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These Minutes were confirmed by City Council on March 6, 2001.

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

**TUESDAY, JANUARY 30, 2001,
WEDNESDAY, JANUARY 31, 2001, AND
THURSDAY, FEBRUARY 1, 2001**

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

CALL TO ORDER

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

The meeting opened with O Canada.

2.2 **CONFIRMATION OF MINUTES**

Councillor Berardinetti, seconded by Councillor Sutherland, moved that the Minutes of the regular meeting of Council held on October 3, 4, and 5, 2000, the Special meetings of Council held on October 6, 10, 11 and 12, 2000, and the Inaugural meeting of Council held on December 5, 6 and 7, 2000, be confirmed in the form supplied to the Members, which carried.

2.3 **PETITIONS AND ENQUIRIES**

- (1) Council had before it the following regarding the status of the TEDCO investigation requested by City Council:

- (a) Enquiry dated December 20, 2000, from Councillor Moscoe (See Attachment

No. 1, Page 134);

- (b) Enquiry dated January 8, 2001, from Councillor Walker (See Attachment No. 2, Page 135); and
- (c) Answer to the foregoing Enquiries, dated January 29, 2001, from the City Solicitor and the Chief Administrative Officer (See Attachment No. 3, Page 137).

Motion:

Councillor Moscoe moved that Council adopt the following recommendations:

“It is recommended that:

- (a) the Enquiries dated December 20, 2000, and January 8, 2001, from Councillor Moscoe and Councillor Walker, respectively, regarding the status of the TEDCO investigation requested by City Council, be received;
- (b) the Answer thereto dated January 29, 2001, from the City Solicitor and the Chief Administrative Officer, embodying the following recommendations, be adopted and referred to the Administration Committee:

‘It is recommended that:

- (1) Council authorize staff to take all actions possible to assist the Ontario Provincial Police in their investigation, and provide all documentation, confidential and otherwise, to the OPP, participate in interviews, and otherwise facilitate the OPP investigation; and
 - (2) the appropriate officials be authorized to give effect thereto’;
- and
- (c) the City Solicitor and the Chief Administrative Officer be requested to submit periodic reports to the Administration Committee on the progress of the investigation as it proceeds.”

Vote:

The motion by Councillor Moscoe carried.

- (2) Council had before it the following regarding the redevelopment of the waterfront:
- (a) Enquiry dated January 2, 2001, from Councillor Walker (See Attachment No. 4, Page 140); and
 - (b) Answer to the foregoing Enquiry, dated January 29, 2001, from the Chief Administrative Officer (See Attachment No. 5, Page 141).

Motion:

Councillor Walker moved that Council adopt the following recommendation:

“It is recommended that the Enquiry dated January 2, 2001, from Councillor Walker, regarding the redevelopment of the waterfront, and the Answer thereto, dated January 29, 2001, from the Chief Administrative Officer, be referred to the Planning and Transportation Committee.”

Vote:

The motion by Councillor Walker carried.

- (3) Council had before it the following regarding the status of the direction of Council with respect to the availability of TEELA data to Councillors:
- (a) Enquiry dated January 10, 2001, from Councillor Moscoe (See Attachment No. 6, Page 142); and
 - (b) the following Answers to the foregoing Enquiry:
 - (i) (January 24, 2001) from the City Solicitor (See Attachment No. 7, Page 143);
 - (ii) (January 29, 2001) from Mr. George Rust-D’Eye, Weir and Foulds (See Attachment No. 8, Page 144); and
 - (iii) (January 29, 2001) from Councillor Berardinetti (See Attachment No. 9, Page 147).

Motion:

Councillor Moscoe moved that Council adopt the following recommendation:

“It is recommended that the Enquiry dated January 10, 2001, from Councillor Moscoe, regarding the status of the direction of Council with respect to the availability of TEELA data to Councillors, and the following Answers thereto, be referred to the Administration Committee:

- (a) (January 24, 2001) from the City Solicitor;
- (b) (January 29, 2001) from Mr. George Rust-D’Eye, Weir and Foulds;
and
- (c) (January 29, 2001) from Councillor Berardinetti.”

Vote:

The motion by Councillor Moscoe carried.

PRESENTATION OF REPORTS

2.4 Councillor Disero presented the following Reports for consideration by Council:

Report No. 1 of The Policy and Finance Committee,
Report No. 1 of The Administration Committee,
Report No. 1 of The Community Services Committee,
Report No. 1 of The Economic Development and Parks Committee,
Report No. 1 of The Planning and Transportation Committee,
Report No. 1 of The Works Committee,
Report No. 1 of The Downtown Community Council,
Report No. 1 of The East Community Council,
Report No. 1 of The Midtown Community Council,
Report No. 1 of The North Community Council,
Report No. 1 of The Southwest Community Council,
Report No. 1 of The West Community Council,
Report No. 1 of The Nominating Committee,
Report No. 2 of The Striking Committee, and
Report No. 1 of The Board of Health,

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

2.5 **DECLARATIONS OF INTEREST**

Councillor Feldman declared his interest in Clause No. 17 of Report No. 1 of The Administration Committee, headed “3885 Yonge Street, a.k.a. The Jolly Miller, City-Owned Property, Lease to Prime Asset Management Corporation (Ward 25)”, in that he lives in the vicinity of the Jolly Miller.

Councillor Holyday declared his interest in Clause No. 18 of Report No. 1 of The West Community Council, headed “Application to Amend the Etobicoke Zoning Code, Berkley Developments (Ashbourne) Inc., 3890 Bloor Street West, File No. CMB 20000001”, in that he owns a property adjoining the subject site.

Councillor Jones declared her interest in Clause No. 19 of Report No. 1 of The West Community Council, headed “Application to Lift Part-Lot Control; Stone Manor Developments (Manitoba) Limited, 67 Grand Avenue, File No. PLC20000003 (Ward 6 - Etobicoke-Lakeshore)”, in that her husband has a client who is associated with this Company, who may be associated with the development.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 1 of The Policy and Finance Committee, Clauses Nos. 1, 2, 3, 7, 8, 10, 12, 13, 14, 15 and 16.

Report No. 1 of The Administration Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7, 8, 11, 13 and 18.

Report No. 1 of The Community Services Committee, Clauses Nos. 2, 3 and 11.

Report No. 1 of The Economic Development and Parks Committee, Clauses Nos. 4, 5 and 7.

Report No. 1 of The Planning and Transportation Committee, Clause No. 1.

Report No. 1 of The Works Committee, Clauses Nos. 1, 2, 3, 9 and 14.

Report No. 1 of The Downtown Community Council, Clauses Nos. 3, 4, 13 and 20.

Report No. 1 of The East Community Council, Clause No. 15.

Report No. 1 of The Midtown Community Council, Clauses Nos. 12, 13, 14, 16 and 20.

Report No. 1 of The North Community Council, Clause No. 9.

Report No. 1 of The Southwest Community Council, Clauses Nos. 1, 10, 18 and 19.

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

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

Report No. 1 of The Administration Committee, Clauses Nos. 8 and 13.

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

Report No. 1 of The Works Committee, Clauses Nos. 3 and 14.

Report No. 1 of The Downtown Community Council, Clause No. 20.

Report No. 1 of The East Community Council, Clause No. 15.

Report No. 1 of The Southwest Community Council, Clause No. 19.

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

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

2.7 Clause No. 10 of Report No. 1 of The Policy and Finance Committee, headed “Public Access Defibrillation”.

Motion:

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

“It is further recommended that, as discussions continue respecting the expansion of the PAD Program into other City buildings, the Commissioner of Corporate Services and staff in the Real Estate Division of the Corporate Services Department be involved in those discussions.”

Votes:

The motion by Councillor Berardinetti carried.

The Clause, as amended, carried.

2.8 Clause No. 18 of Report No. 1 of The Administration Committee, headed “Other Items Considered by the Committee”.

Motions:

- (a) Councillor Duguid moved that the Clause be received as information, subject to striking out and referring Item (g), entitled “Change of Title for General Manager, Emergency Medical Services”, embodied therein, back to the Administration Committee for further consideration.
- (b) Councillor Pitfield moved that the Clause be received as information, subject to striking out and referring Item (h), entitled “Status Report on the Disposal of Surplus Property (All Wards)”, embodied therein, back to the Administration Committee for further consideration.

Votes:

Motion (a) by Councillor Duguid carried.

Motion (b) by Councillor Pitfield carried.

The Clause, as amended, was received as information.

2.9 Clause No. 7 of Report No. 1 of The Economic Development and Parks Committee, headed “Poll Results - Formation of Business Improvement Area - Downtown Yonge Street Business Area”.

Motion:

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

“It is further recommended that the report dated January 26, 2001, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) subject to approval of the proposed Business Improvement Area (BIA) for Downtown Yonge Street by the Ontario Municipal Board:
 - (a) a minimum annual special charge of Forty Dollars and Twenty-Five Cents (\$40.25) and a maximum annual special charge of Five Hundred and Seventy-Two Thousand, One

Hundred and One Dollars and Four Cents (\$572,101.04) be established upon rateable property in the Business Improvement Area (BIA) that is in a prescribed business property class; and

- (b) the aggregate amount payable by the parcels shown on Attachment 1 which are identified by hatch marks and which constitute portions of the Toronto Eaton Centre will not in any taxation year exceed the maximum special charge of Five Hundred and Seventy-Two Thousand, One Hundred and One Dollars and Four Cents (\$572,101.04);
- (2) subject to and following approval of the proposed Downtown Yonge Street Business Improvement Area (BIA) by the Ontario Municipal Board, the City Clerk be directed to give notice of Council's intention to pass a maximum and minimum special charge by-law as described in Recommendation No. (1), and that such notice be published once a week, for four successive weeks, in a newspaper having general circulation in the municipality; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

2.10 Clause No. 3 of Report No. 1 of The Downtown Community Council, headed "Amendment to Section 279, Signs, of the Former City of Toronto Municipal Code, 279 Yonge Street (7 Dundas Square)(Toronto Centre-Rosedale, Ward 27)".

Motion:

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

"It is further recommended that the report dated January 29, 2001, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) authority be granted by Toronto City Council for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of 279 Yonge Street, using substantially the form of easement agreement prepared in February 1987 by the City

Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor, in consultation with the Manager, Heritage Preservation Services;

- (2) the owner post letters of credit with the City in the amount of \$60,000.00, prior to the issuance of any building permit, to provide for restoration work of the façade within three years, in accordance with a Restoration Plan satisfactory to the Manager, Heritage Preservation Services; and
- (3) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

2.11 Clause No. 4 of Report No. 1 of The Downtown Community Council, headed “Removal and Injury of Private Trees - 8 Spadina Road (Trinity-Spadina, Ward 20)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendations:

“It is recommended that Recommendation No. (1) embodied the report dated December 1, 2000, from the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, be adopted, subject to the following:

- (1) saving two White Elms by adhering to establishing the maximum tree protection zone, without any change to the site plan;
- (2) replacing three Honey Locusts with three Silver Maples;
- (3) replacing 15 Norway Maples with 10 Silver Maples; and
- (4) planting Red Maples, instead of the Pear Trees proposed, within the courtyard and at the west property line of the site.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

2.12 **Clause No. 14 of Report No. 1 of The Midtown Community Council, headed “Application to Amend Former East York Zoning By-law No 156-97 to Remove the Holding Symbol (H) as it Relates to a Portion of Land at 147 Laird Drive and 22 Commercial Road”.**

Motion:

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

“It is further recommended that the report dated January 22, 2001, from the Commissioner of Urban Development Services, embodying the following recommendation, be adopted:

‘It is recommended that City Council enact the amending by-law to remove the “H” (Holding Zone) provision for these lands shown as Part 6 on Registered Plan 66R-18964.’ ”

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

2.13 **Clause No. 1 of Report No. 1 of The Southwest Community Council, headed “Maintenance of a Fence - 183 Rosemount Avenue and Via Italia Flank, Ward 17 - Davenport”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Disero moved that Council adopt the following recommendation:

“It is recommended that Recommendations Nos. (1), (1)(b), (1)(d) and (2) embodied in the report dated August 23, 2000, from the Manager, Right-of-Way Management, Transportation Services, District 1, as embodied in the Clause, be adopted, viz.:

‘It is recommended that:

- (1) City Council approve the maintenance of the wooden fence within the public right-of-way fronting 183 Rosemount Avenue and on the Via Italia flank, subject to the property owner:

- (b) altering the fence at the corner to a 45-degree angle splay from a point 1.8 metres parallel and perpendicular to the licensed front yard parking pad at 185 Rosemount Avenue; and
 - (d) entering into an encroachment agreement with the City of Toronto, as prescribed under Chapter 313 of the former City of Toronto Municipal Code; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

2.14 **Clause No. 12 of Report No. 1 of The Midtown Community Council, headed “319 Merton Street - Dominion Coal Silos”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Walker moved that Council adopt the following recommendation:

“It is recommended that the Clause be received and that the intent to designate the Dominion Coal Silos under the Ontario Heritage Act be withdrawn.”

Vote:

The motion by Councillor Walker carried.

2.15 **Clause No. 8 of Report No. 1 of The Policy and Finance Committee, headed “Authority to Submit Letter of Intent to the Ontario SuperBuild Sports, Culture and Tourism Partnership Initiative”.**

Motion to Re-Open:

Councillor Miller, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

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

“It is further recommended that the Chief Administrative Officer and Chief Financial Officer and Treasurer be requested to submit a joint report to the Policy and Finance Committee on a process for setting priorities under the Canada/Ontario Infrastructure Partnership.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

2.16 Clause No. 14 of Report No. 1 of The Policy and Finance Committee, headed “Review of Sub-Committees, Advisory Committees, Special Committees and Task Forces Established by City Council Since January, 1998”.

Motion:

Councillor Moscoe moved that the Clause be amended by adding to Recommendation No. (2)(d) of the Policy and Finance Committee, the words “for its next meeting scheduled to be held on February 15, 2001”, so that such recommendation shall now read as follows:

“(2) that the following task forces, committees and special committees be re-established:

- (d) the Telecommunications Steering Committee; and that the Terms of Reference and Membership thereof be referred to the Chief Administrative Officer for review and report thereon the Policy and Finance Committee for its next meeting scheduled to be held on February 15, 2001;”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

2.17 Clause No. 4 of Report No. 1 of The Administration Committee, headed “Tender for Gasoline and Diesel Fuels”.

Motion:

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

“It is further recommended that City Council advise the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) of the action taken by the City of Toronto respecting the tender for gasoline and diesel fuels, and request FCM and AMO to encourage other municipalities to do likewise.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

2.18 Clause No. 3 of Report No. 1 of The Administration Committee, and Clause No. 1 of Report No. 1 of The Works Committee, headed “Review of Sub-Committees, Advisory Committees, Special Committees and Task Forces Established by City Council Since January 1998”, respectively.

Motion:

Councillor Miller moved that the Clauses be amended by striking out and referring Recommendation No. (4) of the Administration Committee, together with Recommendation No. B(4) of the Works Committee, to the Chair of the Personnel Sub-Committee for consideration and report thereon to the Administration Committee no later than its meeting scheduled to be held on March 27, 2001, viz.:

Recommendation No. (4) of The Administration Committee:

- “(4) the mandate of the Personnel Sub-Committee be amended to include issues respecting Works Best Practices; and the General Manager, Water and Wastewater Services, or his designate, be requested to provide staff support to the Personnel Sub-Committee when the Sub-Committee gives consideration to Works Best Practices issues;”;
and

Recommendation No. B(4) of The Works Committee:

“(B) the following committees be disbanded:

- (4) Works Best Practices Program Work Group, having regard for the recommendation of the Administration Committee with respect to the re-establishment of the Personnel

Sub-Committee to include Works Best Practices; and reports having requested the Commissioner of Works and Emergency Services to submit a report directly to Council on consultation with Toronto Civic Employees' Union – CUPE Local 416 with respect to their response to the proposed structure and any recommendations;”.

Votes:

Adoption of motion by Councillor Miller:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Feldman, Fillion, Flint, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Shaw, Shiner, Silva, Soknacki, Walker
No - 5	
Councillors:	Ford, Hall, Holyday, Moeser, Pitfield

Carried by a majority of 27.

The Clauses, as amended, carried.

2.19 Clause No. 5 of Report No. 1 of The Administration Committee, headed “Contract Extensions”.

Motions:

- (a) Councillor Berardinetti moved that the Clause be in accordance with the report dated January 23, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) the contracts with the companies listed in Attachment II be extended until June 30, 2001, with the provision that these contracts are to be terminated following new contract awards resulting from a Request for Proposals process;

- (2) the report dated December 22, 2000, from the Commissioner of Corporate Services, as embodied in the Clause, be received; and
- (3) the appropriate City officials be given the authority to manage the contract extensions and conduct a process to put new contracts in place.”,

subject to the following:

- (1) that the extension of the contracts outlined in the report be reviewed by the City Auditor and the Commissioner of Corporate Services to ensure that compliance has been met and a joint report thereon be submitted to the Audit Committee and the Administration Committee; and
- (2) that the issuance of a new RFP for IT contracts be scrutinized under a new formal process currently under development which will ensure that justification for the hiring of outside consultants is met prior to the issuance of an RFP, and that deliverables as identified in the mandate are produced.

Councillor Disero in the Chair.

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

“It is further recommended that the Commissioner of Corporate Services be requested to include, in the forthcoming report, specific information related to the services provided under each contract.”

Deputy Mayor Ootes in the Chair.

Votes:

Motion (a) by Councillor Berardinetti carried.

Motion (b) by Councillor Silva carried.

The Clause, as amended, carried.

2.20 Clause No. 4 of Report No. 1 of The Economic Development and Parks Committee, headed “Review of Sub-Committees, Advisory Committees, Special Committees and Task Forces Established by City Council Since January 1998”.

