

[Guide to Minutes](#)

These Minutes were confirmed by City Council on January 30, 2001.

**MINUTES OF THE COUNCIL  
OF THE  
CITY OF TORONTO  
INAUGURAL MEETING**

**TUESDAY, DECEMBER 5, 2000,  
WEDNESDAY, DECEMBER 6, 2000 AND  
THURSDAY, DECEMBER 7, 2000**

**December 5, 2000**

The Members of Council of the City of Toronto, for the three-year term commencing December 1, 2000, met on Tuesday, December 5, 2000, at 2:00 p.m. in the Council Chamber, City Hall, Toronto.

The City Clerk, Mrs. Novina Wong, presided in accordance with the provisions of the Municipal Act, R.S.O. 1990, as amended.

The meeting opened with the singing of the National Anthem by Ms. Julie Martell who is currently playing the part of “Sophie” in the Toronto production of “Mamma Mia”.

**1.1 REPORT OF THE CITY CLERK**

The City Clerk welcomed the Members of Council to the Inaugural Meeting of the Council of the City of Toronto, and reported that she had declared the 2000 Municipal Election results as to the persons elected and entitled to be Members of the Council of the City of Toronto for a three-year term of office commencing December 1, 2000.

**1.2 DECLARATION OF OFFICE - MAYOR**

The City Clerk called upon The Honourable R. Roy McMurtry, Chief Justice of Ontario, to administer the Declaration of Office and swear in the Mayor, and invited Mrs. Lastman to join in the ceremony.

The Mayor took his Declaration of Office and Oath of Allegiance before the Chief Justice of Ontario, The Honourable R. Roy McMurtry, and was invested with the Chain of Office.

### 1.3 **DECLARATION OF OFFICE - MEMBERS OF COUNCIL**

The City Clerk called upon the Members Elect to stand and, in unison, recite their Declarations of Office and Oaths of Allegiance, and sign such documents.

The City Clerk, in accordance with the Municipal Act and the City of Toronto Act, deemed the Council for the City of Toronto for the term commencing on December 1, 2000, to be duly organized.

### 1.4 **INTRODUCTION OF 2000-2003 TORONTO CITY COUNCIL**

The City Clerk introduced the following Members of Council of the City of Toronto for the three-year term of office commencing on December 1, 2000:

Mayor Mel Lastman

Councillor Suzan Hall  
Ward 1 – Etobicoke North

Councillor Rob Ford  
Ward 2 – Etobicoke North

Councillor Doug Holyday  
Ward 3 – Etobicoke Centre

Councillor Gloria Lindsay Luby  
Ward 4 – Etobicoke Centre

Councillor Peter Milczyn  
Ward 5 – Etobicoke-Lakeshore

Councillor Irene Jones  
Ward 6 – Etobicoke-Lakeshore

Councillor George Mammoliti  
Ward 7 – York West

Councillor Peter Li Preti  
Ward 8 – York West

Councillor Maria Augimeri  
Ward 9 – York Centre

Councillor Mike Feldman  
Ward 10 – York Centre

Councillor Frances Nunziata  
Ward 11 – York South-Weston

Councillor Frank Di Giorgio  
Ward 12 – York South-Weston

Councillor David Miller  
Ward 13 – Parkdale-High Park

Councillor Chris Korwin-Kuczynski  
Ward 14 – Parkdale High Park

Councillor Howard Moscoe  
Ward 15 – Eglinton-Lawrence

Councillor Anne Johnston  
Ward 16 – Eglinton-Lawrence

Councillor Betty Disero  
Ward 17 – Davenport

Councillor Mario Silva  
Ward 18 – Davenport

Councillor Joe Pantalone  
Ward 19 – Trinity-Spadina

Councillor Olivia Chow  
Ward 20 – Trinity-Spadina

Councillor Joe Mihevc  
Ward 21 – St. Paul's

Councillor Michael Walker  
Ward 22 – St. Paul's

Councillor John Filion  
Ward 23 – Willowdale

Councillor David Shiner  
Ward 24 – Willowdale

Councillor Joanne Flint  
Ward 25 – Don Valley West

Councillor Jane Pitfield  
Ward 26 – Don Valley West

Councillor Kyle Rae  
Ward 27 – Toronto Centre-Rosedale

Councillor Pam McConnell  
Ward 28 – Toronto Centre-Rosedale

Councillor Case Ootes  
Ward 29 – Broadview-Greenwood

Councillor Jack Layton  
Ward 30 – Broadview-Greenwood

Councillor Michael Prue  
Ward 31 – Beaches-East York

Councillor Sandra Bussin  
Ward 32 – Beaches-East York

Councillor Paul Sutherland  
Ward 33 – Don Valley East

Councillor Denzil Minnan-Wong  
Ward 34 – Don Valley East

Councillor Gerry Altobello  
Ward 35 – Scarborough Southwest

Councillor Brian Ashton  
Ward 36 – Scarborough Southwest

Councillor Lorenzo Berardinetti  
Ward 37 – Scarborough Centre

Councillor Brad Duguid  
Ward 38 – Scarborough Centre

Councillor Sherene Shaw  
Ward 39 – Scarborough-Agincourt

Councillor Norm Kelly  
Ward 40 – Scarborough-Agincourt

Councillor Bas Balkissoon  
Ward 41 – Scarborough-Rouge River

Councillor Raymond Cho  
Ward 42 – Scarborough-Rouge River

Councillor David Soknacki  
Ward 43 – Scarborough East

Councillor Ron Moeser  
Ward 44 – Scarborough East

Mayor Lastman took the Chair.

1.5 **REMARKS BY THE CHIEF JUSTICE OF ONTARIO**

The City Clerk called upon The Honourable R. Roy McMurtry, Chief Justice of Ontario, to give his remarks.

The Honourable R. Roy McMurtry addressed the Council.

**1.6 INAUGURAL ADDRESS**

The City Clerk called upon the Mayor to give his Inaugural Address.

Mayor Lastman addressed the Council, and invited guests to attend a reception immediately following the day's proceedings. (See Attachment No. 1, Page 69.)

**December 6, 2000**

**CALL TO ORDER**

1.7 Mayor Lastman took the Chair and called the Members to order.

1.8 **APPOINTMENT OF THE STRIKING COMMITTEE**

Mayor Lastman moved that, in accordance with the provisions of the Council Procedural By-law, leave be granted to introduce and debate the following Notice of Motion P(1), which carried:

**Moved by: Mayor Lastman**

**Seconded by: Councillor Ootes**

“**WHEREAS** City Council at its meeting held on August 1, 2, 3 and 4, 2000, adopted, as amended, Clause No. 7 of Report No. 16 of The Administration Committee, headed ‘Inaugural Meeting’, and, in so doing, approved a recommendation that the Mayor at the Inaugural Meeting shall recommend the appointment of a Striking Committee consisting of seven (7) members, including the Mayor or the Mayor’s designate as Chair;

**NOW THEREFORE BE IT RESOLVED THAT** the following Members of Council be appointed to the Striking Committee for a term of office expiring on May 31, 2002, and/or until their successors are appointed:

Councillor Lorenzo Berardinetti;  
Councillor Betty Disero;  
Councillor Mike Feldman;  
Councillor Gloria Lindsay Luby;  
Councillor Case Ootes (Mayor’s designate as Chair);  
Councillor Joe Pantalone; and  
Councillor Sherene Shaw.”

Councillor Ootes in the Chair.

*Motion:*

(a) Councillor Holyday moved that Motion P(1) be received.

*Ruling by Acting Chair Ootes:*

Acting Chair Ootes, having regard to the nature of motion (a) by Councillor Holyday, ruled such motion out of order.

Councillor Holyday challenged the ruling of Acting Chair Ootes.

*Vote to Uphold Ruling of Acting Chair Ootes:*

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 12	
Councillors:	Bussin, Chow, Hall, Holyday, Johnston, Jones, Mihevc, Miller, Moscoe, Nunziata, Prue, Walker

Carried by a majority of 19.

Mayor Lastman in the Chair.

*Motions:*

- (b) Councillor Walker moved that Motion P(1) be amended by deleting from the Operative Paragraph the names "Councillor Berardinetti, Councillor Disero and Councillor Lindsay Luby", and inserting in lieu thereof the names "Councillor Holyday, Councillor Johnston and Councillor Prue".
- (c) Councillor Moscoe moved that Motion P(1) be amended by adding to the Operative Paragraph the words "and that the vote be taken by written ballot".

Councillor Ootes in the Chair.

Mayor Lastman in the Chair.

- (d) Councillor Jones moved that Motion P(1) be amended by adding thereto the following new Operative Paragraph:



**“AND BE IT FURTHER RESOLVED THAT** the membership of the Striking Committee be increased from seven members to nine members.”

*Ruling by Mayor:*

Mayor Lastman, having regard to the nature of motion (d) by Councillor Jones, ruled such motion out of order.

*Withdrawal from Nomination:*

Councillor Johnston, with the permission of Council, advised the Council that she did not wish to be a member of the Striking Committee and requested that her name be withdrawn from motion (b) by Councillor Walker.

Council concurred in the request of Councillor Johnston.

*Motion:*

- (e) Councillor McConnell, with the permission of Council, moved that Council also adopt the following recommendation:

“It is recommended that the Administration Committee be requested to re-evaluate the process for the appointment of Members of Council to the Striking Committee.”

*Votes:*

Adoption of motion (c) by Councillor Moscoe:

Yes - 16	
Councillors:	Altobello, Balkissoon, Chow, Filion, Holyday, Johnston, Jones, Korwin-Kuczynski, Mihevc, Miller, Moeser, Moscoe, Nunziata, Prue, Sutherland, Walker
No - 27	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki

Lost by a majority of 11.

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

Yes - 5	
Councillors:	Holyday, Moscoe, Nunziata, Prue, Walker
No - 39	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland

Lost by a majority of 34.

Adoption of Motion P(1), without amendment:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 4	
Councillors:	Holyday, Moscoe, Nunziata, Walker

Carried by a majority of 36.

Motion (e) by Councillor McConnell carried.

Council recessed to permit the Community Councils to meet and elect their respective Chairs.

**December 7, 2000**

**CALL TO ORDER**

1.9 Mayor Lastman took the Chair and called the Members to order.

#### 1.10 **PETITIONS AND ENQUIRIES**

Council had before it the following:

- (1) Enquiry dated November 21, 2000, from Councillor Walker, regarding the activities of a member of the Chief Administrative Officer's staff, and the Answer thereto dated December 4, 2000, from the Chief Administrative Officer (See Attachment No. 2, Page 76.); and
- (2) Enquiry dated November 22, 2000, from Councillor Walker, regarding the City's funding contribution for Waterfront Redevelopment, and the Answer thereto dated December 5, 2000, from the Chief Administrative Officer. (See Attachment No. 3, Page 77.)

*Motion:*

Councillor Pitfield, seconded by Councillor Rae, moved that the foregoing Enquiries and Answers be received.

*Vote:*

The motion by Councillor Pitfield, seconded by Councillor Rae, carried.

#### **PRESENTATION OF REPORT**

1.11 Councillor Hall presented the following Report for consideration by Council:

Report No. 1 of The Striking Committee,

and moved, seconded by Councillor Flint, that Council now give consideration to such Report, which carried unanimously.

#### 1.12 **DECLARATION OF INTEREST**

Councillor Balkissoon declared his interest in Notice of Motion P(6), moved by Councillor Duguid, seconded by Councillor Feldman, respecting Bill 128, the Social Housing Reform Act, 2000, in that he is a sitting member of the Metropolitan Toronto Housing Authority, appointed by the Province of Ontario.

**CONSIDERATION OF REPORT  
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION****1.13 The following Clauses were held by Council for further consideration:**

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

**The following recommendations of the Striking Committee, embodied in Clause No. 1 of Report No. 1 of The Striking Committee, were held for further consideration:**

- Recommendation No. (13) pertaining to appointments to the Audit Committee;
- Recommendation No. (14) pertaining to appointments to the Nominating Committee;
- Recommendation No. (15) pertaining to appointments to the Greater Toronto Services Board;
- Recommendation No. (24) pertaining to appointments to the Toronto Police Services Board;
- Recommendation No. (27) pertaining to appointments to the Toronto Transit Commission;
- Recommendation No. (45) pertaining to appointments to the Canadian National Exhibition Association, Municipal Section;
- Recommendation No. (71) pertaining to an appointment to the 95 Lavinia Avenue (Swansea Town Hall) Board (Ward 13 - Parkdale-High Park);
- Recommendation No. (111) pertaining to appointments to the Upper Village Business Improvement Area (Ward 21 - St. Paul's);
- Recommendation No. (134) pertaining to an appointment to the Canadian Film Centre, Board of Directors;
- Recommendation No. (146) pertaining to an appointment to the Ontario Social Development Council; and
- Recommendation No. (152) pertaining to appointments to the York Community Alliance for Neighbourhood Development Opportunities (CANDO), Board of Directors.

**Those recommendations not held by Council for further consideration were deemed to have been adopted by Council, without amendment.**

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

**1.14 Clause No. 1 of Report No. 1 of The Striking Committee, headed “Appointment of Members of Council to Standing and Other Committees of Council, Various Boards, Special Purpose Bodies and Special Positions”.**

**Audit Committee:**

*Motions:*

- (a) Councillor Miller moved that the Clause be amended by adding to Recommendation No. (13) of the Striking Committee, the name “D. Holyday”.
- (b) Councillor Bussin moved that Council waive the provisions of the Council Procedural By-law respecting the composition of the Audit Committee in order to permit an increase in the membership of the Audit Committee.

*Votes:*

Adoption of motion (b) by Councillor Bussin:

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shaw, Silva, Soknacki, Sutherland, Walker
No - 6	
Councillors:	Feldman, Filion, McConnell, Miller, Rae, Shiner

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

Motion (a) by Councillor Miller carried.

In summary, Council amended Recommendation No. (13) of the Striking Committee by adding thereto the name “D. Holyday”, and waived the provisions of the Council Procedural By-law respecting the composition of the Audit Committee in order to permit this increase in membership, so that membership of the Audit Committee now reads as follows:

“(The Mayor is a Member ex-officio)

G. Altobello  
B. Balkissoon  
S. Bussin  
D. Holyday  
P. Milczyn  
D. Minnan-Wong”.

**Nominating Committee:**

*Motion:*

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

“It is further recommended that the following motion be referred to the Administration Committee for consideration:

Moved by Councillor Mihevc:

‘It is recommended that the Nominating Committee be granted the authority to select willing Members of Council, who are not members of the Nominating Committee, to assist in nominating citizens for appointment to particular agencies, boards, commissions and special purpose bodies, when deemed necessary.’ ”

*Vote:*

The motion by Councillor Mihevc carried.

Recommendation No. (14) of the Striking Committee was adopted, without amendment, viz.:

“(14) Nominating Committee:

(Membership includes up to 8 Members of Council including the Mayor, or the Mayor’s designate, as Chair)

The Striking Committee reports that the following Member of Council has been appointed as the Mayor’s designate as Chair of the Nominating Committee:

S. Bussin

and the Striking Committee recommends that the following 7 Members of Council be appointed to such Committee:

B. Balkissoon  
L. Berardinetti  
R. Ford  
J. Mihevc  
F. Nunziata  
M. Silva  
P. Sutherland.”

**Greater Toronto Services Board:**

*Motion:*

Councillor Nunziata moved that the Clause be amended by deleting from Recommendation No. (15)(a) of the Striking Committee the name “F. Nunziata” and inserting in lieu thereof the name “M. Augimeri”, so that the City Council appointees and their respective alternates to the Greater Toronto Services Board shall now read as follows:

“Members:

B. Ashton  
P. Li Preti  
B. Disero  
J. Flint  
D. Holyday  
G. Mammoliti  
D. Miller  
R. Moeser  
H. Moscoe  
P. Sutherland

Alternates:

P. Milczyn  
B. Balkissoon  
J. Layton  
D. Shiner  
S. Hall  
B. Duguid  
S. Bussin  
M. Augimeri  
P. McConnell  
F. Di Giorgio”.

*Vote:*

The motion by Councillor Nunziata carried.

**Toronto Police Services Board:***Motions:*

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

“It is further recommended that the City Council appointees to the Toronto Police Services Board be requested to submit a report to the appropriate Committee, every six months, on the issues raised by Members of Council at the December 7, 2000, meeting of City Council, during the discussion pertaining to the appointment of members to the Toronto Police Services Board.”

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

“It is further recommended that the City Clerk be requested to review the restriction of members of the Striking Committee from serving on more than one of the following three Boards at a time, and submit a report thereon to the Administration Committee:

- the Greater Toronto Services Board;
- the Hummingbird Performing Arts Centre Corporation, Board of Directors; and
- the Toronto Police Services Board.”

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

“It is further recommended that the Toronto Police Services Board be requested to:

- (1) submit its Annual Report to Council for comment, through the Policy and Finance Committee; and
- (2) reconsider holding its Board meetings at City Hall.”

*Votes:*

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



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

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Sutherland, Walker
No - 4	
Councillors:	Disero, Ford, Kelly, Soknacki

Carried by a majority of 33.

Motion (a) by Councillor Layton carried.

Adoption of motion (b) by Councillor Johnston:

Yes - 17	
Councillors:	Altobello, Balkissoon, Duguid, Feldman, Johnston, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Miller, Nunziata, Ootes, Pitfield, Shaw, Silva, Sutherland
No - 25	
Mayor:	Lastman
Councillors:	Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Filion, Flint, Ford, Hall, Holyday, Kelly, Layton, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Prue, Rae, Shiner, Soknacki, Walker

Lost by a majority of 8.

Recommendation No. (24) of the Striking Committee was adopted, without amendment, viz.:

“(24) Toronto Police Services Board:

The Mayor is a Member ex-officio.

B. Balkissoon  
G. Lindsay Luby”.

**Toronto Transit Commission:***Motion:*

Councillor Miller moved that the Clause be amended by:

- (1) striking out Recommendation No. (27)(a) of the Striking Committee;
- (2) striking out Recommendation No. (27)(b) of the Striking Committee; and
- (3) amending Recommendation No. (27)(d) of the Striking Committee by deleting the date "May 31, 2002", and inserting in lieu thereof the date "November 30, 2003", so that such recommendation shall now read as follows:

“(d) the foregoing Members of Council be appointed to the Toronto Transit Commission for a term of office expiring November 30, 2003, and until their successors are appointed.”

*Votes:*

Adoption of Part (1) of the motion by Councillor Miller:

Yes - 15	
Councillors:	Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Prue, Walker
No - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Moeser, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki

Lost by a majority of 11.

Adoption of Parts (2) and (3) of the motion by Councillor Miller:

Yes - 11	
Councillors:	Cho, Chow, Filion, Holyday, Johnston, Jones, McConnell, Mihevc, Miller, Moscoe, Walker
No - 31	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Soknacki
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Lost by a majority of 20.

Recommendation No. (27)(c) of the Striking Committee was adopted, without amendment, viz.:

“(c) the following 9 Members of Council be appointed to the Toronto Transit Commission:

G. Altobello  
B. Ashton  
B. Disero  
N. Kelly  
J. Mihevc  
D. Miller  
H. Moscoe  
S. Shaw  
M. Silva; and”.

**Canadian National Exhibition Association, Municipal Section:**

*Motion:*

Councillor Lindsay Luby moved that the Clause be amended by deleting from Recommendation No. (45) of the Striking Committee the name “G. Lindsay Luby” and inserting in lieu thereof the name “B. Ashton”, so that the City Council appointees to the Canadian National Exhibition Association, Municipal Section, shall now read as follows:

“(The Mayor is a Member ex-officio)

B. Ashton  
M. Augimeri  
L. Berardinetti  
R. Cho  
J. Filion  
R. Ford  
S. Hall  
D. Holyday  
N. Kelly

P. Li Preti  
G. Mammoliti  
J. Mihevc  
R. Moeser  
J. Pantalone  
M. Silva  
D. Soknacki”.

*Vote:*

The motion by Councillor Lindsay Luby carried.

