject to the City obtaining ownership and use of two spare ducts on each route segment’ ”.
- (g) Councillor Pantalone moved that:
- (1) Part (5) of motion (c) by Councillor Adams be referred to the Chief Administrative Officer for consideration and report thereon to the next regular meeting of City Council scheduled to be held on August 1, 2000, through the Telecommunications Steering Committee; and
 - (2) the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to ensure that the Request for Expressions of Interest (REOI) and the award of the contract for a demonstration fibre optic installation project using the City of Toronto’s sewer system be achieved by October 1, 2000.”

Votes:

Adoption of motion (b) by Councillor Moscoe:

Yes - 43
Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker

No - 0

Carried, without dissent.

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

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

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

Motion (e) by Councillor Moscoe carried.

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

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

Motion (f) by Councillor Adams carried.

Part (2) of motion (a) by Councillor Ashton carried, as amended.

Adoption of Clause, as amended:

Yes - 46	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker

No - 0

Carried, without dissent.

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that City Council, at the in-camera portion of its meeting, had issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they relate to the security of property interests of the municipality.

In summary, Council amended this Clause by:

- (1) adding to Recommendation No. (6) embodied in the joint report dated June 16, 2000, from the Chief Administrative Officer and the Executive Lead on Telecommunications, the sentence “Additionally, the Interim Lead on Telecommunications, with the approval of the Chief Administrative Officer and the Chief Financial Officer and Treasurer be authorized to enter into agreements for pilot projects in co-operation with various boards, agencies and commissions and private sector providers, utilizing both existing budgeted funds and revenues generated from existing telecommunications agreements.”, so that such recommendation shall now read as follows:

“Telecommunications Demonstration Projects:

- (6) staff should prepare a EOI/RFP to solicit proposals for telecommunications demonstration projects. These projects should be undertaken if there is limited or no cost/risk to the City and if the end result meets obvious corporate/ABC telecommunications needs. Additionally, the Interim Lead on Telecommunications, with the approval of the Chief Administrative Officer and the Chief Financial Officer and Treasurer be authorized to enter into agreements for pilot projects in co-operation with various boards, agencies and commissions and private sector providers, utilizing both existing budgeted funds and revenues generated from existing telecommunications agreements.”; and
- (2) adding thereto the following:

“It is further recommended that:

- (a) the Chief Administrative Officer be requested to ensure that the Request for Expressions of Interest (REOI) and the award of the contract for a demonstration fibre optic installation project using the City of Toronto’s sewer system be achieved by October 1, 2000;
- (b) the Commissioner of Works and Emergency Services be directed to generally include in road reconstruction and new road construction projects, including, where feasible, those in the current Capital Budget, fibre optic conduit for the use of the City;
- (c) the Commissioner of Urban Development Services, in consultation with the Commissioner of Works and Emergency Services, be directed to require the construction of fibre optic conduit for the ownership of the City generally in Section 37 agreements and subdivision agreements;

- (d) the Executive Lead on Telecommunications be requested to submit a report to the Telecommunications Steering Committee on the implications of Recommendations Nos. (2)(b) and (c), above;
- (e) the Executive Lead on Telecommunications be requested to:
 - (i) proceed with the preparation of a business case, with the source of funding, to an upset limit of \$300,000.00, to be allocated from telecommunications revenues; and
 - (ii) submit a quarterly report to the Telecommunications Steering Committee on the expenditures associated with the business case;
- (f) the Chair of the Telecommunications Steering Committee and the Executive Lead on Telecommunications be authorized to convene an information meeting with interested representatives of school boards, universities, colleges, hospitals, as well as the City's agencies, boards and commissions, to explore ideas for joint arrangements for fibre optic builds;
- (g) the Executive Lead on Telecommunications be requested to submit a report to the Telecommunications Steering Committee on how best to guarantee the removal of telecommunications plant when no longer useful;
- (h) the Chief Financial Officer and Treasurer be requested to submit a report to the Telecommunications Steering Committee, in September 2000, on all of the one-time and annual payments for telecommunications use of the City of Toronto's rights-of-way;
- (i) the Executive Lead on Telecommunications be requested to identify opportunities for public/private and public/public partnership opportunities, both in the development of the forthcoming Business Case Analysis for a City-owned Dark Fibre Build and in the interim report requested in Recommendation No. (9) of the joint report dated June 16, 2000, from the Chief Administrative Officer and the Executive Lead on Telecommunications;
- (j) the confidential report dated June 23, 2000, from the Commissioner of Works and Emergency Services, be adopted, subject to amending Recommendation No. (4) by adding thereto the words 'and subject to the City obtaining ownership and use of two spare ducts on each route segment', so that the recommendations embodied in such report shall now read as follows, the balance of such report to remain confidential, having regard that it contains information which is subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act:

‘It is recommended that:

- (1) approval be given to enter into a Term Letter Agreement with Stream Intelligent Networks Corp. (or affiliate) to authorize the installation and maintenance of conduits and fibre optic cables within certain public highways, subject to the terms and conditions generally as set out in this report and such other terms and conditions as may be satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor;
 - (2) the requirement to pay further processing fees related to this Term Letter Agreement and the Municipal Access Agreement (MAA) be waived, as this fee was already paid by Stream in the context of the Pedestrian Tunnel Street Crossing Agreement;
 - (3) approval be given to enter into a Term Letter Agreement with GT Group Telecom Services Corp. (or affiliate) to authorize the installation and maintenance of conduits and fibre optic cables within certain public highways, subject to the terms and conditions generally as set out in this report and such other terms and conditions as may be satisfactory to the Commissioner of Works and Emergency Services and City Solicitor;
 - (4) approval be given to enter into a Term Letter Agreement with C1 Communications Inc. (or affiliate) to authorize the installation and maintenance of conduits and fibre optic cables within certain public highways, subject to the terms and conditions generally as set out in this report and such other terms and conditions as may be satisfactory to the Commissioner of Works and Emergency Services and City Solicitor and subject to the City obtaining ownership and use of two spare ducts on each route segment; and
 - (5) the appropriate City officials be authorized to take the necessary steps to implement the foregoing, including the introduction in Council of any Bills that may be required.’;
- (k) the following motion be referred to the Chief Administrative Officer for consideration and report thereon to the next regular meeting of City Council scheduled to be held on August 1, 2000, through the Telecommunications Steering Committee:

Moved by Councillor Adams:

‘It is recommended that the City of Toronto enter into an agreement with Stream Intelligent Networks Corp. for a demonstration project of a fibre optic build employing sewer robot

technology, based upon the confidential communication dated May 5, 2000, from the company, subject to an agreement being reached which is acceptable to the Executive Lead on Telecommunications, the City Solicitor, the Chief Financial Officer and Treasurer, the Commissioner of Works and Emergency Services, the Chief of Police, the Fire Chief and the General Manager, Toronto Ambulance.’; and

- (l) the following motion be referred to the Executive Lead on Telecommunications for consideration and report thereon to the next meeting of the Telecommunications Steering Committee:

Moved by Councillor Moscoe:

‘That the Clause be amended by adding to Recommendation No. (2) embodied in the joint report dated June 16, 2000, from the Chief Administrative Officer and the Executive Lead on Telecommunications, the sentence “As an interim measure, to limit the number of road cuts and until such time as the City has developed a Rights-of-Way Management Plan, the City shall require, as a condition of the issuance of a road cut permit, all below grade users of the public road allowance to install spare conduit to the specifications of the Commissioner of Works and Emergency Services, at no cost to the City.”, so that such recommendation shall now read as follows:

“Rights-of-Way Management:

- (2) City staff should be directed to prepare a Rights-of-Way (ROW) Management Plan to include at a minimum:
 - (i) estimates of demand for ROW access as a result of telecommunications growth; and
 - (ii) strategies, including co-operative strategies with the telecommunications companies themselves, to minimize the need to install fibre optics by digging in roads, including formal examination of options for installation in the rights-of-ways of other organizations, subway tunnels, abandoned water and gas mains and active sewers;

As an interim measure, to limit the number of road cuts and until such time as the City has developed a Rights-of-Way Management Plan, the City shall require, as a condition of the issuance of a road cut permit, all below grade users of the public road allowance to install spare conduit to the specifications of the Commissioner of Works and Emergency Services, at no cost to the City.” ’ ”

9.54 **Clause No. 6 of Report No. 9 of The Policy and Finance Committee, headed “Toronto Port Authority - Legal Advice”.**

Motion:

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

Moved by Councillor Ashton:

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

“It is further recommended that the joint confidential report dated July 4, 2000, from the Chief Administrative Officer 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 following recommendation embodied therein:

‘It is recommended that Council issue a shareholder’s directive pursuant to Section 108 of the Ontario Business Corporations Act directing the Toronto Economic Development Corporation (TEDCO) to execute, with the City, an agreement with the Toronto Port Authority, for the purpose of extending the limitation period by which the Toronto Port Authority would otherwise be required to commence legal proceedings against the City and TEDCO in respect of an Agreement of Purchase and Sale dated July 18, 1994, until July 31, 2001.’”

Votes:

Adoption of motion by Councillor Ashton:

Yes - 43	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 2	
Councillors:	Miller, Saundercook

Carried by a majority of 41.

The Clause, as amended, carried.

9.55 Clause No. 13 of Report No. 9 of The Policy and Finance Committee, headed "Exempting Non-Profit Housing from Planning Application Fees, Building Permit Fees and Parkland Dedication Requirements".

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:

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

"It is further recommended that the Commissioner of Urban Development Services be requested to submit a bi-annual report to City Council, through the Planning and Transportation Committee, providing a detailed account of the fees that have been exempted and the number of units that have been built and occupied under this policy."

Deputy Mayor Ootes called for further motions with respect to this Clause.

- (b) Councillor Duguid moved that the Clause be amended by deleting from Recommendation No. (1) of the Planning and Transportation Committee, embodied in the confidential communication dated June 14, 2000, from the City Clerk, the words "subject to ensuring that the fees, levies, and charges forgiven therein be transferred by the City back to the appropriate departments", so that such recommendation shall now read as follows:

- “(1) Option 1(a) of Recommendation No. (1) of the joint confidential report (May 31, 2000) from the Commissioner of Urban Development Services and the City Solicitor, be adopted;”.

Votes:

Adoption of motion (b) by Councillor Duguid:

Yes - 42	
Mayor:	Lastman
Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 5	
Councillors:	Ashton, Augimeri, Filion, McConnell, Moscoe

Carried by a majority of 37.

Motion (a) by Councillor Brown carried.

Adoption of Clause, as amended:

Yes - 47	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 2	
Councillors:	Bussin, Filion

Carried by a majority of 45.

9.56 Deputy Mayor Ootes called upon Motion J(17), as follows:

Moved by: Councillor Berardinetti

Seconded by: Councillor Holyday

“**WHEREAS** the Chief Administrative Officer has identified a personnel matter that must be resolved as soon as possible, and has prepared a confidential report dated June 26, 2000, in this regard;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the aforementioned confidential report dated June 26, 2000, from the Chief Administrative Officer and that such confidential report be adopted.”

Council also had before it, during consideration of Motion J(17), a confidential report dated June 26, 2000, from the Chief Administrative Officer, respecting a confidential personnel matter pertaining to the Toronto Port Authority.

Motions:

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(17).

Vote:

Motion J(17) was adopted, without amendment, and in so doing, Council adopted the confidential report dated June 26, 2000, from the Chief Administrative Officer, such report to remain confidential, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, having regard that it contains personal information with respect to an identifiable individual, save and except the following recommendation embodied therein:

“It is recommended that Paragraph D, Section 1 of By-law No. 1996-0234 (former City of Toronto), be repealed.”

July 6, 2000:

Motion:

Deputy Mayor Ootes, at 11:55 a.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 following Acts:

- (a) Clause No. 19 of Report No. 7 of The Economic Development and Parks Committee, headed “Organizational Structure of the Parks and Recreation Division - Staffing of Front Line Recreationist Positions (All Wards)”, in accordance with the provisions of the Municipal Act, having regard that such Clause contains information pertaining to labour relations matters;
- (b) Clause No. 1 of Report No. 7 of The York Community Council, headed “3671 Dundas Street West (Humbercrest Loblaws), Appeal to the Ontario Municipal Board – Site Plan Approval, Redevelopment of Grocery Store Parking Lot, Ward 27, York Humber”, in accordance with the provisions of the Municipal Act, having regard that such Clause contains information which is subject to potential litigation; and
- (c) Clause No. 1 of Report No. 3 of The Audit Committee, headed “Toronto Harbour Commissioners - Financial Review”, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, having regard that such Clause contains personal information with respect to an identifiable individual.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 12:08 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 4:40 p.m., and met in public session in the Council Chamber.

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

9.57 Clause No. 1 of Report No. 7 of The York Community Council, headed “3671 Dundas Street West (Humbercrest Loblaws), Appeal to the Ontario Municipal Board – Site Plan Approval, Redevelopment of Grocery Store Parking Lot, Ward 27, York Humber”.

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 Nunziata moved that Council adopt the following recommendations:

“It is recommended that:

- (1) Council re-affirm its decision of May 9, 10 and 11, 2000, in this regard;
- (2) the report dated April 17, 2000, from the Director, Community Planning, West District, not be approved; and
- (3) the City Solicitor be instructed to:
 - (a) appear at the Ontario Municipal Board to oppose the proposal by Loblaws Properties Limited and the City Planning staff’s recommendations; and
 - (b) hire outside planning and traffic consultants to assist at the Ontario Municipal Board, providing support to the position of the community that access to the existing Loblaws parking garage from Gooch Avenue, as proposed by Loblaws, not be permitted.”

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

“It is recommended that the following Recommendations Nos. (3) and (5) embodied in the confidential report dated June 19, 2000, from the City Solicitor, 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 potential litigation:

- ‘(3) the City Solicitor be instructed to attend at the Ontario Municipal Board hearing in support of the recommendations of the Director, Community Planning, West District, in his report dated April 17, 2000; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

Adoption of motion (b) by Councillor Prue:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Feldman, Filion, Giansante, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Tzekas, Valenti, Walker
No - 9	
Councillors:	Ashton, King, Lindsay Luby, Mammoliti, Mihevc, Nunziata, O'Brien, Palacio, Saundercook

Carried by a majority of 27.

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

The Clause, as amended, carried.

9.58 **Clause No. 19 of Report No. 7 of The Economic Development and Parks Committee, headed "Organizational Structure of the Parks and Recreation Division - Staffing of Front Line Recreationist Positions (All Wards)".**

Permission to Withdraw Motions:

Deputy Mayor Ootes advised the Council that the following motions (a) and (b), by Mayor Lastman and Councillor Sinclair, respectively, had previously been moved during the public session of the meeting and, at the request of Mayor Lastman and Councillor Sinclair, and with the permission of Council, had subsequently been withdrawn:

- (a) Mayor Lastman moved that the Clause be amended in accordance with the confidential report dated June 30, 2000, from the Commissioner of Economic Development, Culture and Tourism, 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 related to labour relations matters.
- (b) Councillor Sinclair moved that motion (a) by Mayor Lastman be amended by adding thereto the following words:

“subject to adding thereto the following new Recommendation No. (5) and re-numbering Recommendation No. (6) accordingly:

- (5) City Council formally request the Canadian Union of Public Employees (CUPE), Local 79, to provide full transportability and recognition of their seniority to the successful candidates for front

line Recreationist positions; and failing which, the City seek the co-operation of CUPE Local 79 with a reconsideration application by the City to the Labour Relations Board to place the affected positions and incumbents in the inside bargaining unit with seniority;’ ”.

Motions:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions (c), (d), (e), (f) and (g), by Councillors Sinclair, Duguid, Balkissoon, Moeser and Shiner, respectively, had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

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

“It is further recommended that:

- (1) the Executive Director of Human Resources be instructed to make application to the Ontario Labour Relations Board to reconsider the original decision to exclude these positions from the Collective Agreement; and
- (2) the Executive Director of Human Resources be requested to review other City Departments to determine whether similar issues are arising and submit a report thereon to the Administration Committee, through the Personnel Sub-Committee, as soon as possible.”

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

“It is further recommended that the Executive Director of Human Resources be requested to submit a report to Council, through the Administration Committee, prior to the appropriate number of positions in question being filled, on the results of the request to the Ontario Labour Relations Board that the exempt staff be given equal access and consideration in the hiring process.”

- (e) Councillor Balkissoon moved that:

- (1) consideration of the Clause be deferred until such time as the decision of the Ontario Labour Relations Board is available; and

(2) if the decision of the Ontario Labour Relations Board is not favourable, the recommendations of the Economic Development and Parks Committee embodied in the confidential communication dated June 20, 2000, from the City Clerk, be adopted.