Motions:

- (a) Councillor McConnell moved that the Clause be amended:

- (1) to provide that the membership of the Advisory Committee to Review the Leases of the Boat Clubs across the Toronto Waterfront be expanded by adding one additional member and that the terms of reference for such Advisory Committee be amended accordingly;
- (2) by deleting Recommendation No. (B)(10) of the Economic Development and Parks Committee, viz.:
 - “(B) the following advisory committees and special committees be disbanded:
 - (10) Task Force on User Fees; the Economic Development and Parks Committee to take carriage of this issue and make recommendations to Council in that regard;”;
- (3) by adding to the recommendations of the Economic Development and Parks Committee, the following new Recommendation No. (A)(6):
 - “(6) that the Task Force on User Fees be re-established;”;
- (4) by adding thereto the following:
 - “It is further recommended that:
 - (a) the Striking Committee be requested to give consideration to the appointment of Councillor McConnell to the Advisory Committee to Review the Leases of the Boat Clubs across the Toronto Waterfront; and
 - (b) the membership of the Task Force on User Fees be referred to the Striking Committee.”
- (b) Councillor Moeser moved that the Clause be amended by striking out and referring Recommendation No. (B)(10) of the Economic Development and Parks Committee, wherein it is recommended that the Task Force on User Fees be disbanded, back to the Economic Development and Parks Committee for further consideration, together with Parts (2), (3) and (4)(b) of motion (a) by Councillor McConnell.

Votes:

Parts (1) and (4)(a) of motion (a) by Councillor McConnell carried.

Adoption of motion (b) by Councillor Moeser:

Yes - 23

Councillors:	Altobello, Augimeri, Balkissoon, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Miller, Moeser, Nunziata, Pantalone, Pitfield, Shaw, Walker
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No - 16

Mayor:	Lastman
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Councillors:	Berardinetti, Bussin, Cho, Feldman, Filion, Johnston, Kelly, Lindsay Luby, Milczyn, Moscoe, Ootes, Prue, Rae, Soknacki, Sutherland
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Carried by a majority of 7.

The Clause, as amended, carried.

In summary, Council amended this Clause:

- (1) to provide that the membership of the Advisory Committee to Review the Leases of the Boat Clubs across the Toronto Waterfront be expanded by adding one additional member and that the terms of reference for such Advisory Committee be amended accordingly;
- (2) by striking out and referring Recommendation No. (B)(10) of the Economic Development and Parks Committee, wherein it is recommended that the Task Force on User Fees be disbanded, back to the Economic Development and Parks Committee for further consideration, together with the following motion by Councillor McConnell:

Moved by Councillor McConnell:

“That the Clause be amended by:

- (1) deleting Recommendation No. (B)(10) of the Economic Development and Parks Committee, viz.:

‘(B) the following advisory committees and special committees be disbanded:

- (10) Task Force on User Fees; the Economic Development and Parks Committee to take carriage of this issue and make recommendations to Council in that regard;’;

- (2) adding to the recommendations of the Economic Development and Parks Committee, the following new Recommendation No. (A)(6):

‘(6) that the Task Force on User Fees be re-established;’; and

- (3) adding thereto the following:

‘It is further recommended that the membership of the Task Force on User Fees be referred to the Striking Committee.’ ”; and

- (3) by adding thereto the following:

“It is further recommended that the Striking Committee be requested to give consideration to the appointment of Councillor McConnell to the Advisory Committee to Review the Leases of the Boat Clubs across the Toronto Waterfront.”

2.21 Clause No. 13 of Report No. 1 of The Policy and Finance Committee, headed “Dawes Road Neighbourhood Branch Library Capital Project”.

Motion:

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

“It is further recommended that:

- (1) the report dated January 23, 2001, from the City Librarian, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Council receive this report for information; and
- (2) staff proceed with the plans to expend \$750,000.00 in approved 2000 Capital funds for the Dawes Road Neighbourhood Branch Library.’; and
- (2) the Chief Administrative Officer, the Commissioner of Corporate Services and the City Librarian be requested to consult with the Architects, Engineers and Condominium Management respecting the ten-year Capital needs regarding the Dawes Road Neighbourhood Library project and submit a report thereon to the Policy and Finance Committee.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

2.22 Clause No. 12 of Report No. 1 of The Policy and Finance Committee, headed “Maria A. Shchuka and Leaside Libraries, Approval of 2001 Capital Projects”.

Motions:

- (a) Councillor Shiner moved that the Clause be amended by striking out Recommendation No. (1) of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) for the Maria A. Shchuka Library, funding in the amount of \$1.5 million be approved; and
- (2) for the Leaside Public Library, funding in the amount of \$400,000.00 be approved.”

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

“(3) Library Board staff and the Architects be requested to meet with the local Ward Councillor(s) to undertake a detailed review of the projects to find the savings represented by these respective reductions.”

Votes:

Motion (b) by Councillor Moscoe carried.

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

The Clause, as amended, carried.

2.23 Clause No. 9 of Report No. 1 of The Works Committee, headed “Quotations for Liquid Chlorine”.

Motion:

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to investigate delivery methods for the purchase of liquid chlorine to reduce further the prices obtained for the bulk purchase of this commodity.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

2.24 **Clause No. 7 of Report No. 1 of The Policy and Finance Committee, headed “Heritage Preservation - Property Tax Treatment for Heritage Properties”.**

Motion:

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

“It is further recommended that Councillors Feldman, Pitfield and Rae be requested to meet with the Minister of Finance, or his representative, to discuss the issue of property tax treatment for heritage properties, and submit a report thereon to the Policy and Finance Committee.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

2.25 **Clause No. 10 of Report No. 1 of The Southwest Community Council, headed “Proposed Installation of Speed Bumps in the Public Lane System Bounded by Caledonia Road, Norman Avenue, Gilbert Avenue and Innes Avenue, Ward 17 – Davenport”.**

Motion:

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

Vote:

The motion by Councillor Disero carried.

2.26 **Clause No. 16 of Report No. 1 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Pitfield moved that the Clause be received as information, subject to:

- (1) striking out and referring Item (p), entitled “Basement Flooding Investigation and Assessment – Voluntary Private Home Isolation Program”, embodied therein, back to the Policy and Finance Committee for further consideration at such time as the

pre-commitment process for 2001 Capital Projects is considered by the Policy and Finance Committee in February 2001; and

- (2) striking out and referring Item (q), entitled “Elevator Repairs and Work Order Notifications”, embodied therein, to the Community Services Committee for further consideration, notwithstanding the provisions of Chapter 27 of the City of Toronto Municipal Code.

Votes:

Part (1) of the motion by Councillor Pitfield carried.

Part (2) of the motion by Councillor Pitfield carried, more than two-thirds of Members present having voted in the affirmative.

The Clause, as amended, was received as information.

2.27 **Clause No. 2 of Report No. 1 of The Works Committee, headed “Banning of Grass Clippings from Garbage Collection”.**

Motions:

- (a) Councillor Pantalone moved that the Clause be amended to provide that, in order to save \$100,000.00 of taxpayers’ money which would otherwise be wasted, City Council adopt the recommendation of the Commissioner of Works and Emergency Services of an April 1, 2001 start-up of the banning of grass clippings from garbage collection.
- (b) Mayor Lastman moved that the Clause be amended by adding thereto the following:
“It is further recommended that the Commissioner of Works and Emergency Services be requested to inform members of the gardening industry who remove grass clippings from property about the implementation of the ban of grass clippings from garbage collection.”
- (c) Councillor Filion moved that the Clause be amended adding thereto the following:
“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to Council, through the Works Committee, on the feasibility of a program to provide assistance to homeowners who need to purchase new mulching lawnmowers or to retrofit existing ones, as a result of the City’s new policy on grass clippings, and, in preparing this report, staff be requested to approach lawn mower manufacturers and retailers regarding such assistance and to also consider using some of the City’s funds saved by early implementation of the new policy for this purpose.”

Votes:

Adoption of motion (a) by Councillor Pantalone:

Yes - 36	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Soknacki, Sutherland, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 35.

Motion (b) by Mayor Lastman carried.

Adoption of motion (c) by Councillor Filion:

Yes - 2	
Councillors:	Filion, Li Preti
No - 35	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Soknacki, Sutherland, Walker

Lost by a majority of 33.

Adoption of Clause, as amended:

Yes - 34	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Soknacki, Sutherland, Walker

No - 1 Councillor: Holyday

Carried by a majority of 33.

In summary Council amended this Clause:

- (1) to provide that, in order to save \$100,000.00 of taxpayers' money which would otherwise be wasted, City Council adopt the recommendation of the Commissioner of Works and Emergency Services of an April 1, 2001 start up of the banning of grass clippings from garbage collection; and
- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to inform members of the gardening industry who remove grass clippings from property about the implementation of the ban of grass clippings from garbage collection.”

2.28 **Clause No. 2 of Report No. 1 of The Policy and Finance Committee, headed “Bill 140 - Continued Protection for Property Taxpayers Act, 2000”.**

Motions:

- (a) Councillor Moscoe moved that the Clause be amended by adding to the recommendations embodied in the report dated January 15, 2001, from the Chief Financial Officer and Treasurer, as embodied in the Clause, the following new recommendation:

“(7) the City of Toronto be permitted, by regulation, to separate the parking lot/vacant land classes into two separate classes.”

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

“It is further recommended that:

- (a) having regard that the tax rate for the commercial class would be approximately 5.3 percent under the 2001 assessment, depending on the City of Toronto's exact budget requirements, if the provincial government sets the education tax rate at the provincial average, the City immediately reiterate its request that the Province of Ontario make the City of Toronto's commercial education tax rate equal to the average Greater Toronto Area rates, effective 2001; and

- (b) having regard that the vitality of small business retail is critically important to the health of the City of Toronto's neighbourhoods and the impact of Current Value Assessment threatens that vitality, the Province of Ontario be requested to provide municipalities, including the City of Toronto, with the legal ability to create a small business commercial tax class."

Votes:

Motion (a) by Councillor Moscoe carried.

Motion (b) by Councillor Miller carried.

The Clause, as amended, save and except Recommendation No. (1) embodied in the report dated January 15, 2001, from the Chief Financial Officer and Treasurer, carried.

Adoption of Recommendation No. (1) embodied in the report dated January 15, 2001, from the Chief Financial Officer and Treasurer:

Yes - 30 Mayor: Lastman Councillors: Ashton, Balkissoon, Berardinetti, Cho, Chow, Duguid, Filion, Flint, Ford, Hall, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Sutherland, Walker
No - 2 Councillors: Augimeri, Di Giorgio

Carried by a majority of 28.

2.29 Clause No. 2 of Report No. 1 of The Administration Committee, headed “Establishment of Reference Group for Nathan Phillips Square Design Competition”, and Clause No. 5 of Report No. 2 of The Striking Committee, headed “Appointments to the Reference Group of Nathan Phillips Square Design Competition”.

Motions:

- (a) Mayor Lastman moved that consideration of the Clauses be deferred to the first meeting of City Council following the adoption, by Council, of the City of Toronto’s 2001 Operating Budget and 2001-2006 Capital Budget in April 2001.
- (b) Councillor Ford moved that motion (a) by Mayor Lastman be amended to provide that consideration of the Clauses be deferred for three (3) years.

Votes:

Adoption of motion (b) by Councillor Ford:

Yes - 6 Councillors: Flint, Ford, Holyday, Jones, Nunziata, Pitfield
No - 28 Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Prue, Rae, Silva, Sutherland, Walker

Lost by a majority of 22.

Adoption of motion (a) by Mayor Lastman, moved by Councillor Pantalone in the absence of Mayor Lastman, without amendment:

Yes - 34 Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Silva, Sutherland, Walker
No - 0

Carried, without dissent.

2.30 **Clause No. 7 of Report No. 1 of The Administration Committee, headed “Contracts Awarded by the Bid Committee During the Summer Recess of Council and During the Election Period”.**

Motions:

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

- (1) striking out and referring the following recommendations of the Administration Committee, embodied in the Clause, back to the Administration Committee for further consideration:

“The Administration Committee recommends that:

- (1) on an interim basis, the authority of the Bid Committee to award contracts be increased to \$3.5 million from the current \$2.0 million; and further that §195-8 of Chapter 195, Purchasing, of the City of Toronto Municipal Code be amended accordingly; and authority be granted for the necessary Bill in Council to give effect thereto; and
- (2) the Director of Purchasing and Materials Management be requested to report to the next meeting of the Administration Committee on the advisability of increasing the Bid Committee’s authority to award contracts.”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Director of Purchasing and Materials Management be requested to submit a report to the Administration Committee with respect to an amending by-law to give effect to Recommendation No. (1) of the Administration Committee as embodied in the Clause; and
 - (b) the joint report dated December 14, 2000, from the Chief Administrative Officer and Chief Financial Officer and Treasurer, be received for information.”
- (b) Councillor Miller moved that motion (a) by Councillor Balkissoon be amended by adding to Part (2) thereof the following new Part (2)(c):

“(c) in the interim, §195-8 of Chapter 195, Purchasing, of the City of Toronto Municipal Code be amended to allow, in cases of emergency, the relevant Standing Committee of Council to delegate to the Bid Committee the authority to approve contracts between \$2.0 million and \$3.5 million that are recommended by it for award to the lowest bidder.”

Votes:

Motion (b) by Councillor Miller carried.

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

The Clause, as amended, carried.

2.31 Clause No. 5 of Report No. 1 of The Economic Development and Parks Committee, headed “Re-establishment of Olympic Task Force (All Wards)”.

Motions:

- (a) Councillor Ashton moved that the Clause be amended:
- (1) in accordance with the following recommendation of the Policy and Finance Committee embodied in the communication dated January 18, 2001, from the City Clerk:

“The Policy and Finance Committee on January 18, 2001, amongst other things, recommended to Council that the Olympic Task Force be re-established and the membership be changed to seven, having regard

- that the Olympic Task Force reports through the Economic Development and Parks Committee.”; and
- (2) to provide that the terms of reference for the Olympic Task Force be amended to reflect the increase in membership.
- (b) Councillor Layton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to ensure that the input of the Environmental Committee of the TO-Bid Committee is incorporated into the bid as it goes forward.”

Votes:

Motion (a) by Councillor Ashton carried.

Motion (b) by Councillor Layton carried.

The Clause, as amended, carried.

2.32 Clause No. 1 of Report No. 1 of The Planning and Transportation Committee, headed “Revised Organizational Structure for the Committee of Adjustment (All Wards)”.

Motions:

- (a) Councillor Moscoe moved that the Clause be amended:
- (1) by amending Recommendation No. (1)(b) of the Planning and Transportation Committee, by deleting Part (2)(b) and inserting in lieu thereof the following new Part (2)(b):
- “(b) in situations where a panel must deal with by-laws of more than one former municipality, an attempt shall be made, where possible, to include on that panel at least one individual who has knowledge of the planning by-laws of each of the former municipalities;”;
- (2) in accordance with the following recommendation of the Southwest Community Council embodied in the communication dated January 17, 2001, from the City Clerk:
- “The Southwest Community Council recommends to Council the approval of the recommendations of the Planning and Transportation Committee, subject to Recommendation A.(1)(d) which amends Recommendation (6) as amended by the Planning and Transportation

Committee, being further amended to include the word 'shall' between the words 'Ward Councillor' and 'hold', to read as follows:

- (6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m. but that the Committee of Adjustment, at the request of the Ward Councillor, shall hold an evening meeting on a particular application within his/her Ward, and that meetings be held in the civic centre headquarters of their respective Community Council; and report back in six months on stakeholder satisfaction.'"; and
- (3) in accordance with the following motion:

Moved by: Councillor Moscoe

“WHEREAS there are 2¼ million residents of the City of Toronto from whom to select members of the Committee Adjustment; and

WHEREAS the current minimum qualification criteria for appointees to the Committee of Adjustment, and to other agencies, boards and committees selected through the Nominating Committee, states that appointees must reside within the City of Toronto and/or pay municipal taxes; and

WHEREAS this qualification criteria could result in members of the Committee of Adjustment residing in Mississauga, York Region or even North Bay;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding Council's Policy for Citizen Appointments through the Nominating Committee, as amended, which directs that the minimum criteria with respect to residential status of applications to the City's agencies, board and committees requires that appointees to such boards must reside within the City of Toronto and/or pay municipal taxes; that the minimum residential criteria for appointees for the newly structured Committee of Adjustment be amended to require residency within the City of Toronto.”

- (b) Councillor Miller moved that the Clause be amended by inserting in Recommendation No. (6), as amended by the Planning and Transportation Committee, after the words “Ward Councillors”, the words “or by written request signed by ten (10) local residents”.

- (c) Councillor Prue moved that the Clause be amended in accordance with the following recommendations of the Downtown Community Council embodied in the communication dated January 19, 2001, from the City Clerk:

“The Downtown Community Council recommends that:

- (1) Committee of Adjustment hearings be held in the evening, commencing at 5:30 p.m.; and
- (2) consideration of the funds required to implement Recommendation No.(1) be forwarded to the Budget Advisory Committee for consideration in the 2001 Operating Budget.”

Councillor Disero in the Chair.

- (d) Councillor Hall moved that the Clause be amended in accordance with the following recommendation of the North Community Council embodied in the communication dated January 23, 2001, from the City Clerk:

“The North Community Council recommends to Council, when considering Clause No. 1 of Report No. 1 of The Planning and Transportation Committee, headed ‘Revised Organizational Structure for the Committee of Adjustment’, that the recommendations of the Planning and Transportation Committee be adopted, subject to Recommendation A.(1)(c) [Recommendation No. (6), as amended by the Planning and Transportation Committee] being amended by deleting the words ‘hold an evening meeting on a particular application within his/her Ward’, and inserting in lieu thereof, the words ‘schedule a specific application within his/her Ward, as the last item on the Committee of Adjustment agenda’, so that Recommendation A.(1)(c) shall now read as follows:

- ‘(6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m., but that the Committee of Adjustment, at the request of the Ward Councillor, schedule a specific application within his/her Ward, as the last item on the Committee of Adjustment agenda, and meetings be held in the civic centre headquarters of their respective Community Council; and report back in six months on stakeholder satisfaction.’ ”

- (e) Councillor Pitfield moved that the Clause be amended by amending Recommendation No. (6), as amended by the Planning and Transportation Committee, by deleting the time “2:00 p.m.” and inserting in lieu thereof the time “7:00 p.m.”.

Votes:

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

Adoption of motion (e) by Councillor Pitfield:

Yes - 12	
Councillors:	Chow, Ford, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Nunziata, Pitfield, Prue, Rae, Walker
No - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Shaw, Soknacki, Sutherland

Lost by a majority of 15.

Adoption of motion (d) by Councillor Hall:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Nunziata, Pitfield, Shaw, Sutherland
No - 16	
Councillors:	Ashton, Augimeri, Chow, Kelly, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Prue, Rae, Soknacki, Walker

Carried by a majority of 7.