***95 Lavinia Avenue (Swansea Town Hall) Board:  
(Ward 13 - Parkdale-High Park)***

*Motion:*

Councillor Miller moved that the Clause be amended by deleting from Recommendation No. (71)(a) of the Striking Committee the words “one Member of Council” and inserting in lieu thereof the words “the local Ward Councillor”, so that such recommendation shall now read as follows:

“(a) the composition of the 95 Lavinia Avenue (Swansea Town Hall) Board be adjusted to provide for the appointment of the local Ward Councillor; and”.

*Vote:*

The motion by Councillor Miller carried.

***Upper Village Business Improvement Area:  
(Ward 21 - St. Paul's)***

*Motion:*

Councillor Johnston moved that the Clause be amended by deleting from Recommendation No. (111) of the Striking Committee the name “A. Johnston”, so that the City Council appointee to the Upper Village Business Improvement Area shall now read as follows:

“J. Mihevc”.

*Vote:*

The motion by Councillor Johnston carried.

**Canadian Film Centre, Board of Directors:**

*Motion:*

Councillor Flint moved that the Clause be amended to provide that with respect to Recommendation No. (134) of the Striking Committee, the appointment of Councillor J. Flint to the Canadian Film Centre, Board of Directors, shall take effect on January 1, 2001, and the incumbent, Councillor D. Shiner, shall remain a Member of the Board until that time.

*Vote:*

The motion by Councillor Flint carried.

**Ontario Social Development Council:**

*Motion:*

Councillor Mihevc moved that the Clause be amended by receiving Recommendation No. (146) of the Striking Committee pertaining to the nomination of one Member of Council for appointment to the Ontario Social Development Council, having regard that Council was advised that a City Council appointee is no longer necessary.

*Vote:*

The motion by Councillor Mihevc carried.

**York Community Alliance for Neighbourhood Development Opportunities (CANDO), Board of Directors:**

*Motion:*

Councillor Nunziata moved that the Clause be amended by striking out and referring to the City Clerk, Recommendation No. (152) of the Striking Committee pertaining to the appointment of Members of Council to the York Community Alliance for Neighbourhood Development Opportunities (CANDO), Board of Directors, for report thereon to the Striking Committee.

*Vote:*

The motion by Councillor Nunziata carried.

**General:**

*Motions:*

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

“It is further recommended that the City’s agencies, boards and commissions (not including those small boards, such as arena boards, etc.) be requested to convene a meeting as soon as possible, preferably by December 15, 2000, to elect their respective Chairs and Vice-Chairs, where necessary.”

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

“It is further recommended that the City Clerk be requested to review the necessity of appointing Members of Council to non-City agencies, boards and commissions, such review to address the possibility of appointing a Member of Council as a ‘Council Liaison’ rather than as a member of the agency, board or commission, and submit a report thereon to the Striking Committee.”

*Votes:*

Motion (a) by Councillor Shaw carried.

Motion (b) by Councillor Mihevc carried.

The balance of Clause No. 1 of Report No. 1 of The Striking Committee, as amended, carried.

Election of Committee Chairs:

Council was advised that the Community Councils, at their respective meetings held on December 6, 2000, elected the following Members of Council as their Chairs and Vice-Chairs:

Downtown Community Council:

M. Prue, Chair

K. Rae, Vice-Chair

East Community Council:

D. Soknacki, Chair

Midtown Community Council

M. Walker, Chair

J. Flint, Vice-Chair

North Community Council

P. Li Preti, Chair

G. Mammoliti, Vice-Chair

South-West Community Council

C. Korwin-Kuczynski, Chair

F. Di Giorgio, Vice-Chair

West Community Council:

I. Jones, Chair

P. Milczyn, Vice-Chair

Council recessed its meeting at 10:02 a.m. on December 7, 2000, in order to permit the Standing Committees of Council to meet to elect their respective Chairs and Vice-Chairs.

Council reconvened at 10:09 a.m.

Mayor Lastman took the Chair and advised that the following Committees of Council, at their respective meetings, had elected the following Members of Council as their Chairs and Vice-Chairs:

Administration Committee:

L. Berardinetti, Chair

F. Nunziata, Vice-Chair

Community Services Committee:

B. Duguid, Chair

O. Chow, Vice-Chair

Economic Development and Parks Committee:

M. Feldman, Chair

C. Korwin-Kuczynski, Vice-Chair

Planning and Transportation Committee:

J. Pantalone, Chair

M. Silva, Vice-Chair

Works Committee:

B. Disero, Chair

J. Pitfield, Vice-Chair

Council recessed its meeting at 10:35 a.m. on December 7, 2000, in order to permit the Budget Advisory Committee to meet to elect its Chair and Vice-Chair.

Council reconvened at 10:36 a.m.

Mayor Lastman took the Chair and advised that the Budget Advisory Committee had elected Councillor D. Shiner as its Chair, and Councillor P. Sutherland as its Vice-Chair.

Council recessed its meeting at 11:03 a.m. on December 7, 2000, in order to permit the Audit Committee to meet to elect its Chair and Vice-Chair.

Council reconvened at 11:05 a.m.

Mayor Lastman took the Chair and advised that the Audit Committee had elected Councillor B. Balkissoon as its Chair, and Councillor D. Holyday at its Vice-Chair.

Council recessed its meeting at 2:42 p.m. on December 7, 2000, in order to permit the Toronto Transit Commission to meet to elect its Chair and Vice-Chair.

Council reconvened at 2:45 p.m.

Deputy Mayor Ootes took the Chair and advised that the Toronto Transit Commission had elected Councillor B. Ashton as its Chair, and Councillor M. Silva as its Vice-Chair.

**1.15 Clause No. 2 of Report No. 1 of The Striking Committee, headed “2001 Schedule of Meetings”.**

*Motions:*

- (a) Councillor Shiner moved that the Clause be amended to provide that consideration of the meeting of the Economic Development and Parks Committee proposed for September 17, 2001, be deferred until the next meeting of City Council scheduled to be held on January 30, 2001, and that the Chair of the Economic Development and Parks Committee and the City Clerk be requested to recommend an alternative meeting date at that time.
- (b) Councillor Walker moved that the Clause be amended to provide that:
  - (1) the Midtown Community Council meetings be scheduled on the second day provided for Community Council meetings, rather than the first day (the Midtown Community Council will generally meet on Wednesdays);
  - (2) additional meetings of City Council be scheduled for January and September 2001; and
  - (3) the meeting of the Economic Development and Parks Committee proposed for September 17, 2001, be rescheduled to September 10, 2001.

*Votes:*

Adoption of motion (a) by Councillor Shiner:

Yes - 19
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Councillors:	Ashton, Augimeri, Chow, Duguid, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Shiner
No - 15	
Councillors:	Altobello, Berardinetti, Bussin, Di Giorgio, Disero, Flint, Jones, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Sutherland, Walker

Carried by a majority of 4.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (3) of motion (b) by Councillor Walker redundant.

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

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

Yes - 5	
Councillors:	Ashton, Chow, Flint, Minnan-Wong, Moscoe
No - 30	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sutherland, Walker

Lost by a majority of 25.

The Clause, as amended, carried.

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

### **December 6, 2000:**

- 1.16 See Minute No. 1.8, Page 6, for the action taken by Council with respect to Notice of Motion P(1).

### **December 7, 2000:**

**1.17 2001 Interim Operating Budget Estimates**

Councillor Lindsay Luby 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 P(2), moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Lindsay Luby, which carried:

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Ootes**

**“WHEREAS** the last meeting of the Policy and Finance Committee was on September 21, 2000, prior to the current term of Council; and

**WHEREAS** the Financial Control By-law for the City of Toronto stipulates that ‘the interim operating budget shall be approved by Council prior to the 1st day of January of the year in which the operating budget will be adopted’; and

**WHEREAS** the Chief Financial Officer and Treasurer has prepared the attached report dated November 16, 2000, entitled ‘2001 Interim Operating Budget Estimates’;

**NOW THEREFORE BE IT RESOLVED THAT** Council now give consideration to the aforementioned report dated November 16, 2000, from the Chief Financial Officer and Treasurer, and that such report be adopted.”

Council also had before it, during consideration of Motion P(2), a report dated November 16, 2000, from the Chief Financial Officer and Treasurer, entitled “2001 Interim Operating Budget Estimates”. (See Attachment No. 4, Page 79.)

*Motion:*

Councillor Layton moved that Motion P(2) be adopted, subject to adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Commissioner of Works and Emergency Services be authorized, should he so choose, to extend the source-separated organics pilot project for commercial waste in the Broadview, Gerrard and Danforth areas, and report thereon to Task Force 2010, soon to be established, as announced by the Mayor in his Inaugural Address; funding for the extension of such pilot project to be accommodated within the Works and Emergency Services budget.”

*Votes:*

The motion by Councillor Layton, moved by Councillor Chow in the absence of Councillor Layton, carried.

Motion P(2), as amended, carried.

Council, by its adoption of Motion P(2), as amended, adopted, without amendment, the report dated November 16, 2000, from the Chief Financial Officer and Treasurer, embodying the following recommendation:

“It is recommended that that the interim operating budget estimates in the amount of \$2,598,559,400 be approved.”

**1.18 Adjustments to the 2000 Approved Operating Budget**

Councillor Lindsay Luby moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion P(3), moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Lindsay Luby, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Ootes**

“**WHEREAS** the financial position of the City of Toronto is reported to Council on a quarterly basis; and

**WHEREAS** there are technical adjustments to the 2000 approved Operating Budget that require Council approval; and

**WHEREAS** the last meeting of the Policy and Finance Committee was on September 21, 2000, prior to the current term of Council; and

**WHEREAS** the Chief Financial Officer and Treasurer has prepared the attached report dated November 27, 2000, entitled ‘September 30, 2000, Operating Budget Variance Report’;

**NOW THEREFORE BE IT RESOLVED THAT** Council now give consideration to the aforementioned report dated November 27, 2000, from the Chief Financial Officer and Treasurer, and that such report be adopted.”

Council also had before it, during consideration of Motion P(3), a report dated November 27, 2000, from the Chief Financial Officer and Treasurer, entitled “September 30, 2000, Operating Budget Variance Report”. (See Attachment No. 5, Page 81.)

*Motion:*

Councillor Chow moved that Motion P(3) be adopted, subject to adding to the Operative Paragraph the words “subject to deleting Recommendation No. (2) embodied therein, and inserting in lieu thereof the following new Recommendation No. (2):

- ‘(2) the Chief Financial Officer and Treasurer be instructed to make those transfers to the reserves referenced in this report that are mandatory and to defer consideration of the transfer of funds to the other reserves referenced in this report to January

2001;'.',

so that such Operative Paragraph shall now read as follows:

**“NOW THEREFORE BE IT RESOLVED THAT** Council now give consideration to the aforementioned report dated November 27, 2000, from the Chief Financial Officer and Treasurer, and that such report be adopted, subject to deleting Recommendation No. (2) embodied therein, and inserting in lieu thereof the following new Recommendation No. (2):

- ‘(2) the Chief Financial Officer and Treasurer be instructed to make those transfers to the reserves referenced in this report that are mandatory and to defer consideration of the transfer of funds to the other reserves referenced in this report to January 2001;’.”

*Votes:*

The motion by Councillor Chow carried.

Motion P(3), as amended, carried.

Council, by its adoption of Motion P(3), as amended, adopted, as amended, the report dated November 27, 2000, from the Chief Financial Officer and Treasurer, the recommendations embodied in such report to now read as follows:

“It is recommended that:

- (1) the operating variance report for the period ending September 30, 2000, be received for information;
- (2) the Chief Financial Officer and Treasurer be instructed to make those transfers to the reserves referenced in this report that are mandatory and to defer consideration of the transfer of funds to the other reserves referenced in this report to January 2001; and
- (3) the technical adjustments to the 2000 Operating Budget as outlined in Appendix D, be approved.”

### 1.19 **Ontario Municipal Board Decision Respecting 1000 Finch Avenue West and 4580 Dufferin Street**

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 P(4), moved by Councillor Feldman, seconded by Councillor Moscoe, and, in the absence of Councillor Feldman, moved by Councillor Moscoe, seconded by Councillor Augimeri, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Augimeri**

**“WHEREAS** the owner of the lands municipally known as 1000 Finch Avenue West and 4580 Dufferin Street (the ‘Site’) submitted an application (the ‘Severance Application’) to the Committee of Adjustment for consents (the ‘Consents’) to sever the Site into five parcels and the owner also submitted a variance application (the ‘Variance Application’) to the Committee for associated variances (the ‘Variances’) from the zoning by-law; and

**WHEREAS** as the Committee of Adjustment deferred these applications, the owner appealed the applications to the Ontario Municipal Board (the ‘Board’); and

**WHEREAS** the Site is subject to a Tax Arrears Certificate, which was registered on March 3, 2000, and the City’s concern with respect to the appeals arose from the outstanding property taxes, which together with penalties, interest and associated costs are \$11,515,872.98 as of November 30, 2000; and

**WHEREAS** the City Solicitor wishes to report upon the Board decision and obtain further directions which may facilitate the payment of the outstanding tax arrears;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated November 29, 2000, from the City Solicitor, and that such report be adopted.”

Council also had before it, during consideration of Motion P(4), a report dated November 29, 2000, from the City Solicitor, entitled “1000 Finch Avenue West and 4580 Dufferin Street - Decision of the Ontario Municipal Board”. (See Attachment No. 6, Page 96.)

*Motion:*

Councillor Moscoe moved that Motion P(4) be adopted, subject to adding to the Operative Paragraph the words “subject to amending the recommendation embodied therein by adding the words ‘and that the final details of such arrangement be subject to ratification by City Council’ ”, so that such Operative Paragraph shall now read as follows:

**‘NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated November 29, 2000, from the City Solicitor, and that such report be adopted, subject to amending the recommendation embodied therein by adding the words ‘and that the final details of such arrangement be subject to ratification by City Council’.”

*Votes:*

The motion by Councillor Moscoe carried.

Adoption of Motion P(4), as amended:

Yes - 36
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sutherland, Walker
No - 0

Carried, without dissent.

Council, by its adoption of Motion P(4), as amended, adopted the report dated November 29, 2000, from the City Solicitor, embodying the following recommendation, amended to read as follows:

“It is recommended that the City enter into such escrow arrangements as the City Solicitor and the Chief Financial Officer and Treasurer consider appropriate to facilitate the payment of the outstanding taxes and thereby satisfy the condition imposed by the Ontario Municipal Board, and that the final details of such arrangement be subject to ratification by City Council.”

#### 1.20 **Citizen Appointments to Agencies, Boards and Commissions**

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

**Moved by: Councillor Kelly**

**Seconded by: Councillor Bussin**

“**WHEREAS** there are currently vacancies for citizen appointments to Agencies, Boards and Commissions; and

**WHEREAS** Council’s Policy for Citizen Appointments contains the following provisions:

- ‘(a) Any citizen, other than an incumbent, interested in appointment ... is required to attend an orientation seminar as a prerequisite for applying for appointment’; and
- (b) the Nominating Committee shall consider only applications received in the prescribed form by the deadline date. Late applications shall not be considered unless the number of applicants is less than the number of vacancies.’; and

**WHEREAS** the aforementioned orientation seminars were conducted during the period of the election campaign; and

**WHEREAS** the deadline date for submission of applications has now passed;

**NOW THEREFORE BE IT RESOLVED THAT** the aforementioned provisions of the Council’s Policy for Citizen Appointments be waived to permit those former Councillors who held office until November 30, 2000 and who have not returned to office for the term of Council commencing December 1, 2000, to apply as citizens to the Agencies, Boards and Commissions which currently have vacancies for citizen appointments, provided that the applications must be received by the City Clerk no later than 4:30 p.m., January 5, 2001;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized to take any necessary action to give effect thereto.”

*Vote:*

Motion P(5) was adopted, without amendment.

*Motion to Re-Open:*

Councillor Chow, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Motion P(5) 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 Motion P(5) be adopted, subject to deleting from the first Operative Paragraph the date “January 5, 2001”, and inserting in lieu thereof the date “January 15, 2001”, so



that such Operative Paragraph shall now read as follows:

**“NOW THEREFORE BE IT RESOLVED THAT** the aforementioned provisions of the Council’s Policy for Citizen Appointments be waived to permit those former Councillors who held office until November 30, 2000 and who have not returned to office for the term of Council commencing December 1, 2000, to apply as citizens to the Agencies, Boards and Commissions which currently have vacancies for citizen appointments, provided that the applications must be received by the City Clerk no later than 4:30 p.m., January 15, 2001;”.

*Votes:*

The motion by Councillor Chow carried.

Motion P(5), as amended, carried.

1.21 **Bill 128, the Social Housing Reform Act, 2000**

Councillor Duguid 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 P(6), which carried:

**Moved by: Councillor Duguid**

**Seconded by: Councillor Feldman**

**“WHEREAS** Bill 128, the Social Housing Reform Act, 2000, was introduced into the Ontario Legislature on October 12, 2000; and

**WHEREAS** Bill 128 was ordered for Third Reading on November 29, 2000, and is anticipated to receive Royal Assent and be proclaimed law before December 31, 2000; and

**WHEREAS** Bill 128 transfers title for Ontario Housing Corporation properties in the City of Toronto which are currently operated by the Metro Toronto Housing Corporation (MTHA) to a local housing corporation created by the legislation to be owned and controlled by the City, including the transfer of all Ontario Housing Corporation assets and liabilities related to the MTHA projects; and

**WHEREAS** the Minister is expected to designate January 1, 2001, as the transfer date;

**NOW THEREFORE BE IT RESOLVED THAT** Council now give consideration to the attached joint report dated December 1, 2000, from the Commissioner of Community and Neighbourhood Services, the Commissioner of Corporate Services and the City Solicitor recommending that interim authorization be given to maintain the status quo, so that when the new local housing corporation is created on January 1, 2001, it operates as if MTHA continued to exist, until such time as City Council considers the governance structure of the company, and that such report be adopted.”

Council also had before it, during consideration of Motion P(6), a joint report dated December 1, 2000, from the Commissioner of Community and Neighbourhood Services, the Commissioner of Corporate Services and the City Solicitor, entitled “Interim Authority Related to the Transfer of Metropolitan Toronto Housing Authority to the City of Toronto on January 1, 2001”. (See Attachment No. 7, Page 98.)

*Motions:*

(a) Mayor Lastman moved that:

- (1) Motion P(6) be received; and
- (2) Council adopt the following recommendations:

“It is recommended that:

- (a) Toronto City Council reiterate its strong objections to the Province of Ontario’s continued plans to download social housing on the City of Toronto;
- (b) Toronto City Council inform the Province of Ontario that the City of Toronto will not accept the download of social housing, despite the Province’s intention to proceed; and
- (c) Toronto City Council demand that the provincial government not proclaim Bill 128, the Social Housing Reform Act, 2000, until the following actions are taken:
  - (i) the Province of Ontario accepts all financial and legal liability for all claims resulting from its ownership of the properties;
  - (ii) the Province of Ontario provides the funds needed for the City of Toronto to undertake a full, building by building inspection and property repair costing of all properties and agrees to provide

funding to cover existing and future capital repairs; and

- (iii) the Province of Ontario funds all labour relations costs which the City of Toronto will incur as a result of transfer of employees from the Ontario Housing Corporation properties to the City of Toronto.”