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

“It is further recommended that the staff positions impacted be kept open until this matter has been resolved at the Ontario Labour Relations Board.”

(g) Councillor Shiner moved that the Clause be amended by striking out the recommendations of the Economic Development and Parks Committee.

Deputy Mayor Ootes called for additional motions with respect to this Clause.

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

“It is further recommended that the Executive Director of Human Resources be requested to submit a report to City Council, through the Administration Committee, on the decision of the Ontario Labour Relations Board.”

Permission to Withdraw Motion:

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

Votes:

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

Yes - 50	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

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

Yes - 23	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Duguid, Filion, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Moeser, Moscoe, Prue, Shaw, Tzekas, Walker
No - 27	
Mayor:	Lastman
Councillors:	Brown, Chong, Chow, Disero, Feldman, Gardner, Giansante, Jones, King, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair, Valenti

Lost by a majority of 4.

Adoption of motion (g) by Councillor Shiner:

Yes - 36	
Mayor:	Lastman
Councillors:	Adams, Brown, Chong, Chow, Disero, Feldman, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair, Valenti, Walker
No - 14	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Duguid, McConnell, Moeser, Moscoe, Prue, Shaw, Tzekas

Carried by a majority of 22.

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

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

Adoption of motion (f) by Councillor Moeser:

Yes - 51
Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Valenti, Walker
No - 0

Carried, without dissent.

Adoption of motion (h) by Councillor Ashton:

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

Carried by a majority of 14.

In summary, Council amended the Clause by striking out the recommendations of the Economic Development and Parks Committee.

Council adopted the following recommendations:

“It is recommended that:

- (1) the Executive Director of Human Resources be instructed to make application to the Ontario Labour Relations Board to reconsider the original decision to exclude these positions from the Collective Agreement;

- (2) the staff positions impacted be kept open until this matter has been resolved at the Ontario Labour Relations Board;
- (3) the Executive Director of Human Resources be requested to submit a report to City Council, through the Administration Committee, on the decision of the Ontario Labour Relations Board; and
- (4) the Executive Director of Human Resources be requested to review other City Departments to determine whether similar issues are arising and submit a report thereon to the Administration Committee, through the Personnel Sub-Committee, as soon as possible.”

9.59 **Clause No. 1 of Report No. 3 of The Audit Committee, headed “Toronto Harbour Commissioners - Financial Review”.**

Motions:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions (a) and (b), by Councillors Chow and Moscoe, respectively, had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

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

“It is further recommended that the report dated June 28, 2000, from the City Auditor, embodying the following recommendation, be adopted:

‘It is recommended that the Chief Financial Officer and Treasurer be requested to review the budget submissions of the Toronto Harbour Commissioners for the years ended December 31, 1998, and December 31, 1999, and recover those actual expenditures incurred by the Toronto Harbour Commissioners which are not part of these budget submissions.’ ”

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

“It is further recommended that:

- (1) the City Auditor be requested to further investigate the details of these expenditures and attempt to recover those expenses that were untoward; and

- (2) a copy of this Clause and any future reports in this regard be forwarded to the Federal Minister of Transport for his information, and the Minister be requested to investigate any matters that relate to federal appointees on the Toronto Harbour Commission/Toronto Port Authority.”

Deputy Mayor Ootes called for additional motions with respect to this Clause.

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

“It is further recommended that, based on the City Auditor’s report on the Toronto Harbour Commission and the recent action of the Toronto Port Authority regarding Docking Fees, the Chief Financial Officer and Treasurer and the City Auditor be requested to submit a joint report to the Policy and Finance Committee on an appropriate subsidy level for the 1999 and 2000 Operating and Capital Budgets for the Toronto Harbour Commission/Toronto Port Authority.”

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

“It is further recommended that:

- (1) the City Auditor be requested to:
- (a) submit a report to the Audit Committee providing more details respecting the expenditures outlined in his report, particularly regarding the large expenditure on hockey tickets, and how these hockey tickets were used; and
 - (b) fully document the political donations and report thereon to the Audit Committee;
- (2) City Council authorize and encourage the City Auditor to continue his investigation into the matters reported; and
- (3) the City Auditor be requested to continue to work with senior staff, in order to determine those actions available to prevent any similar problems from emerging in the future and/or to recover any inappropriately expended funds.”

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

“It is further recommended that the Chief Financial Officer and Treasurer, in consultation with the City Solicitor and the City Clerk, be requested to submit a report to the Policy and Finance Committee outlining a policy for reimbursement to Councillors for expenses arising from their positions on agencies, boards, commissions and other Special Purpose Bodies.”

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

“It is further recommended that the City Solicitor and the Executive Director of Human Resources be requested to submit a joint report to the Audit Committee on whether employment contracts with senior officials of the City’s departments, agencies, boards and commissions, should include a requirement that an employee must co-operate with any investigation by the City Auditor of the financial affairs of the relevant City departments, agencies, boards and commissions while that official was employed there.”

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

“It is further recommended that the City Auditor be requested to determine whether the 1998/1999 reports of the Toronto Harbour Commission on remuneration of Council appointees and employees were consistent with the reports in the previous three-year period and report thereon to the Audit Committee.”

Votes:

Adoption of motion (a) by Councillor Chow:

Yes - 41	
Councillors:	Altobello, Augimeri, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker
No - 0	

Carried, without dissent.

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

Yes - 43
Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker
No - 0

Carried, without dissent.

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

Yes - 28
Councillors: Augimeri, Bossons, Brown, Chong, Chow, Duguid, Feldman, Filion, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Palacio, Pantalone, Prue, Shiner, Silva, Sinclair, Tzekas, Walker
No - 16
Councillors: Altobello, Balkissoon, Berardinetti, Cho, Disero, Gardner, Giansante, Jakobek, King, Li Preti, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook

Carried by a majority of 12.

Adoption of motion (c) by Councillor Chow:

Yes - 43
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Sinclair, Silva, Tzekas
No - 0

Carried, without dissent.

Adoption of Part (1)(a) of motion (d) by Councillor Layton:

Yes - 28 Councillors: Ashton, Augimeri, Balkissoon, Brown, Chong, Chow, Disero, Feldman, Filion, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pantalone, Saundercook, Shiner, Tzekas
No - 17 Councillors: Altobello, Berardinetti, Bossons, Cho, Duguid, Jakobek, King, Mammoliti, Moeser, O'Brien, Ootes, Palacio, Pitfield, Prue, Silva, Sinclair, Walker

Carried by a majority of 11.

Adoption of Part (1)(b) of motion (d) by Councillor Layton:

Yes - 43 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker
No - 2 Councillors: King, O'Brien

Carried by a majority of 41.

Adoption of Parts (2) and (3) of motion (d) by Councillor Layton:

Yes - 38 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Feldman, Filion, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Palacio, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker

No - 7 Councillors: Disero, Duguid, Jakobek, King, Mammoliti, Moeser, Ootes
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Carried by a majority of 31.

Adoption of motion (e) by Councillor King:

Yes - 38 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Saundercook, Sinclair, Tzekas, Walker
No - 6 Councillors: Li Preti, Minnan-Wong, Pantalone, Pitfield, Shiner, Silva

Carried by a majority of 32.

Adoption of motion (f) by Councillor Kinahan:

Yes - 45 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker
No - 0

Carried, without dissent.

Adoption of motion (g) by Councillor Moscoe:

<p>Yes - 40 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Chong, Chow, Duguid, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 5 Councillors: Bossons, Brown, Disero, Feldman, King</p>

Carried by a majority of 35.

Adoption of Clause, as amended:

<p>Yes - 46 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 0</p>

Carried, without dissent.

Further Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, further reported that City Council, at the in-camera portion of its meeting, had also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, having regard that they relate to personal matters about an identifiable individual.

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

“It is further recommended that:

- (1) a copy of this Clause and any future reports in this regard be forwarded to the Federal Minister of Transport for his information, and the Minister be requested to investigate any matters that relate to federal appointees on the Toronto Harbour Commission/Toronto Port Authority;
- (2) City Council authorize and encourage the City Auditor to continue his investigation into the matters reported;
- (3) the City Auditor be requested to:
 - (a) further investigate the details of these expenditures and attempt to recover those expenses that were untoward;
 - (b) submit a report to the Audit Committee providing more details respecting the expenditures outlined in his report, particularly regarding the large expenditure on hockey tickets, and how these hockey tickets were used;
 - (c) fully document the political donations and report thereon to the Audit Committee;
 - (d) determine whether the 1998/1999 reports of the Toronto Harbour Commission on remuneration of Council appointees and employees were consistent with the reports in the previous three-year period and report thereon to the Audit Committee; and
 - (e) continue to work with senior staff, in order to determine those actions available to prevent any similar problems from emerging in the future and/or to recover any inappropriately expended funds;
- (4) based on the City Auditor's report on the Toronto Harbour Commission and the recent action of the Toronto Port Authority regarding Docking Fees, the Chief Financial Officer and Treasurer and the City Auditor be requested to submit a joint report to the Policy and Finance Committee on an appropriate subsidy level for the 1999 and 2000 Operating and Capital Budgets for the Toronto Harbour Commission/Toronto Port Authority;
- (5) the Chief Financial Officer and Treasurer, in consultation with the City Solicitor and the City Clerk, be requested to submit a report to the Policy and Finance Committee outlining a policy for reimbursement to Councillors for expenses arising from their positions on agencies, boards, commissions and other Special Purpose Bodies;
- (6) the City Solicitor and the Executive Director of Human Resources be requested to submit a joint report to the Audit Committee on whether employment contracts with senior officials of the City's departments, agencies, boards and commissions, should include a requirement that an

employee must co-operate with any investigation by the City Auditor of the financial affairs of the relevant City departments, agencies, boards and commissions while that official was employed there; and

- (7) the report dated June 28, 2000, from the City Auditor, embodying the following recommendation, be adopted:

‘It is recommended that the Chief Financial Officer and Treasurer be requested to review the budget submissions of the Toronto Harbour Commissioners for the years ended December 31, 1998, and December 31, 1999, and recover those actual expenditures incurred by the Toronto Harbour Commissioners which are not part of these budget submissions.’ ”

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

9.60 Deputy Mayor Ootes called upon Motion I(1) appearing on the Order Paper, as follows:

Moved by: **Councillor Ootes**

Seconded by: **Councillor Adams**

“**BE IT RESOLVED THAT** the Executive Director of Human Resources be requested to submit a report to the Administration Committee, during the next term of Council, on the implications of having a corporate-wide policy restricting the hiring of relatives.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of the Council Procedural By-law requiring the referral of Motion I(1) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion I(1) to the Administration Committee was taken as follows:

Yes - 20	Councillors: Adams, Ashton, Berardinetti, Bossons, Giansante, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Prue, Silva, Sinclair, Valenti, Walker
No - 21	

Mayor:	Lastman
Councillors:	Altobello, Berger, Brown, Chong, Chow, Disero, Duguid, Feldman, Kinahan, Lindsay Luby, McConnell, Miller, Moeser, Moscoe, O'Brien, Palacio, Rae, Saundercook, Soknacki, Tzekas

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

Having regard to the foregoing decision of Council, Motion I(1) was referred to the Administration Committee.

9.61 Deputy Mayor Ootes called upon Motion I(2) appearing on the Order Paper, as follows:

Moved by: Councillor Moscoe

Seconded by: Councillor Adams

“WHEREAS every employee of the City of Toronto, including unionized, non-unionized, management staff, Councillors’ staff and the Chief Administrative Officer, have had their salaries increased for 1998, 1999 and 2000, except Members of Council; and

WHEREAS it seems unlikely that, on the eve of an election, City Council will be able to seek the same increases for its Members; and

WHEREAS Council Members have not had an increase for nine years; and

WHEREAS the provincial government is presently reviewing the salaries of Members of the Legislature; and

WHEREAS City Council, at its meeting held on February 29, March 1 and 2, 2000, in adopting, as amended, Clause No. 1 of Report No. 6 of The Administration Committee, headed ‘Collective Bargaining With the Canadian Union of Public Employees, Local 79’, requested the Executive Director of Human Resources to develop a process to determine remuneration for Members of Council, such remuneration to take effect for the new term of Council, and report thereon to the Administration Committee;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 6 of The Administration Committee, headed ‘Collective Bargaining With the Canadian Union of Public Employees, Local 79’, be re-opened for further consideration, only insofar as it pertains to salaries of Members of Council;

AND BE IT FURTHER RESOLVED THAT Council peg the salaries of Members of Toronto Council to those of the Members of the Ontario Legislature, and Toronto Council salaries be automatically adjusted proportionally to those of the Ontario Legislature whenever they are adjusted retroactively to the effective dates of any adjustments to the salaries of MPPs.”

Vote:

Adoption of the first Operative Paragraph embodied in Motion I(2):

Yes - 23	
Councillors:	Adams, Ashton, Augimeri, Brown, Chong, Disero, Giansante, Johnston, Kinahan, Korwin-Kuczynski, Layton, McConnell, Miller, Moscoe, O'Brien, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Valenti
No - 21	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Berger, Bossons, Chow, Duguid, Feldman, Holyday, Jones, Li Preti, Lindsay Luby, Mihevc, Moeser, Nunziata, Ootes, Pitfield, Prue, Soknacki, Tzekas, Walker

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

Council did not re-open for further consideration Clause No. 1 of Report No. 6 of The Administration Committee, insofar as it pertains to salaries of Members of Council.

- 9.62 Councillor Miller moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(1), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** City Council at its meeting held on December 14, 15, and 16, 1999, adopted, without amendment, Clause No. 18 of Report No. 15 of The Toronto Community Council, headed ‘Operation of Boulevard Café – Axis Gallery and Grill – McMurray Street Flank of 3048 Dundas Street West (High Park)’; and

WHEREAS, in adopting this Clause, Council approved the continuation of the licence of the Boulevard Café – Axis Gallery and Grill – McMurray Street Flank of 3058 Dundas Street West, with the same terms and conditions as previously approved, i.e. an 11:00 p.m. closing - 7 days a week; and

WHEREAS the applicant wishes to extend the closing time to 1:00 a.m., on a trial basis; and

WHEREAS there have been no complaints from residents;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 18 of Report No. 15 of The Toronto Community Council, headed 'Operation of Boulevard Café – Axis Gallery and Grill – McMurray Street Flank of 3048 Dundas Street West (High Park)', be re-opened for further consideration, only insofar as it pertains to the operation hours of the boulevard café;

AND BE IT FURTHER RESOLVED THAT Council approve an extension to the operation for the boulevard café to 1:00 a.m., Thursday, Friday and Saturday."

Votes:

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

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

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

Moved by: **Councillor Bossons**

Seconded by: **Councillor Adams**

“WHEREAS Olifas Marketing Group (OMG) is under contract to the City of Toronto to supply waste receptacles to most parts of the Toronto Community, except Midtown; and

WHEREAS the City of Toronto receives a monthly fee for each OMG receptacle, which increases in 2003 and again in 2005 and also receives 10 percent of all revenue from advertising on these receptacles; and

WHEREAS OMG pays for the cost of cleaning, repairing and replacing its waste receptacles; and

WHEREAS City Council, at its meeting held on June 9, 10 and 11, 1999, considered this issue in Clause No. 57 of Report No. 8 of The Toronto Community Council, headed 'Provision of Litter Bins With Advertising', and excepted the Midtown Ward from its recommendations; and

WHEREAS the Forest Hill BIA has requested installation of OMG waste receptacles in its business area;

NOW THEREFORE BE IT RESOLVED THAT, within the next 30 days, the City of Toronto offer to amend its contract with OMG to include the area of the Forest Hill BIA, in the Midtown Ward, in the Toronto Community, in the contract, for the same prices and under the same conditions as for the rest of the Toronto Community.”

Motion:

Councillor Bossons moved that Motion J(3) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the following motion be referred to the Toronto Community Council for consideration:

Moved by: Councillor Adams

Seconded by: Councillor Rae

‘That Motion J(3) be amended:

(1) by adding thereto the following new Recital:

“**WHEREAS** the Bloor-Yorkville Business Improvement Area has asked to be excluded from the OMG litter bin program;” and

(2) to provide that the appropriate City staff be authorized to amend the contract with OMG to include the entire Midtown Ward, excluding the Bloor-Yorkville Business Improvement Area, for litter bin replacements, under the same conditions and prices of the remainder of the City of Toronto.’ ”

Votes:

The motion by Councillor Bossons carried.

Motion J(3), as amended, carried.