Motion to Re-Open:

Councillor Layton, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, the vote on motion (d) by Councillor Hall be re-opened for further consideration, and that the vote thereon be again taken, the vote upon which was taken as follows:

Yes - 31	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Soknacki, Walker
No - 7	
Councillors:	Altobello, Feldman, Hall, Holyday, Kelly, Li Preti, Sutherland

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

Votes:

Adoption of motion (d) by Councillor Hall:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, Ootes, Shaw, Soknacki, Sutherland
No - 16	
Councillors:	Ashton, Chow, Johnston, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Walker

Carried by a majority of 6.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (2) of motion (a) by Councillor Moscoe, motion (b) by Councillor Miller and motion (c) by Councillor Prue, redundant.

Part (3) of motion (a) by Councillor Moscoe carried.

Adoption of Clause, as amended:

Yes - 26	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moeser, Ootes, Pantalone, Shaw, Soknacki, Sutherland
No - 12	
Councillors:	Chow, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Walker

Carried by a majority of 14.

In summary, Council amended this Clause:

- (1) by amending Recommendation No. (1)(b) of the Planning and Transportation Committee, by deleting Part (2)(b) and inserting in lieu thereof the following new Part (2)(b):

“(b) in situations where a panel must deal with by-laws of more than one former municipality, an attempt shall be made, where possible, to include on that panel at least one individual who has knowledge of the planning by-laws of each of the former municipalities;”;

- (2) in accordance with the following recommendation of the North Community Council embodied in the communication dated January 23, 2001, from the City Clerk:

“The North Community Council recommends to Council, when considering Clause No. 1 of Report No. 1 of The Planning and Transportation Committee, headed ‘Revised Organizational Structure for the Committee of Adjustment’, that the recommendations of the Planning and Transportation Committee be adopted, subject to Recommendation A.(1)(c) [Recommendation No. (6), as amended by the Planning and Transportation Committee] being amended by deleting the words ‘hold an evening meeting on a particular application within his/her Ward’, and inserting in lieu thereof, the words ‘schedule a specific application within his/her Ward, as the last item on the Committee of Adjustment agenda’, so that Recommendation A.(1)(c) shall now read as follows:

- ‘(6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m., but that the Committee of Adjustment, at the request of the Ward

Councillor, schedule a specific application within his/her Ward, as the last item on the Committee of Adjustment agenda, and meetings be held in the civic centre headquarters of their respective Community Council; and report back in six months on stakeholder satisfaction.’ ”; and

- (3) in accordance with the following motion:

Moved by: Councillor Moscoe

“**WHEREAS** there are 2¼ million residents of the City of Toronto from whom to select members of the Committee Adjustment; and

WHEREAS the current minimum qualification criteria for appointees to the Committee of Adjustment, and to other agencies, boards and committees selected through the Nominating Committee, states that appointees must reside within the City of Toronto and/or pay municipal taxes; and

WHEREAS this qualification criteria could result in members of the Committee of Adjustment residing in Mississauga, York Region or even North Bay;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding Council’s Policy for Citizen Appointments through the Nominating Committee, as amended, which directs that the minimum criteria with respect to residential status of applications to the City’s agencies, board and committees requires that appointees to such boards must reside within the City of Toronto and/or pay municipal taxes; that the minimum residential criteria for appointees for the newly structured Committee of Adjustment be amended to require residency within the City of Toronto.”

- 2.33 **Clause No. 11 of Report No. 1 of The Administration Committee, headed “Declaration as Surplus, Vacant Parcel of Land Located at Northwest Corner of Glengrove Avenue West and Coldstream Avenue (Ward 15 – Eglinton Lawrence)”.**

Motion:

Councillor Moscoe moved that the Clause be struck out and referred back to the Administration Committee for further consideration and the hearing of deputations.

Vote:

Adoption of motion by Councillor Moscoe:

Yes - 28 Councillors: Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Soknacki, Walker
No - 6 Councillors: Balkissoon, Ford, Holyday, Kelly, Lindsay Luby, Ootes

Carried by a majority of 22.

2.34 **Clause No. 1 of Report No. 1 of The Administration Committee, headed “Options for Constituency Offices and Reallocation of Vacant Second Floor Office Space at City Hall”.**

Motions:

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

(1) adding thereto the following:

“It is further recommended that Option No. 2 embodied in the report dated January 22, 2001, from the Commissioner of Corporate Services, be adopted, subject to adding thereto the words ‘subject to the Commissioner of Corporate Services, in consultation with the City Solicitor, submitting a report to the Administration Committee on a set of policies to govern such leases’, so that such Option shall now read as follows:

‘Option 2: the office leases in question could be taken in the City’s name, in which case City staff (Facilities and Real Estate) would negotiate the terms of the lease in consultation with the relevant Councillor, and the City Solicitor would negotiate the form of leasing documentation, subject to the Commissioner of Corporate Services, in consultation with the City Solicitor, submitting a report to the Administration Committee on a set of policies to govern such leases.’ ”;

(2) deleting Recommendation No. (4) embodied in the report dated January 8, 2001, from the Commissioner of Corporate Services, as amended by the

Administration Committee, viz.:

“(4) the Commissioner of Corporate Services be requested to report back on a set of policy statements to govern the City Council adopted preferred option for constituency offices and associated budget implications, if any;”; and

- (3) deleting Recommendation No. (2) embodied in the report dated January 8, 2001, from the Commissioner of Corporate Services, as amended by the Administration Committee, viz.:

“(2) the rent/lease costs for constituency offices located in former Civic Centres or other City of Toronto Buildings, including Toronto City Hall, be set at the same rental rate;”,

and inserting in lieu thereof the following new Recommendation No. (2):

“(2) the rent/lease costs for constituency offices located in former Civic Centres or other City of Toronto buildings, including Toronto City Hall, be set at the same rate, and that the rate be set at \$400.00 per month for a maximum total of 500 square feet, the amount to be charged back to the Councillor’s Global office budget;”.

- (b) Councillor Rae moved that the Clause be amended by striking out the recommendations of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that all Members of Council be provided with equivalent office space in:

- (1) City Hall and a Civic Centre;

or

- (2) City Hall alone, where Downtown Community Council and Midtown Community Council Members may request additional space (and this additional space is deemed to be Civic Centre space);

or

- (3) City Hall and a constituency office;

- (4) excess space remaining on the second floor of City Hall be converted into meeting space and storage space;

- (5) for each site over and above the City Hall office, the cost be borne by the Councillor's Global office budget;

or, in the event Recommendation No. (5) is not adopted,

- (6) for each site over and above the City Hall office, the cost be borne by the Council General Budget.”

(c) Councillor Moscoe moved that motion (b) by Councillor Rae be amended by:

- (1) inserting the word “approximately” prior to the word “equivalent” in the lead-in phrase, so that such phrase shall now read as follows:

“It is recommended that all Members of Council be provided with approximately equivalent office space in.”;

- (2) amending Part (1) to read as follows:

“(1) City Hall and Civic Centres”;

- (3) amending Part (2) to read as follows:

“(2) City Hall alone, where Council Members may request additional space (and this additional space is deemed to be Civic Centre space) with priority given to Downtown and Midtown Community Council Members;”; and

- (4) adding thereto the following:

“(7) Council move the cost of establishing constituency offices to the Global Council Budget and each Councillor shall, if they so elect, be entitled to draw on this budget to an amount to be established by the Policy and Finance Committee, and the Commissioner of Corporate Services be requested to submit a report in this regard to the Policy and Finance Committee; and

(8) sufficient funds be allocated to the Global Council budget to accommodate this policy and be drawn from the more than \$4.0 million in savings resulting from the reduction in the size of City Council by 13 Members.”

- (d) Councillor Holyday moved that the Clause be amended by amending the recommendations embodied in the report dated January 8, 2001, from the Commissioner of Corporate Services, as amended by the Administration Committee, as follows:
- (1) deleting from Recommendation No. (1) the words “a commercial unit in their ward”, so that such recommendation shall now read as follows:

“(1) Option B as described in this report be adopted permitting Councillors to choose a constituency office in an existing Civic Centre or other City of Toronto building;”;
 - (2) deleting Recommendation No. (2), viz.:

“(2) the rent/lease costs for constituency offices located in former Civic Centres or other City of Toronto Buildings, including Toronto City Hall, be set at the same rental rate;”;

and
 - (3) amending Recommendation No. (3) to read as follows:

“(3) all Members of Council be provided with equivalent office space; and Downtown and Midtown Community Council Members be provided with additional space at City Hall if they so choose;”.
- (e) Councillor Mihevc moved that motion (b) by Councillor Rae be amended by adding to Part (6) the words “up to a maximum of \$16,000.00 per office”.
- (f) Councillor Pitfield moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to do everything possible to ensure that all empty space in municipal buildings is used by City staff or Members of Council, and that some form of revenue is achieved on a square foot basis.”
- (g) Councillor Bussin moved that:
- (1) motion (b) by Councillor Rae be amended by deleting Parts (1), (2) and (3) and inserting in lieu thereof the following:

“that Councillors be granted a choice of a constituency office within their respective wards or within a Civic Centre or equivalent office space at City Hall;”;

and

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

“It is further recommended that the City Clerk be requested to submit a report to the Administration Committee with respect to instances where Councillors accept office space or other goods and services from businesses and/or clients within the Councillor’s community, such report to include comment with respect to whether or not it is appropriate for a Member of Council to accept office space at a rate which is below market value.”

Councillor Disero in the Chair.

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

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on the budget implications if the Councillors’ offices at the Civic Centres were discontinued.”

- (i) Councillor Sutherland moved that the Clause be amended by striking out the recommendations of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that all Members of Council be entitled to an office at City Hall only.”

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that, in the event that Councillors are only allowed one office to be paid for out of the Councillors’ office budget, that each Councillor be entitled to an office of approximately equal size either at City Hall or a Civic Centre.”

- (k) Councillor Kelly moved that motion (i) by Councillor Sutherland be amended by adding thereto the words “and further that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on how common space would be accessible, at no charge, to all Members of Council who frequent City Hall and the Civic Centres”.

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

“It is further recommended that Councillors be given access to a telephone and computers in the Civic Centres, when necessary, and be able to book appropriate space in the Civic Centres to meet with staff and constituents at no additional cost.”

Votes:

Adoption of motion (k) by Councillor Kelly:

Yes - 23	Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Filion, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moeser, Nunziata, Ootes, Shaw, Soknacki, Sutherland
No - 17	Councillors: Augimeri, Bussin, Chow, Di Giorgio, Disero, Feldman, Johnston, Li Preti, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Silva, Walker

Carried by a majority of 6.

Adoption of motion (i) by Councillor Sutherland, as amended:

Yes - 10	Councillors: Altobello, Balkissoon, Flint, Ford, Holyday, Kelly, Lindsay Luby, Nunziata, Ootes, Sutherland
No - 30	Councillors: Ashton, Augimeri, Berardinetti, Bussin, Chow, DiGiorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Walker

Lost by a majority of 20.

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

Yes - 26	Councillors: Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Feldman, Filion, Hall, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki
No - 14	

Councillors: Altobello, Ashton, Balkissoon, Duguid, Flint, Ford, Holyday, Johnston, Kelly, Lindsay Luby, Milczyn, Nunziata, Sutherland, Walker
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Carried by a majority of 12.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Parts (2) and (3) of motion (c) by Councillor Moscoe, Parts (1) and (3) of motion (d) by Councillor Holyday, motion (h) by Councillor Johnston, and motion (j) by Councillor Filion, redundant.

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

Adoption of Part (4) of motion (c) by Councillor Moscoe:

Yes - 17
Councillors: Ashton, Augimeri, Bussin, Di Giorgio, Duguid, Filion, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Rae, Shaw
No - 23
Councillors: Altobello, Balkissoon, Berardinetti, Chow, Disero, Feldman, Flint, Ford, Hall, Holyday, Johnston, Kelly, Lindsay Luby, Milczyn, Miller, Nunziata, Ootes, Pitfield, Prue, Silva, Soknacki, Sutherland, Walker

Lost by a majority of 6.

Adoption of Part (5) of motion (b) by Councillor Rae:

Yes - 18
Councillors: Altobello, Balkissoon, Berardinetti, Disero, Flint, Ford, Hall, Holyday, Jones, Kelly, Lindsay Luby, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Soknacki, Sutherland
No - 22
Councillors: Ashton, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Feldman, Filion, Johnston, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Pantalone, Prue, Rae, Shaw, Silva, Walker

Lost by a majority of 4.

Adoption of motion (e) by Councillor Mihevc:

Yes - 21 Councillors: Ashton, Augimeri, Bussin, Chow, Di Giorgio, Fillion, Johnston, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Prue, Rae, Shaw, Silva, Soknacki
No - 19 Councillors: Altobello, Balkissoon, Berardinetti, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Lindsay Luby, Milczyn, Nunziata, Ootes, Pitfield, Sutherland, Walker

Carried by a majority of 2.

Adoption of Part (6) of motion (b) by Councillor Rae, as amended:

Yes - 20 Councillors: Ashton, Augimeri, Bussin, Chow, Di Giorgio, Fillion, Holyday, Johnston, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Prue, Rae
No - 20 Councillors: Altobello, Balkissoon, Berardinetti, Disero, Duguid, Feldman, Flint, Ford, Hall, Jones, Kelly, Milczyn, Nunziata, Ootes, Pitfield, Shaw, Silva, Soknacki, Sutherland, Walker

Lost, there being an equal division of votes.

Adoption of Part (4) of motion (b) by Councillor Rae:

Yes - 34 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Fillion, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 6 Councillors: Feldman, Flint, Ford, Holyday, Ootes, Pitfield

Carried by a majority of 28.

Motion to Waive Provisions of City of Toronto Municipal Code:

Deputy Mayor Ootes, with the permission of Council, moved that Council waive the provisions of §27-49 of Chapter 27 of the City of Toronto Municipal Code, in order to permit a vote on whether to re-open Part (5) of motion (b) by Councillor Rae, which carried, more than two-thirds of Member present having voted in the affirmative.

Vote to re-open Part (5) of motion (b) by Councillor Rae:

Yes - 34	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Walker
No - 7	
Councillors:	Altobello, Balkissoon, Ford, Holyday, Lindsay Luby, Nunziata, Sutherland

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

Votes:

Adoption of Part (5) of motion (b) by Councillor Rae:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Johnston, Kelly, Lindsay Luby, Milczyn, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland
No - 16	
Councillors:	Ashton, Augimeri, Chow, Filion, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Moeser, Moscoe, Prue, Shaw, Walker

Carried by a majority of 9.

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

Yes - 30	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland
No - 11	
Councillors:	Altobello, Balkissoon, Ford, Holyday, Jones, Kelly, Li Preti, McConnell, Prue, Shaw, Walker

Carried by a majority of 19.

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

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

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Bussin, Chow, Disero, Duguid, Feldman, Filion, Ford, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki
No - 9	
Councillors:	Balkissoon, Berardinetti, Flint, Holyday, Johnston, McConnell, Prue, Shaw, Walker

Carried by a majority of 20.

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

Motion (f) by Councillor Pitfield carried.

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

Yes - 25	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Chow, Filion, Hall, Holyday, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Walker
No - 13	
Councillors:	Altobello, Balkissoon, Berardinetti, Disero, Duguid, Feldman, Flint, Ford, Korwin-Kuczynski, Li Preti, Milczyn, Moeser, Pantalone

Carried by a majority of 12.

Adoption of motion (l) by Councillor Flint:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Soknacki
No - 11	
Councillors:	Bussin, Feldman, Filion, Ford, Johnston, Miller, Pitfield, Prue, Rae, Silva, Walker

Carried by a majority of 17.

Adoption of Clause, as amended:

Yes - 25	
Mayor:	Lastman
Councillors:	Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Milczyn, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki
No - 14	
Councillors:	Altobello, Augimeri, Balkissoon, Filion, Holyday, Jones, Li Preti, McConnell, Mihevc, Moeser, Moscoe, Prue, Shaw, Walker

Carried by a majority of 11.

In summary, Council amended this Clause by striking out the recommendations of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) all Members of Council be provided with approximately equivalent office space and be granted a choice of a constituency office within their respective wards or within a Civic Centre or equivalent office space at City Hall;
- (2) for each site over and above the City Hall office, the cost be borne by the Councillor’s Global office budget;
- (3) the rent/lease costs for constituency offices located in former Civic Centres or other City of Toronto buildings, including Toronto City Hall, be set at the same rate, and that the rate be set at \$400.00 per month for a maximum total of 500 square feet, the amount to be charged back to the Councillor’s Global office budget;
- (4) Option No. 2 embodied in the report dated January 22, 2001, from the Commissioner of Corporate Services, be adopted, subject to adding thereto the words ‘subject to the Commissioner of Corporate Services, in consultation with the City Solicitor, submitting a report to the Administration Committee on a set of policies to govern such leases’, so that such Option shall now read as follows:

‘Option 2: the office leases in question could be taken in the City’s name, in which case City staff (Facilities and Real Estate) would negotiate the terms of the lease in consultation with the relevant Councillor, and the City Solicitor would negotiate the form of leasing documentation, subject to the Commissioner of Corporate Services, in consultation with the City Solicitor, submitting a report to the Administration Committee on a set of policies to govern such leases.’;

- (5) excess space remaining on the second floor of City Hall be converted into meeting space and storage space;
- (6) Councillors be given access to a telephone and computers in the Civic Centres, when necessary, and be able to book appropriate space in the Civic Centres to meet with staff and constituents at no additional cost;
- (7) the Commissioner of Corporate Services be requested to do everything possible to ensure that all empty space in municipal buildings is used by City

staff or Members of Council, and that some form of revenue is achieved on a square foot basis; and

- (8) the City Clerk be requested to submit a report to the Administration Committee with respect to instances where Councillors accept office space or other goods and services from businesses and/or clients within the Councillor's community, such report to include comment with respect to whether or not it is appropriate for a Member of Council to accept office space at a rate which is below market value."