- (b) Councillor Duguid moved that motion (a) by Mayor Lastman be amended by adding thereto the following:

“and the Commissioner of Community and Neighbourhood Services, the Commissioner of Corporate Services and the City Solicitor be requested to submit a joint report to the first meeting of the Policy and Finance Committee, through the Community Services Committee, providing an update on Bill 128 and possible alternative responses in regard thereto that could be made by the City of Toronto, such report to also address what possible political structure is required to deliver an appropriate political response”.

- (c) Councillor Moscoe moved that motion (a) by Mayor Lastman be amended by adding thereto the following:

- “(1) the City of Toronto take all and any legal action that may be required in support of these recommendations, including any necessary action to protect Members of Council who vote in support thereof;
- (2) the Association of Municipalities of Ontario (AMO) be requested to support the City of Toronto position with respect to this matter;
- (3) the Mayor be requested to attend the next meeting of the AMO Executive to elicit AMO support in this regard; and
- (4) the City of Toronto demand that the Minister of Municipal Affairs and Housing attend the meeting of the Community Services Committee at which this matter will be considered, along with the Mayor, to discuss this issue.”

- (d) Councillor Prue moved that motion (a) by Mayor Lastman be amended by adding thereto the following:

- “(1) the Commissioner of Urban Development Services be requested to change the current policy which prohibits City Inspectors entering buildings owned by other levels of government to provide that staff be instructed to enter such buildings when requested to do so by the tenant; and

- (2) the Commissioner of Urban Development Services be instructed to forward a letter to the tenants of the 29,400 units in the portfolio advising them that, if they are not satisfied with the state of repair of the property, they can request that the City of Toronto send a City Inspector to investigate the property, such letter to enclose a form that can document the disrepair, and the necessary funds to implement the inspections be part of the City's request to the Province for transitional funding related to this downloading by the Province."
- (e) Councillor Walker moved that Part (2)(c)(ii) of motion (a) by Mayor Lastman be amended by adding thereto the words "and the City Solicitor, in consultation with other appropriate City officials, be requested to undertake whatever action is necessary, in order to ensure implementation of this initiative".
- (f) Councillor Mammoliti moved that motion (a) by Mayor Lastman be amended by adding thereto the following:
- "and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, in conjunction with the report requested on Bill 128, outlining the change in Metropolitan Toronto Housing Authority (MTHA) staffing that would occur as a result of the downloading of Ontario Housing Corporation properties by the Province of Ontario, such report to also address the number of staff layoffs".
- (g) Councillor Cho moved that motion (a) by Mayor Lastman be amended by adding thereto the following:
- "(1) the Commissioner of Community and Neighbourhood Services be requested to forward a letter to individual Property Managers of social housing projects outlining City Council's action with respect to this matter; and
- (2) the Property Managers be requested to alert all tenants that their units may be transferred to the City of Toronto and that their rents may be affected if this transfer takes place."
- (h) Councillor Shiner moved that motion (a) by Mayor Lastman be amended by adding thereto the following:
- "and, if the ownership of the Ontario Housing Corporation properties is transferred to the City of Toronto, such properties be transferred free and clear of all encumbrances, outstanding debts and mortgages".

*Votes:*

Adoption of motion (b) by Councillor Duguid:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 0	

Carried, without dissent.

Adoption of motion (c) by Councillor Moscoe:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 33.

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

Yes - 29	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 6	
Mayor:	Lastman
Councillors:	Disero, Duguid, Jones, Lindsay Luby, Mammoliti

Carried by a majority of 23.

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

Yes - 14	
Councillors:	Augimeri, Bussin, Cho, Chow, Johnston, Korwin-Kuczynski, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker
No - 21	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Moeser, Ootes, Shiner, Sutherland

Lost by a majority of 5.

Adoption of motion (e) by Councillor Walker:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Johnston, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 2	
Councillors:	Holyday, Kelly

Carried by a majority of 31.

Adoption of motion (f) by Councillor Mammoliti:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 1	
Councillor:	Milczyn

Carried by a majority of 33.

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

Yes - 11	
Councillors:	Berardinetti, Bussin, Cho, Di Giorgio, Li Preti, Mihevc, Nunziata, Pantalone, Prue, Sutherland, Walker
No - 24	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Chow, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Moeser, Moscoe, Ootes, Rae, Shiner, Silva

Lost by a majority of 13.

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

Yes - 7	
Councillors:	Cho, Flint, Li Preti, Nunziata, Prue, Silva, Walker
No - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Rae, Shiner, Sutherland

Lost by a majority of 21.

Adoption of motion (h) by Councillor Shiner:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 1	

Councillor:      Holyday
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Carried by a majority of 33.

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

Yes - 34 Mayor:            Lastman Councillors:     Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Sutherland, Walker
No - 2 Councillors:     Ford, Holyday

Carried by a majority of 32.

In summary, Council received Motion P(6) and subsequently adopted the following recommendations:

“It is recommended that:

- (1) Toronto City Council reiterate its strong objections to the Province of Ontario’s continued plans to download social housing on the City of Toronto;
- (2) Toronto City Council inform the Province of Ontario that the City of Toronto will not accept the download of social housing, despite the Province’s intention to proceed;
- (3) Toronto City Council demand that the provincial government not proclaim Bill 128, the Social Housing Reform Act, 2000, until the following actions are taken:
  - (a) the Province of Ontario accepts all financial and legal liability for all claims resulting from its ownership of the properties;
  - (b) the Province of Ontario provides the funds needed for the City of Toronto to undertake a full, building by building inspection and property repair costing of all properties and agrees to provide funding to cover existing and future capital repairs, and the City Solicitor, in consultation with other



appropriate City officials, be requested to undertake whatever action is necessary, in order to ensure implementation of this initiative; and

- (c) the Province of Ontario funds all labour relations costs which the City of Toronto will incur as a result of transfer of employees from the Ontario Housing Corporation properties to the City of Toronto;
- (4) if the ownership of the Ontario Housing Corporation properties is transferred to the City of Toronto, such properties be transferred free and clear of all encumbrances, outstanding debts and mortgages;
- (5) the Association of Municipalities of Ontario (AMO) be requested to support the City of Toronto position with respect to this matter;
- (6) the Mayor be requested to attend the next meeting of the AMO Executive to elicit AMO support in this regard;
- (7) the City of Toronto demand that the Minister of Municipal Affairs and Housing attend the meeting of the Community Services Committee at which this matter will be considered, along with the Mayor, to discuss this issue;
- (8) the Commissioner of Community and Neighbourhood Services, the Commissioner of Corporate Services and the City Solicitor be requested to submit a joint report to the first meeting of the Policy and Finance Committee, through the Community Services Committee, providing an update on Bill 128 and possible alternative responses in regard thereto that could be made by the City of Toronto, such report to also address what possible political structure is required to deliver an appropriate political response;
- (9) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, in conjunction with the report requested on Bill 128, outlining the change in Metropolitan Toronto Housing Authority (MTHA) staffing that would occur as a result of the downloading of Ontario Housing Corporation properties by the Province of Ontario, such report to also address the number of staff layoffs;
- (10) the Commissioner of Urban Development Services be requested to change the current policy which prohibits City Inspectors entering buildings owned by other levels of government to provide that staff be instructed to enter such buildings when requested to do so by the tenant; and

- (11) the City of Toronto take all and any legal action that may be required in support of these recommendations, including any necessary action to protect Members of Council who vote in support thereof.”

1.22 **Adjustment to the 2000 Toronto Emergency Medical Services Budget**

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

**Moved by: Councillor Ashton**

**Seconded by: Councillor Duguid**

“**WHEREAS** the Ministry of Health and Long-Term Care for the Province of Ontario has increased funding to Toronto Emergency Medical Services in the amount of \$126,500.00, to offset increased operating expenses regarding the need for Quality Assurance programs; and

**WHEREAS** there is no financial impact on the year 2000 Operating Budget; and

**WHEREAS** this is a year 2000 budget item and, as such, is essential to be implemented before year end;

**NOW THEREFORE BE IT RESOLVED THAT** Council now give consideration to the attached report dated November 30, 2000, from the Commissioner of Works and Emergency Services, and that such report be adopted.”

Council also had before it, during consideration of Motion P(7) a report dated November 30, 2000, from the Commissioner of Works and Emergency Services, entitled “Adjustment to 2000 Toronto Emergency Medical Services Budget”. (See Attachment No. 8, Page 103.)

*Vote:*

Motion P(7) was adopted, without amendment.

Council, by its adoption of Motion P(7), without amendment, adopted, without amendment, the report dated November 30, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the Toronto Emergency Medical Services operating budget be increased by \$126,500.00 and the provincial grant be increased by the corresponding amount; and

(2) the appropriate City officials be given the authority to give effect thereto.”

### 1.23 Award of Winter Maintenance Contracts

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

**Moved by: Councillor Disero**

**Seconded by: Councillor Pantalone**

“**WHEREAS** the Bid Committee at its meetings held on September 13, 2000, and October 18 and 20, 2000, considered recommendations to award contracts for winter maintenance on roads, snow ploughing and driveway windrow clearing in District 3 (North York) and District 4 (Scarborough) for three years (2000/2001 to 2002/2003) on the basis of the lowest bidder meeting specifications; and

**WHEREAS** the authority extended to the Bid Committee under By-law No. 617-2000 allows the Bid Committee to award contracts during the Election period and when Standing Committee and/or Council meetings are not held, where funds are available, but does not extend this delegated authority where funding has not been provided (i.e., future years); and

**WHEREAS**, owing to the aforementioned lack of authority, the Bid Committee, in essence, awarded the first year of these three-year contracts for winter road maintenance, snow ploughing and driveway windrow clearing and referred the contract awards to Council for ratification which would include the final two years of the contracts. In addition, the Bid Committee awarded two contracts which require Council ratification; and

**WHEREAS**, owing to the time of year, it is imperative that the winter maintenance contracts be finalized;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached joint report dated November 17, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled ‘Contract Awards for Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing Within the Various Locations of District 3 and District 4 (Various Wards)’, and that such report be adopted.”

Council also had before it, during consideration of Motion P(8), a joint report dated November 17, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled “Contract Awards for Winter Maintenance on Roads, Snow Ploughing and

Driveway Windrow Clearing Within the Various Locations of District 3 and District 4 (Various Wards)". (See Attachment No. 9, Page 104.)

*Motion:*

Councillor Shiner moved that Motion P(8) be adopted, subject to adding thereto the following new Operative Paragraph:

**"AND BE IT FURTHER RESOLVED THAT** any future reports coming forward from the Bid Committee to Council, include the financial implications and details of the budget impacts, such as the budgeted amounts and prior years' costs."

*Votes:*

The motion by Councillor Shiner carried.

Motion P(8), as amended, carried.

Council, by its adoption of Motion P(8), as amended, adopted, without amendment, the joint report dated November 17, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, embodying the following recommendations:

"It is recommended that:

- (1) contracts for the Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing for the 2001/2002 and the 2002/2003 Winter Seasons be awarded to the firms shown in Appendix 'A', attached, having been awarded the contracts for the 2000/2001 Winter Seasons by the Bid Committee at its meetings of October 18, 2000, and October 20, 2000, being the lowest bidder meeting specifications in each case; and
- (2) Council ratify contracts for the Winter Maintenance on Roads, for the 2001/2002 and 2002/2003 Winter Seasons awarded by the Bid Committee at its meeting of September 13, 2000, to Furfari Paving Company Limited, for the North West Quadrant of District 4 as detailed in Appendix 'A', attached, and to 961488 Ontario Limited, O/A Sanan Construction, for the North East Quadrant of District 4, as detailed in Appendix 'A', attached, being the lowest bidder meeting specifications in each case."

**1.24 Municipal Tax Sale of 39 McGlashan Road**

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

**Moved by: Councillor Johnston**

**Seconded by: Councillor Moscoe**

“**WHEREAS** the Municipal Tax Sale of 39 McGlashan Road, the Elliott family property, has been the subject of multi-faceted litigation; and

**WHEREAS** this is new business for the newly constituted Toronto City Council;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the matter of the Tax Sale of the Elliott family property be opened as new business for consideration of the newly-constituted City Council;
- (2) independent legal counsel be retained to advise City Council on all matters related to the Tax Sale, including, specifically: firstly, making a further report on the Tax Sale incorporating an analysis of the conflicting legal opinions and the Ontario Court of Appeal’s Deverell decision, and an opinion as to whether or not the exercise by a municipality of the power to terminate a tax sale at any time prior to the registration of the tax deed makes the municipality liable to a prospective tax sale purchaser; and, secondly, making a recommendation on the Elliott family’s offers of settlement;
- (3) the Elliott family be given the opportunity to have its counsel review the report of independent outside counsel and provide a written rebuttal to City Council for its consideration;
- (4) the matter of the Elliott family Tax Sale being opened for the consideration of Council and it being resolved that independent outside legal counsel be retained to advise City Council, that this matter be adjourned to the next meeting of City Council; and
- (5) pending Council’s receipt and consideration of the report of outside legal counsel and any rebuttal of the Elliott family’s counsel, there be no steps taken in furtherance of this Tax Sale, including, specifically, the delivery of the tax deed to the prospective Tax Sale purchaser.”

Council also had before it, during consideration of Motion P(9), a joint confidential briefing note dated December 4, 2000, from the Chief Financial Officer and Treasurer and the City Solicitor, such briefing note to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to Solicitor/Client privilege.

*Disposition of Motion P(9):*

Council took no action on Motion P(9).

### 1.25 **Interim Levy By-law for 2001**

Councillor Augimeri 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 P(10), which carried:

**Moved by: Councillor Augimeri**

**Seconded by: Councillor Shiner**

“**WHEREAS** an Interim Levy By-law for 2001 is required to ensure the provision of the necessary cash requirements for the City of Toronto until the 2001 Operating Budget is approved in April 2001; and

**WHEREAS** it is necessary to adopt an Interim Levy By-law for 2001 at the December 5, 6 and 7, 2000 meeting of City Council to permit sufficient time for the processing and production of interim tax bills and to provide taxpayers with due notice for interim bill payment;

**NOW THEREFORE BE IT RESOLVED THAT** Council now give consideration to the attached report dated December 6, 2000, from the Chief Financial Officer and Treasurer, entitled ‘2001 Interim Levy By-law’, and that such report be adopted.”

Council also had before it, during consideration of Motion P(10), a report dated December 6, 2000, from the Chief Financial Officer and Treasurer, entitled “2001 Interim Levy By-law”. (See Attachment No. 10, Page 107.)

*Vote:*

Motion P(10) was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated December 6, 2000, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) the interim levy for all property classes (residential, commercial, industrial and multi-residential), be based on 50 percent of the total 2000 taxes billed for each property;
- (2) the amounts of the 2001 interim levy to be levied on residential properties owned by eligible low income disabled or low income seniors be based on the amount levied in 2000 less any amount of taxes that have been deferred in 2000 under the City’s Property Tax Deferral Program; and
- (3) authority be granted for the introduction of a Bill in Council, in the form or substantially in the form of the draft by-law attached hereto, providing for the levying and collection of 2001 interim realty taxes, prior to the adoption of the estimates for 2001.”

#### 1.26 **Proposed Development at 25 Leonard Avenue**

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

**Moved by: Councillor Chow**

**Seconded by: Councillor Korwin-Kuczynski**

“**WHEREAS** City Council has declared homelessness a national disaster; and

**WHEREAS** one of the main causes of homelessness is the difficulty in securing affordable housing; and

**WHEREAS** the Mayor’s Task Force on Homelessness stated that the City requires 2,000 new rental units per year; and

**WHEREAS** the supply of new rental units has been less than a tenth of the required supply; and

**WHEREAS** City Council at its meeting held on June 7, 8 and 9, 2000, by its adoption of Clause No. 10 of Report No. 7 of The Policy and Finance Committee, approved making a grant to St. Clare’s Multi-Faith Housing Society for \$250,000.00 to develop 15 short-term housing and 45 self-contained units from the Mayor’s Homeless Initiative Reserve Fund; and



**WHEREAS** City Council adopted the recommendation that the funding must be released within six months of Council approval of the grant, subject to the conditions set out in the Council authority; and

**WHEREAS** the proposed development at 25 Leonard Avenue, which was approved at the Committee of Adjustment on July 11, 2000, was appealed to the Ontario Municipal Board; and

**WHEREAS** the proposed development at 25 Leonard Avenue was approved at the Ontario Municipal Board on October 25, 2000; and

**WHEREAS** the proposed development at 25 Leonard Avenue is currently subject to an application for Judicial Review of the Ontario Municipal Board decision;

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize:

- (1) an advancement of \$50,000.00 of the approved Mayor's Fund funding towards the extension of the closing date of the property until the application for Judicial Review of the Ontario Municipal Board decision is resolved; and
- (2) a six-month extension of the six-month Mayor's Fund grant period authorized by Council in June 2000, until the recipient can meet such conditions as set out in the Council authority."

*Vote:*

Motion P(11) was adopted, without amendment.

#### 1.27 **Continuation of the Tenant Support Grants Program**

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

**Moved by:** Councillor Walker

**Seconded by:** Councillor Mihevc

**“WHEREAS** Toronto City Council at its meeting held on November 23, 24 and 25, 1999, approved the creation of the Tenant Defence Fund for the year 2000, with a maximum budget of \$300,000.00 to assist tenants in disputing Landlords' applications for above-guideline rent increases; and

**WHEREAS**, in approving the Tenant Defence Fund, Council allocated \$150,000.00 of the \$300,000.00 Tenant Defence Fund to provide direct grants to such tenant groups; and  
**WHEREAS** Council enacted By-law No. 48-2000 on February 3, 2000, to establish the criteria and process for implementing the Tenant Support Grants Program under the Tenant Defence Fund; and

**WHEREAS** tenant groups could apply for the Tenant Support Grants only after this By-law was enacted on February 3, 2000; and

**WHEREAS** in the past 10 months, over 50 tenant applications were approved, resulting in approximately \$132,000.00 grants committed and disbursed to eligible tenant groups; and

**WHEREAS** there are still approximately \$18,000.00 uncommitted funds in the Tenant Support Grants as of December 5, 2000;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the Tenant Support Grants Program be continued up to February 1, 2001, or until the grants are exhausted, whichever occurs earlier; and
- (2) the Commissioner of Community and Neighbourhood Services be authorized to carry over the uncommitted funds in the Tenant Support Grants within the Shelter, Housing and Support Division's budget until February 1, 2001, if the grants are not exhausted by December 31, 2000."

*Vote:*

Motion P(12) was adopted, without amendment.