9.64 Councillor Moscoe moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(4):

Moved by: Councillor Moscoe

Seconded by: Councillor King

“**WHEREAS** many North York Councillors seem to have lost interest in the Community Council; and

WHEREAS several North York Councillors register their attendance in the morning and disappear for the rest of the day; and

WHEREAS the North York Community Council has difficulty maintaining a quorum;

NOW THEREFORE BE IT RESOLVED THAT the quorum on the North York Community Council be reduced from eight to five members or Councillor Howard Moscoe and Councillor Joan King, whichever group should happen to appear.”

the vote upon which was taken as follows:

Yes - 22	
Councillors:	Adams, Ashton, Bossons, Chong, Chow, Disero, Duguid, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Miller, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Sinclair, Soknacki, Tzekas
No - 23	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Berger, Brown, Feldman, Giansante, Jakobek, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Valenti, Walker

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

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

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** at its meeting held on October 26 and 27, 1999, City Council enacted By-law No. 741-1999 (‘the By-law’) to permit the erection and use of four (4) semi-detached houses; and

WHEREAS provision for the construction of certain restricted projections, including front and rear platforms, was inadvertently left out of the by-law; and

WHEREAS these projections have always been an integral part of the proposal approved by Council at its October 26 and 27, 1999, meeting;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the report dated June 22, 2000, from the City Solicitor, and that authority be granted to introduce the necessary Bill in Council.”

Council also had before it, during consideration of Motion J(5), a report dated June 22, 2000, from the City Solicitor. (See Attachment No. 1, Page 152.)

Vote:

Motion J(5) was adopted, without amendment, and in so doing, Council adopted the report dated June 22, 2000, from the City Solicitor, embodying the following recommendation:

“It is recommended that the draft by-law attached to the report dated June 22, 2000, from the City Solicitor, be approved and that authority be granted to introduce the necessary Bill in Council, substantially in the form of the draft by-law, to give effect thereto.”

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

Moved by: **Councillor McConnell**

Seconded by: **Councillor Jones**

“**WHEREAS** the School Tax Sub-Committee met on June 22, 2000, and considered the attached joint report dated June 20, 2000, from the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, entitled ‘Payments to Toronto District School Board for Space Used for Recreation Programs’, and the communication dated June 15, 2000, from the City Clerk (Community Services Committee), entitled ‘Fees for Community Use of Schools’; and

WHEREAS the School Tax Sub-Committee in its communication dated June 22, 2000, recommends that City Council:

- (1) request the Chair of the School Tax Sub-Committee, the Children's Advocate, the Mayor or his designate, and interested Councillors and representatives of Community groups to meet with Gail Nyberg, Chair of the Toronto District School Board, and Rose Andrachuk, Chair of the Toronto District Catholic School Board, to arrange a joint delegation to the Minister of Education respecting the school funding formula; and, in so doing, defer consideration of the joint report (June 20, 2000) from the Chief Financial Officer and Treasurer, and the Commissioner of Economic Development, Culture and Tourism, respecting payment to the Toronto District School Board for space used for recreation programs, until the October 2000, meeting of City Council, pending the result of the foregoing meeting;
- (2) endorse the recommendations of the Children and Youth Action Committee, viz.:
 - '(a) that the Toronto District School Board be requested to defer decision-making on fees for community use of space for one year;
 - (b) that the Toronto District School Board be requested to hold in-depth consultation with community groups on the impact of fee and service reductions; and
 - (c) that the Minister of Education be requested to amend the school funding formula, since it results in reduced access to School Board space for programs and services for children and youth.';
- (3) endorse the recommendation of the Community Services Committee, viz.:

'That the Toronto District School Board and the Toronto Catholic District School Board be requested to co-sponsor, with the City of Toronto, a consultation process with community groups on the impacts of fee and service reductions; and further, that provincial officials be invited to participate in such community consultations.'; and
- (4) direct the appropriate staff to advise community groups that appeared before the School Tax Sub-Committee, on the matter of community use of schools, of the upcoming meetings; and

WHEREAS the Budget Advisory Committee and the Policy and Finance Committee will not meet again prior to the meeting of City Council to be held on July 4, 5 and 6, 2000; and

WHEREAS the School Tax Sub-Committee directed its Chair to submit a Notice of Motion, in order that the recommendations from the School Tax Sub-Committee, respecting the payments to the Toronto District School Board for space used for recreation programs and fees for community use of schools, can be considered by City Council at its meeting held on July 4, 5 and 6, 2000;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned recommendations of the School Tax Sub-Committee, and that such recommendations be adopted.”

Council also had before it, during consideration of Motion J(6), the following communications:

- (1) (June 22, 2000) from the City Clerk, forwarding the recommendations of the School Tax Sub-Committee with respect to the community use of schools, and submitting the following documentation (See Attachment No. 2, Page 155.):
 - (i) joint report dated June 20, 2000, from the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism respecting payments to the Toronto District School Board for space used for recreation programs;
 - (ii) communication dated June 15, 2000, from the City Clerk, forwarding the actions taken by the Community Services Committee on June 15, 2000, with respect to community use of schools; and
 - (iii) communications (June 22, 2000) from the Girl Guides of Canada, Toronto Area; and
- (2) (July 5, 2000) submitted by Councillor Chow, entitled “Impact of CSA Standards on Toronto District School Board Playgrounds”, a copy of which is on file in the office of the City Clerk.

Motion:

Councillor Chow moved that Motion J(6) be amended by:

- (1) amending Recommendation No. (3) of the School Tax Sub-Committee, as embodied in the second Recital, by inserting after the words “service reductions”, the words “and the impact of not replacing playgrounds that have been removed as the result of not meeting the new CSA standards”, so that such recommendation shall now read as follows:

“(3) endorse the recommendation of the Community Services Committee, viz.:

‘That the Toronto District School Board and the Toronto Catholic District School Board be requested to co-sponsor, with the City of Toronto, a consultation process with community groups on the impacts of fee and service reductions and the impact of not replacing playgrounds that have been removed as the result of not meeting the new CSA standards; and further, that provincial officials be invited to participate in such community consultations.’ ”; and

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

“**AND BE IT FURTHER RESOLVED THAT** Council adopt the following motion:

Moved by: Councillor Chow

‘**WHEREAS** 112 playgrounds have been listed as unsafe in the Toronto District School Board sites. These sites include both school playground equipment and equipment owned by child care centres co-located in School Board sites; and

WHEREAS the School Boards have indicated that there are no funds in the funding formula to replace these playground structures;

NOW THEREFORE BE IT RESOLVED THAT appropriate City staff be requested to meet with School Board officials regarding the following matters, and submit a report thereon, as soon as possible, to the Community Services Committee, through either the Children and Youth Action Committee or the School Tax Sub-Committee, depending upon which Committee is meeting in the summer:

- (a) a planned approach for replacement of the playground equipment; and
- (b) the negative impact that not replacing playground equipment would have on the local neighbourhood children and the child care centres.’ ”

Votes:

The motion by Councillor Chow carried.

Motion J(6), as amended, carried.

- 9.67 Councillor Holyday moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction 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 Holyday**

Seconded by: **Councillor Lindsay Luby**

“**WHEREAS** the Etobicoke Sports Hall of Fame deposited monies in trust, in the approximate sum of \$150,000.00, with the former City of Etobicoke; and

WHEREAS the Etobicoke Sports Hall of Fame does not receive and has never received any City funding whatsoever; and

WHEREAS these monies remain in trust with the City of Toronto; and

WHEREAS the Etobicoke Sports Hall of Fame has incorporated and now wishes to obtain these funds from the City of Toronto, in order to place them in an account specifically designated for the Etobicoke Sports Hall of Fame;

NOW THEREFORE BE IT RESOLVED THAT the funds presently in this trust be turned over to the Etobicoke Sports Hall of Fame, forthwith, as they are required to meet financial commitments.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of the Council Procedural By-law requiring the referral of Motion J(7) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(7) to the Policy and Finance Committee was taken as follows:

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

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

Having regard to the foregoing decision of Council, Motion J(7) was referred to the Policy and Finance Committee.

Motion to Re-Open:

Councillor Soknacki, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, the vote to waive referral of Motion J(7) to the Policy and Finance Committee be re-opened, which carried, more than two-thirds of Members present having voted in the affirmative.

Votes:

The vote to waive referral of Motion J(7) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion J(7) was adopted, without amendment.

- 9.68 Councillor Li Preti moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Li Preti

Seconded by: Councillor Valenti

“**WHEREAS** a request for a special occasion permit to hold a community event for the 2000 Tennis Masters Series – Canada – Canada’s International Men’s Tennis Championships to be held at the National Tennis Centre at York University on July 29 to August 6, 2000, was received by the City Clerk, North York Civic Centre, on June 30, 2000; and

WHEREAS the North York Community Council will be meeting on July 18, 2000, and reporting to the City Council meeting to be held on August 1, 2 and 3, 2000, and, as such, approval cannot be given to coincide with the dates of the community event; and

WHEREAS the time sensitive nature of this matter requires City Council’s consideration at its meeting to be held on July 4, 5 and 6, 2000;

NOW THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare the 2000 Tennis Masters Series – Canada – Canada’s International Men’s Tennis Championships event to be an event of municipal and/or community significance; that it has no objection to the event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

Council also had before it, during consideration of Motion J(8), a communication dated June 29, 2000, from Ms. Jane Wynne, Tournament Director and Vice-President, Tennis Masters Series - Canada, a copy of which is on file in the office of the City Clerk.

Vote:

Motion J(8) was adopted, without amendment.

- 9.69 Councillor Chow moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Rae

“**WHEREAS** by its adoption of Clause No. 24 of Report No. 8 of The Toronto Community Council, headed ‘Official Plan Amendment and Rezoning - 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West (Downtown)’, at its meeting on May 9, 10 and 11, 2000, City Council approved an Official Plan Amendment and Rezoning in relation to 100, 120 and 130 Adelaide Street West, 12 and 22 Sheppard Street and 85 and 111 Richmond Street West; and

WHEREAS the report required the enactment of a by-law to amend By-law No. 514-75, which designates No. 100 Adelaide Street West as a historical building, prior to the enactment of the Official Plan amendment and re-zoning by-law; and

WHEREAS the amendment to By-law No. 514-75 was inadvertently included in the report and is unnecessary, due to the fact that the matters referred to in the report as requiring the amendment to By-law No. 514-75 are more appropriately dealt with in the Heritage Easement Agreements which Council directed be entered into with respect to 100 Adelaide Street West;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 24 of Report No. 8 of The Toronto Community Council, be re-opened for further consideration, for the limited purpose of deleting the requirement in that report, and in the draft Official Plan Amendment by-law and draft site specific zoning by-law amendment

attached thereto, that the designation By-law No. 514-75 for 100 Adelaide Street West be amended;

AND BE IT FURTHER RESOLVED THAT reference to the requirement in that report, and in the draft Official Plan Amendment by-law and draft site specific zoning by-law amendment attached thereto, that the designation By-law No. 514-75 for 100 Adelaide Street West be amended, be deleted.”

Votes:

The first Operative Paragraph embodied in Motion J(9) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(9) was adopted, without amendment.

- 9.70 Mayor Lastman moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(10):

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** Councillor Olivia Chow has resigned from the Toronto Police Services Board, effective June 23, 2000; and

WHEREAS the City Clerk has prepared the attached report dated July 4, 2000, in this regard;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached report dated July 4, 2000, from the City Clerk, and that such report be received, for information.”,

the vote upon which was taken as follows:

Yes - 42

Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti

No - 9

Councillors: Filion, Johnston, McConnell, Mihevc, Miller, Moscoe,
Pantalone, Rae, Walker

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

Council also had before it, during consideration of Motion J(10), the following report and communication:

- (i) report (July 4, 2000) from the City Clerk, entitled “Resignation from the Toronto Police Services Board”, together with a communication and statement (June 23, 2000) from Councillor Olivia Chow (See Attachment No. 3, Page 169.); and
- (ii) communication (June 26, 2000) from Mr. J. Robert Kellermann and Mr. Paul Copeland, on behalf of the Law Union of Ontario, a copy of which is on file in the office of the City Clerk.

Vote:

Motion J(10) was adopted, without amendment.

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

Moved by: Councillor Disero

Seconded by: Councillor Palacio

“**WHEREAS** every year, for the past 19 years, Mr. Joe Foti has held a summer barbecue which hosted over 2,000 people; and

WHEREAS Mr. Nick Nicolaides has taken over this event and will be holding a tribute to Mr. Joe Foti; and

WHEREAS, in order to accommodate the large number of people, Mr. Nicolaides has requested that Luverne Avenue be closed on Saturday, July 29, 2000, from 2:00 p.m. to 8:00 p.m.;

NOW THEREFORE BE IT RESOLVED THAT City Council approve the closure of Luverne Avenue on Saturday, July 29, 2000, from 2:00 p.m. to 8:00 p.m., and that City staff be instructed to take whatever action is necessary to achieve this.”

Vote:

Motion J(11) was adopted, without amendment.

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

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

“**WHEREAS** Mark Logan of JQ Production Services Limited has requested the removal of two trees to facilitate the filming of ‘John Q’, a hospital drama and major feature film, starring Denzel Washington; and

WHEREAS one of the trees is dead and the other tree is healthy, and the applicant is willing to replace these trees with trees that are seven years of age, twelve feet high and with a bushy head six feet in diameter; and

WHEREAS the application for the tree removal missed the deadline for submitting a report to the Toronto City Council; and

WHEREAS the plan is to film in Toronto in August and approval of the tree removal must be done at the City Council meeting in July;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto agree to the removal of a tree at 80 Grosvenor Street on the condition that:

- (1) the applicant pay for all associated costs, including tree value, removal and replacement costs, a total of \$872.92;
- (2) the applicant provide a Letter of Credit of \$1,745.84 to cover any maintenance costs; and
- (3) the applicant provide additional funds to an inner city school for purposes including urban reforestation, such program to be developed with the Tree Advocate and the Ward Councillor.”

Vote:

Motion J(12) was adopted, without amendment.

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

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** an application has been submitted by the owners of 28 Woodland Heights to build a fence on the City road allowance; and

WHEREAS the staff report dated June 8, 2000, was not placed on the Toronto Community Council agenda due to a misunderstanding of the relevant Procedural By-law; and

WHEREAS the only objector to this application has now provided his written consent to the application; and

WHEREAS the matter is time sensitive because contractors were retained for July 2000, after the matter was settled and the owners had been advised that the matter would be tabled for approval at this meeting of Council;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated June 8, 2000, from the Manager, Right-of-Way Management, Transportation Services, District 1;

AND BE IT FURTHER RESOLVED THAT Council amend the aforementioned report by adding to the end of Recommendation No. (1) embodied therein, the words ‘and, provided that an agreement satisfactory in form and content to the City Solicitor can be drafted and executed by the owners of 28 Woodland Heights, 79 Ellis Avenue, and the City of Toronto, approval be given to construct the fence on the unopened public laneway leased to the owner of the adjacent property at 79 Ellis Avenue which extends to the rear of 28 Woodland Heights’, and that such report, as amended, be adopted.”

Council also had before it, during consideration of Motion J(13), the following report and communication:

- (i) (June 8, 2000) from the Manager, Right-of-Way Management, Transportation Services, District 1 (See Attachment No. 4, Page 171.); and
- (ii) (June 29, 2000) addressed to Councillor David Miller, from Mr. Patrick Li, Toronto, confirming his acceptance of the proposal with respect to the fence on 28 Woodland Heights, a copy of which is on file in the office of the City Clerk.

Vote:

Motion J(13) was adopted, without amendment, and in so doing, Council adopted the report dated June 8, 2000, from the Manager, Right-of-Way Management, Transportation Services, District 1, embodying the following recommendations, as amended:

“It is recommended that:

- (1) City Council approve the installation of the proposed fence provided that the fence is not constructed within any portion of the unopened public laneway leased to the owner of the adjacent property at 79 Ellis Avenue which extends to the rear of 28 Woodland Heights, and, provided that an agreement satisfactory in form and content to the City Solicitor can be drafted and executed by the owners of 28 Woodland Heights, 79 Ellis Avenue, and the City of Toronto, approval be given to construct the fence on the unopened public laneway leased to the owner of the adjacent property at 79 Ellis Avenue which extends to the rear of 28 Woodland Heights; and
- (2) the property owner enter into an encroachment agreement with the City of Toronto, as described under Chapter 313 of the former City of Toronto Municipal Code.”