2.35 **Clause No. 9 of Report No. 1 of The North Community Council, headed "Ontario Municipal Board Hearing - Committee of Adjustment Application - Bowan Court - Ward 24 - Willowdale".**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Shiner moved that Council adopt the following recommendation:

"It is recommended that the report dated January 29, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations, be adopted:

'It is recommended that City Council:

- (1) direct the City Solicitor to amend the subdivision agreement between the City and Bowan Investments Inc. to implement the Minutes of Settlement, should the Ontario Municipal Board approve the decision of the Committee of Adjustment as so modified; and
- (2) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.' "

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

- 2.36 **Clause No. 6 of Report No. 1 of The Administration Committee, headed “Award of Contracts Resulting from RFP No. 3401-00-7137 – Data Warehouse Phase 1 Toronto Social Services Data Mart, RFP No. 9155-00-7123 – Professional Systems Products and Services for Enterprise Application Integration Solution and for Specific Business Applications Interfaces, RFP No. 3412-00-7252 - Enterprise Directory Services”.**

Motion:

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

“It is further recommended that all requests for computer-related expenses include comments from the Executive Director, Information and Technology, on the Department’s business case.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

- 2.37 **Clause No. 16 of Report No. 1 of The Midtown Community Council, headed “63 St. Edmunds Drive - Removal of Two Private Trees”.**

Motion:

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

“It is further recommended that approval for the removal of the two privately-owned trees be conditional upon:

- (1) a building permit being issued for a new house or major renovation which would require the rear yard tree to be removed;
- (2) construction, as referred to in Recommendation No. (1), above, commencing; and
- (3) the owner of the property planting two large-growing shade trees, the species, size and location of which to be to the satisfaction of the City Forester.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

- 2.38 **Clause No. 1 of Report No. 2 of The Striking Committee, headed “Appointments to the Etobicoke and Mimico Creek Watersheds Task Force; Harbourfront Centre Board of Directors; Rouge Park Alliance; and Spadina-York Subway Extension Committee”.**

Motions:

- (a) Councillor Miller moved that the Clause be amended by striking out Recommendation No. (4)(ii) of the Striking Committee and inserting in lieu thereof the following:

“(ii) Councillor David Miller be appointed as the alternate on the Spadina-York Subway Extension Committee.”

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

“It is further recommended that the appropriate City of Toronto officials be authorized to provide support to the Spadina-York Subway Extension Committee.”

Votes:

Motion (a) by Councillor Miller carried.

Motion (b) by Councillor Li Preti carried.

The Clause, as amended, carried.

- 2.39 **Clause No. 18 of Report No. 1 of The Southwest Community Council, headed “1555 Jane Street – Application to Amend the Official Plan and Zoning By-law No. 7625; Medallion Properties Limited; File Nos. UDOP-00-12, UDZ-99-42, UDSP-00-047, Ward 12, York South-Weston”.**

Motion:

Councillor Di Giorgio moved that the Clause be struck out and referred back to the Southwest Community Council for further consideration.

Vote:

The motion by Councillor Di Giorgio carried.

2.40 **Clause No. 15 of Report No. 1 of The Policy and Finance Committee, headed “Submission of Resolutions to the Federation of Canadian Municipalities Annual Conference, Banff, Alberta, May 25 - May 28, 2001”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendation:

“It is recommended that the following motion be adopted by City Council and forwarded to the Federation of Canadian Municipalities (FCM) for consideration at the FCM Annual Conference, May 25 to May 28, 2001:

Moved by: Councillor Chow

‘**WHEREAS** the federal government has announced an initial investment of \$2.2 billion (\$300 million for 2001, \$400 million for 2002, \$500 million for 2003, \$500 million for 2004 and 2005) towards a National Children’s Agenda (NCA) Early Childhood Development; and

WHEREAS the Federation of Canadian Municipalities (FCM) at its last Annual General Meeting, endorsed, by unanimous consent, a Resolution that supported an annual investment of \$2 billion a year for the National Children’s Agenda; and

WHEREAS some Provinces have downloaded children’s programs to local municipalities and local Boards of Health; and

WHEREAS the children from rural areas and the wide variety of communities in Canada face different circumstances and this suggests that municipal governments should have considerable say on the design and the implementation of this excellent initiative;

NOW THEREFORE BE IT RESOLVED THAT the FCM congratulate and applaud the federal government’s initial investment towards a National Children’s Agenda, and the federal government be encouraged to continue to invest fully to \$2 billion per year;

AND BE IT FURTHER RESOLVED THAT the FCM be requested to develop a strategy of municipal involvement in decision making concerning the implementation of the NCA Early Childhood Development Programs;

AND BE IT FURTHER RESOLVED THAT the FCM be requested to communicate this strategy to the federal government.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

2.41 **Clause No. 20 of Report No. 1 of The Midtown Community Council, headed “Minor Variance - 158 Dawlish Avenue OMB Hearing”.**

Motion to Re-Open:

Councillor Flint, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Flint moved that the Clause be amended by deleting the Operative Paragraph of the Resolution embodied in the Clause and inserting in lieu thereof the following new Operative Paragraph:

“THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be directed to provide as much assistance as possible to the residents, including staff attendance at the Ontario Municipal Board where it is deemed by either staff or residents to be beneficial.”

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

2.42 **Clause No. 1 of Report No. 1 of The Policy and Finance Committee, headed “Waterfront Redevelopment Initiative”.**

Motions:

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

“It is further recommended that the contracts that relate to Olympic planning, as set out in Items Nos. 18 to 30, as embodied in the Backgrounder dated January 30, 2001, not be adopted; and the Chief Administrative Officer and the Commissioner of Urban Development Services be requested to submit a report to the Policy and Finance Committee on why these Items should not be the responsibility of TO-Bid.”

- (b) Councillor Pantalone moved that motion (a) by Councillor Miller be referred to Chief Administrative Officer for report to the Policy and Finance Committee at the appropriate time.

Councillor Disero in the Chair.

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

“It is further recommended that:

- (1) the Chief Administrative Officer be requested to provide, to Members of Council who so request, the names of the consultants, firms and the appropriate contact person(s); and
- (2) the consultants be requested to liaise with the Ward Councillors of the areas of the City of Toronto that will be directly impacted by their work.”

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

“It is further recommended that:

- (1) the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee and the Budget Advisory Committee, in March 2001, providing a list of studies, consultants hired and interim results of the \$6.3 million studies; and
- (2) the Chief Administrative Officer and the Intergovernmental Steering Committee be requested to submit a report to the Policy and Finance Committee and the Planning and Transportation Committee, in March 2001, on the governance implementation mechanisms and plan of the Toronto Waterfront Revitalization Initiative.”

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion (b) by Councillor Pantalone:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Holyday, Johnston, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland

No - 7 Councillors: Feldman, Ford, Kelly, Milczyn, Miller, Moscoe, Walker
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Carried by a majority of 22.

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

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

Yes - 28 Mayor: Lastman Councillors: Altobello, Bussin, Cho, Chow, Disero, Duguid, Flint, Hall, Johnston, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 9 Councillors: Berardinetti, Di Giorgio, Feldman, Ford, Holyday, Kelly, Moeser, Ootes, Shiner

Carried by a majority of 19.

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

Part (2) of motion (d) by Councillor Chow, insofar as it pertains to the submission of the requested report to the Policy and Finance Committee, carried.

Part (2) of motion (d) by Councillor Chow, insofar as it pertains to the submission of the requested report to the Planning and Transportation Committee, carried.

Adoption of Clause, as amended:

Yes - 33 Mayor: Lastman Councillors: Altobello, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 4 Councillors: Ford, Johnston, Miller, Walker

Carried by a majority of 29.

2.43 **Clause No. 3 of Report No. 1 of The Policy and Finance Committee, headed “Preliminary 2001 Re-Assessment and Taxation Impacts and Overview of Tax Policy Options”.**

Having regard that the Clause was submitted without recommendation:

Motion:

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

“It is recommended that the report dated January 29, 2001, from the Chief Financial Officer and Treasurer, embodying the following recommendation, be adopted:

‘It is recommended that the tax impact reports entitled “Preliminary Summary of Estimated 2001 CVA Tax Impacts – December 2000” and “Summary of Updated Estimated 1998 Tax Impacts (Reproduction by 2000 Ward Boundaries)”, be placed on the City’s web-site for public access.’ ”

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

“It is recommended that the Province of Ontario again be requested to equalize the City of Toronto’s education tax rate for commercial and industrial properties relative to the rest of Ontario, as soon as possible.”

Votes:

Motion (a) by Councillor Bussin carried.

Motion (b) by Councillor Mihevc carried.

The Clause, as amended, carried.

2.44 **Clause No. 13 of Report No. 1 of The Midtown Community Council, headed “404 Russell Hill Road - Removal of Two City-Owned Trees”.**

Motion to Re-Open:

Councillor Walker, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Walker moved that the Clause be amended by deleting Recommendation No. (1) of the Midtown Community Council and inserting in lieu thereof the following:

“The Midtown Community Council recommends that Council:

- (1) approve the removal of the City-owned Norway Maple;”.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

2.45 **Clause No. 2 of Report No. 1 of The Community Services Committee, headed “Responding to the Homeless Crisis in Toronto”.**

Motions:

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

“It is further recommended that:

- (1) the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services, be adopted, subject to adding to Recommendation No. (1), embodied therein, the following words:

‘and that:

- (i) the City of Toronto build on the positive community development which has developed within Tent City and work with that community to find solutions; and
- (ii) the possibility of using the Durakit units or similar structures donated by the private sector on the Tent City site in the examination of alternative temporary accommodation for people who are homeless be reviewed.’,

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

‘It is recommended that:

- (1) the City encourage all stakeholders to continue to work together to develop options for a solution to the Tent City situation and to people not currently accessing the shelter system, and that:
 - (i) the City of Toronto build on the positive community development which has developed within Tent City and work with that community to find solutions; and
 - (ii) the possibility of using the Durakit units or similar structures donated by the private sector on the Tent City site in the examination of alternative temporary accommodation for people who are homeless be reviewed.’;
 - (2) a progress report be made to the next meeting of the Community Services Committee;
 - (3) a plan be developed and reported to Council at its meeting in April 2001; and
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’;
- (2) in addressing the Tent City situation, the Commissioner of Community and Neighbourhood Services be requested to pursue the following proposal embodied in the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services:
- ‘there is a need to examine the feasibility of creating alternative temporary accommodation for people who are homeless and not using the emergency shelter system. Such alternatives could involve the use of prefabricated/manufactured structures. However, any accommodation option must meet minimum residential and public health standards for water, sewage, cooking facilities, lighting and heating.’;
- (3) the Commissioner of Community and Neighbourhood Services be requested to work with Home Depot and the Tent City community to establish a time line for relocation;

- (4) the Commissioner of Community and Neighbourhood Services be requested to develop a distinction between 'beds' and 'mats on the floor' for the bed availability count;
 - (5) City Council request the Province of Ontario not to spread misleading information such as that contained in the public service announcement concerning available beds; and
 - (6) the Commissioner of Community and Neighbourhood Services be requested to develop a category of 'available beds and available mats at 11:00 p.m.' for reporting purposes."
- (b) Councillor Duguid moved that the Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) this report be received for information; and
 - (2) Council reaffirm its goal of maintaining the occupancy level of the emergency shelter system for adults and youth at no more than 90 percent.'; and
- (2) the Commissioner of Community and Neighbourhood Services be requested to continue to review the protocol for reserving beds and submit a report thereon to the Community Services Committee outlining recommendations to ensure that shelter space is available and more accessible to those in need of such space."
- (c) Councillor Moscoe moved that the Clause be amended by adding thereto the following:

"It is further recommended that the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services, be requested to build into the waterfront studies which were approved by City Council at its meeting held on January 30, 31 and February 1, 2001, a component to address homeless initiatives in the waterfront vicinity and report thereon, within two months, to the Community Services Committee on how this initiative has been specifically accomplished."

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

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

- (1) submit a report to the Community Services Committee on the implications of adjusting the City Council target of 90 percent occupancy of hostels, to be calculated without including the ‘no shows’ as part of the vacancy number;
- (2) direct staff to meet with each Member of Council to identify potential shelter sites in their respective Wards; and
- (3) submit a report to the Community Services Committee how to include the following data in the weekly report on hostel usage:
 - (a) ‘no shows’;
 - (b) bed versus mat usage;
 - (c) downtown versus uptown usage; and
 - (d) men, women, mixed, youth and family usage.”

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

“It is further recommended that emergency funds in the amount of \$0.5 million be provided to give homes to the homeless.”

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

“It is further recommended that the Chair of the Community Services Committee be requested to meet with the Minister of Citizenship and Immigration, as soon as possible, to review the current status of policies and programs around immigration, housing and settlement.”

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

“It is further recommended that copies of the following communications be forwarded to the Commissioner of Community and Neighbourhood Services for review, comment and action, and report thereon to the Community Services Committee by April/May 2001:

- (1) (January 30, 2001) submitted by Councillor Layton, forwarding an electronic mail message received from Mr. Bruce McLeod and Ms. Joyce Kelly, entitled 'Sunday Night in the City';
 - (2) (January 30, 2001) from Mr. David Walsh, President, Realco Property Limited; and
 - (3) (January 26, 2001) from Mr. John van Nostrand, Partner, Architects Alliance.”
- (h) Councillor Pitfield moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to:
- (1) submit a report to the Community Services Committee on the feasibility of improving the Durakits to meet minimum health standards;
 - (2) suggest possible locations for setting up warming centres and other alternatives for individuals who are on the street and not using the shelter system and report thereon to the Community Services Committee; and
 - (3) develop plans to replace mats on floors with proper beds, in consultation with the relevant agencies that provide permanent shelter spaces, and submit a report thereon to the Community Services Committee on an urgent basis.”
- (i) Councillor Ford moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the City Clerk be requested to send a copy of the video, entitled 'St. Paul's Out of the Cold and City Hall' (January 29, 2001), to the Minister of Community and Social Services and the Prime Minister of Canada for response thereon.”
- (j) Councillor Jones moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on the number of people who are using the shelter system who have disabilities that make them unable to work and, therefore, eligible for provincial support programs, such report to address the success rate of transferring people into the Ontario Disability Support Program (ODSP) and the Workplace Safety and Insurance Board (WSIB) program.”

- (k) Councillor Nunziata moved that Part (5) of motion (a) by Councillor Layton be amended by adding thereto the words “and the Province of Ontario be requested to end all homeless advertising and to utilize the funds directly for funding homeless prevention solutions”.
- (l) Councillor Lindsay Luby moved that:
- (1) motion (e) by Councillor Cho be referred to the Commissioner of Community and Neighbourhood Services for review as soon as possible; and
 - (2) the Clause be amended by adding thereto the following:
“It is further recommended that:
 - (a) a delegation from City Council be sent to meet with the Minister of Public Works Responsible for Canada Mortgage and Housing Corporation, prior to March 1, 2001, to demand the speedy release of public funds for affordable housing, as promised during the 2000 federal election; and
 - (b) a meeting be held with the Minister of Citizenship and Immigration to seek assurances that federal immigration practices take into account that the Toronto shelter system is operating at capacity.”
- (m) Councillor Hall moved that:
- (1) motion (i) by Councillor Ford be amended by adding thereto the words “and the federal and provincial levels of government be informed that funding is required to phase out the ‘Out of the Cold’ program and replace it with better accommodation for the homeless, having regard that church basements cannot accommodate the homeless on a permanent basis and are using mats as an alternative”; and
 - (2) the Clause be amended by adding thereto the following:
“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to:
 - (a) submit a report to the Community Services Committee on how to separate out the ‘no shows’, in order to identify them separately, when calculating the vacancy rate in hostels and on the length of time that the ‘no show’ beds remain vacant; and

- (b) forward a copy of the ‘Toronto Report Card on Homelessness 2001’ to the federal and provincial governments.”
- (n) Councillor Prue moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) the Province of Ontario be requested to exercise its constitutional prerogative under Section 95 of The British North America Act to set up an Immigration Department similar to that afforded the Province of Quebec and to seek like per capita funding for immigration and refugee settlement; and
 - (2) Council increase the number of beds at the Princess Margaret Hospital emergency shelter to 200 – currently 120 beds are available – and, further, that all groups of homeless people, including single men and transgendered people, have access to the shelter (currently only single women and couples are allowed).”

Votes:

Part (1) of motion (a) by Councillor Layton, insofar as it pertains to the adoption of the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services, subject to adding to Recommendation No. (1) a new Part (i), carried.

Part (1) of motion (a) by Councillor Layton, insofar as it pertains to the adoption of the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services, subject to adding to Recommendation No. (1) a new Part (ii), carried.

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

Yes - 12	
Councillors:	Balkissoon, Berardinetti, Cho, Chow, Ford, Johnston, Korwin-Kuczynski, Layton, Prue, Shaw, Sutherland, Walker
No - 25	
Councillors:	Ashton, Augimeri, Bussin, Di Giorgio, Disero, Duguid, Filion, Flint, Hall, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki

Lost by a majority of 13.

Part (2) of motion (a) by Councillor Layton carried.

Part (3) of motion (a) by Councillor Layton carried.

Part (4) of motion (a) by Councillor Layton carried.

Adoption of motion (k) by Councillor Nunziata:

Yes - 33 Councillors: Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Walker
No - 5 Councillors: Ashton, Holyday, Kelly, Ootes, Sutherland

Carried by a majority of 28.

Adoption of Part (5) of motion (a) by Councillor Layton, as amended:

Yes - 31 Councillors: Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Walker
No - 7 Councillors: Duguid, Ford, Holyday, Kelly, Ootes, Soknacki, Sutherland

Carried by a majority of 24.

Part (6) of motion (a) by Councillor Layton carried.

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

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

Motion (c) by Councillor Moscoe carried.

Part (1) of motion (d) by Councillor Mihevc carried.

Part (2) of motion (m) by Councillor Hall carried.

Part (2) of motion (d) by Councillor Mihevc carried.

Part (3) of motion (d) by Councillor Mihevc carried.

Adoption of Part (1) of motion (l) by Councillor Lindsay Luby:

Yes - 24
Councillors: Ashton, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Nunziata, Ootes, Pitfield, Shaw, Silva, Soknacki, Sutherland
No - 14
Councillors: Augimeri, Cho, Ford, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Walker

Carried by a majority of 10.

Motion (f) by Councillor Ashton carried.

Motion (g) by Councillor Chow carried.

Part (1) of motion (h) by Councillor Pitfield carried.

Part (2) of motion (h) by Councillor Pitfield carried.

Part (3) of motion (h) by Councillor Pitfield carried.

Part (1) of motion (m) by Councillor Hall carried.

Motion (i) by Councillor Ford carried, as amended.

Motion (j) by Councillor Jones carried.

Part (2) of motion (l) by Councillor Lindsay Luby carried.

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

Yes - 20
Councillors: Ashton, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Feldman, Filion, Flint, Johnston, Korwin-Kuczynski, Li Preti, Lindsay Luby, Pantalone, Pitfield, Prue, Rae, Silva, Sutherland, Walker
No - 18

Councillors:	Augimeri, Chow, Disero, Duguid, Ford, Hall, Holyday, Jones, Kelly, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Shaw, Soknacki
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Carried by a majority of 2.