**1.28 Amendment to the Canadian Stage Corporation's Agreement**

Councillor Rae moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion P(13), moved by Councillor Rae, seconded by Councillor McConnell, and, in the absence of Councillor McConnell, seconded by Councillor Chow, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Rae**

**Seconded by: Councillor Chow**

“**WHEREAS** City Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special meetings held on October 6, 10, 11 and 12, 2000, granted authority for the City to enter into an agreement with The Canadian Stage Corporation's ('Canadian Stage') bank for a guarantee of a line of credit in the amount of \$300,000.00 (inclusive of all interest payable by Canadian Stage to the bank) for the period January 1, 2001, to December 31,

2001, and that such guarantee be only in respect of that portion of Canadian Stage's liabilities which exceed the sum of \$700,000.00, and that such guarantee be on terms and conditions satisfactory to the City Solicitor and the Chief Financial Officer and Treasurer; and

**WHEREAS** Canadian Stage's bank has changed its line of credit from \$1,000,000.00 to \$900,000.00 and, therefore, requires that the City's guarantee be in respect of that portion of Canadian Stage's liabilities which exceed the sum of \$600,000.00, rather than \$700,000.00 as approved by Council at its October meetings; and

**WHEREAS** since the credit guarantee commences on January 1, 2001, it is imperative that the previous Council authority be amended to reflect the change described above;

**NOW THEREFORE BE IT RESOLVED THAT** the Motion adopted by Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special meetings held on October 6, 10, 11 and 12, 2000, be amended by deleting '\$700,000.00' from the first Operative Paragraph and replacing it with '\$600,000.00'."

*Vote:*

Motion P(13) was adopted, without amendment.

#### 1.29 **Establishment of an Affordable and Social Housing Committee**

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 P(14), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Chow**

**Seconded by: Councillor McConnell**

**“WHEREAS** the Toronto Report Card on Homelessness 2000 recommended the establishment of ‘a committee to ensure effective, timely implementation of homeless and housing initiatives’ [Recommendation No. (5)]; and

**WHEREAS** the recommendations from both the Mayor's Homelessness Action Task Force Report (released in January 1999 with 105 recommendations) and the Toronto Report Card on Homelessness 2000 (released in the winter of 2000 with 12 recommendations) require serious, dedicated attention from City Council; and

**WHEREAS** the Mayor's Task Force recommended that ‘Toronto should spearhead a rental housing development strategy to: produce new, affordable housing and preserve

existing housing'; and

**WHEREAS** since the release of the Mayor's Homelessness Action Task Force, the City of Toronto has taken significant steps to promote and build affordable housing and has consistently urged the senior levels of government to resume funding affordable housing; and **WHEREAS** the provincial government has introduced the Social Housing Reform Act, 2000 that would 'transfer ownership of public housing (i.e., MTHA) to a business corporation with the City of Toronto' and also 'transfer the administration of federal and provincial non-profit and provincial co-operative housing programs, including funding programs for the Toronto Housing Company, to the City of Toronto'; and

**WHEREAS** the provincial transfer of the 29,400 housing units of MTHA will occur on January 1, 2001;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto establish an Affordable and Social Housing Committee, such Committee to be composed of five Members of Council;

**AND BE IT FURTHER RESOLVED THAT** the mandate of the Housing Committee as proposed below, be referred to the Commissioner of Community Services and the Commissioner of Urban Development Services for their comments to the upcoming Policy and Finance Committee:

Proposed mandate and membership of the Housing Committee:

- assist in facilitating the construction of affordable housing, including through partnerships with the private and the non-profit sectors;
- develop a strategy to engage the senior levels of government in the building of affordable housing; and
- provide direction on the launching of a public education campaign to involve individuals and the public and private sector organizations in the creation of new affordable housing."

*Motion:*

Councillor Duguid moved that Motion P(14) be adopted, subject to deleting from the second Operative Paragraph the words "the upcoming Policy and Finance Committee", and inserting in lieu thereof the words "a joint meeting of the Community Services Committee and the Planning and Transportation Committee", so that such Operative Paragraph shall now read as follows:

**“AND BE IT FURTHER RESOLVED THAT** the mandate of the Housing Committee as proposed below, be referred to the Commissioner of Community Services and the Commissioner of Urban Development Services for their comments to a joint meeting of the Community Services Committee and the Planning and Transportation Committee:

Proposed mandate and membership of the Housing Committee:

- assist in facilitating the construction of affordable housing, including through partnerships with the private and the non-profit sectors;
- develop a strategy to engage the senior levels of government in the building of affordable housing; and
- provide direction on the launching of a public education campaign to involve individuals and the public and private sector organizations in the creation of new affordable housing.”

*Votes:*

The motion by Councillor Duguid carried.

Motion P(14), as amended, carried.

### 1.30 **Establishment of a Diversity Advocate Position**

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 P(15), moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Disero, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Disero**

**Seconded by: Councillor Ootes**

**“WHEREAS** the City of Toronto supports the elimination of violence, racism, homophobia, homelessness, hate crimes, hunger, illiteracy and all barriers to human rights; and

**WHEREAS** the City of Toronto has adopted as its corporate motto the words: ‘diversity our strength’; and

**WHEREAS** the City of Toronto has established city-wide advisory committees on access

and equity, specifically Aboriginal Affairs, Disability Issues, Status of Women, Race and Ethnic Relations, and Lesbian, Gay, Bisexual and Transgender Issues; and

**WHEREAS** the City of Toronto is increasingly becoming known as a city of diversity and the very diversity of Toronto creates unique challenges for Toronto; and

**WHEREAS** the City of Toronto wishes to promote social justice and equity for all residents of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto establish the position of Diversity Advocate;

**AND BE IT FURTHER RESOLVED THAT** the mandate of the of the Diversity Advocate include the following responsibilities:

- act as the City's primary spokesperson and advocate on diversity issues;
- consult with the five City-wide Advisory Committees on Access and Equity;
- co-ordinate activities in conjunction with the Council representatives to the City-wide Advisory Committees on Access and Equity;
- work with other institutions, community organizations, the private sector and the non-profit community to promote diversity principles and equity;
- inform City Council on a regular basis on diversity issues and assist in organizing an annual report on diversity initiatives;

**AND BE IT FURTHER RESOLVED THAT** Council endorse the appointment of Councillor Sherene Shaw as the City of Toronto's first Diversity Advocate;

**AND BE IT FURTHER RESOLVED THAT** the Diversity Advocate report to the February 2001 meeting of the Policy and Finance Committee on a proposed diversity plan of action to be initiated during 2001."

*Motion:*

- (a) Councillor Mihevc moved that consideration of Motion P(15) be deferred until the meeting of City Council scheduled to be held in January 2001, and that such Motion be considered with the forthcoming report from the Chief Administrative Officer pertaining to access and equity appointments.

*Withdrawal of Motion:*

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

*Motion:*

- (b) Councillor Moscoe moved that Motion P(15) be adopted, subject to adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer be requested to submit a report to the Administration Committee on the working relationship between the Diversity Advocate and the access and equity initiative.”

*Votes:*

Motion (b) by Councillor Moscoe carried.

Motion P(15), as amended, carried.

1.31 **Shelter Initiatives for the Homeless**

Councillor Chow moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction of the following Notice of Motion P(16), moved by Councillor Layton, seconded by Councillor Johnston, and, in the absence of Councillor Layton, moved by Councillor Chow, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Chow**

**Seconded by: Councillor Johnston**

**“WHEREAS** the City of Toronto has declared homelessness to be a national disaster; and

**WHEREAS** homelessness continues to be a crisis, as evident by the rising demand for emergency shelter; and

**WHEREAS** the need for more hostel beds has become more urgent with the onset of cold weather; and

**WHEREAS** the City has approved a policy to increase hostel beds for adults and youth, if the occupancy levels in those parts of the system rise above 90 percent; and

**WHEREAS** despite best efforts, the City is unable to maintain a 90 percent occupancy rate in the single adult and youth parts of the hostel system; and

**WHEREAS** a recent report by the Toronto Disaster Relief Committee, 'State of the Disaster: Winter 2000', highlights the serious lack of hostel beds and the growing conditions of overcrowding and health concerns in the shelter system;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council request that the Commissioner of the Community and Neighbourhood Services take immediate action on the following items:

- (1) order a moratorium on shelter closures for the duration of the disaster;
- (2) ensure that all hostels (new and existing) meet the United Nations Standards for refugee camps as well as established North American Disaster relief standards; for example, an adequate number of toilets must be accessible; beds or cots rather than mats on the floor; adequate space; food that meets nutritional needs; and on site health services;
- (3) ensure that all hostels (new and existing) operate with a harm reduction philosophy; there must be adequate staffing levels and adequate staff training on mental health issues, harm reduction and crisis de-escalation to ensure both safety and meeting of the standards;
- (4) direct the Medical Officer of Health to carry out a special investigation of health standards in the shelter system to ensure that they meet international public health standards; if necessary, Hostel Services to fund any identified deficiencies; and
- (5) direct the Medical Officer of Health to develop and implement a strategy for ensuring sufficient access for homeless people to public toilets;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Community and Neighbourhood Services be requested to report to the January 2001 meeting of the Community Services Committee on the following items:

- (1) the opening of four dormitory style facilities, which should be run by an aid organization such as the Red Cross, as emergency shelter/warming centres; these facilities should be able to accommodate up to 150 men, women and couples, and should be available for the duration of the disaster;
- (2) the opening of appropriate shelters (for example, which are smaller, more private, with increased supports on site) for women, people with disabilities, aboriginal



people, youth, transgendered people, people with serious addictions or health/mental health problems and people living with AIDS, to make up the remaining 400 beds required in the hostel system; this should include at least one 'wet hostel' for women and other harm reduction facilities to meet the needs of people in the above groups who have addictions;

- (3) development of a policy on barrings for all City-funded shelters; in particular, barring must be reserved for extreme cases of violence and, in the event that someone is barred, alternate shelter must be found, and the policy must include a consistent barring protocol and clear appeal process and should be posted in every shelter;
- (4) development of a policy to ensure that all people using the shelter system, including the Out of the Cold Programs, have access to the Personal Needs Allowance stipend; and
- (5) development of a voucher system so that, until such time as sufficient shelter space is made available, homeless people can be sheltered in motels or hotels."

Council also had before it, during consideration of Motion P(16), the following communications, copies of which are on file in the office of the City Clerk:

- (i) (November 14, 2000) from Mayor Lastman, addressed to Ms. Kira Heineck, Co-ordinator, Toronto Disaster Relief Committee; and
- (ii) (December 7, 2000) from the Commissioner of Community and Neighbourhood Services, addressed to Mayor Lastman.

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of the Council Procedural By-law requiring the referral of Motion P(16) to the Community Services Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion P(16) to the Community Services Committee carried.

*Motion:*

Councillor Duguid moved that Motion P(16) be referred to the Commissioner of Community and Neighbourhood Services for further consideration and report thereon to the meeting of the

Community Services Committee scheduled to be held on January 11, 2001, with respect to the recommendations contained therein.

*Vote:*

The motion by Councillor Duguid carried.

### 1.32 Closure and Conveyance of Van De Water Crescent

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

**Moved by: Councillor Pantalone**

**Seconded by: Councillor Chow**

**“WHEREAS** Canada Lands Company CLC Limited, submitted an application on June 21, 1999, for closure of part of Van de Water Crescent for the purpose of permitting the closed portion of the road to be incorporated within a permanent bus parking facility to house the charter bus parking required for the SkyDome; and

**WHEREAS**, in considering this request at its meeting on July 18, 2000, the Toronto Community Council adjourned the matter sine die; and

**WHEREAS** Canada Lands Company CLC Limited served the City Solicitor at 4:15 p.m. on Wednesday, December 6, 2000, with a Notice of Application, to be heard before the Superior Court of Justice on December 19, 2000; and

**WHEREAS** the City Solicitor wishes to report upon the matter and obtain directions in respect of the Notice of Application; and

**WHEREAS** this matter also has implications respecting an Ontario Municipal Board hearing scheduled to commence on January 29, 2001, regarding applications by Canada Lands Company CLC Limited, (i) to reduce the number of bus parking spaces required for the SkyDome from 125 to 70, and (ii) to obtain site plan approval for a bus parking facility containing 70 spaces to service the SkyDome; and

**WHEREAS** it is appropriate to consider the report of the City Solicitor In Camera, as it deals with instructions regarding the Application;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to a confidential report dated December 7, 2000, from the City Solicitor.”

Council also had before it, during consideration of Motion P(17), a confidential report dated December 7, 2000, from the City Solicitor, entitled “Court Application by Canada Lands Company CLC Limited Regarding its Request to Close and Convey a Portion of Van de Water Crescent to Permit the Construction of a SkyDome Bus Parking Facility”.

*Motion:*

Councillor Chow moved that Motion P(17) be adopted, subject to adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the confidential report dated December 7, 2000, from the City Solicitor, be adopted.”

*Votes:*

The motion by Councillor Chow carried.

Motion P(17), as amended, carried.

Council, by its adoption of Motion P(17), as amended, adopted, without amendment, the confidential report dated December 7, 2000, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of property interests of the municipality, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) the City Solicitor be instructed to consent, at the Superior Court hearing scheduled for December 19, 2000, to the issuance of a Court Order directing the City, (i) to draft a by-law to close the portion of Van de Water Crescent which Canada Lands Company CLC Limited seeks to utilize, (ii) to publish notice of the by-law as required by the Municipal Act, at least once a week for four consecutive weeks commencing not later than December 29, 2000, (iii) to place the proposed by-law for consideration before the next following meeting of the Downtown Community Council and thereafter at the next meeting of City Council, and (iv) to hear any person who claims their lands will be prejudicially affected and who applies to be heard;
- (2) the City Solicitor be instructed to, at the Superior Court hearing scheduled for December 19, 2000, oppose any aspect of the Application which would compel the City to close and convey the requested portion of Van de Water Crescent; and
- (3) the City give notice of the proposed by-law, hear persons who apply to be heard, and then:
  - (i) consider the proposed by-law, as set out above; and
  - (ii) consider the option to purchase Van de Water Crescent for the price of one

dollar.”

1.33 **Adams Mine**

Councillor Walker moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction of the following Notice of Motion P(18):

**Moved by: Councillor Walker**

**Seconded by: Councillor Johnston**

“**WHEREAS** City Council at its meeting held on October 3, 4, 5, 6, 10, 11 and 12, 2000, adopted, as amended, Clause No. 3 of Report No. 17 of the Works Committee, headed ‘Toronto Integrated Solid Waste Resource Management (“TIRM”) Process - Category 1, Proven Diversion Capacity - Initiation of Negotiations’, and, in so doing, approved a contract with Rail Cycle North to send our garbage to the Adams Mine dump in Kirkland Lake, after making several key amendments including the removal of Section 10.6 of the agreement concerning responsibility for unavoidable cost increases; and

**WHEREAS** Rail Cycle North chose not to sign the contract as amended by Toronto City Council and it is clear that neither party is willing to assume responsibility for Section 10.6 concerning unavoidable cost increases; and

**WHEREAS** on September 30, 2000, a proposal entitled ‘Toronto’s Best System – A Workable Alternative Waste Management Strategy to the Adams Mine Dump Option’, was submitted by 17 Councillors outlining an advanced, fully integrated and sustainable alternative to the current waste disposal options; and

**WHEREAS** public opinion in the City of Toronto is that we can and should be doing a better job managing our waste than simply dumping it into a hole in the ground up north; and

**WHEREAS** City Council at its meeting held on October 3, 4, 5, 6, 10, 11 and 12, 2000, adopted, as amended, Clause No. 1 of Report No. 17 of the Works Committee, headed ‘3Rs Implementation Plan for the City of Toronto’, and in so doing, adopted a motion respecting the ‘development of programs which will recycle and compost 80 percent of Toronto’s municipally collected waste by the year 2009’; and

**WHEREAS** it is high time that the City of Toronto adopted and implemented a progressive waste management strategy to bring us up to the standard being set by other major cities, particularly Halifax, Edmonton and cities in Europe;

**NOW THEREFORE BE IT RESOLVED THAT** the newly elected Toronto City Council:

- (1) formally reject the Adams Mine Dump proposal;
- (2) expedite the signing of the short-term waste disposal contracts with the Republic and Onyx dumpsites in Michigan; and
- (3) request the Commissioner of Works and Emergency Services, in consultation with the appropriate City staff, to report to the next meeting of City Council outlining suggested strategies and policies that will be necessary to achieve the 80 percent recycling and composting diversion targets specified in the decision of Council made on October 3, 4, 5, 6, 10, 11 and 12, 2000; and that such report include an analysis of the strategies and practices outlined in the September 30, 2000 'Toronto's Best System' report.”,

the vote upon which was taken as follows:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Holyday, Johnston, Jones, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Soknacki, Walker
No - 14	
Councillors:	Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Shiner, Sutherland

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

*Disposition of Motion P(18):*

Motion P(18) was not introduced.

#### 1.34 **ADDITIONAL MATTERS**

***December 6, 2000:***

**National Day of Remembrance - December 6, 2000**

Councillor McConnell, with the permission of Council, read the following Proclamation by Mayor Lastman, headed "National Day of Remembrance - December 6, 2000":

**“WHEREAS** eleven years ago, 14 young women were gunned down at the University of Montreal. The Montreal Massacre was a heinous act which serves to remind us of the everyday reality of violence against women; and

**WHEREAS**, although our City is a relatively safe place to live, violence against women, in private and in public, occurs too frequently. Violence is not limited to physical or sexual aggression. Small acts of violence are committed daily through attitude and intimidating behaviour. These small acts add up to create an atmosphere of distrust, insecurity and fear. We must speak out against aggression towards women; and

**WHEREAS** attitudes are changing and women no longer need to act alone against violence in our society. Governments, community groups, corporations, the media and others, are more aware of the ways in which violence isolates and harms women;

**NOW THEREFORE I**, Mayor Mel Lastman, on behalf of Toronto City Council and the 2.4 million people of our great City, do hereby proclaim December 6, 2000, as a 'National Day of Remembrance', in tribute to all women who are or have been victims of violence, and in remembrance of the victims of the Montreal Massacre.”

*Motion:*

Councillor Ashton, seconded by Councillor McConnell, moved that Council adopt the following motion:

**“BE IT RESOLVED THAT:**

- (1) a copy of the Proclamation, headed 'National Day of Remembrance - December 6, 2000', be forwarded to the Premier of Ontario; and
- (2) City Council express to the Premier of Ontario the importance of reforming appropriate legislation to ensure the protection and support of women who are victims of violence.”

*Vote:*

The motion by Councillor Ashton, seconded by Councillor McConnell, carried.

*December 7, 2000*

### **2000 Municipal Election**

Mayor Lastman made the following congratulatory remarks regarding the 2000 Municipal Election:

“The 2000 municipal election in the City of Toronto was a great success!

More than 75 percent of the vote results were in by 8:30 p.m. on election day, only half an hour after the polls closed. This was a great achievement in the history of elections in the City of Toronto, and indeed in Canada.

The City Clerk’s election team and all of the City staff who helped with the election made it happen.

I would like to thank all of the City Clerk’s staff, especially John Hollins, the Director of Elections, and his team of experts, including Janet Andrews, Greg Essensa, Barbara Liddiard, Steve Miller, Peter Fay and Robert Smith. I would also like to thank the support teams headed by Jim Andrew, the Executive Director of IT, and Valerie Chavossy, the Director of Corporate Communications, and other Corporate Services and City staff who spent many hours helping with the election.

To recognize this great achievement, I want to move, seconded by Councillor Berardinetti, a motion of thanks to all of the staff who helped make this election such a great success!”

*Vote:*

Council adopted the foregoing motion of thanks.

### **BILLS AND BY-LAWS**

- 1.35 On December 5, 2000, at 2:55 p.m., Councillor Moeser, seconded by Councillor Ford, 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, without dissent:

Bill No. 1

By-law No. 1-2001

To confirm the proceedings of the Council at its Inaugural Meeting held on the 5th day of December, 2000.