9.74 Councillor Gardner moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by : **Councillor Gardner**

Seconded by: **Councillor Berardinetti**

“**WHEREAS** the Toronto Police Service has been operating a satellite dish on the roof top of its headquarters at 40 College Street to receive high security signals from various satellites; and

WHEREAS Bay-College Holdings Inc. has constructed a condominium tower immediately adjacent to 40 College Street which will block the signals to the satellite dish; and

WHEREAS Bay-College Holdings Inc. has permitted the dish to be relocated onto its rooftop, prior to a licence agreement being executed; and

WHEREAS the licence agreement has a term of 25 years and requires Council approval; and

WHEREAS it is necessary to register an executed licence prior to the registration of the individual condominium units and the registration of these condominium units is imminent;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the attached report dated June 27, 2000, from the Commissioner of Corporate Services, and that such report be adopted.”

Council also had before it, during consideration of Motion J(14), a report dated June 27, 2000, from the Commissioner of Corporate Services. (See Attachment No. 5, Page 174.)

Motions:

- (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 Commissioner of Urban Development Services, in consultation with the City Solicitor and the Commissioner of Corporate Services, be requested to submit a report to the Planning and Transportation Committee on available mechanisms by which the City of Toronto can recoup costs associated with the relocation of City, and City agency, board and commission radio transmission facilities required as a result of development and/or building permit approvals, such report to include a process to be followed by the City of Toronto and its agencies, boards and commissions, for consideration of the telecommunications implications of proposed developments.”

- (b) Councillor Walker moved that Motion J(14) be amended by adding to the Operative Paragraph, the words “subject to adding to Recommendation No. (1) embodied therein, the words ‘subject to the Toronto Police Service paying for the costs associated with this licence, namely \$58,000.00 inclusive of GST, and consultants fees of \$6,394.99.’ ”,

so that the recommendations embodied in the report dated June 27, 2000, from the Commissioner of Corporate Services shall now read as follows:

“It is recommended that:

- (1) the City enter into a licence agreement with Bay-College Holdings Inc. for police communication equipment on the roof of 801 Bay Street, in accordance with the terms and conditions set out in the body of this report, subject to the Toronto Police Service paying for the costs associated with this licence, namely \$58,000.00 inclusive of GST, and consultants fees of \$6,394.99;
- (2) the City Solicitor be authorized and directed to take the appropriate action to complete this transaction on behalf of the City of Toronto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

Motion (b) by Councillor Walker carried.

Motion (a) by Councillor Adams carried.

Motion J(14), was adopted, as amended.

- 9.75 Mayor Lastman moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction of the following Notice of Motion J(15):

Moved by: Mayor Lastman

Seconded by: Councillor Jakobek

“**WHEREAS** the Greater Toronto Airports Authority (GTAA) has written to the City of Toronto seeking its support for changes to the GTAA’s by-laws in order to eliminate a large scale turnover of Directors in 2001 and 2002 and to create an orderly and staged plan of succession in Board membership; and

WHEREAS this objective can be achieved by implementing a one-time adjustment to the term lengths and limits of some of the current Board members; and

WHEREAS on March 2, 1999, the Toronto Board of Trade, through City Council, nominated Mr. Gerry Meinzer to a four-year term, ending in 2003; and

WHEREAS the GTAA’s request for this by-law amendment has, to date, received the support of the Toronto Board of Trade, the Province of Ontario, the Regional Municipalities of Peel, York and Durham, with similar consideration moving forward in the Region of Halton; 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 GTAA;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto support the GTAA’s request for a by-law amendment, as outlined in the letter dated June 29, 2000, from the Vice President, General Counsel and Secretary, Greater Toronto Airports Authority, and in particular, waive the current eight-year cap to permit Mr. Gerry Meinzer to serve as a Director of the GTAA until 2003, and thereby complete the four-year term to which he was nominated.”,

the vote upon which was taken as follows:

Yes - 46	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 6	
Councillors:	Giansante, Lindsay Luby, McConnell, Moscoe, O'Brien, Walker

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of the Council Procedural By-law requiring the referral of Motion J(15) to the Nominating Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(15) to the Nominating Committee was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Disero, Duguid, Feldman, Holyday, Jakobek, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Silva, Sinclair, Tzekas, Valenti
No - 17	
Councillors:	Cho, Chow, Giansante, Jones, Kelly, Kinahan, King, Li Preti, Lindsay Luby, Mihevc, Miller, Moscoe, O'Brien, Saundercook, Shaw, Soknacki, Walker

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

Having regard to the foregoing decision of Council, Motion J(15) was referred to the Nominating Committee.

Council also had before it, for consideration with Motion J(15), a communication (June 29, 2000) from Mr. Douglas A. Love, Vice President, General Counsel and Secretary, Greater Toronto Airports Authority, a copy of which is on file in the office of the City Clerk.

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

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** the Department of Economic Development, Culture and Tourism’s Parks and Recreation Capital Works Program contains funding for the reconstruction of the High Park Outdoor Pool, in the amount of \$3.0 million, with \$200,000.00 approved in the 2000 Capital Budget for design and site investigation work and the remaining \$2.8 million for the construction work to be considered for approval in 2001, pending the results of the investigative work (to replace the piping, pool basin, decks, circulation system and washroom refurbishment); and

WHEREAS during the preparation to ready the pool for this summer’s opening, Parks and Recreation staff detected a number of significant leaks underneath the pool deck due to the corrosion and splitting of old piping, and hired a pool specialist to investigate the condition of the pool; and

WHEREAS the pool specialist noted that this emergency repair work, to be priced at a time and materials basis, would take four weeks to repair, not including the time needed to tender and award the work, which means that the pool will not be open this summer; and

WHEREAS there is no available budget to do this repair work and it would not be fiscally prudent to do this work and tear it out again next year when undertaking the pool replacement and renovation work in 2001; and

WHEREAS, if the funding for the pool renovation work is not advanced to Year 2000, this pool will not be ready for the summer of 2001, which will result in a significant impact on the community and the park; and

WHEREAS this request has been reviewed and concurred in by the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 1 of The Policy and Finance Committee, headed ‘2000-2004 Capital Budget and

Five Year-Capital Program', be re-opened for further consideration, only insofar as it pertains to the Economic Development, Culture and Tourism Department's Capital Budget – Redevelopment of High Park Outdoor Pool;

AND BE IT FURTHER RESOLVED THAT Council approve the project expenditure and debt financing of \$2.8 million in the Department of Economic Development, Culture and Tourism's Parks and Recreation Capital Works Program, with an increase to the 2000 cash flow of \$500,000.00 (for a total of \$700,000.00 for Year 2000) for the High Park Pool sub-project, with a balance of \$2.1 million for 2001, so that construction work can commence this fall and the pool can be opened in the summer of 2001."

Vote:

The first Operative Paragraph, embodied in Motion J(16) was adopted, without amendment, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Miller moved that the balance of Motion J(16) be referred to the Policy and Finance Committee, for consideration at its next regular meeting scheduled to be held on July 20, 2000; and that the Commissioner of Economic Development, Culture and Tourism and the Chief Financial Officer and Treasurer be requested to submit a joint report in this regard to the Committee for consideration therewith.

Vote:

The motion by Councillor Miller carried.

Council also had before it, for consideration with Motion J(16), a briefing note (undated) headed "High Park Outdoor Pool", a copy of which is on file in the office of the City Clerk.

- 9.77 Councillor King moved that in accordance with the provisions of the Council Procedural By-law leave be granted to introduce and debate the following Notice of Motion J(18), which carried:

Moved by: Councillor King

Seconded by: Councillor Shiner

"WHEREAS Metrodome Properties Inc. filed applications with the City for an Official Plan Amendment, rezoning and plan of subdivision for the property located at 5365 Leslie Street; and

WHEREAS the owner referred the applications to the Ontario Municipal Board with a hearing scheduled to commence on July 17, 2000; and

WHEREAS this proposal has been subject to a high level of community involvement and the community has met several times with the owner's representatives to achieve a development which will complement the existing community and reflect the concerns of the community; and

WHEREAS the owner and the community achieved a resolution of the outstanding issues at a meeting held on Tuesday evening, July 4, 2000; and

WHEREAS City Council needs to consider the settlement proposal and provide instructions to the City Solicitor for the upcoming Ontario Municipal Board hearing;

NOW THEREFORE BE IT RESOLVED THAT Council consider and adopt the recommendations of the attached confidential report dated July 5, 2000, from the Commissioner of Urban Development Services, with respect to this matter."

Council also had before it, during consideration of Motion J(18), a confidential report dated July 5, 2000, from the Commissioner of Urban Development Services. (See Attachment No. 6, Page 176.)

Vote:

Motion J(18) was adopted, without amendment, and in so doing, Council adopted the confidential report dated July 5, 2000, from the Commissioner of Urban Development Services, embodying the following recommendations, such report now public in its entirety:

"It is recommended that:

- (1) Council endorse the proposed settlement set out in this report;
- (2) the City Solicitor be instructed to support the settlement proposal set out in this report at the Ontario Municipal Board hearing; and
- (3) staff be authorized to make any unsubstantive, technical, stylistic, or format changes as may be required to give effect to the resolution."

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

Moved by: **Councillor Mihevc**

Seconded by: **Councillor Nunziata**

“**WHEREAS** a request for a special occasion permit to hold a community event for the Jamaican Independence Day to be held at Keelestone Park on July 29, 2000, was received by the Ward Councillor on July 5, 2000; and

WHEREAS the York Community Council will be meeting on July 18, 2000, and reporting to the City Council meeting to be held on August 1, 2 and 3, 2000, and, as such, approval cannot be given to coincide with the dates of the community event; and

WHEREAS the time sensitive nature of this matter requires City Council’s consideration at its meeting to be held on July 4, 5 and 6, 2000;

NOW THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare the Jamaican Independence Day celebration to be an event of municipal and/or community significance; that it has no objection to the event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

Vote:

Motion J(19) was adopted, without amendment.

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

Moved by: **Councillor McConnell**

Seconded by: **Councillor Kinahan**

“**WHEREAS** City Council, at its meeting held on June 7, 8 and 9, 2000, adopted, as amended, Clause No. 9 of Report No. 5 of The Planning and Transportation Committee, headed ‘Harmonization of the Fence By-law’; and

WHEREAS Council amended this Clause by amending the draft harmonized fence by-law appended to the report dated March 1, 2000, from the Commissioner of Urban Development Services; and

WHEREAS, in adopting this Clause, Council authorized the introduction of the necessary Bill in Council to give effect to the draft by-law appended to the Commissioner's report, as amended; and

WHEREAS the Bill that was introduced and subsequently enacted as By-law No. 394-2000 failed, through inadvertence, to reflect the amendments made to the draft by-law by Council;

NOW THEREFORE BE IT RESOLVED THAT By-law No. 394-2000 be repealed and that a new Bill be introduced that reflects the amendments made to the draft by-law by Council at its meeting held on June 7, 8 and 9, 2000."

Vote:

Motion J(20) was adopted, without amendment.

- 9.80 Councillor Ashton moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Ashton**

Seconded by: **Councillor Feldman**

“**WHEREAS** City Council at its meeting held on May 9, 10 and 11, 2000, adopted, as amended, Clause No. 10 of Report No. 5 of The Economic Development and Parks Committee, headed ‘Draft By-law - City Street Trees (All Wards)’; and

WHEREAS, in adopting this Clause, Council authorized the repeal of former Metropolitan Toronto By-law No. 211-74, in its entirety, rather than only that section relating to trees, being Section 10; and

WHEREAS the Clause did not provide for the repeal of former Scarborough By-law No. 20975, relating to trees; and

WHEREAS Council subsequently enacted By-law No. 388-2000; and

WHEREAS it is necessary to amend By-law No. 388-2000 in order to reinstate former Metropolitan Toronto By-law No. 211-74, with the exception of Section 10 relating to trees, and to also repeal former Scarborough By-law No. 20975;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 10 of Report No. 5 of The Economic Development and Parks Committee be re-opened for further consideration, only insofar as it pertains to the repealing provisions contained therein;

AND BE IT FURTHER RESOLVED THAT former Metropolitan Toronto By-law No. 211-74 be reinstated, with the exception of Section 10 contained therein, and former City of Scarborough By-law No. 20975 be repealed;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to introduce the necessary bill in Council to amend By-law No. 388-2000 accordingly.”

Votes:

The first Operative Paragraph embodied in Motion J(21) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(21) was adopted, without amendment.

- 9.81 Councillor Chow moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(22), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Chow**

Seconded by: **Councillor Shiner**

“**WHEREAS** on December 16 and 17, 1998, and November 23, 24 and 25, 1999, Toronto City Council directed that the Toronto Police Service instigate a no-charge policy to conduct criminal reference checks on prospective new City employees and volunteers whose prospective duties would involve working directly with children and/or vulnerable adults; and

WHEREAS Toronto City Council approved as part of the 2000 Toronto Police Services Budget ‘to charge fees of \$45.00 plus GST per check for full- or part-time employees and a no fee rate for criminal reference checks on full- or part-time volunteers at non-municipally funded agencies effective April 3, 2000.’ (As approved by the Toronto Police Services Board on February 24, 2000); and

WHEREAS the intention of the Toronto Police Services Board and the Budget Advisory Committee is to charge employees for non-municipally funded agencies and not charge for employees of municipal and municipally-funded agencies; and

WHEREAS the budget motion did not clearly define what would be fees for criminal checks for municipal employees that work with children, youth and vulnerable adults from Community Services, Parks and Recreation and Public Health Departments; and

WHEREAS a large number of employees must be hired this summer to serve residents of Toronto and this clarification must be done at this Council meeting; and

WHEREAS the City Solicitor has indicated that a memo must be signed reflecting the requirements of privacy legislation (the Municipal Freedom of Information and Protection of Privacy Act), and that it cannot be signed until a specific policy is established for municipal employees;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 5 of The Policy and Finance Committee, headed 'City of Toronto 2000 Recommended Operating Budget', be re-opened for further consideration, only insofar as it pertains to that portion of the Toronto Police Services 2000 Operating Budget regarding the charging of fees for Criminal Reference Checks for all applicants for municipal employment and all municipally-funded agencies;

AND BE IT FURTHER RESOLVED THAT no fees be charged for Criminal Reference Checks for all applicants for municipal employment and all municipally-funded agencies;

AND BE IT FURTHER RESOLVED THAT the Toronto Police Services Board be asked to clarify its policy in this regard."

Votes:

The first Operative Paragraph embodied in Motion J(22) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(22) was adopted, without amendment.

9.82 *Deferral of Items Remaining on the Order Paper for this Meeting:*

Deputy Mayor Ootes proposed to Council that consideration of the following matters 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 August 1, 2000:

REPORT NO. 14 OF THE ADMINISTRATION COMMITTEE

Clause No. 7 - "Ethics Steering Committee, Recommended Terms of Reference".

REPORT NO. 13 OF THE WORKS COMMITTEE

- Clause No. 6 - "Illuminated Municipal Numbers on Commercial, Industrial and Multi-Residential Properties".

REPORT NO. 7 OF THE ETOBICOKE COMMUNITY COUNCIL

- Clause No. 6 - "Proposed Renaming of Kipling Avenue South of Lake Shore Boulevard West (Lakeshore-Queensway)".

REPORT NO. 7 OF THE SCARBOROUGH COMMUNITY COUNCIL

- Clause No. 8 - "Preliminary Report Application to Amend the Official Plan and Zoning By-law File Nos. SC-P20000005 and SC-Z20000012 Trusthouse 88 Inc., North Side of Ellesmere Road Progress Employment District/Scarborough City Centre (Ward 15 - Scarborough City Centre)".
- Clause No. 13 - "City-initiated Official Plan Amendment and Various Zoning By-law Amendment Applications and Draft Plan of Subdivision Applications in the Morningside Heights and Upper Rouge Communities (Ward 18 - Scarborough Malvern)".

REPORT NO. 3 OF THE AUDIT COMMITTEE

- Clause No. 2 - "Cash Control Review – Parks and Recreation Division, East and West Districts".

NOTICE OF MOTION

- J(2) Moved by Councillor Johnston, seconded by Councillor Miller, regarding the True Blue Campaign.

Council concurred in the proposal by Deputy Mayor Ootes.

BILLS AND BY-LAWS

- 9.83 On July 4, 2000, at 10:14 a.m., Councillor Mammoliti, seconded by Councillor Tzekas, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 482 By-law No. 399-2000 To confirm the proceedings of the Council at its meeting held on the 4th day of July, 2000.

9.84 On July 4, 2000, at 2:23 p.m., Councillor Berardinetti, seconded by Councillor Balkissoon, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 483 By-law No. 400-2000 To confirm the proceedings of the Council at its meeting held on the 4th day of July, 2000.

9.85 On July 4, 2000, at 7:30 p.m., Councillor Minnan-Wong, seconded by Councillor Berger, 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. 484 By-law No. 401-2000 To confirm the proceedings of the Council at its meeting held on the 4th day of July, 2000,

the vote upon which was taken as follows:

Yes - 41	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, King, Layton, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Shaw, Shiner, Sinclair, Tzekas, Valenti, Walker
No - 1	
Councillor:	Prue

Carried by a majority of 40.