Adoption of Clause, as amended:

Yes - 38
Councillors: Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 0

Carried, without dissent.

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

“It is further recommended that:

- (1) a delegation from City Council be sent to meet with the Minister of Public Works Responsible for Canada Mortgage and Housing Corporation, prior to March 1, 2001, to demand the speedy release of public funds for affordable housing, as promised during the 2000 federal election;
- (2) a meeting be held with the Minister of Citizenship and Immigration to seek assurances that federal immigration practices take into account that the Toronto shelter system is operating at capacity;
- (3) the Province of Ontario be requested to exercise its constitutional prerogative under Section 95 of The British North America Act to set up an Immigration Department similar to that afforded the Province of Quebec and to seek like per capita funding for immigration and refugee settlement;
- (4) City Council request the Province of Ontario:
 - (a) not to spread misleading information, such as that contained in the public service announcement concerning available beds; and

- (b) to end all homeless advertising and to utilize the funds directly for funding homeless prevention solutions;
- (5) the City Clerk be requested to send a copy of the video, entitled 'St. Paul's Out of the Cold and City Hall' (January 29, 2001), to the Minister of Community and Social Services and the Prime Minister of Canada for response thereon, and the federal and provincial levels of government be informed that funding is required to phase out the 'Out of the Cold' program and replace it with better accommodation for the homeless, having regard that church basements cannot accommodate the homeless on a permanent basis and are using mats as an alternative;
- (6) the Chair of the Community Services Committee be requested to meet with the Minister of Citizenship and Immigration, as soon as possible, to review the current status of policies and programs around immigration, housing and settlement;
- (7) the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services, be requested to build into the waterfront studies which were approved by City Council at its meeting held on January 30, 31 and February 1, 2001, a component to address homeless initiatives in the waterfront vicinity and report thereon, within two months, to the Community Services Committee on how this initiative has been specifically accomplished;
- (8) the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services, be adopted, subject to adding to Recommendation No. (1), embodied therein, the following words:

'and that:

- (i) the City of Toronto build on the positive community development which has developed within Tent City and work with that community to find solutions; and
- (ii) the possibility of using the Durakit units or similar structures donated by the private sector on the Tent City site in the examination of alternative temporary accommodation for people who are homeless be reviewed.'

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

‘It is recommended that:

- (1) the City encourage all stakeholders to continue to work together to develop options for a solution to the Tent City situation and to people not currently accessing the shelter system, and that:
 - (i) the City of Toronto build on the positive community development which has developed within Tent City and work with that community to find solutions; and
 - (ii) the possibility of using the Durakit units or similar structures donated by the private sector on the Tent City site in the examination of alternative temporary accommodation for people who are homeless be reviewed.’;
 - (2) a progress report be made to the next meeting of the Community Services Committee;
 - (3) a plan be developed and reported to Council at its meeting in April 2001; and
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’;
- (9) the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) this report be received for information; and
 - (2) Council reaffirm its goal of maintaining the occupancy level of the emergency shelter system for adults and youth at no more than 90 percent.’;
- (10) in addressing the Tent City situation, the Commissioner of Community and Neighbourhood Services be requested to pursue the following proposal embodied in the report dated January 30, 2001, from the Commissioner of Community and Neighbourhood Services:

‘there is a need to examine the feasibility of creating alternative temporary accommodation for people who are homeless and not using the emergency shelter system. Such alternatives could involve the use of prefabricated/manufactured structures. However, any accommodation option must meet minimum residential and public health standards for water, sewage, cooking facilities, lighting and heating.’;

- (11) the Commissioner of Community and Neighbourhood Services be requested to:
- (a) work with Home Depot and the Tent City community to establish a time line for relocation;
 - (b) direct staff to meet with each Member of Council to identify potential shelter sites in their respective Wards;
 - (c) develop a distinction between ‘beds’ and ‘mats on the floor’ for the bed availability count;
 - (d) develop a category of ‘available beds and available mats at 11:00 p.m.’ for reporting purposes;
 - (e) continue to review the protocol for reserving beds and submit a report thereon to the Community Services Committee outlining recommendations to ensure that shelter space is available and more accessible to those in need of such space;
 - (f) develop plans to replace mats on floors with proper beds, in consultation with the relevant agencies that provide permanent shelter spaces, and submit a report thereon to the Community Services Committee on an urgent basis;
 - (g) forward a copy of the ‘Toronto Report Card on Homelessness 2001’ to the federal and provincial governments;
 - (h) submit reports to the Community Services Committee on:
 - (i) the feasibility of improving the Durakits to meet minimum health standards;

- (ii) suggested possible locations for setting up warming centres and other alternatives for individuals who are on the street and not using the shelter system;
 - (iii) the number of people who are using the shelter system who have disabilities that make them unable to work and, therefore, eligible for provincial support programs, such report to address the success rate of transferring people into the Ontario Disability Support Program (ODSP) and the Workplace Safety and Insurance Board (WSIB) program;
 - (iv) the implications of adjusting the City Council target of 90 percent occupancy of hostels, to be calculated without including the 'no shows' as part of the vacancy number;
 - (v) how to separate out the 'no shows', in order to identify them separately, when calculating the vacancy rate in hostels and on the length of time that the 'no show' beds remain vacant;
 - (vi) how to include the following data in the weekly report on hostel usage:
 - (1) 'no shows';
 - (2) bed versus mat usage;
 - (3) downtown versus uptown usage; and
 - (4) men, women, mixed, youth and family usage;
- (12) copies of the following communications be forwarded to the Commissioner of Community and Neighbourhood Services for review, comment and action, and report thereon to the Community Services Committee by April/May 2001:
- (a) (January 30, 2001) submitted by Councillor Layton, forwarding an electronic mail message received from Mr. Bruce McLeod and Ms. Joyce Kelly, entitled 'Sunday Night in the City';
 - (b) (January 30, 2001) from Mr. David Walsh, President, Realco Property Limited; and
 - (c) (January 26, 2001) from Mr. John van Nostrand, Partner, Architects Alliance;
- (13) the following motion be referred to the Commissioner of Community and Neighbourhood Services for review as soon as possible:

Moved by Councillor Cho:

‘It is further recommended that emergency funds in the amount of \$0.5 million be provided to give homes to the homeless.’ ”

2.46 IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE

February 1, 2001:

Procedural Motion:

Deputy Mayor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of Notice of Motion J(24), moved by Councillor McConnell, seconded by Councillor Ashton, respecting the acquisition of land at 31 and 51 Commissioners Street and 185 Cherry Street, and to waive referral of such Motion to the Administration Committee, in order for Council to now consider such motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 3:40 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (a) Clause No. 13 of Report No. 1 of The Downtown Community Council, headed “Ontario Municipal Board Decision - Park Drive Ravine, Exempting 119R Glen Road from Zoning By-law No. 1997-0369 (Toronto Centre-Rosedale, Ward 27)”, having regard that such Clause contains information which is subject to Solicitor/Client privilege and litigation or potential litigation; and
- (b) Notice of Motion J(24), moved by Councillor McConnell, seconded by Councillor Ashton, respecting the acquisition of land at 31 and 51 Commissioners Street and 185 Cherry Street, having regard that the confidential joint report dated January 30, 2001, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor, appended thereto, contains information related to the security of property interests of the municipality.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 5:00 p.m., and met in public session in the Council Chamber.

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

2.47 **Clause No. 13 of Report No. 1 of The Downtown Community Council, headed “Ontario Municipal Board Decision - Park Drive Ravine, Exempting 119R Glen Road from Zoning By-law No. 1997-0369 (Toronto Centre-Rosedale, Ward 27)”**

Motion:

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

Moved by Councillor Rae:

“That the Clause be amended by striking out the recommendation of the Downtown Community Council and inserting in lieu thereof the following:

“It is recommended that the City seek leave to appeal the decision of the Court of Appeal (December 19, 2000) to the Supreme Court of Canada, using internal City staff resources.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

2.48 **Acquisition of Land at 31 and 51 Commissioners Street and 185 Cherry Street**

Deputy Mayor Ootes called upon Motion J(24), as follows:

Moved by: Councillor McConnell

Seconded by: Councillor Ashton

“**WHEREAS** Council approved a confidential report on the question of land at 31 and 51 Commissioners Street at its October 3, 4 and 5, 2000 meeting and its Special Meeting held on October 6, 10, 11 and 12, 2000, subject to a final review by an outside environmental legal counsel; and

WHEREAS this outside environmental legal counsel has completed a review; and

WHEREAS staff have developed a further confidential report dated January 30, 2001, entitled ‘Acquisition of land at 31 and 51 Commissioners Street and 185 Cherry Street’, for Council’s consideration; and

WHEREAS it would be preferable that this matter be resolved before the Olympic Bid site evaluation team’s visit to Toronto early in March;

NOW THEREFORE BE IT RESOLVED THAT the confidential joint report from the Chief Administrative Officer, the Chief Financial Officer and the City Solicitor be introduced for Council’s consideration during this meeting; and that the report and recommendations contained therein be adopted by Council.”

Council also had before it, during consideration of Motion J(24), a confidential joint report dated January 30, 2001, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor.

Motion:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with the Motion J(24):

Moved by Councillor Moscoe:

“That Motion J(24) be adopted, subject to adding thereto the following new Operative Paragraph:

‘**AND BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer be requested to report regularly to the Administration Committee on developments regarding clean up of the site.’”

Votes:

The motion by Councillor Moscoe carried.

Motion J(24), as amended, carried.

Council, by its adoption of Motion J(24), as amended, adopted, without amendment, the confidential joint report dated January 30, 2001, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the acquisition of land for municipal purposes, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor be given the authority to proceed with the proposed transactions with Imperial Oil Limited;
- (2) all agreements and documents necessary to implement the transaction be in a form and content satisfactory to the City Solicitor; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

2.49 **ADDITIONAL MATTERS CONSIDERED BY COUNCIL**

(1) **Point of Privilege by Councillor Miller respecting Service Districts:**

Councillor Miller, rising on a Point of Privilege, advised the Council that a memorandum had been circulated to Members of Council, earlier this week, respecting the establishment of service districts, and expressed concern that Members of Council had not been consulted in this regard.

Motion:

Deputy Mayor Ootes, with the permission of Council, moved that Council adopt the following recommendation:

“It is recommended that the following Point of Privilege raised by Councillor Miller be referred to the Administration Committee:

Moved by Councillor Miller:

‘It is recommended that the Chief Administrative Officer be requested to consult with Members of Council prior to taking any further steps to implement the initiative respecting service districts, and to submit a report to Council, through the Administration Committee, on the results of those consultations.’ ”

Vote:

The motion by Deputy Mayor Ootes carried.

(2) **Briefing by the Chief Administrative Officer on the 2001 Operating and Capital Budgets:**

Council, in its consideration of a motion to vary the proceedings of Council to recess from 2:00 p.m. to 4:00 p.m., on January 31, 2001, in order to receive a presentation from the Chief Administrative Officer and the Chief Financial Officer and Treasurer on the 2001 Operating and Capital budgets, also adopted the following motions:

Moved by Councillor Miller:

“It is recommended that the Chief Administrative Officer or the Deputy Mayor brief the Members of Council at approximately 3:30 p.m. on January 31, 2001, during the briefing on the 2001 Operating and Capital Budgets, on the status of negotiations with the Province of Ontario.”

Moved by Councillor McConnell, seconded by Councillor Miller:

“**WHEREAS** Councillors have now attended two budget briefings without being given details of budget figures, pressures and potential avenues for addressing those pressures; and

WHEREAS media reports continue to indicate that the Press has more access to budget-related documents than is currently available to Council; and

WHEREAS critical policy changes are being explored by staff and reported in the media without due consideration by Council; and

WHEREAS the City’s agencies, boards and commissions are now providing their Board Members with more detailed budget information than City staff are providing to Council; and

WHEREAS discussions with the Province are underway, but the policy choices that form the basis of that discussion have not been put before Council;

NOW THEREFORE BE IT RESOLVED THAT staff make available to all Members of Council, on a confidential basis, all documents, materials and research related to the budget process and the policy considerations relevant thereto.”

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

2.50 Community Co-ordinator for Each Community

Deputy Mayor Ootes called upon Notice of Motion I appearing on the Order Paper, as follows:

Moved by: Councillor Walker

Seconded by: Councillor Johnston

“**BE IT RESOLVED THAT** the Chief Administrative Officer be requested to submit a report to Council, through the Administration Committee, on the allocation of a Community Co-ordinator for each Community, from existing management personnel.”

In accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, Motion I was referred to the Administration Committee.

2.51 Grant Program – Toronto District School Board Playground Rebuilding

Councillor Walker, with the permission of Council, withdrew the following Notice of Motion J(1):

Moved by: Councillor Walker

Seconded by: Councillor Prue

“**WHEREAS** building permit fees are based on a percentage of the estimated cost of the project that requires the Building Permit; and

WHEREAS it has been the policy of the City of Toronto to charge the Toronto District School Board building permit fees for construction activities; and

WHEREAS the Toronto District School Board is faced with incredible financial challenges and many of the monies being provided for the re-building of school playgrounds is being donated by parents of children at individual schools; and

WHEREAS in the summer of 2000 many of the City's school playgrounds were demolished by the Toronto District School Board; and

WHEREAS the City of Toronto receives considerable benefits from the existence of school playgrounds and Council has already made policy decisions to provide support for the re-building of these playgrounds; and

WHEREAS building permit fees will considerably reduce the amount of funds available for equipment;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto establish a grant program for all applications relating to the Toronto District School Board's rebuilding of playgrounds, the value of which is equivalent to the building permit fees for these projects;

AND BE IT FURTHER RESOLVED THAT these grants be deemed to be in the interest of the City;

AND BE IT FURTHER RESOLVED THAT the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee, as soon as possible, on the estimated annual cost of the grant program."

2.52 **Increase in Membership of Affordable and Social Housing Committee**

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(2), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

"WHEREAS City Council at its Inaugural meeting held on December 5, 6 and 7, 2000, in its consideration of Notice of Motion P(14), approved the establishment of an Affordable and Social Housing Committee; and

WHEREAS it was agreed that such a Committee be comprised of five Members of Council; and

WHEREAS subsequently seven Members of Council have requested appointment to this Committee, and the Striking Committee will be considering appointments at an upcoming meeting;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with § 27-49 of Chapter 27 of the City of Toronto Municipal Code, Notice of Motion P(14) be re-opened for further consideration only insofar as it pertains to the number of members on the Affordable and Social Housing Committee;

AND BE IT FUTHER RESOLVED THAT the membership of the Affordable and Social Housing Committee be increased from five to seven Members of Council.”

Votes:

The first Operative Paragraph embodied in Motion J(2) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(2) was adopted, without amendment.

2.53 Continuance of Tenant Support Grants Program

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(3), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Prue

“**WHEREAS** 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 allocated the remaining \$150,000.00 of the Tenant Defence Fund to an Outreach and Organizing Program to contact and assist tenants in organizing themselves to dispute the AGI applications; 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 Council enacted By-law No. 838-2000 on October 5, 2000, to expand the scope of the Tenant Support Grants Program to assist tenants appealing or applying to the Divisional Court for judicial review of an order issued by the Ontario Rental Housing Tribunal, and tenants disputing landlords' applications for demolitions or conversions before the Ontario Municipal Board; and

WHEREAS the expanded program raised the maximum amount of additional grant assistance to \$10,000.00 for Divisional Court appeals and judicial reviews and \$15,000.00 for OMB disputes for each eligible tenant group applying for the grants; and

WHEREAS Council at its Inaugural meeting held on December 5, 6 and 7, 2000, by adopting Motion P(1) directed that the Tenant Support Grants Program be continued up to February 1, 2001, or until the grants are exhausted, whichever occurs earlier; and

WHEREAS as of January 12, 2001, over 80 tenant applications were approved, with approximately \$146,000.00 committed or disbursed, resulting in only \$4,000.00 uncommitted funds in the Tenant Support Grants Program; and

WHEREAS there were approximately 60 new landlord applications for above-guideline rent increases at the three (3) Toronto area Tribunal offices between December 1, 2000, and January 3, 2001; and

WHEREAS unlike other programs funded by the City, this is a one-time program for Year 2000 only that cannot continue until the Year 2001 Budget is approved and, therefore, interim funding is required;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) additional funds of \$37,500.00 be approved for the Tenant Support Grants Program such funds to be provided from the Corporate Contingency Fund, in order to assist eligible tenant groups who apply for the grants between now and March 31, 2001;
- (2) the Tenant Support Grants Program and the Outreach and Organizing Program be reinstated in 2001 and established as an annual program at a funding level of \$300,000.00;

- (3) the Tenant Support Grants Program and the Outreach and Organizing Program and associated budget be included in the 2001 budget considerations; and
- (4) this Notice of Motion also be referred to the Budget Advisory Committee.”

Council also had before it during consideration of the Motion, an electronic communication dated January 15, 2001, from Mr. Robert De Bartolo, a copy of which is on file in the Office of the City Clerk.

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(3) to the Budget Advisory Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(3) to the Budget Advisory Committee was taken as follows:

Yes – 15 Councillors: Ashton, Bussin, Cho, Chow, Flint, Johnston, Jones, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Walker
No – 22 Councillors: Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Soknacki, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(3) was referred to the Budget Advisory Committee.

