

IN THE MATTER OF THE TORONTO EXTERNAL CONTRACTS INQUIRY

**AFFIDAVIT OF MARGARET LEWIS**

I, **MARGARET LEWIS**, of the City of Toronto, in the Province of Ontario, make oath and say as follows:

1. I am a Committee Secretary in the City Clerk's Office of the City of Toronto, and as such have knowledge of the matters hereinafter deposed to.
2. I have conducted a search of the records of the former City of North York held by the Clerk's Office for documents relating to a direction to staff not to participate in any amalgamation activities. I searched the Council and Management Committee Minutes/Reports for 1995, 1996 and 1997.
3. I was unable to find any Council or Management Committee documents that contained a direction to staff not to participate in any amalgamation activities.
4. Minute 1 of the City of North York Council meeting on January 16, 1997 enacted By-law No. 32917, being a by-law to conduct a referendum on March 3, 1997. Attached hereto as Exhibit 'A' is a copy of Minute 1 of the January 16, 1997 Council meeting. Attached hereto as Exhibit 'B' is a copy of By-law No. 32917.

5. Minute 86 of the City of North York Council meeting held on March 5, 1997 contained the results of the referendum. Attached hereto as Exhibit 'C' is a copy of Minute 86 of the March 5, 1997 Council meeting.

SWORN BEFORE ME in the )  
City of Toronto, in the Province )  
Of Ontario, this 28<sup>th</sup> day of )  
October, 2004 )

  
\_\_\_\_\_ )

A Commissioner, etc.

Dore Schwertner Moore, a Commissioner, etc.,  
City of Toronto, for the City of Toronto.  
Expires January 26, 2007.

  
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MARGARET LEWIS

**EXTRACT FROM THE MINUTES OF THE MEETING OF  
NORTH YORK COUNCIL HELD ON  
MARCH 5, 1997**

86. Leave having been granted for the introduction of an additional item by Councillor Rizzo, Council considered the following:

**PROVINCIAL GOVERNMENT - BILL 103.**

It was moved by Councillor Rizzo, seconded by Mayor Lastman, that:

WHEREAS the residents of Metropolitan Toronto voted overwhelmingly (76%) to oppose a megacity in the referendum completed on March 3, 1997;

AND WHEREAS the results of the referendum in the City of North York indicated that 79.4% opposed amalgamation;

AND WHEREAS the citizens of North York have sent a clear message to its political representatives that the City of North York should not be eliminated and merged with five other municipalities into a megacity;

AND WHEREAS the residents of North York have the most to lose in a megacity;

THEREFORE BE IT RESOLVED that the City of North York oppose Bill 103;

AND BE IT FURTHER RESOLVED that the City of North York demand Premier Harris and his government to withdraw Bill 103 immediately;

AND BE IT FURTHER RESOLVED that a copy of this motion be forwarded to the area municipalities, The Premier of Ontario, the Minister of Municipal Affairs and Housing and leaders of the opposition parties.

A recorded vote on the motion moved by Councillor Rizzo, seconded by Mayor Lastman, was as follows:

FOR: Mammoliti, Severino, Li Preti, Di Giorgio, Rizzo, Berger, Feldman,  
Lastman, Flint, Fillion, Sutherland

AGAINST: NIL

ABSENT: Summers, Yuill, Minnan-Wong, Shiner

Carried

**EXTRACT FROM THE MINUTES OF THE MEETING OF  
NORTH YORK COUNCIL HELD ON  
JANUARY 16, 1997**

**1. REFERENDUM - MEGACITY**

In considering this matter, Council had before it the following report and communications:

(January 16, 1997) from the City Clerk;

(January 7, 1997) from Ms. Linda Tomey, President, Labour Council of Metropolitan Toronto and York Region, 15 Gervais Drive, #407, M3C 1Y8;

(January 8, 1997) from Mr. Howard Hampton, Leader, Ontario New Democratic Party, Room 381, Main Legislative Building, Queen's Park, Toronto, M7A 1A5;

(January 8, 1997) from Mr. John Cartwright, Business Manager, Building & Construction Trades Council, 15 Gervais Drive, #801, M3C 1Y8;

(January 12, 1997) from Mr. Lee White, President, Bayview Village Association, Bayview Village Postal Outlet, P.O. Box 91065, M2K 1H0;

(January 13, 1997) from Mr. Brian Cochrane, President, North York Civic Employees Union, Local 94 C.U.P.E. and Ms. Christina Duckworth-Pilkington, President, North York Public Library Employees Union, Local 771 C.U.P.E., 1170 Sheppard Avenue West, Unit 3, M3K 2A3;

(January 10, 1997) from Ken and Ada Stephenson, 155 Church Avenue, M2N 4G4; and

(January 10, 1997) from Rev. and Mrs. Roland de Comeille, 9 Bernick Road, M2H 1E3.