9.86 On July 5, 2000, at 7:28 p.m., Councillor Berardinetti, seconded by Councillor Minnan-Wong, 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. 485 By-law No. 402-2000 To confirm the proceedings of the Council at its meeting held on the 4th and 5th days of July, 2000,

the vote upon which was taken as follows:

Yes - 37	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Berardinetti, Bossons, Brown, Cho, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Minnan Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Sinclair, Tzekas, Walker
No - 0	

Carried, without dissent.

- 9.87 On July 6, 2000, at 6:14 p.m., Councillor Lindsay Luby, seconded by Councillor King, 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. 408	By-law No. 403-2000	To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits,
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the vote upon which was taken as follows:

Yes - 45	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Filion, Gardner, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

9.88 On July 6, 2000, at 6:14 p.m., Councillor Lindsay Luby, seconded by Councillor King, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 395	By-law No. 404-2000	To amend Section 15 of By-law No. 438-86 of the former City of Toronto respecting the Index of Exceptions.
Bill No. 396	By-law No. 405-2000	To prohibit or regulate the placing or dumping of fill or the alteration of the grade of land in defined areas.
Bill No. 397	By-law No. 406-2000	To exempt part of the lands known municipally as 20 Scrivener Square (formally known municipally as 1117 Yonge Street), being certain blocks within Plan of Subdivision 66M-2315, from the provisions of subsection 50(5) of the Planning Act which relate to part-lot control.
Bill No. 398	By-law No. 407-2000	To designate the property at 262 St. Clair Avenue West (Alexander Davidson House) as being of architectural and historical value or interest.
Bill No. 399	By-law No. 408-2000	To designate the property at 264 St. Clair Avenue West (Alexander Davidson Coach House) as being of architectural and historical value or interest.
Bill No. 400	By-law No. 409-2000	To designate the property at 4 Wellesley Place (Mary Perram House) as being of architectural and historical value or interest.
Bill No. 401	By-law No. 410-2000	To designate the property at 550 Gerrard Street East (Don Jail) as being of architectural and historical value or interest.

Bill No. 402	By-law No. 411-2000	To designate the property at 558 Gerrard Street East (Governor's House, Don Jail) as being of architectural and historical value or interest.
Bill No. 403	By-law No. 412-2000	To designate the property at 519 Jarvis Street (Chester D. Massey House) as being of architectural and historical value or interest.
Bill No. 404	By-law No. 413-2000	To designate the property at 2 Wellesley Place (Rupert Simpson House) as being of architectural and historical value or interest.
Bill No. 405	By-law No. 414-2000	To temporarily stop up and close a portion of Lake Shore Boulevard West between Strachan Avenue and Ontario Drive.
Bill No. 406	By-law No. 415-2000	To temporarily stop up and close a portion of Lake Shore Boulevard West between Strachan Avenue and Ontario Drive.
Bill No. 407	By-law No. 416-2000	To adopt Official Plan amendments regarding the site plan control, subdivision approval and condominium approval.
Bill No. 409	By-law No. 417-2000	To exempt part of the lands commonly known as 665 Trethewey Drive, being certain lots within Plan of Subdivision 66M-2340, from the provisions of subsection 50(5) of the Planning Act.
Bill No. 410	By-law No. 418-2000	To amend City of North York By-law No. 7625.
Bill No. 411	By-law No. 419-2000	To amend former City of York By-law No. 2958-94, being a By-law "To regulate traffic on City of York Roads".

Bill No. 412	By-law No. 420-2000	To amend former City of York By-law No. 196-84, being a By-law "To regulate traffic on City of York Roads".
Bill No. 413	By-law No. 421-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 414	By-law No. 422-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 415	By-law No. 423-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 416	By-law No. 424-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 417	By-law No. 425-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 419	By-law No. 426-2000	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 420	By-law No. 427-2000	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 421	By-law No. 428-2000	Official Plan Amendment No. 491 To Amend City of North York Official Plan in respect of lands municipally known as 2-47 Sheppard

		Square, 1-5 Rean Drive and parts of 17 and 19 Barberrry Place.
Bill No. 422	By-law No. 429-2000	To amend City of North York By-law No. 7625 in respect of lands located at 2-47 Sheppard Square, 1-5 Rean Drive and Parts of 17 and 19 Barberrry Place.
Bill No. 423	By-law No. 430-2000	To stop up and close the public lane west of Carroll Street, extending northerly from the first lane north of Matilda Street, adjacent to Premises No. 777 Dundas Street East and to authorize the sale thereof.
Bill No. 424	By-law No. 431-2000	To adopt Amendment No. 1047 of the Official Plan for the former City of Scarborough.
Bill No. 425	By-law No. 432-2000	To adopt Amendment No. 1050 of the Official Plan for the former City of Scarborough.
Bill No. 426	By-law No. 433-2000	To stop up and close a portion of the public highway Sheppard Square and to authorize the sale thereof.
Bill No. 427	By-law No. 434-2000	To amend the Employment Districts Zoning By-law No. 24982 with respect to the Rouge Employment District.
Bill No. 428	By-law No. 435-2000	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Wexford Employment District.
Bill No. 429	By-law No. 436-2000	To adopt Amendment No. 1046 of the Official Plan for the former City of Scarborough.

Bill No. 430	By-law No. 437-2000	To amend the Employment Districts Zoning By-law No. 24982 with respect to the Progress Employment District.
Bill No. 431	By-law No. 438-2000	To adopt Amendment No. 1049 of the Official Plan for the former City of Scarborough.
Bill No. 432	By-law No. 439-2000	Being a By-law to amend the Scarborough By-law No. 9510, as amended, with respect to the Woburn Community.
Bill No. 433	By-law No. 440-2000	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. 434	By-law No. 441-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 435	By-law No. 442-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 437	By-law No. 443-2000	To authorize the opening of a public lane between premises Nos. 34 and 36 Spring Grove Avenue and at the rear of premises Nos. 1697 to 1703 St. Clair Avenue West as a local Improvement and to provide for special assessment of the immediately benefitting lands.
Bill No. 438	By-law No. 444-2000	To amend City of North York By-law No. 7625 in respect of lands municipally known as 76 Spring Garden Avenue.

Bill No. 439	By-law No. 445-2000	To amend City of North York By-law No. 7625 in respect of lands municipally known as 74 to 78 Finch Avenue West.
Bill No. 440	By-law No. 446-2000	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 441	By-law No. 447-2000	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 442	By-law No. 448-2000	To amend By-law No. 32759, as amended, of the former City of North York.
Bill No. 443	By-law No. 449-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 444	By-law No. 450-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 445	By-law No. 451-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 446	By-law No. 452-2000	To amend By-law No. 30518, as amended, of the former City of North York.
Bill No. 447	By-law No. 453-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 448	By-law No. 454-2000	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on south side of The Queensway, west of Kipling Avenue municipally known as 1475 and 1505 The Queensway.

Bill No. 449	By-law No. 455-2000	To delegate to the Commissioner of Works and Emergency Services of the City of Toronto the authority to temporarily close highways during construction, repair or improvement or for a social, recreational, community, athletic, or cinematographic purpose.
Bill No. 450	By-law No. 456-2000	To amend Chapters 320 and 324 of the City of Etobicoke Zoning Code with respect to certain lands located on the west side of Scarlett Road, north of La Rose Avenue.
Bill No. 451	By-law No. 457-2000	To regulate the discharge of sewage and land drainage.
Bill No. 452	By-law No. 458-2000	To provide for the levy and collection of special charges for the year 2000 in respect of Bloor by the Park, Long Branch, Mimico by the Lake, Parkdale Village, and Village of Islington Business Improvement Areas.
Bill No. 453	By-law No. 459-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 454	By-law No. 460-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting York Street.
Bill No. 455	By-law No. 461-2000	To amend further Metropolitan By-law No. 107-86, respecting parking meters on former Metropolitan Roads.
Bill No. 456	By-law No. 462-2000	A By-law to Establish Procedures and Authority for the Procurement of Goods and Services and to Repeal Interim Purchasing By-law No. 151-2000.

Bill No. 457	By-law No. 463-2000	To amend Chapter 324 of the Etobicoke Zoning Code and to lift the Holding 'H' provisions on lands located within the Humber Bay Shore Development Area (formerly the Motel Strip), known municipally as No. 2067 Lakeshore Boulevard West (Etobicoke).
Bill No. 458	By-law No. 464-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Fleet Street.
Bill No. 459	By-law No. 465-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 460	By-law No. 466-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Booth Avenue, Davenport Road, Kenneth Avenue, Oakcrest Avenue.
Bill No. 461	By-law No. 467-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Canniff Street, Douro Street, Queen Street West.
Bill No. 462	By-law No. 468-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Campbell Avenue, Dunloe Road, Gerrard Street East, Ossington Avenue, Pape Avenue, Sudbury Street.
Bill No. 463	By-law No. 469-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Fleet Street, Queens Quay West.
Bill No. 464	By-law No. 470-2000	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 465	By-law No. 471-2000	To amend By-law No. 741-1999 of the former City of Toronto with respect to the lands known as 266 MacDonell Avenue.
Bill No. 466	By-law No. 472-2000	To prescribe the height and description of fences on private property and to require owners of privately owned outdoor swimming pools to erect and maintain fences and gates around the swimming pools.
Bill No. 467	By-law No. 473-2000	To authorize the alteration of the O'Connor Drive and Glenwood Crescent intersection by "squaring off" the southwest and southeast corners.
Bill No. 468	By-law No. 474-2000	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 Swanwick Avenue from Malvern Avenue to Hannaford Street by widening the pavement by removing the existing traffic islands and by the installation of a speed hump.
Bill No. 469	By-law No. 475-2000	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 Orchard Grove from Ridley Boulevard to Yonge Boulevard by the installation of speed humps.

Bill No. 470	By-law No. 476-2000	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 intersection of Aylmer Avenue, Severn Street and Rosedale Valley Road by narrowing the pavement and realigning the curbs.
Bill No. 471	By-law No. 477-2000	To authorize the alteration of Beecroft Road between Basil Hall Court and Ellerslie Avenue and Ellerslie Avenue between Tamworth Road and Canterbury Place by relocating a cul-de-sac providing temporary restricted access to three driveways and making modifications to the boulevard.
Bill No. 472	By-law No. 478-2000	To authorize the alteration of Birchmount Road north of Finch Avenue East by the installation of a pedestrian refuge island.
Bill No. 473	By-law No. 479-2000	To authorize the alteration of Warden Avenue between Cass Avenue, Palmdale Drive and Lowcrest Boulevard by the installation of a pedestrian refuge island.
Bill No. 474	By-law No. 480-2000	To authorize the alteration of Winona Drive between Vaughan Road and Belvidere Avenue.
Bill No. 475	By-law No. 481-2000	To change the name of the portion of Earl Street extending westerly from Huntley Street to Jarvis Street to “Earl Place”.

Bill No. 476	By-law No. 482-2000	To amend By-law No. 1994-0806, the Railway Lands Central Zoning By-law, by removing the holding symbol from the west portion of 401 Front Street West.
Bill No. 477	By-law No. 483-2000	A By-law to delegate certain powers and authority respecting site plan approvals.
Bill No. 478	By-law No. 484-2000	To amend By-law No. 388-2000.
Bill No. 479	By-law No. 485-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wright Avenue.
Bill No. 480	By-law No. 486-2000	To increase the membership of the Board of Directors of the Toronto Atmospheric Fund Foundation and to make certain changes to the membership term.
Bill No. 481	By-law No. 487-2000	To repeal paragraph D of section 1 of By-law No. 1996-0234 of the former City of Toronto.

9.89 On July 6, 2000, at 6:15 p.m., Councillor Berardinetti, seconded by Councillor Silva, 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. 486	By-law No. 488-2000	To confirm the proceedings of the Council at its meeting held on the 4th, 5th and 6th days of July, 2000,
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the vote upon which was taken as follows:

Yes - 47 Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Filion, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
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No - 0

Carried, without dissent.

The following Bills which appeared on the Bills Index were not adopted at this meeting:

Bill No. 418 For determining how the cost of division fences shall be apportioned, and for providing that any amount so apportioned shall be recoverable under the Provincial Offences Act.

Bill No. 436 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

OFFICIAL RECOGNITIONS:

9.90 **Condolence Motion:**

July 4, 2000:

Councillor Holyday, seconded by Councillors Brown, Giansante, Jones, Kinahan, Lindsay Luby, O'Brien and Sinclair, moved that:

“**WHEREAS** Mrs. Flora Voisey passed away on Friday, June 23, 2000, following a brief illness, in her 92nd year; and

WHEREAS Mrs. Voisey was a long-time resident of the southern Etobicoke community of Long Branch, having lived in her home for 61 years before moving to Beechwood Place Retirement Home in 1999; and

WHEREAS Mrs. Voisey was an executive member of the Lakefront Home Owners Association for over 30 years; and

WHEREAS Mrs. Voisey was a long-time member of the Etobicoke Historical Society; and

WHEREAS Mrs. Voisey was an avid Council follower, regularly attending Etobicoke Council meetings relating to issues dealing with the Etobicoke waterfront; and

WHEREAS Mrs. Voisey was recognized by both the federal and provincial governments through being awarded medals in acknowledgement of her commitment to her community; and

WHEREAS Mrs. Voisey, who was affectionately known as ‘The Lady of the Lake’, was one of Etobicoke’s treasures and a wonderful person who will be sorely missed by her many friends and family;

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 family of Mrs. Flora Voisey.”

Leave to introduce the Motion was granted and the Motion was adopted unanimously.

Council rose and observed a moment of silence in memory of the late Mrs. Voisey.

9.91 **Presentations/Introductions/Announcements:**

July 4, 2000:

Mayor Lastman, during the afternoon session of the meeting, invited Councillor Korwin-Kuczynski, an Honorary Captain of the Canadian Navy, to the podium. Mayor Lastman and Councillor Korwin-Kuczynski welcomed the officers and crew of the HMCS Toronto, Canada’s newest electronic defence ship, in Toronto on an official visit in support of the City’s Millennium Canada Day celebrations. Mayor Lastman, on behalf of City Council, presented Commanding Officer Brett Johnson with a memento to commemorate the visit. Commander Johnson addressed the Council and presented Mayor Lastman with a ceremonial kisbie ring. Councillor Korwin-Kuczynski invited Commander Larry Hickey to the podium and presented, on behalf of the Canada Day Committee, a Canada Day Award, in appreciation of the crew’s contribution to the City of Toronto’s celebration.

July 5, 2000:

Deputy Mayor Ootes, during the morning session of the meeting, introduced members of the Skypark Vista Trillium Seniors, present at this meeting.

Councillor Mammoliti, during the morning session of the meeting, with the permission of Council, introduced Mrs. Bozena Giacchini and Mr. Joo Liang Wee, an officer of the Bohae Distillery, visiting from Seoul Korea, present at this meeting.

Councillor Li Preti, with the permission of Council, introduced Mayor Eugenio Nudo, Mr. Spezzano Piccolo, Ms. Lucia Minchio, Ms. Anna Maria D’Polito, Ms. Ines Policchio, and Ms. Matilde Catalano, members of a delegation from Cosenza, Italy, present at this meeting.

9.92 **MOTIONS TO VARY PROCEDURE**

Vary the order of the proceedings of Council:

July 4, 2000:*Motions:*

Councillor Moeser, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 19 of Report No. 7 of The Economic Development and Parks Committee, headed “Organizational Structure of the Parks and Recreation Division - Staffing of Front Line Recreationist Positions (All Wards)”, as the first item of business during the in-camera meeting session on July 4, 2000, which was carried.

Councillor Walker, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Provincial Local Services Realignment - Making It Work, and Towards a New Relationship with Ontario and Canada”, at 6:00 p.m. on July 5, 2000.

Mayor Lastman moved that the motion by Councillor Walker be amended to provide that Council vary the order of its proceedings to consider such Clause at 5:15 p.m. on July 5, 2000.

Vote:

Adoption of motion by Mayor Lastman:

Yes - 41	
Mayor:	Lastman
Councillors:	Adams, Berardinetti, Berger, Bossons, Brown, Cho, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Johnston, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shaw, Shiner, Soknacki, Tzekas, Valenti, Walker
No - 4	
Councillors:	Ashton, Augimeri, Jones, Prue

Carried by a majority of 37.

Councillor Moeser, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 14 of The Administration Committee, headed “Establishing New Community Councils in the City of Toronto - All Wards”, as the first item of business after completion of the ‘time critical’ items, which carried.