2.54 Tenant Support Grants Program – 4750, 4752, and 4754 Dundas Street West

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(4), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Mihevc

“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 to assist tenants in disputing landlords’ applications for above-guideline rent increases; and

WHEREAS Council enacted By-law No. 838-2000 on October 3, 2000, to expand the scope of the Tenant Support Grants Program to include assisting tenants appealing to the Divisional Court regarding an Order issued by the Ontario Rental Housing Tribunal with respect to above-guideline rent increase applications; and

WHEREAS By-Law No. 838-2000 allows the Commissioner of Community and Neighbourhood Services to release an advance payment to eligible tenant groups of up to 50 percent of the basic grant commitment (i.e., up to \$500.00) for the purpose of retaining a qualified agent or lawyer for representation at the Tribunal hearing; and

WHEREAS the by-law specifies that an advance payment can be applied only to basic grant applications but not to additional grant applications; and

WHEREAS the tenants at 4750, 4752 and 4754 Dundas Street West have submitted an application for an additional grant (\$6,075.00) under the expanded Tenant Support Grants Program and their application has been approved; and

WHEREAS the Dundas Street West tenants requested an advance payment of \$1,000.00 to pay for a retainer fee to engage a lawyer, in order to meet the December 28, 2000 deadline for filing their appeal to the Divisional Court; and

WHEREAS the tenants’ request for an advance payment does not fall within the scope of the amended by-law and exceeds the amount allowed under the basic grant level; and

WHEREAS as of today, the tenants’ lawyer already commenced work for their case and filed the court appeal; and

WHEREAS there are sufficient funds in the Tenant Support Grants Program to cover the amount of grant requested by the Dundas Street West tenants;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Commissioner of Community and Neighbourhood Services be authorized to advance \$1,000.00 of the additional grant that has been approved to the

tenants at 4750, 4752 and 4754 Dundas Street West to cover their lawyer's retainer fee; and

- (2) By-law No. 838-2000 be amended to give the Commissioner of Community and Neighbourhood Services discretionary authority to issue advance payments of up to \$1,000.00 for additional grant applications, if tenant groups applying for the grant can demonstrate, in writing, that they require a retainer fee to engage the service of a qualified professional.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(4) 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 J(4) to the Community Services Committee was taken as follows:

Yes – 24	
Councillors:	Ashton, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Korwin-Kuczynski, Li Preti, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Soknacki, Walker
No – 14	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Feldman, Flint, Ford, Holyday, Kelly, Ootes, Shaw, Shiner, Silva, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(4) was referred to the Community Services Committee.

2.55 Tenant Support Grants Program – 65, 71, 75 and 79 Thorncliffe Park

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Pitfield

“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 to assist tenants in disputing landlords’ applications for above-guideline rent increases; and

WHEREAS Council enacted By-law No. 838-2000 on October 3, 2000, to broaden the mandate of the Tenant Defence Fund to assist tenants disputing applications for demolitions and related rental housing matters, in addition to disputing applications for above-guideline rent increases AGI; and

WHEREAS the Tenants’ Association at 65, 71, 75 and 79 Thorncliffe Park submitted a combined application to the Ontario Rental Housing Tribunal on November 14, 2000, for rent reduction as a result of their landlord’s failure to comply with the terms of a mutual agreement previously made between the tenants and the landlord; and

WHEREAS the Thorncliffe Park tenants initially submitted four (4) basic grant applications to pay for legal representation for the tenants’ applications to the Tribunal; and

WHEREAS their grant applications were denied because funding the tenants’ application to the Tribunal does not fall within the scope of the Tenant Support Grants Program under the amended by-law; and

WHEREAS members of the Tenant Defence Sub-Committee were of the opinion that the Thorncliffe Park tenants should be provided a grant to obtain legal assistance in their application for rent reduction at the Tribunal because their application is related to their landlord’s AGI application; and

WHEREAS section 113 of the Municipal Act provides that the Council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the Council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the Council, is in the interests of the municipality; and

WHEREAS providing grants to tenant groups for disputing landlords’ applications can assist in the preservation and maintenance of affordable housing supply and is, therefore, in the interests of the City; and

WHEREAS the tenants of the four (4) buildings are currently making a joint application for an additional grant (\$5,000.00) to pay for legal assistance for their combined rent reduction application to the Tribunal; and

WHEREAS the tenants have already raised \$9,000.00 to cover legal expenses for negotiation of the previous agreement and are now running out of funds; and

WHEREAS there is an urgency for funding the Thorncliffe Park tenants because they already attended a Tribunal hearing in December about their rent reduction application and another hearing will be scheduled in the near future; and

WHEREAS there are currently sufficient funds in the Tenant Support Grants Program to cover the Thorncliffe Park tenants' grant application;

NOW THEREFORE BE IT RESOLVED THAT Council make a grant of \$5,000.00 to the Thorncliffe Park Tenants' Association and such money be allocated from the Tenant Support Grants Program."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(5) 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 J(5) to the Community Services Committee was taken as follows:

Yes – 20	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Hall, Johnston, Jones, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Soknacki, Walker
No – 17	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Milczyn, Moeser, Ootes, Shaw, Shiner, Silva, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(5) was referred to the Community Services Committee.

2.56 Tenant Support Grants Program – 10 Shallmar Boulevard

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(6), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Mihevc

“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 to assist tenants in disputing landlords’ applications for above-guideline rent increases; and

WHEREAS Council enacted By-law No. 838-2000 on October 3, 2000, to expand the scope of the Tenant Support Grants Program to assist tenants appealing or applying to the Divisional Court for judicial review of an Ontario Rental Housing Tribunal Order with respect to above-guideline rent increase applications (AGI); and

WHEREAS the 10 Shallmar Tenant Association has filed an application to the Divisional Court for a judicial review of the Tribunal Order on the AGI application for their building; and

WHEREAS the Shallmar Tenant Association has submitted an application for an additional grant under the expanded Tenant Support Grants Program pursuant to By-law No. 838-2000; and

WHEREAS there are 128 units in the 10 Shallmar Boulevard building that are affected by the AGI application; and

WHEREAS more than one-third of these tenants (55 tenants) signed the petition for their grant application, which met the eligibility criteria; and

WHEREAS the Shallmar application was denied because most of the tenants (60 percent) who signed the petition for the application are, on average, paying rents 5 percent above the rent levels required to be qualified as an ‘eligible group’ under the Tenant Support Grants Program; and

WHEREAS section 113 of the Municipal Act provides that the Council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the Council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the Council, is in the interests of the municipality; and

WHEREAS providing grants to tenant groups for disputing landlords’ applications

can assist in the preservation and maintenance of affordable housing supply and is, therefore, in the interests of the City; and

WHEREAS there are sufficient funds in the Tenant Support Grants Program to cover the Shallmar tenants' application; and

NOW THEREFORE BE IT RESOLVED THAT Council make a grant of \$6,000.00 to the tenants at 10 Shallmar Boulevard and such money be allocated from the Tenant Support Grants Program.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(6) 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 J(6) to the Community Services Committee was taken as follows:

Yes – 21	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Soknacki, Walker
No – 16	
Councillors:	Altobello, Balkissoon, Berardinetti, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Milczyn, Moeser, Ootes, Shaw, Shiner, Silva, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(6) was referred to the Community Services Committee.

2.57 **Provision of Toronto Police Services Board Agenda to Members of Council**

Councillor Soknacki moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Soknacki**

Seconded by: **Councillor Chow**

“**WHEREAS** the Toronto Police Services Board provides one of the major municipal services of the City of Toronto; and

WHEREAS civilian oversight is one of the key principles for policing; and

WHEREAS Councillors rely on detailed agenda materials for reviewing the operations of the City of Toronto; and

WHEREAS the Chairman of the Toronto Police Services Board has notified Councillors that only the agenda index and the public walk-on agenda will be distributed to Councillors and that the Clerk’s office at City Hall will have one public agenda for reference/information; and

WHEREAS the information currently provided from the Toronto Police Services Board is not sufficient for Councillors to conscientiously review the operations of the Toronto Police Services Board;

NOW THEREFORE BE IT RESOLVED THAT the Toronto Police Services Board be requested to provide full public agendas, in a timely manner, to any Councillor of the City of Toronto who requests them.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(7) to the Toronto Police Services Board would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(7) to the Toronto Police Services Board carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Moscoe moved that Motion J(7) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the City Clerk be requested to canvass Members of Council and forward to the Secretary of the Toronto Police Services Board, the names of those Members of Council who wish to be provided with full public agendas for the Board.”

Votes:

The motion by Councillor Moscoe carried.

Motion J(7), as amended, carried.

2.58 **Amendment to 2001 Meeting Schedule of Council and Committees**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Flint

“WHEREAS City Council at its Inaugural Meeting held on December 5, 6 and 7, 2000, adopted, as amended, Clause No. 2 of Report No. 1 of The Striking Committee headed ‘2001 Schedule of Meetings’, and, in so doing, scheduled the Midtown Community Council meetings to be held on the second day provided for Community Council meetings, rather than the first day; and

WHEREAS the Midtown Community Council and the North Community Council now meet on the same day at the North York Civic Centre; and

WHEREAS it would be more convenient for the Midtown Community Council to meet on the first day provided for Community Councils so that the meetings can be held in the North York Council Chamber and to provide for the appropriate assignment of City staff;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 2 of Report No. 1 of The Striking Committee, headed ‘2001 Schedule of Meetings’, be re-opened for further consideration, only insofar as it pertains to the schedule of the Midtown Community Council meetings;

AND BE IT FURTHER RESOLVED THAT the Midtown Community Council meetings be scheduled on the first day provided for Community Council meetings, rather than the second day (The Midtown Community Council will generally meet on Tuesdays).”

Votes:

The first Operative Paragraph embodied in Motion J(8) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(8) was adopted, without amendment.

2.59 **Adams Mine Proposal**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Prue

“WHEREAS in its last term Toronto City Council considered the issue of the location of Waste Disposal facilities to handle the City of Toronto’s Garbage, specifically the Adams Mine Dump proposal; and

WHEREAS the proponent, Rail Cycle North, refused to agree with the removal of certain liability clauses from the contract and therefore the proposal failed; and

WHEREAS there has been great public outcry, both in the City of Toronto and in the municipalities where the Adams Mine Dump site is located, against this proposal; and

WHEREAS the proponent of the Adams Mine Site, Mr. Gordon McGuinty, is again here in Toronto City Hall attempting to push his ‘dark-ages’ concept of dumping our trash into an abandoned mine; and

WHEREAS the City of Toronto has committed to finding alternative waste disposal options including anaerobic digesters and composting; and

WHEREAS in the recent Municipal elections, the Adams Mine proposal was the most important issue that electors were concerned about and many of those Councillors who supported this idea were not re-elected; and

WHEREAS the City of Toronto has acquired a suitable site in Michigan for the short-term that uses proven technology and the City is protected from possible unilateral border closures by the North American Free Trade Agreement;

NOW THEREFORE BE IT RESOLVED THAT City Council formally reject the Adams Mine site as a current or future option for dumping the City of Toronto municipal waste.”

City Council also had before it during consideration of this Motion, thirty-four (34) communications from concerned citizens with respect to the Adams Mine Proposal, copies of which are on file in the Office of the City Clerk.

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(9) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(9) to the Works Committee was taken as follows:

Yes – 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Disero, Duguid, Feldman, Flint, Ford, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Silva, Soknacki, Sutherland, Walker
No – 4	
Councillors:	Balkissoon, Di Giorgio, Holyday, Kelly

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

Vote:

Motion J(9) was adopted, without amendment.

2.60 Establishment of Long Term Care Facility – Ellesmere Avenue and Neilson Road

Councillor Soknacki moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(10), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Soknacki

Seconded by: Councillor Duguid

“WHEREAS the Provincial Minister of Health and Long Term Care has requested applications for approximately 5,500 new long term care beds in Ontario; and

WHEREAS Long Term Care (LTC) facilities provide 24 hour services such as accommodation, meals, nursing and personal care to people who are not able to live in their own homes; and

WHEREAS Ontario’s need for long term care facilities will grow by approximately 61 percent over the next decade; and

WHEREAS Toronto East (which includes the former City of Scarborough) has been identified as a 'preferred location' for 690 beds in 2001; and

WHEREAS the Rouge Valley Health System in partnership with Extendicare (Canada) Inc. is preparing a proposal to establish 160 LTC beds at the southeast corner of Ellesmere Avenue and Neilson Road; and

WHEREAS the lands on the southeast corner of Ellesmere Avenue and Neilson Road have been declared surplus by the City of Toronto and can be sold at market value; and

WHEREAS the use of this site for Long Term Health Care complies with current zoning and the City's Official Plan; and

WHEREAS the use of this land for long term care beds is not inconsistent with the City of Toronto's Housing First policy; and

WHEREAS the Rouge Valley Health System, in partnership with Extendicare (Canada) Ltd., is required by the Ministry of Health and Long Term Care to provide proof that the City of Toronto is willing to deem this project as having fulfilled the requirements of its Housing First policy for this proposal, prior to consideration of the application; and

WHEREAS the application must be submitted on January 31, 2001, and, therefore, must be dealt with at Toronto City Council on January 30, 2001;

NOW THEREFORE BE IT RESOLVED THAT, for the purpose of this site and this application only, the City of Toronto deem this property as fulfilling the requirements of the Housing First Policy and refer this issue to the Property Management Committee for negotiations with the Rouge Valley Health System."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(10) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(10) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motions:

- (a) Councillor Soknacki moved that Motion J(10) be adopted, subject to amending the Operative Paragraph to read as follows:

“NOW THEREFORE BE IT RESOLVED THAT, for the purpose of this site and this application only, the City of Toronto waive the requirements of the Housing First Policy and refer this issue to the Commissioner of Corporate Services for negotiations with the Rouge Valley Health System.”

- (b) Councillor Moeser moved that Motion J(10) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the owners of the property be requested to consider naming the facility after the former Mayor Joyce Trimmer.”

- (c) Councillor Berardinetti moved that motion (b) by Councillor Moeser be referred to the East Community Council for consideration.

Votes:

Motion (a) by Councillor Soknacki carried.

Motion (c) by Councillor Berardinetti carried.

Motion J(10), as amended, carried.

2.61 **Phasing Out of Corporate Vehicle Service for Members of Council**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(11):

Moved by: Councillor Duguid

Seconded by: Councillor Soknacki

“WHEREAS the City Auditor in a report dated November 30, 1999, concluded that the City could save between \$230,000.00 to \$305,000.00 by phasing out the corporate vehicle service to Councillors and replacing it with the use of taxis or a personal vehicle mileage reimbursement system; and

WHEREAS the City Auditor in his report stated, ‘there are more cost effective alternatives than utilizing corporate cars to provide transportation to Councillors in their conduct of City business’; and

WHEREAS all indications are that it will be very challenging to avoid a tax increase in 2001 and that we must re-double our efforts to find potential savings; and

WHEREAS the Chair of the Toronto Transit Commission has indicated a need for Councillors to use the transit system, when possible, rather than corporate vehicles; and

WHEREAS it appears that use of the corporate vehicle service by Councillors is declining, based on usage in 2000;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk, in consultation with the City Auditor, be requested to report to the Administration Committee on February 6, 2001, on a plan to phase out the corporate vehicle service for Councillors by the end of the year 2001.”,

the vote upon which was taken as follows:

Yes – 21 Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Disero, Duguid, Flint, Hall, Holyday, Kelly, Layton, Lindsay Luby, Milczyn, Nunziata, Ootes, Pitfield, Prue, Soknacki, Sutherland, Walker
No – 18 Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Feldman, Ford, Johnston, Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Silva

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

Having regard that the motion to waive Notice did not carry, Council did not give consideration to the Motion at this meeting.

2.62 **Presentation to Paramedics of Toronto Emergency Medical Services**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Hall

“**WHEREAS** Mr. Tahir Choudry and Mr. Geoff Stoodley, paramedics with City of Toronto Emergency Medical Services assigned to ambulance unit 7361, in the early morning hours of December 25, 2000, noticed heavy smoke emanating from the second floor of 1050 Bloor Street West; and

WHEREAS Tahir Choudry initiated a call for help from Toronto Fire Services, while his partner, Geoff Stoodley, entered the building to alert and evacuate residents; and

WHEREAS while Toronto Emergency Medical Services and Toronto Fire Services were sending assistance, Tahir Choudry rendered medical care and his partner Geoff

Stoodley awakened and directed residents to evacuate the burning building; and

WHEREAS having determined that all residents were safely outside the burning building, Tahir Choudry and Geoff Stoodley entered the adjacent buildings to alert neighbours of the fire and ensured their safety; and

WHEREAS because of the heroic actions of paramedics Tahir Choudry and Geoff Stoodley, loss of life and numerous tragedies were averted over the holiday season;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council, on behalf of its residents, recognize and commend paramedics Tahir Choudry and Geoff Stoodley for their selfless actions in alerting numerous residents to the fire. Their extraordinary rescue efforts and exceptional service stand as a hallmark for Toronto Emergency Medical Services and for the City of Toronto.”

Vote:

Motion J(12) was adopted, without amendment.

2.63 **City of Toronto Submission Regarding The Ontario Property Assessment Corporation**

Councillor Flint moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Balkissoon

“**WHEREAS** the Minister of Finance sets assessment policy and standards across the Province. and the Ontario Property Assessment Corporation’s (OPAC) role is to carry out property assessments in accordance with these policies; and

WHEREAS the Finance Minister, the Honourable Ernie Eves, has appointed Mr. Marcel Beaubien, MPP for Lambton-Kent-Middlesex, as a special advisor to conduct a review of OPAC; and

WHEREAS Mr. Beaubien will:

- (1) review the operational structure of OPAC, including the composition of the Board of Directors;
- (2) study the working relationship between OPAC and the provincial government;

and

- (3) conduct a comprehensive review of the regulation which defines property classifications; and

WHEREAS Mr. Beaubien will be conducting public focus groups and will be inviting submissions from various associations representing property taxpayers and municipalities; and

WHEREAS he will submit his findings to the Minister by March 31, 2001;

NOW THEREFORE BE IT RESOLVED THAT the Chief Financial Officer and Treasurer be requested to prepare a submission, on behalf of the City of Toronto, outlining the City difficulties in dealing with OPAC and recommending appropriate changes that would enable a more open and fair method of determining assessments, appealing assessments, releasing information and improving the relationship between OPAC, the Province and municipalities;

AND BE IT FURTHER RESOLVED THAT this submission be reported to the February 15, 2001 meeting of the Policy and Finance Committee;

AND BE IT FURTHER RESOLVED THAT the Chief Financial Officer and Treasurer, the Chief Administrative Officer and the Chair of the Policy and Finance Committee seek a date to present a submission, in person, before Mr. Beaubien, on behalf of the taxpayers of Toronto and Toronto City Council.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(13) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(13) to the Policy and Finance Committee lost, less than two-thirds of Members present having voted in the affirmative.

Having regard to the foregoing decision of Council, Motion J(13) was referred to the Policy and Finance Committee.