- 1.36 On December 6, 2000, at 10:22 a.m., Councillor Milczyn, seconded by Councillor Ashton, 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, without dissent:

Bill No. 2	By-law No. 2-2001	To confirm the proceedings of the Council at its Inaugural Meeting held on the 5th and 6th days of December, 2000.
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1.37 On December 7, 2000, at 2:33 p.m., Councillor Disero, seconded by Councillor Ootes, 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. 3	By-law No. 3-2001	To Change the Term of Office for Members of the Toronto Transit Commission To Eighteen Months and to Provide for Appointments to be made by a Majority Vote at Council,
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the vote upon which was taken as follows:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki
No - 10	
Councillors:	Cho, Chow, Johnston, Jones, Layton, Mihevc, Miller, Moscoe, Prue, Walker

Carried by a majority of 22.

1.38 On December 7, 2000, at 2:41 p.m., Councillor Disero, seconded by Councillor Ootes, 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. 4	By-law No. 4-2001	To Appoint Nine Members of the City Council as Members of the Toronto Transit Commission.
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1.39 On December 7, 2000, at 5:51 p.m., Councillor Sutherland, seconded by Councillor Shaw, moved

that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 5	By-law No. 5-2001	To amend former City of Toronto Municipal Code Chapter 25, Community and Recreation Centres, to reflect the new ward system and to provide a standard term of office for board/committee members who are Council members.
Bill No. 6	By-law No. 6-2001	To provide for a standard term of office for former Borough of East York community recreation centres' board/committee members who are Council members and to amend former Borough of East York By-law No. 316.
(amended) Bill No. 7	By-law No. 7-2001	To appoint members of the City Council as members and alternates of the Greater Toronto Services Board.
Bill No. 9	By-law No. 8-2001	To Appoint a Deputy Mayor.
Bill No. 10	By-law No. 9-2001	To appoint Councillor Sandra Bussin to act in the place of the Mayor on The Board of Management of the Balmy Beach Park.
Bill No. 11	By-law No. 10-2001	To appoint one member of the City Council as a member of the Greater Toronto Transit Authority,

the vote upon which was taken as follows:

Yes - 34 Councillors:     Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sutherland, Walker
No - 0

Carried, without dissent.

- 1.40 On December 7, 2000, at 5:52 p.m., Councillor Sutherland, seconded by Councillor Di Giorgio, 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. 8	By-law No. 11-2001	To provide for the levy and collection of 2001 interim realty taxes and penalties for non-payment thereof,
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the vote upon which was taken as follows:

Yes - 35 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sutherland, Walker
No - 0

Carried, without dissent.

- 1.41 On December 7, 2000, at 5:54 p.m., Councillor Di Giorgio, seconded by Councillor Pantalone, 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. 12	By-law No. 12-2001	To confirm the proceedings of the Council at its Inaugural Meeting held on the 5th, 6th and 7th days of December, 2000,
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the vote upon which was taken as follows:

Yes - 35 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sutherland, Walker
No - 0

Carried, without dissent.

- 1.42 On December 7, 2000, at 6:29 p.m., Councillor Kelly, seconded by Councillor Shaw, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 13	By-law No. 13-2001	To confirm the proceedings of the Council at its Inaugural Meeting held on the 5th, 6th and 7th days of December, 2000,
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the vote upon which was taken as follows:

Yes - 31	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Prue, Rae, Shaw, Shiner, Walker
No - 0	

Carried, without dissent.

- 1.43 On December 7, 2000, at 6:32 p.m., Councillor Holyday, seconded by Councillor Moscoe, 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. 14	By-law No. 14-2001	To confirm the proceedings of the Council at its Inaugural Meeting held on the 5th, 6th and 7th days of December, 2000,
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the vote upon which was taken as follows:

Yes - 31	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Prue, Rae, Shaw, Shiner, Sutherland, Walker
No - 0	

Carried, without dissent.

## OFFICIAL RECOGNITIONS

### 1.44 Presentations/Introductions/Announcements

#### December 7, 2000:

Mayor Lastman, during the morning session of the meeting, introduced the Grade 5 students of Grenoble Public School, present at the meeting.

Councillor Layton, during the morning session of the meeting, with the permission of Council, introduced Mr. Ma Peishun, Ms. Yang Zhaokun, Mr. Zhao Shenggui, and Mr. Gui Hao, from the Kunming Sewage Treatment Company, and Mr. Wan Yan, from the China National Instruments Import/Export Corporation, visiting from China to study Toronto's sewage treatment facilities, present at this meeting.

### 1.45 MOTIONS TO VARY PROCEDURE

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

#### December 7, 2000:

Councillor Miller, at 12:28 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of that portion of Clause No. 1 of Report No. 1 of The Striking Committee, headed "Appointment of Members of Council to Standing and Other Committees of Council, Various Boards, Special Purpose Bodies and Special Positions", pertaining to the appointment of Members of Council to the Toronto Transit Commission, the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Balkissoon, Chow, Disero, Duguid, Filion, Flint, Ford, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pitfield, Shaw, Silva, Soknacki, Sutherland
No - 16	
Mayor:	Lastman
Councillors:	Bussin, Cho, Di Giorgio, Feldman, Hall, Johnston, Li Preti, Lindsay Luby, Minnan-Wong, Nunziata, Pantalone, Prue, Rae, Shiner, Walker

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

Councillor Berardinetti, at 5:57 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 6:30 p.m., which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Holyday, at 6:27 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive its previous decision to adjourn at 6:30 p.m., and that Council continue in session until 7:00 p.m., the vote upon which was taken as follows:

Yes - 19	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Kelly, Mammoliti, Mihevc, Minnan-Wong, Nunziata, Ootes, Rae, Shaw
No - 12	
Councillors:	Ashton, Cho, Chow, Johnston, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Moeser, Moscoe, Prue, Walker

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

Councillor Mammoliti, at 6:28 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive its previous decision to adjourn at 6:30 p.m., and that Council continue in session until 6:40 p.m., the vote upon which was taken as follows:

Yes - 22	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Nunziata, Ootes, Rae, Shaw
No - 9	
Councillors:	Ashton, Cho, Johnston, Korwin-Kuczynski, Milczyn, Moeser, Moscoe, Prue, Walker

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



Minutes of the Council of the City of Toronto  
December 5, 6 and 7, 2000

	Dec. 5 2:15 p.m. to 2:55 p.m.*	Dec. 6 9:40 a.m. to 10:22 a.m.*	December 7					
			Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 6:32 p.m.*	Roll Call 3:47 p.m.	Roll Call 6:24 p.m.
Miller	x	x	-	x	x	x	-	-
Minnan-Wong	x	x	x	x	x	x	-	-
Moeser	x	x	x	x	-	x	x	x
Moscoe	x	x	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x	x	x
Ootes	x	x	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x	x	-
Pitfield	x	x	-	x	-	-	-	-
Prue	x	x	x	x	x	x	x	x
Rae	x	x	x	x	x	x	x	x
Shaw	x	x	-	x	x	x	x	x
Shiner	x	x	-	x	-	x	-	-
Silva	x	x	x	x	-	x	x	-
Soknacki	x	x	x	x	x	x	-	-
Sutherland	x	x	-	x	x	x	x	-
Walker	x	x	x	x	-	x	x	x
Total	44	44	33	45	31	44	25	26

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

**MEL LASTMAN,**  
Mayor

**NOVINA WONG,**  
City Clerk



**ATTACHMENT NO. 1** (See Minute No. 1.6, Page 5.)

**INAUGURAL ADDRESS**  
**TO**  
**CITY OF TORONTO COUNCIL**  
**BY**  
**HIS WORSHIP, MAYOR MEL LASTMAN**  
**DECEMBER 5, 2000**

Chief Justice Roy McMurtry, Marilyn, Members of Council, ladies and gentlemen and younger ladies and gentlemen.

Welcome to the second Inaugural Council Meeting of the new City of Toronto.

Together, this new Council is about to make the greatest City in the world even greater!

Three years ago we set out on a mission to make our new City work for everyone.

Some said it couldn't be done.

We were handed a new Mega City that amalgamated six cities and seven governments, with no instructions and lots of debt.

But we never wavered. The voters worked with us and together, as the first Council of the new City of Toronto, we delivered a tax freeze for three consecutive years, we improved services, we cared for our less fortunate and we pulled six cities and seven governments into one.

Our Toronto economy is booming and what you see now is nothing. Toronto feels great about itself again. Our spirit is great.

In the past three years, we helped create 140,000 new jobs in our City.

We are the high-tech headquarters for Canada and the second largest in North America - behind only the Silicon Valley in California.

When we took office, we had many vacant office and industrial buildings. Our downtown vacancy

rate was double digit and even higher in the suburbs.

Today, there is virtually no office space available and the builders are back working in our City.

In 1997 and 1998 our film business totalled \$700 million. We went to Los Angeles and New York and met with Presidents of each of the movie companies. We thanked them for the business. We asked them if there was anything we could do to help them. We emphasized the benefits of the Canadian dollar. They were completely caught off-guard, as no Mayor had ever gone to Los Angeles just to say thank you. Well, in 1999 their business increased to \$1,200,000,000.00 and, in the year 2000, I am sure it will go to over \$1,500,000,000.00.

This means over 35,000 full and part time jobs for our City.

Movie production is vital to our City and we can encourage this industry with new studios and production facilities.

There is no doubt that a "Film City" will be built in our Toronto.

The industry should have a home where we can group together facilities, studios, sound stages and production houses.

I am pleased to say that we are currently in negotiations with industry leaders for an over one million square foot facility that they will build and pay for. That's just the beginning and there could be more than just one.

People in the communities say, "... we need the studios where movies could be made", and "... minimize neighbourhood disruptions".

Toronto has the momentum and the spirit to be the first City of the twenty-first century.

It wasn't easy ... but we did it together. A great responsibility has now been entrusted to us. We must keep it working and make this term even better.

This new Council includes Members who bring vast experience and diverse ideas to the table. We also have five new Councillors who bring energy, enthusiasm and a new perspective. I am proud of the composition of our new Council and excited about what we can achieve.

As long as this Council puts the interest of Toronto first, this Council will work and it will work well.

On behalf of my fellow Councillors, I want to thank the people of Toronto for your vote of confidence in each of us.

I want to thank the former Members of Toronto Council for their contributions to the first term of Council. You made it work!

I also want to thank all of the 42,000 staff at the City – you are the people who make our great City run and your hard work is very much appreciated.

Today we have much to look forward to and to accomplish.

My vision for our City is not unlike anyone else's.

If we do our job right – which we will – this will be an incredible City of clean air, safe streets, strong neighbourhoods, a booming economy and a quality of life envied around the world.

We now have the best snow ploughing services in North America and we will continue improving our snow ploughing service levels. No matter how much snow we may get, we won't need the Army.

A top priority is keeping taxes down.

Current Value Assessment does not mean a tax increase, it means a change in provincial property assessment.

It means your property value has increased in value. The City does not get one extra penny. It all goes to those with property values that have decreased.

We must make it as painless as possible. It must be phased in.

In the next three years, we need to continue to find savings. We can do that with a crackdown on waste.

I suggest an independent Auditor General for Toronto.

An independent Auditor General will look at every budget item and find ways to save our taxpayers' money. There may be some embarrassing moments for Council. We are bigger than five Provinces in Canada.

There is no doubt that an extra voice for our taxpayers will only help us do our jobs better and, at the same time, save money and stop waste.

Today Toronto's economy is great – but we have to do more.

The Mayor will be the “Jobs Quarterback” for Toronto – I will be working with our Economic Development and Parks Committee seeking out great companies to locate in our City and expanding employment at the companies already here.

Lets find ways for them to expand rather than moving out of Toronto.

I want the best jobs for the best City in the world.

Our City is also affected by the garbage we produce.

In order to reduce our garbage, I will be creating “Task Force 2010”.

This City Council has committed itself to the most ambitious waste diversion program ever.

30 percent diversion by 2003, 60 percent diversion by 2006 and complete diversion (100 percent) from landfill by 2010.

We have the support of the people of Toronto. We have the political will and now we have to find the practical way that is also fair to our taxpayers.

Our main focus has been on pickup and landfill – because that is what was expected – that has to change.

Task Force 2010 – chaired by the Mayor with two other Councillors, will make sure that our City is committed to recycling, on schedule if not sooner.

The Task Force will ensure that the City achieves it’s diversion objectives.

The Task Force must do everything possible to get the provincial government to institute a deposit return system.

We will also go after the federal government for infrastructure money that has been available for recycling in the past.

We will also find the best new methods to divert garbage from landfill.

We must also renew our commitment to protect our less fortunate.

The issue of homelessness is too big for any government to solve alone.

Together we must build on what is being done, and come up with a more permanent way of dealing with this problem.

Providing the Province kicks in with their share, we will secure \$1.3 billion from the federal and provincial governments for housing across Canada, based on need.

They say this will provide 20 to 60 thousand units and Toronto has the greatest need.

We also encouraged the Province to create 1,000 new beds for people with mental health problems, 500 were put in place this year and 500 are scheduled for next year. We can't have people sleeping and dying on our streets.

This Council has done a lot for children and we hope to do more.

Our Council adopted a Children's Charter and this year we have spent an additional \$23.8 million dollars on Children's Task Force initiatives.

We must do more! We need a national child care system and increased funding from the Province for child care.

Together, we must make sure that this is always a City where people are safe and feel safe.

Torontonians have always taken pride in how safe our City is compared to other large cities.

We put 250 more police officers on the streets. Our Community Action Policing campaign has been a huge success.

Areas like the West Toronto Junction now have their own community back from the drug pushers, the pimps and the prostitutes and this area is free of graffiti.

I want our entire City to be like that. I want everyone to feel safe and proud in our City, particularly in their own neighbourhood.

We have installed red light cameras and they are operational now 24 hours a day, 7 days a week.

We're going to keep making this a safer City.

We will attempt to make our successful Community Action Policing permanent and get 10 to 15 percent more cruisers on the streets.

We also need a new deal for Toronto.

Toronto cannot be taken for granted by our senior levels of government. We need a new financial

deal from the provincial and federal governments. Our only source of revenue is property tax.

We need new sources of revenue --- a share of the provincial and federal revenues.

Other Provinces have addressed the needs of their large cities.

For example, Manitoba allocates revenues from personal income tax for municipalities on a per capita basis.

British Columbia shares its retail sales tax with municipalities. Montreal receives, annually, a share of the gas tax.

Toronto receives nothing. We are the only major municipality in the world without any form of transit subsidy. Federal and/or state governments in the U.S., Europe and Australia all pay subsidies for operating and capital costs. We don't get a penny.

Our only source of revenue is less than one-half of the property tax.

I plan on meeting in the new year with the Prime Minister to try to fast track transit funding for Toronto.

Toronto will be getting a beautiful, new waterfront.

This will be a City anchored by 29 miles of beautiful redeveloped waterfront - a waterfront like no other.

It will be a waterfront of parks, active public spaces, well-planned business, industrial and commercial areas, attainable housing, a sea-aquarium, band shells - plus much more. It will be one of the world's great meeting places. The people of Toronto will love it.

It will be a waterfront of clean, clear water. You will be able to swim and fish and, when you catch a fish, it won't have two heads.

This waterfront will be built through a partnership of the federal, provincial and City governments and the private sector.

Make no mistake; our waterfront will be redeveloped. It is vital to our future! Phase one begins in the new year.

Toronto's bid for the 2008 Summer Olympic Games provides another golden opportunity for our City to prosper. We have a great bid and its looking good for July 2001.

We need the federal government to take a more active role in the life of our urban Cities. That is why I am pleased to participate in the "C-5 Initiative".

The C-5 is the brainchild of one of the world's great urban thinkers and a great Torontonians, Ms. Jane Jacobs.

I will be meeting with the Mayors of Montreal, Calgary, Winnipeg and Vancouver, along with Ms. Jacobs, to develop strategies to encourage the federal government in helping our Cities. I am very excited about this new initiative.

There is a great deal that this Council can achieve. There is a wealth of talent, ideas and expertise around this table.

People expect us to use our skills to work together, not to bicker amongst ourselves.

Our taxpayers expect us to produce, not just talk and constantly whine to the media.

We will all make mistakes. Success is not a matter of perfection.

Success is a matter of making our City even better tomorrow than it was yesterday. We must start to do that right now.

We live in a beautiful, caring City that is the envy of the world.

I invite everyone in this great City to contribute in any way that you can. We need your help, we need your insights, we need your feedback, we need your enthusiasm and we need you to help promote Toronto.

Let's make sure that our Toronto is the cleanest City in the world. Let's work together to make it happen.

Let's build our new Toronto together. Let's ensure that we truly are the first City of the twenty-first century.

Thank you.

**ATTACHMENT NO. 2** (See Minute No. 1.10, Page 9.)

Enquiry dated November 21, 2000, from Councillor Walker, regarding the activities of a member of the Chief Administrative Officer's staff:

'Re: Alan Slobodsky - Political Activity

In two newspaper articles, one in the Toronto Sun on Wednesday, November 15, 2000, and the second in the Toronto Star on November 20, 2000, clearly highlight that Mr. Alan Slobodsky is working with a group of politicians and friends of the Mayor referred to as an 'inner circle', arranging whom are going to be getting the senior political posts in the new City Council.

Since Mr. Slobodsky was brought on your staff as a civil servant, in 1999, from the political staff in Mayor Mel Lastman's office, the question I ask is:

'How could you be permitting Mr. Slobodsky, now a civil servant, to be openly and actively involved in such political activities when he is working for you, the most senior civil servant in the City of Toronto?' "

Answer thereto dated December 4, 2000, from the Chief Administrative Officer:

'Re: Councillor Walker's Inquiry

Immediately before the 2000 Municipal Election, Mr. Alan Slobodsky advised me of his intention to return to the Mayor's Office, subject to the successful re-election of Mayor Lastman.

Mayor Lastman was re-elected on November 13, 2000. I granted Mr. Slobodsky a transition period, effective November 14th (the day following the municipal election), during which time he began work in his new capacity within the Mayor's Office, while tidying up his duties in my office.

Mr. Slobodsky 'officially' began his duties in the Mayor's Office on a full time basis November 27, 2000."



**ATTACHMENT NO. 3** (See Minute No. 1.10, Page 9.)

Enquiry dated November 22, 2000, from Councillor Walker, regarding the City's funding contribution for Waterfront Redevelopment:

'Re: City Initial Commitment to Waterfront Redevelopment

Over the last month, there have been many reports in the media that the three levels of government, i.e. federal, provincial, and municipal, have initially committed \$500 million~~±~~ each for the redevelopment of the waterfront.

It has also been stated that the City's commitment could take the form of money and/or an 'in kind' contribution to meet its initial \$500 million contribution. The question I have of each of you is:

'Has City Council approved this expenditure, and, if it has, when did it do it and what form did the approval take? Or, if it has not approved this expenditure, would the City Clerk explain under what authority the Mayor made this \$500 million commitment on the part of the taxpayers of the City of Toronto?'

Answer thereto dated December 5, 2000, from the Chief Administrative Officer:

'Re: Councillor Walker's Enquiry

In response to Councillor Walker's enquiry, City Council has not yet formally approved the City's contribution to Waterfront Development. However, at its August 1 meeting, City Council did adopt my report supporting the following key recommendations:

- 'City Council endorse, in principle, the concepts put forward in the Toronto Waterfront Revitalization Task Force proposal'; and
- 'the Chief Administrative Officer be authorized, in consultation with appropriate officials, to initiate a dialogue with the federal and provincial governments and report back to Council on a preferred model for a new waterfront development governing body'.