July 5, 2000:

Councillor Disero, during the afternoon session of the meeting, moved that consideration of the balance of Clause No. 1 of Report No. 14 The Administration Committee, headed “Establishing New Community Councils in the City of Toronto - All Wards”, be deferred until 9:30 a.m. on July 6, 2000, the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman
Councillors:	Adams, Ashton, Berger, Cho, Chong, Chow, Disero, Gardner, Jakobek, Kinahan, King, Li Preti, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Palacio, Prue, Saundercook, Shiner, Silva, Soknacki
No - 21	
Councillors:	Altobello, Augimeri, Berardinetti, Bossons, Brown, Bussin, Duguid, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, McConnell, Moeser, Pantalone, Pitfield, Rae, Sinclair, Valenti, Walker

Carried by a majority of 6.

Councillor Jakobek, during the afternoon session of the meeting, moved that, in accordance with Section 46 of the Council Procedural By-law, the previous decision of Council to consider Clause No. 1 of Report No. 14 The Administration Committee, headed “Establishing New Community Councils in the City of Toronto - All Wards”, at 9:30 a.m. on July 6, 2000, be re-opened for further consideration, and that Council resume its consideration of Clause No. 19 of Report No. 7 of The Economic Development and Parks Committee, headed “Organizational Structure of the Parks and Recreation Division - Staffing of Front Line Recreationist Positions (All Wards)”, at that time, the vote upon which was taken as follows:

Yes - 31	
Mayor:	Lastman
Councillors:	Ashton, Berardinetti, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Nunziata, O’Brien, Pitfield, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker

No - 16
Councillors: Altobello, Augimeri, Balkissoon, Bossons, Brown, Feldman, King, Mihevc, Minnan-Wong, Moscoe, Ootes, Palacio, Pantalone, Prue, Soknacki, Valenti

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

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

July 6, 2000:

Councillor Gardner, at 5:58 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 6:00 p.m. recess, and that Council continue in session until 6:15 p.m., which carried.

9.93 **ATTENDANCE**

Councillor Altobello, seconded by Councillor Balkissoon, moved that the absence of Councillor Davis from this meeting of Council be excused, which was carried.

July 4, 2000	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 6:50 p.m.*	Roll Call 3:52 p.m.	Ctte. of the Whole in-Camera 6:55 p.m.*	7:29 p.m. to 7:30 p.m.*
Lastman	x	x	-	x	-	x	x
Adams	x	x	-	x	x	-	-
Altobello	x	x	x	x	-	x	x
Ashton	-	x	-	x	-	x	x
Augimeri	-	x	x	x	x	-	-
Balkissoon	x	x	x	x	x	x	x
Berardinetti	x	x	x	x	x	x	x
Berger	x	x	x	x	-	x	x
Bossons	-	x	-	x	x	x	x
Brown	x	x	x	x	x	x	x
Bussin	x	x	-	x	x	x	x
Cho	x	x	x	x	x	x	x
Chong	-	-	-	x	-	x	x
Chow	-	x	x	x	x	x	x
Davis	-	-	-	-	-	-	-

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 4, 2000	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 6:50 p.m.*	Roll Call 3:52 p.m.	Ctte. of the Whole in-Camera 6:55 p.m.*	7:29 p.m. to 7:30 p.m.*
Disero	x	x	x	x	x	x	x
Duguid	x	x	x	x	x	x	x
Feldman	x	x	x	x	x	x	x
Filion	-	x	x	x	x	x	x
Flint	x	x	-	x	x	-	-
Gardner	x	x	x	x	x	x	x
Giansante	-	x	x	x	x	x	x
Holyday	x	x	x	x	x	x	x
Jakobek	-	-	x	x	x	-	-
Johnston	x	x	x	x	-	x	x
Jones	x	x	x	x	x	x	x
Kelly	-	-	x	x	x	x	x
Kinahan	x	x	x	x	x	-	-
King	x	x	-	x	x	x	x
Korwin-Kuczynski	x	x	-	x	-	-	-
Layton	x	x	x	x	-	x	x
Lindsay Luby	x	x	x	x	x	x	x
Li Preti	-	x	-	x	x	x	x
Mahood	-	x	-	x	x	x	x
Mammoliti	x	x	x	x	x	x	x
McConnell	x	x	-	x	x	x	x
Mihevc	x	x	-	x	-	x	x
Miller	x	x	x	x	x	x	x
Minnan-Wong	x	x	-	x	-	-	-
Moeser	x	x	x	x	x	x	x
Moscoe	x	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x	x
O'Brien	x	x	x	x	-	x	x
Ootes	x	x	x	x	x	x	x
Palacio	x	x	x	x	-	x	x

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 4, 2000	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 6:50 p.m.*	Roll Call 3:52 p.m.	Ctte. of the Whole in-Camera 6:55 p.m.*	7:29 p.m. to 7:30 p.m.*
Pantalone	x	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x	x
Prue	x	x	x	x	-	x	x
Rae	x	x	x	x	x	x	x
Saundercook	x	x	x	x	x	x	x
Shaw	x	x	-	x	x	x	x
Shiner	x	x	x	x	x	x	x
Silva	-	-	-	-	-	-	-
Sinclair	x	x	x	x	x	x	x
Soknacki	x	x	x	x	x	x	x
Tzekas	-	x	x	x	x	x	x
Valenti	x	x	x	x	x	x	x
Walker	x	x	x	x	x	x	x
Total	44	53	41	56	43	49	49

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

July 5, 2000	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 3:45 p.m.*
Lastman	x	x	x	x
Adams	x	x	x	x
Altobello	x	x	x	x
Ashton	-	x	x	x
Augimeri	-	x	x	-
Balkissoon	x	x	x	x
Berardinetti	-	x	x	x
Berger	x	x	x	x
Bossons	x	x	x	x
Brown	-	x	x	x
Bussin	x	x	-	x

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 5, 2000	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 3:45 p.m.*
Cho	-	x	-	x
Chong	-	x	x	x
Chow	-	x	x	x
Davis	-	-	-	-
Disero	-	x	x	x
Duguid	x	x	x	x
Feldman	x	x	x	x
Filion	-	x	-	x
Flint	-	x	-	-
Gardner	x	x	x	x
Giansante	x	x	-	x
Holyday	x	x	x	x
Jakobek	x	x	-	x
Johnston	-	x	-	x
Jones	x	x	x	x
Kelly	-	x	-	x
Kinahan	x	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	-	x	-	x
Mammoliti	x	x	-	x
McConnell	-	x	x	x
Mihevc	-	x	x	x
Miller	x	x	x	x
Minnan-Wong	x	x	-	-
Moeser	-	x	x	x
Moscoe	x	x	x	x

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 5, 2000	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 3:45 p.m.*
Nunziata	x	x	x	x
O'Brien	-	x	x	x
Ootes	x	x	x	x
Palacio	x	x	x	x
Pantalone	x	x	x	x
Pitfield	x	x	x	x
Prue	x	x	x	x
Rae	-	x	x	x
Saundercook	x	x	x	x
Shaw	-	x	-	x
Shiner	x	x	-	x
Silva	x	x	x	x
Sinclair	-	x	-	x
Soknacki	x	x	x	x
Tzekas	-	x	-	x
Valenti	x	x	x	x
Walker	x	x	x	x
Total	35	57	40	54

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

July 5, 2000	Roll Call 3:15 p.m.	Ctte. of the Whole in-Camera 3:50 p.m.*	5:15 p.m. to 7:30 p.m.*	Roll Call 6:10 p.m.	Roll Call 7:14 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	-	-
Balkissoon	-	x	x	-	-

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 5, 2000	Roll Call 3:15 p.m.	Ctte. of the Whole in-Camera 3:50 p.m.*	5:15 p.m. to 7:30 p.m.*	Roll Call 6:10 p.m.	Roll Call 7:14 p.m.
Berardinetti	x	x	x	-	x
Berger	-	x	-	-	-
Bossons	x	x	x	x	x
Brown	x	x	x	x	x
Bussin	x	x	x	x	-
Cho	x	x	x	x	x
Chong	-	x	x	x	-
Chow	x	x	x	x	x
Davis	-	-	-	-	-
Disero	-	x	x	x	x
Duguid	x	x	x	x	x
Feldman	x	x	x	x	-
Filion	-	x	x	x	-
Flint	-	-	-	-	-
Gardner	-	-	-	-	-
Giansante	-	x	x	-	x
Holyday	x	x	x	x	x
Jakobek	-	x	x	-	-
Johnston	-	x	-	-	-
Jones	x	x	x	x	-
Kelly	x	x	x	x	x
Kinahan	x	x	x	x	x
King	x	x	x	x	x
Korwin-Kuczynski	x	x	x	-	-
Layton	x	x	x	x	x
Lindsay Luby	x	-	x	x	x
Li Preti	x	x	x	-	-
Mahood	-	x	-	-	-
Mammoliti	x	x	x	-	-
McConnell	x	x	x	x	x

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 5, 2000	Roll Call 3:15 p.m.	Ctte. of the Whole in-Camera 3:50 p.m.*	5:15 p.m. to 7:30 p.m.*	Roll Call 6:10 p.m.	Roll Call 7:14 p.m.
Mihevc	x	x	x	-	x
Miller	-	x	x	x	x
Minnan-Wong	-	x	x	-	x
Moeser	x	x	-	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
O'Brien	x	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	x
Saundercook	x	x	x	-	x
Shaw	x	x	x	x	-
Shiner	-	x	-	-	-
Silva	x	x	x	-	-
Sinclair	x	x	x	x	x
Soknacki	x	x	x	-	-
Tzekas	-	x	x	x	x
Valenti	x	x	x	x	-
Walker	-	x	x	x	x
Total	38	54	50	33	35

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

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 6, 2000	Roll Call 9:44 a.m.	9:44 a.m. to 12:05 p.m.*	Roll Call 10:25 a.m.	Ctte. of the Whole in-Camera 12:10 p.m. to 12:30 p.m.*	Ctte. of the Whole in-Camera 2:15 p.m.*	4:45 p.m. to 6:17 p.m.*
Lastman	-	x	-	-	x	x
Adams	-	x	-	x	x	x
Altobello	x	x	-	x	x	x
Ashton	x	x	x	x	x	x
Augimeri	x	x	x	x	x	x
Balkissoon	-	-	-	-	x	x
Berardinetti	-	x	-	x	x	x
Berger	x	x	x	-	x	-
Bossons	x	x	x	x	x	x
Brown	x	x	x	x	x	x
Bussin	-	x	x	-	x	x
Cho	x	x	x	x	x	x
Chong	x	x	-	x	x	x
Chow	-	x	-	x	x	x
Davis	-	-	-	-	-	-
Disero	x	x	x	x	x	x
Duguid	x	x	x	x	x	x
Feldman	x	x	x	x	x	x
Filion	x	x	-	-	x	x
Flint	-	-	-	-	-	-
Gardner	-	x	-	x	x	x
Giansante	x	x	x	x	x	x
Holyday	x	x	x	-	-	-
Jakobek	x	x	x	-	x	x
Johnston	x	x	x	-	x	x
Jones	x	x	x	-	x	x
Kelly	x	x	x	x	x	x
Kinahan	x	x	-	-	x	x
King	x	x	x	x	x	x

Minutes of the Council of the City of Toronto
July 4, 5 and 6, 2000

July 6, 2000	Roll Call 9:44 a.m.	9:44 a.m. to 12:05 p.m.*	Roll Call 10:25 a.m.	Ctte. of the Whole in-Camera 12:10 p.m. to 12:30 p.m.*	Ctte. of the Whole in-Camera 2:15 p.m.*	4:45 p.m. to 6:17 p.m.*
Korwin-Kuczynski	x	x	x	-	x	x
Layton	x	x	x	-	x	x
Lindsay Luby	x	x	x	x	x	x
Li Preti	-	x	-	x	x	x
Mahood	-	-	-	-	-	-
Mammoliti	x	x	-	x	x	x
McConnell	x	x	x	-	-	x
Mihevc	x	x	x	x	x	x
Miller	x	x	x	x	x	x
Minnan-Wong	x	x	-	x	x	x
Moeser	x	x	x	x	x	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x
O'Brien	x	x	x	x	x	x
Ootes	-	x	x	-	x	x
Palacio	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x
Prue	x	x	x	x	x	x
Rae	x	x	x	x	x	x
Saundercook	-	x	-	x	x	x
Shaw	x	x	x	-	x	x
Shiner	-	x	x	-	x	x
Silva	x	x	-	-	x	x
Sinclair	-	x	-	x	x	x
Soknacki	x	x	x	x	-	x
Tzekas	-	x	-	-	x	x
Valenti	x	x	-	-	x	x
Walker	x	x	x	-	x	x

Minutes of the Council of the City of Toronto
 July 4, 5 and 6, 2000

July 6, 2000	Roll Call 9:44 a.m.	9:44 a.m. to 12:05 p.m.*	Roll Call 10:25 a.m.	Ctte. of the Whole in-Camera 12:10 p.m. to 12:30 p.m.*	Ctte. of the Whole in-Camera 2:15 p.m.*	4:45 p.m. to 6:17 p.m.*
Total	43	54	37	35	52	53

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

MEL LASTMAN,
 Mayor

NOVINA WONG,
 City Clerk

ATTACHMENT NO. 1

Report dated June 22, 2000, from the City Solicitor, entitled "Draft Amending By-law - Zoning By-law Amendment for 266 MacDonell Avenue (High Park)" (See Minute No. 9.65, Page 101):

Purpose:

This report provides the necessary draft by-law amendment to amend By-law No. 741-1999 to permit the erection and use of front and rear platform decks, as well as other standard projections, with respect to four semi-detached houses on the lands municipally known as 266 MacDonell Avenue.

Recommendation:

It is recommended that the Draft By-law attached to the report (June 22, 2000) from the City Solicitor be approved and that authority be granted to introduce the necessary bill in Council, substantially in the form of the Draft By-law to give effect thereto.

Background:

City Council, at its meeting of October 26 and 27, 1999, adopted an amendment to (former) City of Toronto By-law No. 438-86 with respect to the subject property. By-law No. 741-1999 permits the erection and use of four semi-detached houses on the subject lands but does not allow for certain, restricted, standard projections, including eaves and cornices to a maximum projection of 0.45 metres, chimney breasts, safety railings, front and rear platforms with restrictions on height and projection, and the construction of a cold cellar thereunder. While the projections, including the platforms, are a part of the plans submitted by the developer to the City, they were inadvertently left out of the provisions of By-law No. 741-1999. This report therefore recommends a "technical" zoning by-law amendment to permit the proposal to proceed with the standard projections.

As the substance of the development proposal remains the same as that already approved by Council, a statutory public meeting is not required with respect to the proposed amendment.

Comments:

The report contains the necessary Draft By-law, which, if enacted, will allow the construction of the above mentioned projections.

Conclusions:

By-law 741-1999 inadvertently left out provision for the construction of certain restricted projections, including front and rear platforms, for the development proposal approved by City Council at its meeting of October 26 and 27, 1999. Those projections have always been a part of the proposal approved by Council and the Draft By-law will simply provide for a “technical” correction of By-law No. 741-1999.

Contact:

Marc Kemerer, Solicitor
Telephone: (416) 392-1228
Fax: (416) 397-4420
E-Mail: mkemerer@city.toronto.on.ca

List of Attachments:

Draft By-law

Attachment No. 1

Draft By-law (1)

Authority: Notice of Motion
Enacted by Council:

CITY OF TORONTO

Bill No.

By-law No. –2000

To amend the By-law No. 741-1999 of the former City of Toronto
with respect to the lands known as 266 MacDonell Avenue.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 741-1999, being “To amend the general Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known in 1998 as 266 MacDonell Avenue”, is amended by repealing section 1(3) and replacing it with the following:

- (3) no part of any building or structure located above *grade* on the *site*, excluding projections permitted by section 6(3) Part II 8 A, B, C, D and H of By-law 438-86, as amended, is located otherwise than wholly within the heavy lines shown on Plan 2 attached to and forming a part of this by-law;

ENACTED AND PASSED this day of , A.D. 2000.