2.64 **Sale of 2 Bloor Street West, North-West Corner of Bloor Street and Yonge Street**

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto

Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

“WHEREAS City Council at its meeting held on July 8, 9 and 10, 1998, adopted, without amendment, Clause No. 1 of Report No. 8 of the Toronto Community Council, headed ‘Official Plan and Zoning By-law Amendments -2 Bloor Street West (Cumberland Terrace) (Midtown)’ and, in so doing, approved a draft Zoning By-law amendment and Official Plan Amendment for 2 Bloor Street West (the ‘Lands’) and adopted Recommendations Nos. (1) to (13) of the Final Planning Report of the Commissioner of Urban Planning and Development Services dated May 13, 1998, to permit a 27-storey mixed retail and residential building on the westerly portion of the Lands, and authorized the introduction of the necessary Bills in Council to give effect thereto; and

WHEREAS City Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 2000, October 10 and 11, 2000 and October 12, 2000, adopted, without amendment, Clause No. 27 of Report No. 19 of the Administration Committee, headed ‘Sale of 2 Bloor Street West, Northwest Corner of Bloor Street and Yonge Street (Ward 23 - Midtown)’, and, in so doing, authorized the sale of the City-owned Lands to OMERS Realty Management Corporation (‘OMERS’); and

WHEREAS OMERS has recently proposed the following revisions to the draft Zoning By-law amendment and Official Plan Amendment, as approved:

Proposed Revisions:

- (1) increasing the maximum above-grade non-residential gross floor area of the existing building on the easterly portion of the Lands from 48,760 to 49,450 square metres (this increase reflects a minor variance for additional gross floor area that was approved by the Committee of Adjustment in May 2000);
- (2) decreasing the minimum gross floor area of street-related retail and service uses within the proposed building from 2,285 to 1,600 square metres on the concourse level and from 1,805 to 1,300 square metres on the ground floor level;
- (3) including an alternative method of calculating the minimum number of above-

grade parking spaces to be provided for the residents of the proposed building, being the lesser of: (a) 244 parking spaces (original proposal) and (b) 0.7 parking spaces for each one bedroom dwelling unit and 1.0 parking spaces for each two bedroom dwelling unit;

- (4) excluding an 8.5 metre tall elevator room measuring 5.0 metres by 14.0 metres in area from the height limits applicable to the proposed building (this provision was included in the Recommendations of the Final Planning Report, as adopted, but not incorporated into the draft zoning by-law amendment); and
- (5) excluding roof top structures and other elements from the restriction against penetration of the proposed angular plane (this provision was included in the Recommendations of the Final Planning Report, as adopted, but not incorporated into the draft zoning by-law amendment); and

WHEREAS the Commissioner of Urban Development Services considers the proposed revisions to be minor and acceptable, both individually and collectively, as reflecting internal design changes that do not affect the built form of the proposed building that was approved by City Council in July 1998; and

WHEREAS OMERS has fulfilled all of the conditions that were required to be satisfied prior to the introduction of the Bills in Council;

NOW THEREFORE BE IT RESOLVED THAT the proposed revisions to the draft Zoning By-law amendment and Official Plan Amendment be approved and the City Solicitor be authorized to introduce the necessary Bills in Council to give effect thereto;

AND BE IT FURTHER RESOLVED THAT no further notice be given in respect of the proposed Zoning By-law Amendment and Official Plan Amendment.”

Vote:

Motion J(14) was adopted, without amendment.

2.65 Establishment of Long Term Care Facility – 640 Lansdowne Avenue

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Disero

“WHEREAS the Provincial Minister of Health and Long Term Care has requested applications for approximately 5,500 new long term care beds in Ontario; and

WHEREAS Ontario’s need for long term care facilities will grow by approximately 61 percent over the next decade; and

WHEREAS Toronto West has been identified as a ‘preferred location’ for 1644 beds in 2001; and

WHEREAS Leisureworld Inc. is preparing a proposal to establish in excess of 100 LTC beds in Toronto West; and

WHEREAS the lands at 640 Lansdowne Avenue have been declared surplus by the Toronto Transit Commission, and are being studied by Shelter, Housing and Support Division of Community Services and Parks and Recreation Division of Economic Development to address the need for social housing and recreational space in Toronto; and

WHEREAS the use of this site for long term care beds is not inconsistent with the City of Toronto’s Housing First policy; and

WHEREAS it may be possible to accommodate the Leisureworld Inc. proposal for long term care beds on a part of the lands at 640 Lansdowne Avenue; and

WHEREAS Leisureworld Inc. is required by the Ministry of Health and Long Term Care to provide proof that the City of Toronto is willing to waive the requirements of the Housing First policy for this proposal, prior to consideration of the application; and

WHEREAS the application must be submitted on January 31, 2001, and therefore, must be dealt with at Toronto City Council on January 30, 2001;

NOW THEREFORE BE IT RESOLVED THAT, for the purpose of this site and this application only, the City of Toronto waive the requirements of the Housing First policy and refer this issue to the Commissioner of Corporate Services for negotiations with Leisureworld Inc., in consultation with the Toronto Transit Commission.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Yes – 31	
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Johnston, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Silva, Soknacki, Sutherland
No – 6	
Councillors:	Altobello, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski

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

Motions:

- (a) Councillor Moscoe moved that Motion J(15) be adopted subject to adding to the first Operative Paragraph, the words “and further that staff report back on the results of the negotiations with Leisureworld Inc.”, so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT, for the purpose of this site and this application only, the City of Toronto waive the requirements of the Housing First policy and refer this issue to the Commissioner of Corporate Services for negotiations with Leisureworld Inc., in consultation with the Toronto Transit Commission, and further that staff report back on the results of the negotiations with Leisureworld Inc.”

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

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee on a procedure to allow the proceeds from sites that are deemed to be suitable for housing and are being sold by the City to the private sector, to be placed in the Capital Revolving Fund for Affordable Housing.”

Motion (a) by Councillor Moscoe carried.

Motion (b) by Councillor Layton carried.

Motion J(15), as amended, carried.

2.66 **Request for Modification of City of Vaughan Official Plan Amendment No. 600**

Councillor Balkissoon moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Balkissoon

Seconded by: Councillor Moeser

“WHEREAS the City of Vaughan adopted Official Plan Amendment (OPA) 600 on September 25, 2000; and

WHEREAS York Regional Council may be in a position to debate OPA 600 as early as March 2001; and

WHEREAS OPA 600 covers the mid and upper reaches of both the Humber and Don Rivers; and

WHEREAS OPA 600 reduces buffering requirements along valley and stream corridors; and

WHEREAS OPA 600 may not place sufficient regional control over storm water management as it relates to the protection of downstream land owners; and

WHEREAS OPA 600 would allow unclassified wetlands, assessed as Class 4 through 7, to be replicated or relocated elsewhere;

NOW THEREFORE BE IT RESOLVED THAT, to minimize impacts to our river system, including the aquatic habitats, and to protect downstream landowners from flooding implications on the Don and the Humber Rivers, the City of Toronto request York Regional Council to modify City of Vaughan OPA 600 to:

- (1) require a buffer of generally 10 metres adjacent to valley and stream corridors as previously established within other Official Plans in York Region;
- (2) ensure regional control of storm water, where necessary, through the Master Environmental Servicing Plan;
- (3) delete the provision within OPA 600 which allows for the relocation or

replication of important wetland features (Class 4 to 7);

AND BE IT FURTHER RESOLVED THAT the City of Toronto support the Toronto and Region Conservation Authority in its similar requests to have York Regional Council modify OPA 600.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(16) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(16) was adopted, without amendment.

2.67 **Olympic Flag Challenge – Issuance of Tax Receipts for Donations**

Councillor Johnston moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Feldman

“**WHEREAS** Toronto is a candidate City to host the 2008 Olympics; and

WHEREAS the 2008 Toronto Olympic Bid Corporation (TO-Bid) is mandated to develop and promote the Toronto candidacy; and

WHEREAS the Flag Challenge/Gala proposed by TO-Bid is recognized as an important fundraising opportunity; and

WHEREAS the Income Tax Act does not provide TO-Bid with the authority to issue income tax receipts to contributors;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto accept

donations from those wishing to support the 2008 Olympic Bid by participating in the Flag Challenge/Gala and issue tax receipts for all donations received. This initiative will culminate in the heralding of the City's diversity and harmony in a display of the flags of all the participating Olympic nations in Nathan Phillips Square. This undertaking would be of great assistance to TO-Bid in the run up to the International Olympic Committee's decision this July;

AND BE IT FURTHER RESOLVED THAT at the conclusion of the Flag Challenge/Gala event the City of Toronto remit to TO-Bid the proceeds from donations received."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(17) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(17) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(17) was adopted, without amendment.

2.68 **Appointments to the Board of Directors, Hummingbird Centre for the Performing Arts**

Councillor Johnston moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(18), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Augimeri

"WHEREAS the former Municipality of Metropolitan Toronto, on October 9 and 10, 1996, in adopting, as amended, Clause No. 4 of Report No. 15 of The Environment and Public Space Committee, headed 'O'Keefe Board: Revisions to Name and Composition', among other things, revised the composition of the Board of Directors of the Hummingbird Centre for the Performing Arts (Board) to provide that, of 12 Board Members, one member of each of The National Ballet of Canada (NBC) and the Canadian Opera Company (COC) be appointed to the Board,

conditional upon the NBC and the COC continuing their occupancy of the Centre as their prime performance venues; and

WHEREAS the representatives of the NBC (Mr. Murray Makin) and the COC (Mr. Giles Meikle) have resigned from their respective Boards and, therefore, are no longer eligible to sit on the Board; and

WHEREAS the NBC and COC have not replaced their representatives on the Board resulting in two vacancies on the Board for over a year; and

WHEREAS it would be beneficial to maintain continuity of the Board membership during the Board's transitional period; and

WHEREAS, as a result of the aforementioned vacancies, the Board is having difficulty obtaining quorum with a resulting difficulty in conducting the business of the Board;

NOW THEREFORE BE IT RESOLVED THAT, By-law No. 133-96 of the former Municipality of Metropolitan Toronto, Section 3, Subsection (2) and (3) be amended to provide that, in addition to Council's power to appoint Board members from among Members of Council in the absence of representation from the NBC and/or the COC, Council may also appoint such Board members from among non-Members of Council;

AND BE IT FURTHER RESOLVED THAT the Nominating Procedure for appointing citizens to the City's agencies, boards, and commissions be waived in this instance and that Mr. Murray Makin and Mr. Giles Meikle be appointed to the Board so that they may continue to serve on the Board, for the reasons outlined above;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of the necessary Bill in Council."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the Nominating Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(18) to the Nominating Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Johnston moved that Motion J(18) be adopted, subject to adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT the resignation of Councillor Kyle Rae from the Board of Directors of the Hummingbird Centre for the Performing Arts, be accepted;

AND BE IT FURTHER RESOLVED THAT the Striking Committee be requested to report to the next meeting of Council recommending a Member of Council to fill the vacancy as a result of Councillor Rae’s resignation.”

Votes:

The motion by Councillor Johnston carried.

Motion J(18), as amended, carried.

2.69 Amendment to Chapter 681, Sewers, of the City of Toronto Municipal Code

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Pitfield

“WHEREAS City Council, at its meeting held on June 7, 8 and 9, 2000, adopted, as amended, Clause No. 7 of Joint Report No. 2 of the Works Committee and the Economic Development Committee, headed “City of Toronto New Sewer Use By-law”; and

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

WHEREAS the Bill that was introduced and subsequently enacted as By-law No. 457-2000 (now Chapter 681 of the Municipal Code), failed, through inadvertence, to repeal a relevant part of the Municipal Code of the former City of Toronto, and to extend the application of the sections of former Metro by-law 153-89, dealing with

discharges to sanitary and storm sewers, throughout the new City of Toronto until June 30, 2002, at which time the relevant provisions of the new By-law, 457-2000, will come into force;

NOW THEREFORE BE IT RESOLVED THAT Former City of Toronto Municipal Code Chapter 292, Sewers, Article III”, be repealed, sections 2 and 3 of By-law No. 153-89 of the former Municipality of Metropolitan Toronto be deemed to apply throughout the City of Toronto until June 30, 2002, and the enforcement sections of the new by-law apply with respect to sections 2 and 3 of By-law No. 153-89;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to introduce the necessary bill in Council to amend Chapter 681 of the Municipal Code accordingly.”

Vote:

Motion J(19) was adopted, without amendment.

2.70 **Appointment of Member of Council to Board of Directors of Toronto Economic Development Corporation (TEDCO)**

Councillor Ashton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(20), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ashton

Seconded by: Councillor McConnell

“**WHEREAS** the Board of Directors of TEDCO needs to continue to operate and manage the City’s interests until a decision is made on the future of TEDCO; and

WHEREAS Council directed a review of the role, mandate, and composition of TEDCO’s governance structure and indicated that the members of the Board serve until that review is completed; and

WHEREAS the Chair of Economic Development and Parks Committee has historically been designated a member of the Board;

NOW THEREFORE BE IT RESOLVED THAT Councillor Michael Feldman be

appointed to the Board of Directors of TEDCO;

AND BE IT FURTHER RESOLVED THAT the existing Members of Council on the Board of Directors continue to serve on the board until Council makes a decision on the future of TEDCO.”

Vote:

Motion J(20) was adopted, without amendment.

Motion to Re-Open:

Councillor Layton, with the permission of Council, moved that, in accordance with Chapter 27 of the City of Toronto Municipal Code, Motion J(20) be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motions:

- (a) Councillor Layton moved that Motion J(20) be adopted, subject to adding thereto the following new Operative Paragraph:
- “AND BE IT FURTHER RESOLVED THAT** the Council representation on the TEDCO Board be expanded by one member and the local Ward Councillor, Councillor Layton, be appointed to the Board, subject to the provisions of the TEDCO By-law.”
- (b) Councillor Kelly moved that Motion J(20), together with motion (a) by Councillor Layton, be referred to the Policy and Finance Committee.

Votes:

Adoption of motion (b) by Councillor Kelly:

Yes – 14	
Councillors:	Altobello, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Kelly, Li Preti, Lindsay Luby, Nunziata, Ootes, Pitfield, Rae, Shaw
No – 18	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Flint, Ford, Holyday, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Silva, Walker

Lost by a majority of 4.

Motion (a) by Councillor Layton carried, without amendment.

Motion J(20), as amended, carried.

2.71 Ontario Municipal Board Hearing – 20 Strathearn Boulevard

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Walker

“WHEREAS the owner of the property at 20 Strathearn Boulevard has appealed to the Ontario Municipal Board in respect of the decision of the Committee of Adjustment to refuse minor variances to permit a residential gross floor area of approximately 0.5 times the area of the lot (whereas 0.35 times the area of the lot is permitted) and to permit a below-grade integral garage with its access located in the front wall of the house (whereas a below-grade integral garage is not permitted if its access is located in the front wall of the house); and

WHEREAS City Council by amending and adopting Clause No. 34 of Report No. 18 of the Toronto Community Council at its meeting of October 3, 4 and 5, 2000, instructed the City Solicitor and Commissioner of Urban Development Services to attend the Ontario Municipal Board hearing to defend the Committee of Adjustment decision respecting 20 Strathearn Boulevard; and

WHEREAS the Ontario Municipal Board has scheduled the hearing to commence on February 12, 2001; and

WHEREAS there are precedents of similar densities in the vicinity of the subject property; and

WHEREAS the subject house is being constructed so that the access to the garage is not below grade, and therefore the fact that the garage is below grade is not visible from the street; and

WHEREAS the Commissioner of Urban Development Services’ staff have advised that they have reviewed the proposed minor variances in the context of the City’s official plan and zoning by-law, and in terms of potential impact on adjacent properties, and that based on their assessment they do not object to approval of the

variances and therefore cannot give evidence at the Ontario Municipal Board in accordance with Council's instructions; and

WHEREAS the owner of the subject property has agreed to make a payment in the amount of \$6,000.00 to be used for local park purposes or for the purpose of the Toronto District School Board providing new playground equipment in the vicinity of the subject property;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed not to attend at the Ontario Municipal Board Hearing in respect of the minor variance applications for 20 Strathearn Boulevard.”

Vote:

Motion J(21) was adopted, without amendment.

2.72 CRTC Decision Regarding Conditions for Access to Municipal Property by Telecommunications Carriers

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(22), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Ootes

“**WHEREAS** City Council at its meeting held on December 14, 15 and 16, 1999, approved the retention of outside counsel and the participation by the City of Toronto in the CRTC Public Notice 99-25 proceeding concerning the terms and conditions for access to municipal property by telecommunications carriers; and

WHEREAS the CRTC, on January 25, 2001, issued a decision (No. 2001-23) in the public notice proceeding; and

WHEREAS the City Solicitor has prepared a confidential report dated January 26, 2001, respecting the decision and its implications for the City of Toronto; and

WHEREAS for the reasons outlined in the aforementioned confidential report, Council consideration of this matter is required at its meeting to be held on January 30, 2001;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report dated January 26, 2001 from the City Solicitor and that such confidential report be adopted.”

Council also had before it, during consideration of Motion J(22), a confidential report dated January 26, 2001, from the City Solicitor, entitled “Canadian Radio-television and Telecommunications Commission (CRTC) Decision 2001-23 – Public Notice 99-25 – Terms and Conditions for Access to Municipal Property by Telecommunications Carriers – Authority for Appeal”. (A copy of Schedule “A”, appended thereto, is on file in the Office of the City Clerk.)

Vote:

Motion J(22) was adopted, without amendment, and in so doing, Council adopted the confidential report dated January 26, 2001, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information subject to solicitor/client privilege, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council authorize the City Solicitor to review CRTC Decision 2001-23 with outside counsel and, in consultation with the Chief Administrative Officer and the Executive Lead on Telecommunications, instruct outside counsel in filing of an appeal or such other action as may be necessary to protect the interests of the City of Toronto;
- (2) City Council authorize the City Solicitor and other staff as necessary to continue to consult with and assist the Federation of Canadian Municipalities in the preparation of its response to the CRTC decision;
- (3) City Council authorize funding of outside counsel, and other expertise as required, from the Corporate Contingency Account; and
- (4) City Council request staff to take all appropriate action to give effect hereto.”