It is my understanding that the media reports cited by Councillor Walker refer to agreements made 'in principle' by the three levels of government as part of a broader dialogue towards developing a governance model for the proposed waterfront development agency. As a first step in establishing the partnership, it was important for the three governments to publicly declare their commitment to the waterfront development project. The overall structure and

financial arrangements will still have to be formally approved by each of the three levels of government.

I believe that the Mayor's proposal of a \$500 million contribution by the City represents the value of land and capital projects along the waterfront that have been included in the City's capital plan which has been received by Council. Further analysis is required to detail this contribution. As instructed by Council, I am engaged in discussions with the two upper levels of government that will result in proposed financial and governance models that will be presented to Council for review and approval early next year. That report will address the City's contribution.

Please contact me again if you receive any further inquiries related to this issue."

#### **ATTACHMENT NO. 4**

Report dated November 16, 2000, from the Chief Financial Officer and Treasurer, entitled "2001 Inter Interim Operating Budget Estimates". (See Minute No. 1.17, Page 24.)

Purpose:

To provide funds to allow departments, agencies, boards and commissions to carry out their normal operations until the final Operating Budget is adopted by Council.

Financial Implications and Impact Statement:

This report provides interim operating funds and establishes spending authority for departments, agencies, boards and commissions. The recommended interim appropriation of \$2,598,559,400.00 is based on 40 percent of the 2000 approved gross estimate for the City. In addition, interim funding of \$355,000.00 is included for Economic Development for World Youth Day 2002 (Clause No. 38 of Report No. 12 of The Policy and Finance Committee, approved, as amended, by City Council at its meeting on October 3-6 and 10-12, 2000) and \$9,500,000.00 is included for Shelter, Housing and Support for Implementing the Federal Supporting Communities Partnership Initiative (Clause No. 37 of Report No. 12 of The Policy and Finance Committee, approved by City Council at its meeting on October 3-6 and 10-12, 2000).

Recommendation:

It is recommended that the interim operating budget estimates in the amount of \$2,598,559,400.00 be approved.

Comments:

The 2001 Operating Budget will be presented to Council for its approval in April 2001. In order to allow departments, agencies, boards and commissions to carry out their normal operations during the first part of the year, it is necessary for Council to approve interim operating budget estimates. The attached Appendix details the interim estimates by Program with the 2000 gross consolidated budget included for comparative purposes. Expenditures made during this period by departments, agencies, boards and commissions must be restricted to normal operating expenditures.

Except for capital projects that have ongoing or prior approvals, no expenditures of a capital nature should be incurred prior to the approval of the capital budget.

The recommended interim appropriation of \$2,598,559,400.00 is based on 40 percent of the 2000 approved gross estimate for the City. In addition, interim funding of \$355,000.00 is included for Economic Development for World Youth Day 2002 (Clause No. 38 of Report No. 12 of The Policy and Finance Committee, approved, as amended, by City Council at its meeting on October 3-6 and 10-12, 2000) and \$9,500,000.00 is included for Shelter, Housing and Support for Implementing the Federal Supporting Communities Partnership Initiative (Clause No. 37 of Report No. 12 of The Policy and Finance Committee, approved by City Council at its meeting on October 3-6 and 10-12, 2000). The details of the interim operating budget estimates are contained in Appendix 1 attached.

Conclusion:

The interim operating estimates provide funding and establish spending authority for departments, agencies, boards and commissions until the final budget is approved by Council in April 2001.

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(Copies of the Appendices referred to in the foregoing report are on file in the office of the City Clerk.)

## **ATTACHMENT NO. 5**

Report dated November 27, 2000, from the Chief Financial Officer and Treasurer, entitled "September 30, 2000, Operating Budget Variance Report". (See Minute No. 1.18, Page 26.)

### Purpose:

To provide an overview of the gross and net expenditure position of the City of Toronto for the first nine months of operation ended September 30, 2000, and to identify the resulting funding issues for the full year 2000. The report includes an analysis of significant net expenditure variances and year-end projections by City Programs and Special Purpose Bodies.

### Financial Implications and Impact Statement:

The financial results as of September 30, 2000, indicate that the overall expenditure level of the City of Toronto is within the approved budget for City departments, Special Purpose Bodies and Corporate Accounts. The City's projected operating surplus at year-end will be \$57.6 million or 2.2 percent of the budget. However, approved and proposed reserve fund transfers of \$30.4 million for Community and Neighbourhood Services purposes, would reduce the year-end surplus to \$27.2 million or 1.0 percent.

City Operations project a year-end net under-expenditure of \$49.2 million or 3.3 percent before approved and proposed transfers to reserve funds. Special Purpose Bodies project to be \$0.6 million or 0.1 percent above budget at year-end and Corporate Accounts are projected to be \$3.9 million or 2.4 percent under budget on a net basis. In addition, slightly higher than budgeted tax revenues of \$5.0 million or 0.2 percent will contribute towards the year-end surplus of \$57.6 million, before approved and proposed transfers to reserve funds, or a surplus of \$27.2 million after the approved and proposed transfers to reserve funds.

The \$27.2 million projected surplus is a reduction of \$12.8 million or 32.0 percent from the 2000 budgeted surplus of \$40.0 million and will result in a \$12.8 million pressure on the 2001 Operating Budget.

### Recommendations:

It is recommended that:

- (1) the operating variance report for period ending September 30, 2000, be received for information;
- (2) the contributions to/draws from reserves and reserve funds noted in the report be made by the Chief Financial Officer and Treasurer at year-end with a subsequent report to the January meeting of the Policy and Finance Committee; and

- (3) the technical adjustments to the 2000 Operating Budget as outlined in Appendix D, be approved.

Comments:

Overview

The September 2000 variance report shows net year-to-date under-expenditures of \$103.0 million or 5.5 percent of budget, with a significant component of the under-expenditure accounted for by the timing differences between disbursements and revenues. City Operations ended the first nine months of operations with a net under-expenditure of \$42.3 million or 3.9 percent. Special Purpose Bodies and Corporate Accounts contributed \$18.7 million and \$42.0 million, respectively, towards the corporate surplus.

The attached Appendices A, B and C reflect gross expenditures, gross revenues and net expenditures by program. Appendix D outlines the technical adjustments to the 2000 Operating Budget. The technical adjustments relate to the reallocation of the training budget from Human Resources to the appropriate Programs and the reallocation of the postage, courier, printing, copying and telephone budgets from Corporate Services to the various Programs. In addition, an adjustment of \$271.6 thousand is included to adjust funding for the impact of wage settlements which was approved during consideration of the June 2000 Variance Report.

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(1)	Community and Neighbourhood Services	(138.8)	(37.4)	(182.2)	(44.0)
(2)	Works and Emergency Services	(7.3)	2.5	(0.4)	(3.9)
(3)	Economic Development, Culture and Tourism	(9.8)	(3.5)	(3.5)	0.0
(4)	Urban Development Services	(6.9)	0.3	(4.6)	(1.5)
(5)	Corporate Services	(2.3)	3.2	12.0	3.2
(6)	Finance	(7.4)	(4.3)	(3.7)	(1.3)
(7)	Other	(3.2)	(3.1)	(1.9)	(1.8)
	Total - City Operations	(175.7)	(42.3)	(184.4)	(49.2)
(8)	Special Purpose Bodies	(20.2)	(18.7)	2.2	0.6
(9)	Corporate Accounts	(58.0)	(42.0)	(38.3)	(3.9)
(10)	Billing Gains	n/a	n/a	n/a	(5.0)
	Total Variance	(253.9)	(103.0)	(220.5)	(57.6)

The year-end picture indicates that the overall expenditure level of the City is within the approved budget. City Operations are projecting a year-end net under-expenditure of \$49.2 million or 3.3 percent before approved and proposed transfers to reserves, and Special Purpose Bodies are projecting a year-end over expenditure of \$0.6 million.

Corporate Accounts are projected to be \$3.9 million under budget and marginally higher tax revenues of \$5.0 million increase the year-end surplus to \$57.6 million. However, this surplus will be reduced to \$27.2 million after approved and proposed reserve fund transfers. The \$27.2 million projected surplus is a reduction of \$12.8 million or 32.0 percent from the 2000 budgeted surplus of \$40.0 million and will cause significant pressure on the 2001 Operating Budget.

Net Expenditure Variances: June Projection vs. September Projection

The table below summarizes the changes in the 2000 projected year-end net position from the June variance report as compared to the September variance report. The favourable variance in Community and Neighbourhood Services has increased by \$7.5 million of which \$5.7 million is attributed to Social Services, mainly as a result of an increase in efficiencies in caseload management (\$2.1 million) and additional savings in other expenditures (\$2.7 million). Works and Emergency Services has improved its year-end projection from a \$0.1 million over-expenditure (as projected in June) to an under-expenditure of \$3.9 million. This is primarily due to an improved projection in Solid Waste Management which anticipates greater revenue from the sale of recyclable materials (\$1.6 million projected in June versus \$4.9 million projected in September). Corporate Services projects an unfavourable variance of \$3.2 million (from a June projection of a \$0.3 million under-expenditure). This increase in over-expenditure is primarily due to revenue under-realization of \$1.8 million in Information and Technology and \$1.8 million in Facilities and Real Estate. The net zero variance in Corporate Accounts has improved by \$3.9 million due to increased savings in Non-Program Expenditures offset by various reductions in Non-Program Revenues.

		Year End Net Variances (\$ Millions)	
		June Projection Over/(Under)	September Projection Over/Under
(1)	Community and Neighbourhood Services	(36.5)	(44.0)
(2)	Works and Emergency Services	0.1	(3.9)
(3)	Economic Development, Culture and Tourism	0.0	0.0
(4)	Urban Development Services	(0.8)	(1.5)
(5)	Corporate Services	(0.3)	3.2
(6)	Finance	(0.3)	(1.3)
(7)	Other	(1.8)	(1.8)
	Total - City Operations	(39.6)	(49.2)
(8)	Special Purpose Bodies	(0.5)	0.6
(9)	Corporate Accounts	0.0	(3.9)
(10)	Billing Gains	<u>5.0</u>	<u>(5.0)</u>
	Projected Year-End Variance	(45.1)	(57.6)

### Discussion of Variances by Department

A detailed discussion of the departmental variances and significant individual program variances follows.

#### (1) Community and Neighbourhood Services

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(a)	Children's Services	(17.3)	(4.6)	(14.4)	(1.5)
(b)	Homes for the Aged	1.0	(7.3)	(0.4)	(9.0)
(c)	Shelter, Housing and Support	(6.2)	(1.7)	(8.5)	(1.3)
(d)	Social Development and Administration	(0.4)	(0.2)	(0.1)	0.0
(e)	Social Services	(116.0)	(23.6)	(158.9)	(32.2)
	Total Variance	(138.8)	(37.4)	(182.2)	(44.0)
	<u>Less:</u> Projected Contributions to Reserves:				
	Child Care Capital Reserve			(0.7)	(0.7)
	Homes for the Aged Capital Reserve			(2.5)	(2.5)
	National Child Benefit Supplement Reserve Fund	(6.4)	(6.4)	(8.8)	(8.8)
	Ontario Works Reserve Fund	(1.5)	(1.5)	(2.0)	(2.0)
	Social Services Stabilization Reserve Fund	(11.5)	(11.5)	(16.4)	(16.4)
	Total Contributions to Reserves	(19.4)	(19.4)	(30.4)	(30.4)
	Net Variance	(119.4)	(18.0)	(151.8)	(13.6)

The Department reports year-to-date under-expenditures of \$138.8 million or 10.2 percent gross and \$37.4 million or 8.6 percent net. The gross variance is mainly due to under-expenditures in Children's Services (\$17.3 million or 8.4 percent) and Social Services (\$116.0 million or 15.3 percent).

Children's Services is reporting year-to-date favourable variances of \$17.3 million or 8.4 percent gross and \$4.6 million or 11.8 percent net. The gross under-spending is due primarily to the cancellation of plans for the introduction of 2,000 new subsidized child care spaces originally included in the budget (\$10.3 million) and general under-spending caused by timing differences (\$4.9 million in Purchased Services and \$1.5 million in Directly Operated Child Care).

The year-to-date favourable gross variance of \$116.0 million or 15.3 percent in Social Services is mainly due to efficiency savings in caseload management (\$84.8 million) and Program Delivery (\$9.0 million), a lower than the budgeted average monthly caseload of 4,552 (actual 71,429 versus budget of 75,981), under-utilization of Ontario Works expenditures associated with lower than budgeted caseload (\$19.2 million), and lower provincial billing for the Ontario Disability Support Program and Mandatory Benefits (\$1.7 million).



Community and Neighbourhood Services is projecting net year-end under-expenditures of \$44.0 million or 7.3 percent. This is comprised of net under-spending of \$32.2 million in Social Services, \$9.0 million in Homes for the Aged, \$1.5 million in Children's Services and \$1.3 million in Shelter, Housing and Support. Social Services anticipates gross and net savings of \$158.9 million or 15.3 percent and \$32.2 million or 12.8 percent, respectively, due to continued efficiencies in caseload management (\$123.3 million gross, \$25.0 million net) and Program Delivery (\$10.5 million gross, \$5.2 million net), savings due to a lower than budgeted average monthly caseload of 6,595 – projected actual 70,405 versus budget 77,000 (\$21.5 million gross, \$1.7 million net), and under-utilization of the budget for other miscellaneous items (\$3.7 million gross, \$0.3 million net). The net under expenditure of \$9.0 million in Homes for the Aged is due to an over-achievement of revenue related to the temporary extension of transitional subsidy funding and the receipt of a one-time program subsidy.

The Department's approved and proposed transfer of \$30.4 million to reserves and reserve funds, comprises of: \$0.7 million in excess user fees from Children's Services to the Child Care Capital Reserve; \$2.5 million of the transitional funding for Homes for the Aged to Homes for the Aged Capital Reserve; \$27.2 million from Social Services to National Child Benefit Supplement Reserve Fund (\$8.8 million), Ontario Works Reserve Fund (\$2.0 million), and Social Services Stabilization Reserve Fund (\$16.4 million). After transfers to reserves and reserve funds, year-end variances are projected to be under-spent by \$151.8 million gross and \$13.6 million net. The contributions to the Homes for the Aged Capital Reserve, National Child Benefit Supplement Reserve Fund and Ontario Works Reserve Fund are mandatory and the contributions to the Child Care Capital Reserve and Social Services Reserve Fund are consistent with Council direction.

(2) Works and Emergency Services

		Variances (\$ Millions)			
		Sept. 2000		Projected YE 2000	
		Over/(Under)		Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(a)	Ambulance Services	2.1	5.6	(0.1)	0.1
(b)	Solid Waste Management	1.4	(7.6)	2.9	(5.3)
(c)	Fire Services	4.2	4.6	2.2	2.2
(d)	Transportation	(8.2)	(0.9)	(0.1)	(0.6)
(e)	Works - Support Services	(5.2)	0.4	(4.8)	0.0
(f)	Works - Technical Services	(1.6)	0.4	(0.6)	(0.3)
Total Variance		(7.3)	2.5	(0.4)	(3.9)

The year-to-date expenditures, as at the end of September, reflect a favourable variance of \$7.3 million or 1.4 percent gross and an unfavourable variance of \$2.5 million or 0.7 percent net. Transportation experienced a gross favourable variance of \$8.2 million or 5.6 percent primarily attributed to under-spending resulting from timing differences. This under-expenditure is offset by a revenue shortfall of \$7.3 million, mainly due to timing differences, resulting in a favourable net variance of \$0.9 million or 0.8 percent. Timing differences are expected to be corrected by year-end and Transportation anticipates a net favourable variance of \$0.6 million or 0.4 percent. Works – Support Services reports an under-expenditure of \$5.2 million or 21.5 percent, primarily due to salary savings (\$3.4 million) and timing differences in the processing of expenditures (\$1.2 million). The salary savings are expected to continue and will contribute to a savings of \$4.5 million by year-end.

A year-to-date net over-expenditure of \$2.5 million is mainly attributable to over-spending in Ambulance (\$5.6 million) and Fire Services (\$4.6 million) offset by under-spending in Solid Waste Management (\$7.6 million). The over-spending in Ambulance is primarily due to timing differences against budget and the Program anticipates to be on budget at year-end. Fire Services experienced an over-expenditure of \$4.6 million due to timing differences. Solid Waste Management is reporting a gross over-expenditure of \$1.4 million which is offset by revenue overage of \$8.9 million, to result in a net under-expenditure of \$7.6 million. The over-achievement in revenue is primarily the result of higher revenue from the sale of recyclable materials (\$2.3 million), higher than expected paid tonnage (\$2.4 million), recording of the contribution to the Perpetual Care Reserve as an expenditure while the 2000 budget reflected the contribution as an offset to revenue (\$2.4 million), unbudgeted revenue relating to the clean-up of the Harkow Facility (\$0.9 million) and timing differences (\$0.9 million).

On a net basis, Works and Emergency Services projects to be under spent by \$3.9 million or 0.8 percent at year-end, primarily attributable to under-expenditures in Solid Waste Management (\$5.3 million) offset by over-expenditures in Fire Services (\$2.2 million). The favourable net variance in Solid Waste Management is primarily the result of delayed start-up of the Dufferin Material Recovery Facility and Mixed Waste Recycling Facility (\$1.2 million), combined with higher revenue from the sale of recyclable materials (\$4.9 million) offset by lower revenue generated by the collection of ICI garbage (\$0.3 million). Fire Services anticipates an over-expenditure of \$2.2 million of which \$1.8 million is mainly due to under achieved gapping.

(3) Economic Development, Culture and Tourism

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(a)	Culture	(1.8)	(1.0)	0.0	0.0
(b)	Customer and Business Support	(0.7)	(0.7)	0.0	0.0
(c)	Economic Development	(0.6)	(0.7)	0.0	0.0
(d)	Parks and Recreation	(6.9)	(0.4)	(3.5)	0.0
(e)	Special Events	0.3	(0.6)	0.0	0.0
Total Variance		(9.8)	(3.5)	(3.5)	0.0

Year-to-date, Economic Development, Culture and Tourism experienced favourable gross and net variances of \$9.8 million or 5.7 percent and \$3.5 million or 2.8 percent, respectively. The under-expenditure is primarily due to timing differences. The \$6.9 million favourable gross variance in Parks and Recreation is primarily due to controlled spending to offset the revenue shortfall.

Variances related to timing differences will self correct by year-end. However, Parks and Recreation anticipates revenue to be under achieved by \$3.5 million by year-end. The Program has implemented plans to reduce all non-essential expenditures to offset the anticipated revenue shortfall and is projecting to be on budget at year-end on a net basis.

(4) Urban Development Services

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
	Urban Development Services	(6.9)	0.3	(4.6)	(1.5)
	Total Variance	(6.9)	0.3	(4.6)	(1.5)

On a gross basis, Urban Development Services is under spent by \$6.9 million or 12.1 percent year-to-date. This favourable variance is primarily due to salary savings resulting from high staff turnover (\$3.4 million) and under-expenditure due to timing differences (\$3.7 million). This is offset by under-achieved revenue of \$7.1 million or 15.9 percent, mainly attributable to the timing of revenue realization versus budget allocation.