Mayor

City Clerk

ATTACHMENT NO. 2

Communication dated June 22, 2000, from the City Clerk, forwarding to City Council, recommendations of the School Tax Sub-Committee with respect to Payments to Toronto District School Board for Space Used for Recreation Programs; and Fees for Community Use of Schools (See Minute No. 9.66, Page 102):

Recommendation:

The School Tax Sub-Committee recommends that City Council:

- (1) request the Chair of the School Tax Sub-Committee, the Children's Advocate, the Mayor or his designate and interested Councillors and representatives of Community groups to meet with Gail Nyberg, Chair of the Toronto District School Board and Rose Andrachuk, Chair of the Toronto District Catholic School Board to arrange a joint delegation to the Minister of Education respecting the school funding formula; and in so doing, defer consideration of the joint report (June 20, 2000) from the Chief Financial Officer and Treasurer, and the Commissioner of Economic Development, Culture and Tourism, respecting payment to Toronto District School Board for Space Used for Recreation Programs, until the next meeting of City Council, pending the result of the foregoing meeting;
- (2) endorse the recommendations of the Children and Youth Action Committee, viz.:
 - “(a) that the Toronto District School Board be requested to defer decision making on fees for community use of space for one year;
 - (b) that the Toronto District School Board be requested to hold in-depth consultation with community groups on the impact of fees and service reductions; and
 - (c) that the Minister of Education be requested to amend the school funding formula since it results in reduced access to school board space for programs and services for children and youth.”;
- (3) endorse the recommendations of the Community Services Committee, viz.:

“That the Toronto District School Board and the Toronto Catholic District School Board be requested to co-sponsor with the City of Toronto a consultation process with community groups on the impacts of fees and service reductions; and further that provincial officials be invited to participate in such community consultations.”; and

- (4) direct the appropriate staff to advise community groups that appeared before the School Tax Sub-Committee on the matter of community use of schools of the upcoming meetings.

Background:

The School Tax Sub-Committee at its meeting held on June 22, 2000, had before it:

- (i) a joint report (June 20, 2000) from the Chief Financial Officer and Treasurer, and the Commissioner of Economic Development, Culture and Tourism, respecting Payments to Toronto District School Board for Space Used for Recreation Programs; and recommending that the School Tax Sub-Committee endorse the following recommendations for the consideration of the Budget Advisory Committee:
 - (1) the City enter into an agreement to make remittances to the Toronto District School Board at an hourly rate of \$0.0038 per square foot for space used for City run recreational programs in schools (see detail in Table 1) starting September 1, 2000, excluding sites covered by existing agreements or where the City has made a capital investment;
 - (2) these charges apply to the following city uses of school facilities: gymnasias, multi-purpose program space and meeting rooms;
 - (3) no charges be levied for after-school recreation programs up to 6:00 p.m. on school days;
 - (4) the cost for such remittances irrespective of use, not exceed \$1 million in 2000;
 - (5) the Toronto District School Board be requested to provide itemized billings for this purpose, including the hours, number of square feet, type of facility and name of school;
 - (6) the above recommendations be subject to resolution and approval by Council of payment agreements reflecting the cost of services provided to the Toronto District School Board by the City;
 - (7) any school use of indoor City facilities be subject to the same rates and conditions listed above and staff be authorized to enter into agreements with the Toronto District School Board to secure revenues from such uses;

- (8) any school use of arenas or outdoor artificial ice rinks be subject to the Council approved hourly city rates for youth, effective September 1, 2000; and
 - (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (ii) a communication (June 15, 2000) from the City Clerk advising that the Community Services Committee on June 15, 2000:
- (1) recommended to the Policy and Finance Committee the adoption of the following motion, with a request that such motion be considered at the time the School Tax Sub-Committee submits its recommendations regarding the community use of schools:

“That the Toronto District School Board and the Toronto Catholic District School Board be requested to co-sponsor with the City of Toronto a consultation process with community groups on the impacts of fees and service reductions; and further that provincial officials be invited to participate in such community consultations.”;
 - (2) referred to the School Tax Sub-Committee for consideration the recommendations of the Children and Youth Action Committee contained in the attached communication dated June 1, 2000, from the City Clerk, with a request that they report thereon to the Policy and Finance Committee, and Council, in July 2000, regarding the community use of schools; and
 - (3) directed that the Commissioner of Economic Development, Culture and Tourism, in consultation with the Chief Financial Officer and Treasurer, be requested to report to the next meeting of the School Tax Sub-Committee on:
 - (a) the financial implications resulting from the recent decisions of the Toronto District School Board and the Toronto Catholic District School Board with respect to fees for community use of schools; and
 - (b) the negative impact of such decisions on the City’s seniors’ programs, parenting centres, Boy Scouts, Girl Guides, Boys’ and Girls’ Clubs, and any other permit users within the community school system.

The School Tax Sub-Committee also had before it the following communications:

- (a) (June 22, 2000) from the Girl Guides of Canada, Toronto Area, providing Background Information; and
- (b) (June 22, 2000) from the Girl Guides of Canada, Toronto Area, providing Messages for Members of the City of Toronto School Tax Sub-Committee regarding the self-funded organization and its major source of revenue.

The following persons appeared before the School Tax Sub-Committee in connection with the foregoing matter:

- Ms. Charis Kelso and Ms. Louise Fast, Co-Commissioners, Girl Guides of Canada, Toronto Area; and
- Mr. Ed Balyk, Scouts Canada.

(A copy of the communications dated June 22, 2000, from the Girl Guides of Canada, Toronto Area, which were appended to the foregoing communication, are on file in the office of the City Clerk.)

(Joint Report dated June 20, 2000,
addressed to the School Tax Sub-Committee
from the Chief Financial Officer and Treasurer
and Commissioner of Economic Development, Culture and Tourism.)

Purpose:

To seek authority to enter into an agreement with the Toronto District School Board for payments for space in schools used by the City for recreation programs exclusive of those schools where an existing agreement exists or where the City has made a capital contribution.

Financial Implications and Impact Statement:

Funding of \$1 million has been provided in the 2000 Operating Budget for this purpose. This is a phased-in payment plan similar to that reached when negotiating the child care leases with the TDSB. Full payment of the negotiated hourly rate will commence January 01, 2001. The annualized impact will create an estimated additional budget pressure in 2001 of \$2.8 million, for a total cost of approximately \$3.8 million. Additional funding may be required for payments for recreation programs in school swimming pools. Staff is still reviewing other potential offsets with the school board for City services provided to them. This item is still being discussed with school board staff within the context of

examining past contributions made by the former cities towards construction of a number of swimming pools at school sites and rights of access associated with such contributions. Previous estimates tabled during the 2000 operating budget process put the total annualized cost of all directly operated Parks and Recreation programs in schools, including swimming pools, at \$6 million. The actual total cost will be finalized once negotiations with the school board on all of the aspects described in this report are complete.

The City has also made capital contributions towards recreation centres at school sites and for sport field and playground improvements. Detailed discussions with staff of the Board are being held to confirm details on these items.

Recommendations:

It is recommended that the School Tax Sub-Committee endorse the following recommendations for the consideration of the Budget Advisory Committee:

- (1) the City enter into an agreement to make remittances to the Toronto District School Board at an hourly rate of \$0.0038 per square foot for space used for City run recreational programs in schools (see detail in Table 1) starting September 1, 2000, excluding sites covered by existing agreements or where the City has made a capital investment;
- (2) these charges apply to the following city uses of school facilities: gymnasias, multi-purpose program space and meeting rooms;
- (3) no charges be levied for after-school recreation programs up to 6:00 p.m. on school days;
- (4) the cost for such remittances irrespective of use, not exceed \$1 million in 2000;
- (5) the TDSB be requested to provide itemized billings for this purpose, including the hours, number of square feet, type of facility and name of school;
- (6) the above recommendations be subject to resolution and approval by Council of payment agreements reflecting the cost of services provided to the TDSB by the City;
- (7) any school use of indoor City facilities be subject to the same rates and conditions listed above and staff be authorized to enter into agreements with the TDSB to secure revenues from such uses;

- (8) any school use of arenas or outdoor artificial ice rinks be subject to the Council approved hourly city rates for youth, effective September 1, 2000; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting of February 4, 5 and 6, 1998, Council directed City officials to present, in conjunction with school board officials, an agreement that addresses the City use of school facilities for child care and recreation purposes. Subsequently, at its meeting of February 2, 3 and 4, 1999, Council approved a payment schedule for child care space in Toronto Catholic District School Board facilities and authorized staff to continue to negotiate a mutual services agreement, including protection for child care services and City-run recreational programs in schools. On February 1, 2 and 3, 2000, Council approved a payment schedule for child care spaces in Toronto District School Board facilities.

Further, at its meeting of May 9, 10 and 11, 2000, Council made a series of recommendations with respect to school closures in considering Clause No. 2 of Report No. 4 of The Planning and Transportation Committee. Those recommendations related mainly to protecting the City's interests and preserving community use of schools that the school board has announced for closure.

Comments:

Payments for the use of school space reflected changes implemented by Bill 160, which established provincial grants to school boards on the basis of classroom use only. School boards started seeking other funding sources to defray the cost of school space used for other purposes, including child care and recreation programs operated by the City.

The City has been taking a co-ordinated approach to negotiations with the school boards, looking at a range of services that are, or could potentially be, provided mutually between the boards and the City. A staff team made up of representatives from Finance, Parks and Recreation, and Children's Services, in conjunction with Legal Services and Planning, has been working closely with representatives of the Toronto District School Board. As noted above, agreements have been approved by Council with respect to payments for child care facilities and this report recommends an arrangement for recreational programming. Financial arrangements for space used exclusively for swimming pools and any other existing exchange of services, will be the subject of future reports.

Discussions will be held with TDSB staff with respect to recovery by the City of capital costs for City funded projects within schools that are closing. Similarly, detailed reviews are being undertaken of all agreements known to exist between the former cities and boards. Where such formal agreements are currently in effect, it is proposed that no charges be made to the City by the TDSB for any indoor use of sites incorporated as part of the agreements. Further discussions will occur between staff of the City and the Board on this matter and will be the subject of a further report.

Negotiations have been protracted due to the sheer volume of facilities, the number and complexity of existing and expired agreements, the lack of a detailed listing of permitted public uses of school facilities, an absence of formal agreements in some cases, as well as ongoing changes to provincial school funding. Early stages included preparation of inventories from the former 7 municipalities, mirrored with similar activities from the former 6 school boards.

The Parks and Recreation Division on an annual basis, currently uses approximately 310,000 hours per year at over 300 public elementary and secondary schools for directly operated recreation programs, including aquatics.

City staff had negotiated an hourly rate with the TDSB of \$0.0037 per square foot, based on the provincial funding formula divided by the total school hours, similar in concept to the rate approved by Council for child care spaces. Although at the time of the writing of this report, official notification from the TDSB has not occurred, it is understood that the final rate will be \$0.0038 per square foot per hour. The difference in the rates equates to an additional cost to the City of \$100,000 per year from that negotiated at the staff level. In cases where the School Board uses similar City facilities, a reciprocal arrangement would mean that the same rates would apply.

The Toronto District School Board at its meeting of May 31, 2000, approved an hourly rate of \$0.0038 per square foot for Parks and Recreation programs, effective September 1, 2000. Permit rates for five other categories, including a rate for community groups-children and youth of \$0.0019 per square foot per hour was also approved. This latter rate was contingent on the City agreeing to paying the cost of \$0.0038 per square foot per hour for city use. In negotiations with Board staff, a preliminary agreement on a phase-in for full payment was reached. This agreement reflected the \$1 million in the 2000 Operating Budget for this purpose and full payment commencing with January 2001, following further discussions on existing agreements and past capital contributions by the City to the enhancement of facilities at schools or adjacent thereto. Nothing is mentioned in the School Board decision of May 31, 2000, with respect to a phase-in of payments. This needs to be further discussed with the Board.

The Toronto District School Board has also ratified a new Permits Policy and Procedures, which is being distributed, along with a schedule of permit rates to all school permit holders, including the City. Attached as Appendix 1, is the full detail which has, as yet, not been formally communicated to the City.

The hourly rate of \$0.0038 per square foot would apply to the following primary facilities used by the City:

TABLE 1

Facility	Typical Hourly Cost at \$0.0038/sq.ft.
Classroom	\$3.76
Gymnasium (Single)	\$11.40
Gymnasium (Double)	\$22.80
General Purpose Room	\$11.40
Auditorium	\$42.32

Estimates of the City's use of these types of TDSB facilities translates into a fully annualized cost of approximately \$3.8 million in 2001 exclusive of the use of swimming pools in schools, after being phased-in starting in September, 2000. It is the view of staff, that since the school boards have temporary provincial mitigation funding, they are able to phase-in the payment, such that charges in 2000 should be limited to that budgeted in the Parks and Recreation operating budget of \$1 million for the period September to December.

Following is a comparison of the phase-in approved by Council with respect to child care programs and the recommended phase-in for parks and recreation programs.

TABLE 2

Phase-In of Payments to TDSB

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>
Child Care					
\$000	351	1,404	2,457	3,510	4,203
% of Final	8	33	58	84	100

Parks and Recreation					
\$000	0	0	1,000	3,800	3,800
% of Final	0	0	26	100	100

The phase in for child care payments was based on a 25/50/75/100 percent phase in for each of the school years starting in September 1st of each of the above years and the above figures represent the City's fiscal year. Full phase-in of the Parks and Recreation charges was made in 2001, in part to offset the later start of the payments in comparison with those for child care.

Approval by City Council is required to begin making payments to the Board, based on the fall program of recreation activities in public schools. It should be noted that every effort has been made to look for any available surplus capacity in existing City facilities as alternate program sites. However, existing City community centres do not have sufficient capacity to relocate programs currently in schools.

Staff of the City and the Board are still searching their respective files to confirm the existence of a number of agreements signed between the former cities and boards. Where there are existing written agreements still in effect between the City and the TDSB on the use of space or the provision of mutual services through reciprocal services agreements, those agreements will continue to apply, at least for the balance of 2000. Advice of the respective legal departments will be required. It is expected that resolution of the remaining issues can be achieved and we remain optimistic that a new mutual services agreement can be negotiated between the two organizations.

Also to be finalized is an agreement acknowledging the City's past financial contributions towards recreation centres and swimming pools at school sites. And further, for the City's contributions for sports fields and playground improvements and the right of access to those sites, which such contributions should guarantee.

This report does not deal with the reciprocal use of outdoor spaces. Once again, there are a variety of past practices and some formal agreements in existence. The status quo for the year 2000 has been agreed to. This issue will be further investigated and a recommendation put forward in a subsequent report, prior to the Spring/Summer of 2001.

Next Steps:

- (1) meet with representatives of the Toronto District School Board and confirm the outcomes of their Board Meeting of May 31, 2000, with respect to permitting policies and rates for City use of their facilities;

- (2) confirm the list of existing agreements and capital contributions made by the City towards recreation facilities at school sites;
- (3) identify and cost other City services provided to the Board other than those identified in this report; and
- (4) conduct detailed discussions with Board staff on the operation of swimming pools at school sites.

Conclusions:

The City has concluded negotiations with the Toronto Catholic District School Board and the Toronto District School Board on payments for the City's use of school space for child care programs. Agreement has now been reached at the staff level on payment for the following recreational programs: gymnasias, indoor skating, multi-purpose program space, and meeting rooms. These agreements are reciprocal in that any City space used by the School Board would be subject to the same rates and conditions. The recommended rate of \$0.0038 per square foot is based on the provincial funding formula, similar in concept to that previously approved for child care payments to the Toronto District School Board.

Further negotiations will take place regarding swimming pools and any other mutual services such as garbage collection and disposal, the results of which will be reported to the appropriate committees for Council approval.

Contacts:

Len Brittain, Director, Treasury and Financial Services Finance Department Phone: 416-392-5380; Fax: 416-397-4555; E-mail: lbrittai@city.toronto.on.ca	Gary Stoner, Director, East District, Parks and Recreation Division Phone: 416-396-4490; Fax: 416-396-4957 E-mail: gstoner@city.toronto.on.ca
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Appendix 1 Communication from Toronto District School Board to Permit Holders dated June 6, 2000, entitled "Re: Changes to Board Policies and Procedures Concerning Community-Use of School Facilities".

(A copy of Appendix 1, referred to in the foregoing report, is on file in the office of the City Clerk.)

(Communication dated June 15, 2000,
addressed to the School Tax Sub-Committee,
from the City Clerk.)

The Community Services Committee on June 15, 2000:

- (1) recommended to the Policy and Finance Committee the adoption of the following motion, with a request that such motion be considered at the time the School Tax Sub-Committee submits its recommendations regarding the community use of schools:

“That the Toronto District School Board and the Toronto Catholic District School Board be requested to co-sponsor with the City of Toronto a consultation process with community groups on the impacts of fees and service reductions; and further that provincial officials be invited to participate in such community consultations.”;
- (2) referred to the School Tax Sub-Committee for consideration the recommendations of the Children and Youth Action Committee contained in the attached communication dated June 1, 2000, from the City Clerk, with a request that they report thereon to the Policy and Finance Committee, and Council, in July 2000, regarding the community use of schools; and
- (3) directed that the Commissioner of Economic Development, Culture and Tourism, in consultation with the Commissioner of Finance and Treasurer, be requested to report to the next meeting of the School Tax Sub-Committee on:
 - (a) the financial implications resulting from the recent decisions of the Toronto District School Board and the Toronto Catholic District School Board with respect to fees for community use of schools; and
 - (b) the negative impact of such decisions on the City’s seniors’ programs, parenting centres, Boy Scouts, Girl Guides, Boys’ and Girls’ Clubs, and any other permit users within the community school system.