It was moved by Councillor Summers, seconded by Councillor Shiner, that the report (January 16, 1997) from the City Clerk, be received; and that By-Law No. 32917 being a by-law to conduct a referendum on March 3, 1997 with authorization to use the alternative method of voting by telephone, be enacted.

A recorded vote on the motion moved by Councillor Summers, seconded by Councillor Shiner, was as follows:

FOR: Mammoliti, Severino, Li Preti, Di Giorgio, Rizzo, Berger, Feldman, Lastman, Flint, Summers, Yuill, Filion, Minnan-Wong, Shiner and Sutherland

AGAINST: NIL

ABSENT: NIL

Carried Unanimously

(See By-law No. 32917)

**CITY OF NORTH YORK**

**BY-LAW NUMBER 32917**

**A By-law for Conducting a Referendum on March 3, 1997.**

**WHEREAS** the Government of Ontario has introduced legislation to create a new City of Toronto by eliminating the City of North York, the other five area municipalities, and the Municipality of Metropolitan Toronto;

**AND WHEREAS** learning the views of North York's citizens on this important municipal question would assist Council in determining the correct course for its future actions with respect to this legislation;

**AND WHEREAS** the *Municipal Elections Act, 1996*, contains procedures for by-elections submitting questions to the electors;

**AND WHEREAS** Council considers it expedient, consistent with the principles of the *Municipal Elections Act, 1996*, to conduct a referendum to learn the views of North York's citizens;

**THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH YORK HEREBY ENACTS AS FOLLOWS:**

1. In this By-law all undefined terms shall have the meanings ascribed to them by the *Municipal Elections Act, 1996*.
2. The following referendum question shall be submitted to the electors:

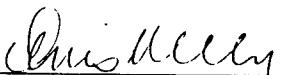
**"Are you in favour of eliminating the City of North York and all other existing municipalities in Metropolitan Toronto and amalgamating them into a Mega-City?"**
3. Voting day on the referendum question shall be March 3, 1997
4. Electors shall be authorized to use the alternative method of voting by telephone that does not require electors to attend at a voting place in order to vote.
5. (1) At least 30 days before voting day, the City Clerk shall establish procedures and forms for the use of the alternative method of voting by telephone which procedures and forms shall be consistent with the principles of the *Municipal Elections Act, 1996*, and shall be public documents.

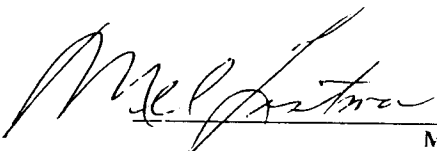
- (2) Notwithstanding Section 7 of this By-law, the procedures and forms established by the City Clerk prevail over anything in the *Municipal Elections Act, 1996* and any regulations made under it.
6. (1) The procedures contained in Section 43 of the *Municipal Elections Act, 1996*, dealing with advance votes, apply to this referendum and the procedures contained in Section 44 of the *Municipal Elections Act, 1996*, dealing with voting proxies, do not apply to this referendum.
- (2) Advance voting by telephone is authorized from 8:00 a.m. on Saturday, February 22, 1997, to and including 9:59 a.m. on voting day, Monday, March 3, 1997, both inclusive.
- (3) Advance voting by telephone is also authorized at voting places to be established by the City Clerk as follows:

Date	Hours Open
Saturday, February 22, 1997	12:00 p.m. to 6:00 p.m.
Sunday, February 23, 1997	12:00 p.m. to 6:00 p.m.
Monday, February 24, 1997	5:00 p.m. to 9:00 p.m.
Tuesday, February 25, 1997	5:00 p.m. to 9:00 p.m.
Wednesday, February 26, 1997	5:00 p.m. to 9:00 p.m.
Thursday, February 27, 1997	5:00 p.m. to 9:00 p.m.
Friday, February 28, 1997	5:00 p.m. to 9:00 p.m.
Saturday, March 1, 1997	12:00 p.m. to 6:00 p.m.
Sunday, March 2, 1997	12:00 p.m. to 6:00 p.m.

7. In every other respect, this referendum shall be conducted as if it were a by-election being conducted under Section 65 of the *Municipal Elections Act, 1996*, using the alternative method of voting by telephone.

ENACTED AND PASSED THIS 16th day of January 1997.

  
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 City Clerk

  
 \_\_\_\_\_  
 Mayor

Passed January 16, 1997

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THE CORPORATION OF  
THE CITY OF NORTH YORK

A

BY-LAW

No. 32917

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