Urban Development Services projects a year end under-expenditure of \$4.6 million or 6.1 percent gross and \$1.5 million or 9.6 percent net. The favourable gross expenditure is mainly due to salary savings and achieved reductions (\$3.5 million) and under-spending in non-salary expenditures. The projected revenue shortfall is primarily the result of decline in large value applications and non-achievement of funding attributed to the Apartment Re-inspection program.

(5) Corporate Services

Minutes of the Council of the City of Toronto  
December 5, 6 and 7, 2000

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(a)	City Clerk's	(4.2)	(2.1)	0.2	(0.7)
(b)	Service, Integration and Support	(0.1)	(0.1)	0.0	0.0
(c)	Corporate Communications	0.3	0.4	0.2	0.3
(d)	Facilities and Real Estate	(4.7)	(3.1)	0.0	1.8
(e)	Fleet Management	7.9	9.1	11.7	0.0
(f)	Human Resources	(0.7)	(1.1)	(0.0)	(0.0)
(g)	Information and Technology	0.2	0.4	0.0	1.8
(h)	Legal	(1.1)	(0.3)	(0.1)	(0.0)
Total Variance		(2.3)	3.2	12.0	3.2

On a year-to-date basis, Corporate Services reports a favourable gross variance of \$2.3 million or 1.3 percent and an unfavourable net variance of \$3.2 million or 3.0 percent which is mainly attributable to over-spending in Fleet Management (\$7.9 million gross, \$9.1 million net) offset by under-expenditures in Facilities and Real Estate (\$4.7 million gross, \$3.1 million net) and City Clerk's (\$4.2 million gross, \$2.1 million net). The overage in Fleet Management at September 2000 is primarily due to interdepartmental charges (\$5.5 million) and increased repair costs due to aging fleet (\$1.0 million) and delays in processing revenues (\$1.2 million). The favourable variances in Facilities and Real Estate (\$3.1 million net) and City Clerk's (\$2.1 million net) are mainly a result of timing issues.

Corporate Services is projecting a gross over-expenditure of \$12.0 million, mainly due to an unfavourable gross variance in Fleet Management as a result of interdepartmental charges (\$9.5 million) and increase in repair and fuel costs (\$2.2 million). However, interdepartmental recoveries in Fleet are anticipated to fully offset the over-spending. On a net basis, Corporate Services is projected to end the year with an over-expenditure of \$3.2 million or 2.2 percent, which is mainly due to under-achievement of revenue in Facilities and Real Estate and Information and Technology. Facilities and Real Estate anticipates revenue to be under-achieved by \$1.8 million or 4.4 percent, due to the allocation of \$1.3 million in tunnel revenue to Transportation and \$0.5 million in lost revenue from the sale of properties in 1999. Information and Technology projects a revenue shortfall of \$1.8 million or 59.6 percent primarily due to unrealized funding.

(6) Finance

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
	Finance	(7.4)	(4.3)	(3.7)	(1.3)
Total Variance		(7.4)	(4.3)	(3.7)	(1.3)

As of September 30, 2000, the Finance Department is reporting gross and net under-expenditures of \$7.4 million or 15.0 percent and \$4.3 million or 17.2 percent,

respectively. The under-expenditures are a result of staffing vacancies across several divisions (\$3.0 million), delays in the processing of payables to the Province for the Parking Tag Operation (\$1.9 million), lower expenditures as a result of delayed implementation of projects in Parking Tag Operations (\$1.5 million), and delays in the processing of other expenditures (\$1.2 million).

On a net basis, the department is under-spent by \$4.3 million year-to-date, mainly as a result of under recovery from the Parking Tag Operation due to delayed implementation of projects.

By year-end, the gross and net under expenditure will be \$3.7 million or 5.7 percent and \$1.3 million or 4.0 percent, respectively.

(7) Other

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(a)	Audit	(0.4)	(0.4)	(0.2)	(0.2)
(b)	Chief Administrator's Office	(0.6)	(0.7)	(1.0)	(0.8)
(c)	Council	(1.9)	(1.9)	(0.8)	(0.8)
(d)	Mayor's Office	(0.2)	(0.2)	0.0	0.0
Total Variance		(3.2)	(3.1)	(1.9)	(1.8)

This category includes Audit, CAO's Office, Council and Mayor's Office. The under-expenditures in Audit and CAO's Office relate to salary savings. The favourable variance in Council is due to Councillors not expending their full office budget allocation.

(8) Special Purpose Bodies

		Variances (\$ Millions)			
		Sept. 2000 Over/(Under)		Projected YE 2000 Over/(Under)	
		<u>Gross</u>	<u>Net</u>	<u>Gross</u>	<u>Net</u>
(a)	Public Health	(7.5)	(3.9)	(4.1)	(3.4)
(b)	Toronto Public Library	(0.8)	(0.3)	3.2	1.8
(c)	Exhibition Place	1.2	0.3	0.1	0.6
(d)	Theatres	(1.8)	0.3	(4.3)	0.6
(e)	Toronto Zoo	(0.4)	0.9	(0.1)	1.2
(f)	Arena Boards of Management	0.0	0.0	0.0	0.0
(g)	Toronto Housing Company	(1.4)	0.0	(1.2)	0.0
(h)	Toronto Region Conservation Authority	0.5	0.0	0.8	0.0
(i)	Toronto Transit Commission	(5.6)	(11.5)	7.9	0.0
(j)	GO Transit	(4.3)	(4.3)	0.0	0.0
(k)	Toronto Police Services	(0.1)	(0.1)	(0.2)	(0.2)
Total Variance		(20.2)	(18.7)	2.2	0.6

The year-to-date favourable net variance of \$18.7 million or 2.8 percent is mainly due to under-expenditures in Public Health (\$3.9 million), Toronto Transit Commission (\$11.5 million) and GO Transit (\$4.3 million). Timing issues with the processing of expenditures account for a majority of the under-expenditures.

At year-end, Special Purpose Bodies are projected to be over spent by \$2.2 million or 0.1 percent on a gross basis, and over -spent by \$0.6 million or 0.1 percent on a net basis. Public Health anticipates under-spending of salaries, contributing to a favourable net variance of \$3.4 million. The \$3.2 million gross over-expenditure in the Library is primarily due to the impact of the in-year pay equity settlement. The gross over-expenditure projected in the Toronto Transit Commission is primarily due to higher cost of employee benefits. However, over-achieved revenue, primarily from increased ridership, will offset the gross over-expenditure, resulting in a zero net variance. Toronto Zoo anticipates a net over-expenditure of \$1.2 million or 16.1 percent at year-end, primarily due to a revenue shortfall arising from lower attendance.

#### (9) Corporate Accounts

	Variances (\$ Millions)	
	Net to 30-Sep-00 Over/(Under)	Net Projection to Dec. 31, 2000 Over/(Under)
<b>Corporate Accounts</b>		
Consolidated Grant Program	3.5	0.0
Capital and Corporate Financing	0.2	0.0
<b>Non-Program Expenditures</b>		
Tax Deficiencies/Write-offs	(24.5)	(36.3)
Downloading – Assessment Function	0.0	0.0
Temporary Borrowing	(0.1)	0.0
Funding of Employee Related Liabilities	(26.8)	0.0
Contingency	(0.6)	0.0
Other Corporate Expenditures	(1.0)	0.0
Insurance Premiums & Claims	(1.9)	0.0
OMERS Surplus	4.9	0.0
Parking Tag Enforcement & Oper.	(1.6)	(2.1)
Recovery: Local Services Realignment	<u>(6.0)</u>	<u>0.0</u>
Total: Non Program Expenditures	(57.7)	(38.3)
<b>Non-Program Revenue</b>		
Payments in Lieu of Taxes	(25.6)	35.5
Supplementary Taxes	3.8	(23.2)

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Tax Penalties	16.9	19.5
Interest/Investment Earnings	1.0	0.0
Prior Year Surplus	(1.3)	(1.3)
Other Corporate Revenues	3.3	1.2
Parking Authority Revenues	11.0	(1.2)
Recoveries from Water	0.0	0.0
Downloading – Provincial Offences Act	0.0	0.0
Parking Tag Enforcement & Oper.	<u>3.0</u>	<u>4.0</u>
Total: Non Program Revenues	11.9	34.4
Total Variance	(42.0)	(3.9)

Corporate Accounts are projected to be \$3.9 million under-budget at year end. Under-expenditures in Non-Program Expenditures (\$38.3 million) are projected to be offset by an under achievement of Non-Program Revenue (\$34.4 million).

The projected year-end below budget net expenditure, totaling \$38.3 million in Non-Program Expenditures is primarily due to an under-expenditure in Tax Deficiencies/Write-offs (\$36.3 million). The under-expenditure is related to the actual appeals and tax write-offs processed in 2000.

The Contingency budget has been fully committed and the following table summarizes all known commitments against Contingency, up to and including October 5, 2000.

	\$000's
Approved Contingency Provision for 2000	7,662.1

Approved Draws

<u>Date</u>	<u>Authority</u>	<u>Purpose</u>	
Feb. 1-3	P&F	City's share of funding for the Toronto Waterfront	500.0
	Rpt.#2, Cl.#15	Revitalization Task Force	
Feb. 1-3	S.C. Council	Reimburse the Building Permit fee paid by the Society	8.1
	Rpt.#1, Cl.#13	for the construction of the Buddhist Centre and Monastery (Ward 16 - Scar. Highland Creek)	
Apr. 11-13	Notices of	Grant to FCM for legal costs to pursue CRTC action	90.0
	Motions-Item J	against Ledcor	
June 7-9	CSC	Water bottling program for emergency use	25.0
	Rpt.#5, Cl.#5		
June 7-9	Notices of	Grant to "Friends of Fort York" for the Canada Tall	20.0

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	Motions-Item J	Ship and Re-enactment event	
July 4	P&F Rpt.#9, Cl.#1	Provincial Local Services Re-Alignment, Making It Work, third party auditor	20.0
July 20	P&F Rpt.#10, Cl.#33	Union Station Acquisition – The retainer of Davies Ward & Beck to be continued with the necessary funds up to 200.0	200.0
Aug. 1-4	P&F Rpt.#10, Cl.#49	Toronto Rochester Fast Ferry, request for Proposals Process (Don River) City Council provide up to \$50.0 U.S. as our contribution toward this intern'l initiative.	75.0
Aug. 1-4	P&F Rpt.#8 Motion J#2	Provide a one time grant of 1.5 to the Stanley Knowles Housing Co-op	1.5
Aug. 1-4	P&F Rpt.#10, Cl.#54	Road & Trail Safety Ambassadors – funds in the amount of 75.0 be provided, in order for this program to continue, having regard to anticipated funding from Human Resources & Dev. Canada not being confirmed.	75.0
Oct. 3-5	P&F Rpt.#17, Cl.#1	"3Rs Implementation Plan for the City of Toronto". Apartment retrofit (80.0); special purpose packers (200.0); flyers and advertising (200.0)	480.0
Oct. 3-5	P&F Rpt.#9 Cl.#10	Application for special legislation, entitled "An Act to Protect Rental Housing Units from Demolition in the City of Toronto"	6.5
Oct. 3-5	P&F Rpt.#12 Cl.#38	World Youth Day Conference & Papal Visit in 2002.	158.5
Oct. 3-5	P&F Rpt.#12 Cl.#5	'Operation Save a Life' Gun Amnesty/Buyback Program	60.0
Oct. 3-5	Certif. of Amend Notice of Motions Under Item J (8)	One-time emergency subsidies: Weston Minor Hockey Assc. & Weston Figure Skating Assc.	41.5
Oct. 3-5	P&F Rpt.#12 Cl.#11	2001 Tax Policy Implementation	500.0
Oct. 3-5	P&F Rpt.#12 Cl.#19	Pesticide Replacement Program	125.0
Oct. 3-5	P&F Rpt.#12 Cl.#39	Amalgamation of Film Permitting Services: one-time start-up costs	65.0
Oct. 3-5	Notice of Motions Under Item J (27)	Options for Tax Relief for Non-Profit Organizations for 1998, 1999 and 2000 - one-time allocation to Grants Contingency (pending)	289.0
Oct. 3-5	Notice of Motions	Oak Ridges Moraine – additional funding from \$1,257.0	580.0



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	Under Item J (65)	in 1999 to \$1,837.0	
Oct. 3-5	P&F	Toronto Zoo - one-time request for maintenance and	300.0
	Rpt.#12, Cl.#21	Repair items	
Oct. 3-5	P&F	NYPAC/Livent Inc. matters	100.0
	Rpt.#12, Cl.#44		
	Strike related expenses		3,874.6
		Total Committed as at October 5, 2000	7,594.7
		Balance available as at October 5, 2000	67.4

The under achievement of Non-Program Revenues is primarily the net result of the following variances:

(a) Payments in Lieu of Taxes:

All payments in lieu levies (with the exception of acreage-based levies) have been billed to date. The projected year-end unfavourable budget variance of \$35.5 million is due to reductions in revenue for Ontario Hydro accounts (\$28.0 million), for other PIL accounts (\$4.0 million) and other lower than expected net revenue (\$3.4 million). The Supplementary taxes includes \$14.8 million in tax revenues relating to these converted payments in lieu accounts for a net revenue reduction of \$20.7 million for the City for these properties.

(b) Tax Penalties:

The \$16.9 million unfavourable budget variance as at September 30, 2000, is due to a reduction in outstanding taxes receivable.

(c) Parking Tag Enforcement and Operations:

A revenue shortfall of \$4.0 million or 6.4 percent of budget is projected at year-end. This is related to delayed implementation of the Drove Away Project (\$0.5 million) and the Fine Enhancement Project (\$3.0 million) and lower than budgeted tag issuance.

(d) Supplementary Taxes:

Offsetting the above revenue shortages in Payments-in-Lieu taxes is an anticipated \$23.2 million over achievement in supplementary tax revenues. Included in the supplementary levies is a one-time switch over of \$14.8 million attributed to payment-in-lieu properties that are now converted to taxable properties.

(10) Billing Gain

All taxation levies (with the exception of acreage based tax levies) have been billed to date. 2000 tax revenues are projected to be marginally higher than budget, reflecting a small billing gain of \$5.0 million or 0.2 percent.

Non-Tax Supported Operations

(1) Toronto Parking Authority

The Toronto Parking Authority is reporting a favourable year-to-date net expenditure of \$1.3 million (estimated based on 9/12 proration of year-end projection) and is projecting a net expenditure of zero at year-end (after contributions to City operations and retained earnings) from combined off-street and on-street operations.

The year-to-date gross expenditures shown in Appendix A exclude contributions to City operations and retained earnings. The 2000 full year gross expenditure projections reflect estimated contributions to City operations and Toronto Parking Authority retained earnings.

(2) Water and Waste Water

As at September 30, 2000, year-to-date gross expenditures are \$6.6 million (3.5 percent) above the approved estimate. This variance is primarily due to timing differences in expenditures. Delays in posting revenues accounted for a majority of the revenue shortfall of \$8.6 million or 3.1 percent, resulting in a net variance of \$15.2 million or 16.3 percent above budget.

Water and Waste Water is projecting a gross under-expenditure of \$11.2 million or 2.5 percent at year-end. This under-expenditure is primarily due to a favourable salary variance (\$2.1 million), savings in Technical and Support Services charges (\$2.3 million) and lower non-salary expenditures (\$6.7 million).

Conclusion:

The September 2000 operating variance report indicates that the overall expenditure level for the City of Toronto is within the approved budget for City departments, Special Purpose Bodies and Corporate Accounts. The City's projected operating surplus at year-end will be \$57.6 million or 2.2 percent of the budget. However, proposed reserve fund transfers of \$30.4 million for Community and Neighbourhood Services' purposes would reduce the year-end surplus to \$27.2 million or 1.0 percent.

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List of Attachments:

Appendix A – Gross Expenditures  
Appendix B – Gross Revenues  
Appendix C – Net Expenditures  
Appendix D – Technical Adjustments

(A copy of the appendices referred to in the foregoing report is on file in the office of the City Clerk.)

**ATTACHMENT NO. 6**

Report dated November 29, 2000, from the City Solicitor, entitled “1000 Finch Avenue West and 4580 Dufferin Street – decision of Ontario Municipal Board, Ward 10 York Centre”. (See Minute No. 1.19, Page 28.)

Purpose:

To: (1) report upon the Ontario Municipal Board decision respecting 1000 Finch Ave. W. and 4580 Dufferin Street, and (2) obtain authority for such escrow arrangements as the City Solicitor and the Chief Financial Officer & Treasurer consider appropriate to facilitate the payment of the outstanding taxes.

Financial Implications and Impact Statement:

The adoption of this report has no financial implications or impact for the City. It requires no funding. However, it addresses the obligation of the owner of 1000 Finch Avenue West and 4580 Dufferin Street to pay outstanding property taxes.

Recommendation:

It is recommended that the City enter into such escrow arrangements as the City Solicitor and Chief Financial Officer and Treasurer consider appropriate to facilitate the payment of the outstanding taxes and thereby satisfy the condition imposed by the Ontario Municipal Board.

Background:

The owner of the lands municipally known as 1000 Finch Avenue West and 4580 Dufferin Street (the “Site”) submitted an application (the “Severance Application”) to the Committee of Adjustment for consents (the “Consents”) to sever the Site into five (5) parcels. The owner also submitted a variance application (the “Variance Application”) to the Committee for associated variances (the “Variances”) from the Zoning By-law. As the Committee of Adjustment deferred these applications, the owner appealed the applications to the Ontario Municipal Board (the “Board”). The Site is subject to a Tax Arrears Certificate, which was registered on March 3, 2000, and the City’s concern with respect to the appeals arose from the outstanding property taxes, which, together with penalties, interest and associated costs are \$11,515,872.98 as of November 30, 2000.

Comments:

The Board heard the appeals on November 28, 2000, at which time counsel for the owner and counsel for the City jointly submitted Minutes of Settlement whereby the City agreed to withdraw its opposition to the appeals provided that the Board, in allowing the appeals,

granted the Consents and Variances subject to the conditions (the "Condition") set out in the Minutes of Settlement. The Board agreed and imposed the requested Condition. This means that, prior to the Board permitting registration of the deeds which would sever the Site into the five (5) parcels requested by the owner, the owner must first pay the cancellation price in respect of the Tax Arrears Certificate, and any such additional municipal taxes, tax arrears, penalties, interest and associated costs as may arise after the payment of the cancellation price.

The Minutes of Settlement clearly state that the City's conditional agreement, (1) does not prejudice the rights of the City to collect the outstanding taxes, and (2) does not in any way constitute an extension agreement in respect of the Tax Arrears Certificate.

Now that the Board has imposed the Condition requested by the City, the owner's solicitor has asked City officials to consider an escrow arrangement, if one is needed, to pay the taxes and thereby satisfy the Condition imposed by the Board. An escrow arrangement may be to the City's benefit, as it may facilitate the payment of the outstanding taxes, and I am, therefore, recommending that the City enter into such escrow arrangements as the City Solicitor and Chief Financial Officer and Treasurer consider appropriate.

An escrow is essentially an arrangement under which a third party, the escrow agent, receives certain documents or monies and holds them until such time as the terms of the escrow are satisfied. The terms of the escrow can be whatever the parties to the escrow arrangement stipulate. In this case, it is likely that an escrow agent, a law firm satisfactory to the City Solicitor, would probably be asked to receive and hold, (1) all property tax arrears, (2) the release of the Tax Arrears Certificate, and (3) the City's confirmation to the Board that the tax arrears have been paid and the Condition thereby satisfied. These would then be released by the escrow agent upon instructions from the City Solicitor. The precise wording of any such escrow agreement would be to the satisfaction of the City Solicitor and the City's Chief Financial Officer and Treasurer.