Background:

The Community Services Committee had before it a communication (June 1, 2000) from the City Clerk advising that the Children and Youth Action Committee on May 29, 2000, recommended to the Community Services Committee that:

- (1) the Toronto District School Board be requested to defer making a decision on fees for community use of space for one year;
- (2) the Toronto District School Board be requested to hold in-depth consultation with community groups on the impact of fees and service reductions; and
- (3) the Minister of Education be requested to amend the school funding formula since it results in reduced access to School Board space for programs and services for children and youth.

Councillor Pam McConnell, Don River, appeared before the Community Services Committee in connection with the foregoing matter.

(Communication dated June 1, 2000,
addressed to the Community Services Committee
from the City Clerk.)

Recommendations:

The Children and Youth Action Committee on May 29, 2000, recommended to the Community Services Committee that:

- (1) the Toronto District School Board be requested to defer making a decision on fees for community use of space for one year;
- (2) the Toronto District School Board be requested to hold in-depth consultation with community groups on the impact of fees and service reductions; and
- (3) the Minister of Education be requested to amend the school funding formula since it results in reduced access to school board space for programs and services for children and youth.

The Children and Youth Action Committee reports, for the information of the Community Services Committee, having requested that Ms. Ann Fitzpatrick, while making a deputation at the May 31, 2000, meeting of the Toronto District School Board, advise the Board of the Committee's recommendations, since the Toronto District School Board is considering this matter prior to the Community Services Committee meeting.

Background:

The Children and Youth Action Committee on May 29, 2000, had before it a communication (May 29, 2000) from Councillor Pam McConnell regarding fees for community use of schools.

The Committee's recommendations are noted above.

(Communication dated May 29, 2000,
addressed to Councillor Olivia Chow, Chair,
Children and Youth Action Committee,
from Councillor Pam McConnell.)

Many people have come to me with deep concerns over the past 18 months as they await the bad news of fees for community use of schools. As I am sure you know, the public uses schools after-hours, and estimates of community use of schools exceed one million hours per year.

The Boy Scouts, one of the larger users, has been consistent in their expression of concern and their willingness to get involved.

More recently, I have received letters from Ms. Glenda E. Scott and Mr. Raymond Varkki, Scouting and Cub leaders from Scarborough outlining their understanding of the school use fees proposed to be reviewed at the May 31, 2000, meeting of the Toronto District School Board.

The Scouts believe that the new school user charges endanger them and other community groups in two ways:

- (1) the fee of \$11.40 is much higher than they can afford to pay; and
- (2) the policy requires groups to pay their fees for the year in advance. For Scouts in Toronto that could amount to some \$200,000.00 as a lump sum payment.

Overall, the new school user fees could draw over \$12 million from community groups in the City. Since many lack the resources to pay, they will be looking to find alternate free space. Community centres are certain to be under great pressure to accommodate these groups, creating a space shortage in City facilities while school facilities sit empty.

The Children and Youth Action Committee should be making an effort to find a solution to this problem. I recommend that the Committee seek an immediate meeting with the Chair of the Toronto District School Board to devise a solution.

ATTACHMENT NO. 3

Report dated July 4, 2000, from the City Clerk, entitled "Resignation from the Toronto Police Services Board" (See Minute No. 9.70, Page 109):

Purpose:

The purpose of this report is to advise City Council of the resignation of Councillor Chow from the Toronto Police Services Board and of the process to address the subsequent vacancy on the Board.

Financial Implications and Impact Statement:

There are no financial implications associated with the receipt of this report.

Recommendation:

It is recommended that this report be received for information.

Background:

Councillor Olivia Chow was appointed by City Council to the Toronto Police Services Board in May 1999, by the adoption of Clause No. 1 of Report No. 6 of The Striking Committee, for a term of office to expire on November 30, 2000, or until her successor is appointed.

By memorandum dated June 23, 2000, Councillor Chow has advised that she has resigned her appointment to the Board, effective June 23, 2000. A copy of this memorandum, together with a statement by Councillor Chow, is appended to this report.

Comments:

Part III, Section 27.(12) of the Police Services Act, stipulates that "if the position of a member who is appointed by a municipal council or holds office by virtue of being the head of a municipal council becomes vacant, the board shall notify the council, which shall forthwith appoint a replacement". As Councillor Chow was a Council appointee to the Toronto Police Services Board, Council must appoint a replacement for the balance of this term of Council.

In accordance with the provisions of Section 103 of the Council Procedural By-law, I will be canvassing all Members of Council for their interest in appointment to the Toronto Police Services Board for the period ending November 30, 2000, or until their successor is appointed.

Conclusion:

The vacancy on the Toronto Police Services Board as a result of the resignation of Councillor Chow was effective June 23, 2000. Once Members of Council have been canvassed with respect to their interest in appointment to the Toronto Police Services Board, I will be submitting Members' preferences to the Striking Committee for subsequent recommendation thereon to City Council for its meeting to be held on August 1, 2 and 3, 2000.

Contact Name and Telephone Number:

Novina Wong,
City Clerk
392-8016

List of Attachments:

Appendix - Communication dated June 23, 2000, from Councillor Olivia Chow

(Communication dated June 23, 2000,
addressed to Mayor Lastman and Members of Council,
from Councillor Olivia Chow.)

Attached is a copy of my statement to the press today, announcing my resignation from the Toronto Police Services Board. I believe the statement outlines why I have made this decision.

I very much appreciate Council's support and guidance in my role as a member of the Toronto Police Services Board. My experience as a member allowed me to address some very important issues, issues that I will continue to address in future.

I look forward to working with Council's new appointee to the Board in the future.

(A copy of the statement dated June 23, 2000, appended to the foregoing communication, is on file in the office of the City Clerk.)

ATTACHMENT NO. 4

Report dated June 8, 2000, from the Manager, Right-of-Way Management, Transportation Services, District 1, entitled "Construction of a Wooden Fence at the Rear of 28 Woodland Heights on Ellis Avenue (High Park)" (See Minute No. 9.73, Page 111):

Purpose:

To report on a request to construct a 1.9 metre high wooden fence and plant shrubbery within the public right of way on Ellis Avenue, rear of 28 Woodland Heights. As provisions for fencing at the rear of properties are not provided for in the former City of Toronto Municipal Code, we are required to report on this matter. As this is a request for a variance from the by-law, it is scheduled as a deputation item.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) City Council approve the installation of the proposed fence provided that the fence is not constructed within any portion of the unopened public laneway leased to the owner of the adjacent property at 79 Ellis Avenue which extends to the rear of 28 Woodland Heights; and
- (2) the property owner enters into an encroachment agreement with the City of Toronto, as described under Chapter 313 of the former City of Toronto Municipal Code.

Comments:

Mr. Stephen Aikenhead, acting on behalf of the owner, Mr. Adrian Science, 28 Woodland Heights, Toronto, Ontario M4E 3H3, submitted an application requesting to construct a 1.9 metre high wooden fence within the public right-of way, at the rear of the property.

The construction and maintenance of fences within the public right-of-way are governed under the criteria set out in subsection 313-33 of Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto Municipal Code, which provides for fences to be constructed to a maximum allowable height of 1.9 metres on the flank of a property and up to 1.0 metre in height in front of a property. Furthermore, fences must be set back 0.46 metres from the rear edge of

the City sidewalk or a minimum of 2.1 metres from the curb where no sidewalk is present. There are no provisions for fences at the rear of properties.

With fences that meet the required criteria, we are not required to report to your Committee, however, we are required to notify and request the Ward Councillor's comments or concerns on the proposal. When objections are received, the Commissioner shall refuse the application, however, the applicant may appeal the refusal to the Toronto Community Council.

During the course of our review it became apparent that Mr. Li, owner of the adjoining property at 75 Ellis Avenue, had a number of concerns regarding the proposed construction of the fence. Mr. Li was concerned about the visual and aesthetic impact upon the streetscape of the neighbourhood as well as the scale and visual continuity of green space into the parklands around the area. It should also be noted that Mr. Li has been authorized to lease a portion of the unopened public lane to the rear of 75 Ellis Avenue, which extends to the rear of 28 Woodland Heights. Mr. Li wanted assurances that the neighbour's fence would not create any negative visual impact and physical intrusion on the lands he leases from the City.

Following various discussions between Messrs. Aikenhead, Science and Li and representatives of Councillor Miller's and Councillor Korwin-Kuczynski's offices, it would appear that Mr. Li's concerns have been addressed and he is no longer objecting to the fence proposal at the rear of 28 Woodland Heights.

In reviewing the application, the fence would not create an obstruction to the line of sight of motorists and pedestrians and would not create any conflicts with existing underground utilities. The fence can be easily and inexpensively be removed should the land be required for future municipal purposes.

Staff have inspected the area in the vicinity of this property and determined that the proposed 1.9 metre high wooden fence would not impact negatively on the public right-of-way. Both Councillors have been advised of this report and concur with the contents. Councillor Miller has requested the owner to install some additional landscaping features (i.e., shrubbery) between the sidewalk and the proposed fence to lessen the impact of the fence on the streetscape.

Details of the proposal are retained on file with this Department.

Conclusions:

As the 1.9 metre high wooden fence will not impact negatively on the public right-of-way, permission should be granted to the owner to construct the fence. However, notwithstanding that the owner of 75 Ellis Avenue may have no objections to allowing the fence to be constructed within the lands leased to him,

there are no provisions within the lease agreement to allow for a sub-lease to a third party. Under the circumstances, any permission granted should not include the lands currently leased to the owner of 75 Ellis Avenue.

Contact:

Ken McGuire, Supervisor, Construction Activities
Telephone: 392-7894, Fax: 392-0816, E-mail: kmcguire@city.toronto.on.ca

ATTACHMENT NO. 5

Report dated June 27, 2000, from the Commissioner of Corporate Services, entitled "801 Bay Street - Licence Agreement with Bay College Holdings Inc." (See Minute No. 9.74, Page 113):

Purpose:

The purpose of this report is to secure Council approval to enter into a licence agreement with Bay College Holdings Inc. for police communication equipment on the roof of the condominium at 801 Bay Street.

Financial Implications and Impact Statement:

The cost of this twenty-five year licence is \$58,000.00 (inclusive of Goods and Services Tax) and consultant fees of \$6,394.99 which have been paid under a separate invoice.

Recommendations:

It is recommended that:

- (1) the City enter into a licence agreement with Bay College Holdings Inc. for police communication equipment on the roof of 801 Bay Street, in accordance with the terms and conditions set out in the body of this report;
- (2) the City Solicitor be authorized and directed to take the appropriate action to complete this transaction on behalf of the City of Toronto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

Toronto Police Service (TPS) had a high security satellite dish mounted on the roof at 40 College Street (Police Headquarters). This dish receives police information from various satellites including the Federal Bureau of Investigation (FBI) and Interpol and is critical to police security and operation.

Bay College Holdings Inc. (the "Licensor") received approval to construct a multi-storey condominium development on the property adjacent to 40 College Street at 801 Bay Street that blocks some satellite signals and browns out others. TPS studied a number of options to relocate the dish to other City property, including 703 Don Mills Road, and found the cost to be \$200,000.00 to

\$500,000.00. The costs are high because of the signal transmission distances using fibre optic cable.

Comments:

Negotiations were commenced with Mr. Ivan Fleishmann who represents the Licensor and an agreement has been reached to place the satellite dish on the roof of 801 Bay Street. The key terms and conditions are as follows:

- (1) Term: 25 years from the earlier of the date of execution of the licence agreement or the demolition of the building at 801 Bay Street.
- (2) Licence Fee: A one time licence fee of \$58,000.00. In addition, there were consulting fees of \$6,394.99 which amount has been paid under a separate invoice.
- (3) Licensed Area: An area on the surface of the roof of the building containing approximately 20 square metres.

The condominium has been built and with the co-operation of the Licensor, the satellite dish was built and is presently in operation. The condominium will soon be registered and it is imperative that this Licence Agreement be executed and registered on title prior to the units being sold to individual purchasers.

Conclusions:

This licence agreement will provide the Toronto Police Service with a continued and uninterrupted high security satellite signal that is paramount to police operations. The terms and conditions which have been negotiated are fair and reasonable and are acceptable to the staff of TPS, Facilities Management Branch.

Contact:

Glen Hamilton, Valuator/Negotiator, Phone No. 392-5838, Fax No. 392-1880.

ATTACHMENT NO. 6

Confidential report dated July 5, 2000, from the Commissioner of Urban Development Services, entitled "Settlement Report - Official Plan and Zoning Amendments and Subdivision Application, Metrodome Properties Inc., 5365 Leslie Street, UDOP00-11/UDZ99-29/UDSB1243, Ward 12 - Seneca Heights", such report now public in its entirety. (See Minute No. 9.77, Page 118):

Purpose:

This report puts forward a settlement proposal with respect to an Ontario Municipal Board hearing for UDOP 00-11, UDZ 99-29 and UDSB 1243.

Recommendations:

It is recommended that:

- (1) Council endorse the proposed settlement set out in this report;
- (2) the City Solicitor be instructed to support the settlement proposal set out in this report at the Ontario Municipal Board hearing; and
- (3) staff be authorized to make any unsubstantive, technical, stylistic, or format changes as may be required to give effect to this resolution.

Background:

The applicant, Metrodome Properties Inc., has referred its applications for official plan, zoning and subdivision for 77 single detached houses to the Ontario Municipal Board, and a hearing date of July 17 to 21, 2000, has been set.

On June 7, 8 and 9, 2000, City Council approved a staff report for a subdivision and rezoning of the former McDougald Estate to permit 74 single detached residential units, a new road, park, and retention of the historical McDougald house. A further report presented at the same meeting reported on the application for Official Plan Amendment to implement the proposed subdivision.

The staff report recommended a number of zoning regulations which differed from those proposed by the applicant. Council approved the staff report and added motions with respect to tree preservation as well as requesting staff to "meet with the applicant and the community to discuss refinements and modifications".

Settlement Proposal:

Numerous discussions have been held between the applicant's representatives, the local Councillors, residents, and staff toward finding a resolution or narrowing the issues before the Board. A meeting held on July 4, 2000, with all parties resulted in a settlement that all parties believe is acceptable and is based on the same basic plan but with 74 lots for single detached houses versus the 77 originally proposed. The table below compares the regulations as proposed in the staff report and approved by Council with the regulations acceptable to the parties:

	Building Height	Lot Coverage	Side Yard Setback	Side Yard Setback (garage)	Front Yard Setback (house)	Front Yard Setback (garage)	Rear Yard Setback
	*1						
Council Adopted All lots	8.8 m 2 storeys	38%	1.2 m (lots up to 15 m) 1.8 m (lots 15+ m)	N / A	5 – 7 m	5 – 7 m	9.5 m
Proposed Settlement							
Perimeter Lots	8.8 m 2 storeys	40 % *2	1.2 m (lots up to 15 m) 1.5 m (lots 15+ m)	0.9 m	4 m	5.5 m	9.5 m
Leslie St. Lots	9.5 m 2 storeys	43.5%	1.2 m (lots up to 15 m) 1.5 m (15 + m)	0.9 m	4 m	5.5 m	8.5 m
Interior Lots	9.5 m 2 storeys	43.5%	1.2 m (lots up to 15 m) 1.5 m (lots 15 + m)	0.9 m	4 m	5.5 m	8.5 m

Notes:

- *1 Building lot 69, due to its location immediately to the rear of the historical McDougald house will have a special provision to limit building height to a 9-metre maximum, with the 9 metres being defined in this case to the roof peak, and not mid-point as used for all other lots.
- *2 Up to 4 of these perimeter lots, probably corner lots, will have a maximum of 43.5 percent lot coverage due to irregular shape.

Conclusion:

This settlement represents the same plan recommended by staff and approved by Council with some variations in zoning regulations. None of the recommendations for draft plan approval for the plan of subdivision are altered by this report. The settlement is premised on all other conditions being met by the applicant as set forth in the earlier staff report. This settlement is supportable by staff at the Ontario Municipal Board.

Contact:

Naomi Faulkner
North York Civic Centre
Telephone: 395-7137 Fax: 395-7155
Email: nfaulkn@city.toronto.on.ca