Conclusions:

The City should enter into such escrow arrangements as the City Solicitor and the Chief Financial Officer and Treasurer consider appropriate to facilitate the condition imposed by the Ontario Municipal Board regarding the payment of outstanding property taxes by the owner of 1000 Finch Avenue West and 4580 Dufferin Street.

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### **ATTACHMENT NO. 7**

Joint Report dated December 1, 2000, from the Commissioner of Community and Neighbourhood Services, Commissioner of Corporate Services and City Solicitor, entitled "Interim Authority Related to the Transfer of Metropolitan Toronto Housing Authority to the City of Toronto on January 1, 2001". (See Minute No. 1.21, Page 31.)

#### Purpose:

To report back to Council on the proposed Social Housing Reform Act, 2000 (the "Act") and take the necessary action required under the proposed legislation. To obtain interim authority, until such time as Council decides on the future structure of the public housing corporations, for the City to become the sole shareholder and funder of the successor corporation to the Metropolitan Toronto Housing Authority (MTHA) on January 1, 2001.

To explain the recommendation going forward in the interim appropriations for the 2001 budget associated with the direct funding and administration of the new successor corporation to MTHA, including the receipt of the MTHA federal subsidy via the Province as of January 1, 2001.

#### Financial Implications and Impact Statement:

The City share of subsidies to MTHA, which comprise part of the current monthly billings from the Province, will become a direct City transfer to MTHA, with no anticipated immediate net operating budget impact. However, the gross operating budget will be increased as a result of the receipt of the federal subsidy associated with MTHA starting January 1, 2001. The City's share of the gross provincial bill will be reduced to reflect the adjustment for MTHA, effective January 1, 2001.

The City of Toronto will commence program administration and funding of MTHA starting January 1, 2001. Staff are still awaiting the approved MTHA budget from the Province, to determine any further financial impact for 2001.

The report dated November 16, 2000, from the Chief Financial Officer and Treasurer, entitled "2001 Interim Operating Budget Estimates", recommends an interim appropriation of \$179.3 million for Shelter, Housing and Support. Included in this amount is approximately \$128 million for Social Housing. Once a full financial analysis of the cash flow requirements of MTHA is conducted, staff will report back to the February meeting of the Policy and Finance Committee on any required adjustments to the interim appropriation of Shelter, Housing and Support.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that, upon the Social Housing Reform Act, 2000 being proclaimed:

- (1) the City and its local housing corporation (LHC) established under the proposed Act enter into a Memorandum of Understanding, in a form and content satisfactory to the Commissioner of Community and Neighbourhood Services and the City Solicitor, for the purpose of ensuring that the operations of the local housing corporation maintain the status quo so that it operates as if the Metropolitan Toronto Housing Authority continued to exist, until such time as City Council considers the governance structure of the company;
- (2) the Commissioners of Community and Neighbourhood Services and Corporate Services and the City Solicitor, in consultation with other appropriate City officials, report to the February meetings of the Community Services Committee and the Policy and Finance Committee to provide recommendations for the long-term operation and structure of the local housing corporation created under the proposed Act to replace the Metropolitan Toronto Housing Authority, and
- (3) the appropriate City officials be authorized and directed to take the necessary action to effect thereto.

Background:

This is a follow-up report to the report dated August 30, 2000, from the Commissioner of Community and Neighbourhood Services entitled, "Provincial Announcements on Social Housing Devolution", and the report dated September 12, 2000, from the Commissioner of Community and Neighbourhood Services and the City Solicitor, entitled "Transfer of Ownership and Title of Public Housing Stock", which were adopted by Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 10, 11 and 12, 2000. Staff are seeking interim authority to take the necessary steps required for the transfer of the public housing stock, through a shared capital corporation, to the City of Toronto, January 1, 2001.

In late 1997 the Province passed the Social Housing Funding Act, which gave it the power to bill municipalities for the cost of social housing, including public housing (MTHA). Since January 1998, the City of Toronto has been paying the former provincial share of the costs of social housing. The Ministry of Municipal Affairs and Housing (MMAH) continues to

administer the social housing portfolio and bills the City of Toronto for their share of the costs.

With the introduction of the proposed Act, the City will be responsible, after devolution, for 95,400 units of social housing. Presently, publicly-owned units make up 60 percent of all units, with 29,400 for MTHA, and 28,400 in Toronto Housing Company (THC) units. The remaining 31,150 units are owned by some 230 non-profit and co-operative housing organizations. In addition, there are 2,300 “rent supplement” units in buildings owned by about 120 private landlords and administered by OHC through MTHA, plus an additional 4,100 privately-owned Limited Dividend units presently administered by the federal government through Canada Mortgage and Housing Corporation.

The proposed Act was introduced into the Provincial Legislature on October 12, 2000. The Act is expected to be proclaimed by December 31, 2000, and, among other things, will legislate the transfer of responsibility for social housing to the City of Toronto in two stages. First, the Metropolitan Toronto Housing Authority (MTHA) will be transferred to a new business corporation “as is”, including all staff, assets, liabilities and funding responsibilities, with the City as the sole shareholder, on January 1, 2001. The second stage of the transfer will occur within 18 months of proclamation and involve the transfer of the program administration and funding (but not ownership or direct management) of the remaining 230 non-profit and co-operative housing providers. The legislation requires that the City prepares a Council-approved “transfer plan” for the second stage of devolution, within five months of the legislation being proclaimed.

Comments:

The Commissioner of Community and Neighbourhood Services was given authority, through the recommendations in the staff reports to the Community Services Committee (August 30, 2000 and September 12, 2000) entitled, respectively, “Provincial Announcements on Social Housing Devolution” and “Transfer of Ownership and Title of Public Housing Stock”, which were adopted by Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 10, 11 and 12, 2000, to prepare a formal response to the social housing legislation once introduced. A formal response was prepared representing previously endorsed Council positions and concerns. The past chair of the Community Services Committee, Councillor Brad Duguid, presented the City’s deputation at the public hearings of the Justice and Social Policy Committee of the provincial legislature on November 20, 2000. Despite the many concerns expressed by the sector organizations, non-profit groups, other municipalities and the Association of Municipalities of Ontario (AMO) at the hearings, the provincial government has continued to press forward on the social housing legislation, with proclamation expected by December 31, 2000.



On January 1, 2001, MTHA (public housing portfolio of 29,400 units) will be transferred to a Local Housing Corporation (LHC) with the City as the sole shareholder. The membership of the Board of Directors of the LHC will remain the same as the existing MTHA board, until such time as Council appoints new members. As well, all MTHA staff will be transferred, together with the vast majority of their existing employment rights and benefits and/or existing service contracts. The staff being transferred will be employees of the LHC Board, not the City, in the first instance. The transfer also includes the title and ownership of all properties and the existing operational responsibilities for the programs MTHA presently delivers.

The timeframe for taking on this responsibility is very tight. All the details of the legislation and regulations have not yet been finalized. Interim arrangements are necessary that will allow MTHA to function "as is", until such time as Council has been briefed on the full implications of the legislation and Council decides on the future governance structures for the new LHC, especially as it pertains to its relationship with the Toronto Housing Company. The recommendations in this report represent a status quo position, while respecting requirements of the legislation. A detailed report, with future options, will be submitted to the February meetings of the Community Services and Policy and Finance Committees.

The MTHA transfer is not expected to have any significant, immediate net financial impact. The gross operating budget will be increased by the federal subsidy associated with MTHA which will flow directly to the City, via the province, starting January 1, 2001. The separation of MTHA from the OHC system will affect (probably downward) the OHC charge-backs for central support services, but the City may incur costs related to inherited employee and labour relations proceedings. Staff will report back in more detail to the Community Services and Policy and Finance Committees in February.

Interim budget approval for the period from January 1, 2001, to April 30, 2001, is addressed in the report from the Chief Financial Officer and Treasurer dated November 16, 2000, titled "2001 Interim Operating Budget Estimates". Staff will report to the February Policy and Finance Committee meeting on any adjustments required to the interim appropriation. The authority, as required by the legislation, is for the City to fund directly the successor corporation to MTHA starting January 1, 2001.

In addition, staff are requesting authority to enter into a Memorandum of Understanding (MOU) with the newly established housing corporation (LHC) until such time as a more detailed report on the options for the future governance structure for the new LHC is approved by Council.

Conclusions:

The Social Housing Reform Act, 2000 is expected to receive Royal Assent and be proclaimed (become law) by December 31, 2000. As prescribed under the legislation, the City will take on responsibility for the successor corporation to the Metropolitan Toronto Housing Authority (MTHA) on January 1, 2001. Staff are therefore seeking interim approval and authority to take the necessary action to meet the requirements under the proposed Act and to meet the general authorities required by the City.

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**ATTACHMENT NO. 8**

Report dated November 30, 2000, from the Commissioner, Works and Emergency Services, entitled "Adjustment to 2000 Toronto Emergency Medical Services Budget". (See Minute No. 1.22, Page 40.)

Purpose:

The purpose of this report is to request City Council to adjust the 2000 Toronto Emergency Medical Services operating budget to reflect increased funding from the Ministry of Health to offset increased operating expenses.

Financial Implications and Impact Statement:

There is no financial impact on the 2000 Operating Budget. Ongoing financial impact on future operating budgets will be addressed as required.

Recommendations:

It is recommended that:

- (1) the Toronto Emergency Medical Services operating budget be increased by \$126,500.00 and the provincial grant be increased by the corresponding amount; and
- (2) appropriate city officials be given the authority to give effect thereto.

Comments:

Toronto Emergency Medical Services has had ongoing discussions with the Ministry of Health regarding the need for Quality Assurance. This involves 100 percent data entry of all patient charts completed by paramedics. The creation of this data will allow for greater quality assurance and research capabilities. The Ministry has agreed to flow Toronto E.M.S. \$126,500.00 to address these issues.

Conclusion:

The increase to the Toronto Emergency Medical Services 2000 Operating Budget is offset by a corresponding increase in funding from the Ministry of Health.

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#### **ATTACHMENT NO. 9**

Joint report dated November 17, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled "Contract Awards for Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing Within Various Locations of District 3 and District 4 (Various Wards)". (See Minute No. 1.23, Page 41.)

#### Purpose:

The purpose of this report is to have Council award contracts for the Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing for the 2001/2002 and 2002/2003 Winter Seasons within various locations of District 3 and District 4, in accordance with the specifications required by the Works and Emergency Services Department, and to have Council ratify certain contracts awarded by the Bid Committee.

#### Source of Funds:

Funds to cover the cost of the work for District 3 and District 4 will be available in the Transportation Services, Road Operations, Operating Budget Accounts for the three year period of the contracts. Funds for the 2000/2001 Winter Season have been provided in the 2000 Operating Budget and funds will be included in the subsequent years' Operating Budget submission for each required portion of the contract period.

#### Recommendations:

It is recommended that:

- (1) contracts for the Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing for the 2001/2002 and the 2002/2003 Winter Seasons be awarded to the firms shown in appendix "A", attached, having been awarded the contracts for the 2000/2001 Winter Seasons by the Bid Committee at its meetings of October 18, 2000, and October 20, 2000, being the lowest bidder meeting specifications in each case; and
- (2) Council ratify contracts for the Winter Maintenance on Roads, for the 2001/2002 and 2002/2003 Winter Seasons awarded by the Bid Committee at its meeting of September 13, 2000, to Furfari Paving Company Limited, for the North West Quadrant of District 4 as detailed in Appendix "A", attached, and to 961488 Ontario Limited O/A Sanan Construction for the North East Quadrant of District

4 as detailed in Appendix "A", attached, being the lowest bidder meeting specifications in each case.

Background:

The Bid Committee at its meetings of October 18, 2000, and October 20, 2000, received recommendations from the Commissioner of Works and Emergency Services and Director of Purchasing and Materials Management to award contracts, as detailed in Appendix "A" for the Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing within various locations of District 3 and District 4, in accordance with specifications required by the Works and Emergency Services Department for three years, during the 2000/2001 to 2002/2003 Winter Seasons.

Multi-year contracts have been typically necessary to ensure that winter maintenance programs are financially feasible. Contractors operating these programs require a number of years to be able to underwrite the significant financial commitment they undertake. This commitment relates to the purchase/lease and maintenance of equipment, as well as the hiring and retention of appropriate qualified staff for the duration of the winter seasons. Multi-year contracts also provide continuity in the provision of the levels of service specified for winter maintenance.

Comments:

The authority extended to the Bid Committee under By-law No. 617-2000 allows the Bid Committee to award contracts, where funds are available in the appropriate departmental accounts, during summer recess, the Election period and when meetings of Standing Committees or Council are not held. Approval of contracts, where funding has not yet been provided, must be made by Council.

The recommendations for contract awards detailed in Appendix "A" included funding that was available in the Works and Emergency Services Department operating accounts for the 2000/2001 winter season only; as such the Bid Committee awarded contracts for the 2000/2001 winter season to the lowest bidder meeting specifications in each case and requests Council to award contracts for the 2001/2002 and 2002/2003 Winter Seasons, subject to the appropriate funds being included in the subsequent years' Works and Emergency Services Department Operating Budget submission for each required portion of the contract period.

The Bid Committee at its meeting of September 13, 2000, awarded the three-year contract for winter road maintenance in the North West Quadrant of District 4 to Furfari Paving Co. Ltd. in the total amount of \$1,761,185.76, and for the North East Quadrant of District 4 to

961488 Ontario Limited O/A Sanan Construction in the total amount of \$ 1,816,064.99, being the lowest bidder meeting specifications in each case. Council ratification of the Bid Committee's action is required.

Conclusion:

This report requests that Council award contracts for the Winter Maintenance on Roads, Snow Ploughing and Driveway Windrow Clearing for the 2001/2002 and 2002/2003 Winter Seasons within various locations of District 3 and District 4 to firms detailed in Appendix "A", attached, having been awarded the contracts for the 2000/2001 Winter Seasons by the Bid Committee and being the lowest bidder meeting specifications in each case.

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**ATTACHMENT NO. 10**

Report dated December 6, 2000, from the Chief Financial Officer and Treasurer, entitled "2001 Interim Levy By-law". (See Minute No. 1.25, Page 44.)

Purpose:

To obtain Council authority for the adoption of a by-law for the levying and collection of 2001 interim realty taxes. The report also requests Council's authority to utilize the provisions in Subsection 370 (7.1) of the Municipal Act to permit the 2001 interim levy on residential properties owned by eligible low income disabled or low income seniors for tax deferrals under the City's Property Tax Deferral Program to be based on the amount levied in 2000 less the deferral.

Financial Implications:

The approval of this report and the enactment of the draft by-law will provide for the cash requirements of the City until the final 2001 Operating Budget is approved by Council in April 2001.

Recommendations:

It is recommended that:

- (1) the interim levy for all property classes (residential, commercial, industrial and multi-residential), be based on 50 percent of the total 2000 taxes billed for each property;
- (2) the amounts of the 2001 interim levy to be levied on residential properties owned by eligible low income disabled or low income seniors be based on the amount levied in 2000 less any amount of taxes that have been deferred in 2000 under the City's Property Tax Deferral Program; and
- (3) authority be granted for the introduction of a bill in Council in the form or substantially in the form of the draft by-law attached hereto, providing for the levying and collection of 2001 interim realty taxes, prior to the adoption of the estimates for 2001.

Background:

The 2001 interim levy by-law must be adopted by Council in 2000, in order to permit sufficient time for processing and production of tax bills and to provide taxpayers with due notice for interim bill payment.

In 2000, for the residential property class, the interim levy was based on a rate applied against the assessed value of the property. The total amount raised could not be more than 50 percent of the total amount raised in the prior year for all properties within that class. This meant that, for the residential/farm property class, the interim taxes for 2000 were calculated by applying 50 percent of the 1999 tax rate against the assessed value as returned on the 2000 assessment roll.

With the 2001 re-assessment, the Current Value Assessment base year will shift from 1996 to 1999. Individual assessments may change significantly, due to increases in real estate values. If the interim levy is calculated as in 2000, taxpayers may experience increases in their 2001 interim bills prior to Council's consideration of 2001 tax policies. As a result, Council requested that the provincial legislation be changed to allow, in 2001 and for subsequent years, the interim billing of all property classes, including residential, to be no more than 50 percent of the final billing of the previous year.

Bill 140, the Continued Protection for Property Taxpayers Act, 2000, contains legislative amendments which would enable the City to levy interim taxes for the residential/farm property class at 50 percent of 2000 taxes on a per property basis. This billing method is consistent with that used for the capped property classes in 2000. For 2001, the interim levy for the capped classes will be calculated on the same basis as was done in 2000.

The Province has assured City staff that Bill 140, which provides, among other things, the legislative authority to base the 2001 interim levy on 50 percent of the prior year's levy on a property basis for all property classes, will receive Royal Assent before year-end. On that basis, and for the reasons noted in this report, I am recommending that Council adopt this report and the interim levy by-law in the form of the draft by-law attached to this report.

Comments:

Current legislative authority to bill interim taxes for 2001 prohibits the City from levying an amount based on 50 percent of the prior year's levy by property. The City sought provincial changes to permit it and other Ontario municipalities to base the 2000 interim levy on 50 percent of the prior year's levy, on a property basis, for the residential class. The taxation legislation was not amended to make the change for the 2000 taxation year. However, Bill 140, the Continued Protection for Property Taxpayers Act, 2000, which was introduced for first reading on November 16, 2000, does contain the necessary provisions to permit the billing of 2001 interim taxes at 50 percent of the prior year's taxes levied against each property for all classes. At the time of the drafting of this report, Bill 140 had received third reading in the Legislature on December 4, 2000. Provincial staff have assured City staff that Bill 140 will receive Royal Assent before year end.



Properties eligible for tax deferrals, under the City's Property Tax Deferral Program, will also be levied on the basis of 50 percent of the amount levied in 2000, less any deferred amount. Subsection 370 (7.1) of the Municipal Act provides that, if the Council of the municipality is of the opinion that the interim rates levied under subsection 370(1) on a property are too high or too low in relation to its estimates of the total taxes that will be levied on the property, Council may adjust the interim taxes on a property to the extent it considers appropriate. It is recommended that Council use the authority under this section to permit the 2001 interim levy to be based on 50 percent of the 2000 taxes levied for these properties, less the deferral, for which a deferral was received in 2000. This will ensure the deferral amount is not included in the 2000 tax amount.

Given the changes brought about by Bill 140, Council must review its existing policy with respect to deferrals and enact a new by-law under the new legislation. A report will be forthcoming to Council, early in the new year, to address this issue.

Conclusion:

The Interim Levy By-law will provide for the cash requirements of the City until Council approves the 2001 Operating Budget in April, 2001.

Due to the issues and concerns noted in this report and the need for Council to pass the 2001 Interim Levy By-law in 2000, it is recommended that the draft by-law attached hereto as Appendix A, which has been prepared in accordance with the proposed amendments to the Act, be enacted. The attached draft by-law provides for the levying and collection of interim taxes for the year 2001 for all properties to be based on 50 percent of the 2000 taxes billed for each property.

The draft by-law provides that it will come into force on the 1st day of January, 2001 or the date that the Continued Protection for Property Taxpayers Act, 2000 receives Royal Assent, whichever date is later.

Reports on tax policies, including a new deferral program for eligible low income seniors or disabled, will be forthcoming to Council early in the new year.

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(A copy of the Appendix to the foregoing report is on file in the office of the City Clerk.)