2.73 **Agreements Respecting Transportation and Disposal of Biosolids**

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Layton

“**WHEREAS** Metropolitan Toronto Council, in 1995, authorized an agreement with Terratec Environmental Ltd. for the demonstration of the beneficial use of biosolids from Metro's Main Sewage Treatment Plant (now known as the Ashbridges Bay Treatment Plant), which agreement was entered into July 30, 1996, and was subsequently amended to permit the handling of additional quantities of biosolids, and for the adjustment of payments, (the ‘1996 Agreement’); and

WHEREAS pursuant to the City of Toronto Act, 1997, Toronto has assumed the obligations of Metro with respect to the 1996 Agreement, as amended; and

WHEREAS Azurix North America (Canada) Corp. has become the parent company of Terratec; and

WHEREAS pursuant to the 1996 Agreement, as amended, Terratec is required to beneficially use the biosolids delivered to it by Toronto unless any other use or disposal is authorized by Toronto’s Commissioner of Works and Emergency Services (the ‘Commissioner’); and

WHEREAS, as a result of a short term problem providing storage space for biosolids, Terratec has requested the Commissioner to permit Terratec to dispose of the biosolids for the period beginning on the 30th day of January, 2001, and terminating on the 30th day of April, 2001, at the landfill site operated by Republic Services of Michigan I, LLC located in Sumpter Township, Wayne County in the State of Michigan (‘Republic Site’) and to other certified landfill sites in Ontario, as may be approved in writing by the Commissioner from time to time and the Commissioner is agreeable to same; and

WHEREAS in order to permit Terratec to dispose of the biosolids at the Republic Site, and in order to ensure that appropriate indemnities from Terratec/Azurix and Republic are formally in place in favour of the City in relation to the disposal of the biosolids as proposed by Terratec, the City should enter into appropriate agreements with the parties to the Republic waste transportation and disposal agreement and with Terratec and Azurix North America (Canada) Corp; and

WHEREAS the biosolids are now being transported to the Republic Site and Council approval of the agreements is therefore required at Council’s meeting of January 30, 2001;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated January 30, 2001, from the Commissioner of Works and Emergency Services, and that such report be adopted.”

Council also had before it, during consideration of Motion J(23), a report dated January 30, 2001, from the Commissioner of Works and Emergency Services, entitled “Biosolids – Ashbridges Bay Treatment Plant Amending Agreements with Terratec/Azurix and with Republic Services for Temporary Biosolids Transport and Disposal”. (See Attachment No. 10, Page 148).

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(23) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(23) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(23) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated January 30, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) Toronto enter into agreements between the City and Terratec Environmental Ltd. and Azurix North America (Canada) Corp., and between the City and Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Wilson Logistics Inc. substantially in accordance with the agreements attached hereto to permit Terratec/Azurix to temporarily transport and dispose of the biosolids in accordance with the terms and conditions set out in this report; and
- (2) the Commissioner be authorized to provide for any short term extensions to the temporary permission under the agreement with Terratec Environmental Ltd. and Azurix North America (Canada) Corp. in the event that he deems it necessary.”

BILLS AND BY-LAWS

- 2.74 On, January 30, 2001, at 7:24 p.m., Councillor Augimeri, seconded by Councillor Johnston, 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. 101	By-law No. 15-2001	To confirm the proceedings of the Council at its Meeting held on the 30th day of January, 2001,
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the vote upon which was taken as follows:

Yes - 32	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Li Preti, Lindsay Luby, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 0	

Carried, without dissent.

- 2.75 On January 31, 2001, at 7:36 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. 102	By-law No. 16-2001	To confirm the proceedings of the Council at its Meeting held on the 30th and 31st days of January, 2001,
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the vote upon which was taken as follows:

Yes - 33
Councillors: Altobello, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 0

Carried, without dissent.

- 2.76 On February 1, 2001, at 12:27 p.m., Councillor Bussin, seconded by Councillor Pantalone, 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. 15	By-law No. 17-2001	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
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Bill No. 16	By-law No. 18-2001	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
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Bill No. 18	By-law No. 19-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Woodland Heights.
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Bill No. 19	By-law No. 20-2001	To amend further Toronto By-law No. 574-2000, a By-law "Respecting the licensing, regulating and governing of trades, businesses and occupations in
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		the City of Toronto, respecting driving schools”.
Bill No. 20	By-law No. 21-2001	To amend further By-law No. 23506 of the former City of Scarborough, respecting pedestrian crossover.
Bill No. 21	By-law No. 22-2001	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 22	By-law No. 23-2001	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 23	By-law No. 24-2001	To amend Section 15 of By-law No. 438-86 of the former City of Toronto respecting the Index of Exceptions.
Bill No. 24	By-law No. 25-2001	To stop up and close a below-grade portion of the public highway Hayden Street, at the rear of Premises No. 227 Bloor Street East, and to authorize the sale thereof.
Bill No. 25	By-law No. 26-2001	To designate certain Lots on Registered Plan M137 as being exempt from Part-Lot Control.
Bill No. 26	By-law No. 27-2001	To designate an area on both sides of Yonge Street from the north side of Richmond Street to the south and the south side of Grosvenor Street to the north, as a business improvement area.
Bill No. 27	By-law No. 28-2001	To amend the former City of Toronto Municipal Code Chapter 20, Business Improvement Areas, to make changes to the size and quorum for certain Boards of Management.

Bill No. 28	By-law No. 29-2001	To amend City of Toronto Municipal Code Ch. 169, Officials, City, to authorize the City Clerk and City Solicitor to process by-laws to implement Council's decisions that don't have a specific bill authority, have errors in by-law references, or it is necessary to repeal a by-law.
Bill No. 29	By-law No. 30-2001	To authorize agreements respecting the issue and sale of debentures.
Bill No. 30	By-law No. 31-2001	To authorize temporary advances pending the issue and sale of debentures and raising money by way of loan on the debentures.
Bill No. 31	By-law No. 32-2001	To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 2001.
Bill No. 32	By-law No. 33-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 33	By-law No. 34-2001	To designate an area bordered by the east side of Dufferin Street to the west, Canadian Pacific Limited to the east, the south side of King Street to the north and Canadian National Railways to the south, as a business improvement area.
Bill No. 34	By-law No. 35-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillsdale Avenue West, Imperial Street, Lola Road, Poplar Plains Road.
Bill No. 35	By-law No. 36-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 36	By-law No. 37-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 37	By-law No. 38-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 38	By-law No. 39-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 39	By-law No. 40-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 40	By-law No. 41-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 41	By-law No. 42-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 42	By-law No. 43-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 43	By-law No. 44-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glenforest Road.
Bill No. 44	By-law No. 45-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 45	By-law No. 46-2001	To designate certain Lots on Registered Plan 66M-2348 as being exempt from Part-Lot Control.

Bill No. 46	By-law No. 47-2001	To amend Chapter 103, Heritage, of the Municipal Code to increase the number of Council members on the Colborne Lodge/Mackenzie House/Spadina House Community Museum Management Board.
Bill No. 47	By-law No. 48-2001	To amend the former City of Toronto Municipal Code Chapter 20, "Business Improvement Areas", to make changes to the size of the Corso Italia Business Improvement Area Board of Management.
Bill No. 48	By-law No. 49-2001	To amend the former City of Toronto Municipal Code Ch. 297, Signs, respecting No. 279 Yonge Street.
Bill No. 49	By-law No. 50-2001	To designate the property at 56 Spruce Street (David Cornell House) as being of architectural and historical value or interest.
Bill No. 50	By-law No. 51-2001	To designate the property at 203 Woodmount Avenue (True Davidson House) as being of architectural and historical value or interest.
Bill No. 51	By-law No. 52-2001	To designate the property at 500 Lake Shore Boulevard West (Loblaw Groceteria Company Building) as being of architectural and historical value or interest.
Bill No. 52	By-law No. 53-2001	To designate the property at 5365 Leslie Street (Green Meadows/ The McDougald Estate) as being of architectural and historical value or interest.
Bill No. 53	By-law No. 54-2001	To layout and dedicate certain land for public lane purposes to form part of the lane west of Yonge Street extending

		southerly from Farnham Avenue.
Bill No. 54	By-law No. 55-2001	To layout and dedicate for public lane purposes certain land to form part of the public lane west of Sherbourne Street extending southerly from Richmond Street East.
Bill No. 55	By-law No. 56-2001	To name the public lane east of Augusta Avenue extending northerly from Baldwin Street, "Littlehayes Lane".
Bill No. 56	By-law No. 57-2001	To layout and dedicate certain land for public highway purposes and to name that land Lukow Terrace and to layout and dedicate certain land south of Wabash Avenue extending westerly from MacDonell Avenue for public lane purposes.
Bill No. 57	By-law No. 58-2001	To layout and dedicate certain land for public highway purposes to form part of the public highway Doverwood Court.
Bill No. 58	By-law No. 59-2001	To layout and dedicate certain land for public highway purposes to form part of the public highway Springwood Drive.
Bill No. 59	By-law No. 60-2001	To layout and dedicate certain land on the north side of Finch Avenue East, east of Longmore Street, for public highway purposes to form part of the public highway Finch Avenue East and to layout and dedicate certain land on the north side of Finch Avenue East, west of Maxome Avenue for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 60	By-law No. 61-2001	To layout and dedicate certain land to form part of the public highway

		Chartway Boulevard.
Bill No. 61	By-law No. 62-2001	To layout and dedicate certain land to form part of the public highway Bridleholme Crescent.
Bill No. 62	By-law No. 63-2001	To layout and dedicate certain land on the east side of Keele Street north of Bloor Street West for public highway purposes to form part of the public highway Keele Street.
Bill No. 63	By-law No. 64-2001	To layout and dedicate certain land on south side of Lake Shore Boulevard West extending westerly from Thirty Third Street for public highway purposes to form part of the public highway Lake Shore Boulevard West.
Bill No. 64	By-law No. 65-2001	To amend By-law No. 1997-0461 of the former City of Toronto to permit the installation of an additional speed hump in front of Premises No. 9 Cowan Avenue.
Bill No. 65	By-law No. 66-2001	To amend By-law No. 1916 of the former Town of Leaside in respect of lands municipally known as 147 Laird Drive and 22 Commercial Road.
Bill No. 66	By-law No. 67-2001	To amend City of Toronto Municipal Code, Chapter 195, Purchasing, on an interim basis to authorize standing committees of Council to increase the award authority of the Bid Committee in cases of emergency.
	amended	
Bill No. 67	By-law No. 68-2001	To amend further By-law No. 92-93, a By-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York.

Bill No. 68	By-law No. 69-2001	To amend further By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York.
Bill No. 69	By-law No. 70-2001	To amend further By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York.
Bill No. 70	By-law No. 71-2001	To repeal City of Scarborough By-law No. 25225, being a By-law to increase the separation distance between Group Homes from 300 metres to 800 metres.
Bill No. 71	By-law No. 72-2001	To amend Township of Scarborough Zoning By-law No. 5315; and to amend Scarborough Zoning By-law No. 10076, the Agincourt Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12797, the Agincourt North Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9350, the Bendale Community Zoning By-law; and to amend Scarborough Zoning By-law No. 8786, the Birchcliffe Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9174, the Birchmount Park Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9396, the Cliffcrest Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12077, the Centennial Community Zoning By-law; and to amend Scarborough Zoning By-law No. 8978, the Clairlea Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9364, the Cliffside Community Zoning By-law; and to amend Scarborough Zoning By-law

No. 9508, the Dorset Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10048, the Eglinton Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9676, the Guildwood Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10827, the Highland Creek Community Zoning By-Law; and to amend Scarborough Zoning By-law No. 9089, the Ionview Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9276, the Kennedy Park Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12466, the L'Amoreaux Community Zoning By-law; and to amend Scarborough Zoning By-law No. 14402, the Malvern Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12181, the Malvern West Community Zoning By-law; and to amend Scarborough Zoning By-law No. 17677, the Milliken Community Zoning By-law; and to amend Scarborough Zoning By-law No. 11883, the Morningside Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9366, the Maryvale Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9812, the Oakridge Community Zoning By-law; and to amend Scarborough Zoning By-law No. 15907, the Rouge Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10010, the Scarborough Village Community Zoning By-law; and to amend Scarborough Zoning By-law

No. 16762, the Steeles Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10717, the Sullivan Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12360, the Tam O'Shanter Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10327, the West Hill Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9511, the Wexford Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9510, the Woburn Community Zoning By-law; and to amend Scarborough Zoning By-law 24982, the Employment Districts Zoning By-law; and to amend By-law 25172, being a By-law to amend the Township of Pickering Zoning By-law No. 1978.

Bill No. 72	By-law No. 73-2001	To amend the Employment Districts Zoning By-law No. 24982 the Employment Districts Zoning By-law (Marshalling Yard).
Bill No. 73	By-law No. 74-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 74	By-law No. 75-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 75	By-law No. 76-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 76	By-law No. 77-2001	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 77	By-law No. 78-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 78	By-law No. 79-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 80	By-law No. 80-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 81	By-law No. 81-2001	To amend the Code of the City of Toronto by amending § 681-13, Offences, and § 681-14, Repealer; impact on existing agreements; effective dates, of Chapter 681, Sewers, of the Municipal Code.
Bill No. 82	By-law No. 82-2001	To authorize the alteration of Crang Avenue between St. Clair Avenue West and Glenhurst Avenue by the installation of speed humps.
Bill No. 83	By-law No. 83-2001	To further amend former City of Toronto By-law No. 602-89, being “A by-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Rosemount Avenue from Dufferin Street to Oakwood Avenue by the installation of speed humps.
Bill No. 84	By-law No. 84-2001	To adopt an amendment to the Official Plan for the former City of Toronto respecting the property known in the year 2000 as 2 Bloor Street West.
Bill No. 85	By-law No. 85-2001	To amend By-law No. 438-86, the Zoning By-law, and to repeal By-laws Nos. 310-70 and 140-82, all of the former City of Toronto, respecting the

property known in the year 2000 as
2 Bloor Street West.

Bill No. 86	By-law No. 86-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Parking Permits - Chapter 183, Article V.
Bill No. 87	By-law No. 87-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 88	By-law No. 88-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 89	By-law No. 89-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 90	By-law No. 90-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Parking Permits - Chapter 183, Article V.
Bill No. 91	By-law No. 91-2001	To amend former City of York By-law No. 1-83 (288 Boon Avenue).
Bill No. 92	By-law No. 92-2001	To amend former City of York By-law No. 1-83 (54 Kirknewton Road).
Bill No. 93	By-law No. 93-2001	To enact a by-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the designation of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 94	By-law No. 94-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Howard Park Avenue, Quebec Avenue, Randolph

		Avenue.
Bill No. 95	By-law No. 95-2001	To remove references to the expiration of appointments for certain officials of the City of Toronto.
Bill No. 96	By-law No. 96-2001	To amend By-law No. 133-96 of the former Municipality of Metropolitan Toronto respecting the composition of the Board of Directors of the Hummingbird Centre for the Performing Arts.
Bill No. 97	By-law No. 97-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 98	By-law No. 98-2001	To amend further Metropolitan By-law No. 107-86, respecting parking meters on former Metropolitan Roads.
Bill No. 99	By-law No. 99-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bain Avenue, Baltic Avenue, Drayton Avenue, Villiers Street, Withrow Avenue.
Bill No. 100	By-law No. 100-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Badgerow Avenue, Churchill Avenue, Darrell Avenue, Delaware Avenue, Eastern Avenue, Euclid Avenue, Galt Avenue, Normandy Boulevard, Oakcrest Avenue, Ossington Avenue, Withrow Avenue,

the vote upon which was taken as follows:

Yes - 28

Councillors:	Augimeri, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Soknacki, Walker
No - 1 Councillor:	Korwin-Kuczynski

Carried by a majority of 27.

- 2.77 On February 1, 2001, at 12:28 p.m., Councillor Rae, seconded by Councillor Bussin, 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. 103	By-law No. 101-2001	To confirm the proceedings of the Council at its Meeting held on the 30th and 31st days of January, 2001, and the 1st day of February, 2001,
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the vote upon which was taken as follows:

Yes - 29	Councillors:	Augimeri, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Soknacki, Walker
No - 0		

Carried, without dissent.

- 2.78 On February 1, 2001, at 5:22 p.m., Councillor Moscoe, seconded by Councillor Holyday, 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. 104	By-law No. 102-2001	To confirm the proceedings of the Council at its Meeting held on the 30th and 31st days of January, 2001, and the 1st day of February, 2001,
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the vote upon which was taken as follows:

Yes - 31	
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Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Jones, Kelly, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva
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No - 0

Carried, without dissent.

The following Bills were not adopted:

Bill No. 17 To designate the property at 319 Merton Street (Dominion Coal Silos) as being of architectural and historical value or interest.

The authority for this Bill, Clause No. 12 of Report No. 1 of The Midtown Community Council, was received and the intent to designate the Dominion Coal Silos under the Ontario Heritage Act was withdrawn.

Bill No. 79 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.

The authority for this Bill, Clause No. 10 of Report No. 1 of The Southwest Community Council, was referred back to the Southwest Community Council.

OFFICIAL RECOGNITIONS:

2.79 Condolence Motions

Mayor Lastman, seconded by Councillor Chow, moved that:

“WHEREAS the death of Al Waxman has saddened our City of Toronto; and

WHEREAS Al Waxman was a devoted Toronto ambassador, promoting our great city throughout his career on both the stage and the silver screen; and

WHEREAS Al Waxman had an enviable career as an actor and director, he will be best remembered for his role as Larry King on the hit 1970’s TV series, King of Kensington; and

WHEREAS our hearts go out to Sara Waxman and her two children, Adam and Tobarow, for the terrible loss they have suffered;

NOW THEREFORE BE IT RESOLVED THAT Mayor Lastman and Members of Toronto City Council offer their official condolences to the family of Al Waxman and recognize his memory by a moment of silence;

AND BE IT FURTHER RESOLVED THAT Councillor Olivia Chow work with the Kensington community on a permanent memorial commemorating Al Waxman as the King of Kensington and a Toronto icon.”

Councillor Miller, seconded by Councillor Disero, moved that:

“**WHEREAS** the Members of City Council are saddened to learn of the passing of Mr. Richard Korwin-Kuczynski, brother of Councillor Chris Korwin-Kuczynski, on Tuesday, January 23, 2001;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of members of City Council, our sincere sympathy to Councillor Korwin-Kuczynski and the Korwin-Kuczynski family.”

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

Council rose and observed a moment of silence in memory of the late Mr. Al Waxman and Mr. Richard Korwin-Kuczynski.

2.80 **Presentations/Introductions/Announcements:**

January 30, 2001:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the adult students and teacher from Language Connections International, LINC program, present at the meeting.

Mayor Lastman, during the morning session of the meeting, requested Members of Council to join him in recognizing the men and women of City of Toronto Emergency Medical Services (EMS) on this, their 25th anniversary; and invited Councillor Brad Duguid, Mr. Ron Kelusky, General Manager, Emergency Medical Services, and Paramedics Tahir Choudry and Geoff Stoodley to the podium.

Councillor Brad Duguid addressed the Council and, on behalf of Council, expressed the appreciation of Council to Paramedics Tahir Choudry and Geoff Stoodley for their heroic efforts, above and beyond the call of duty early Christmas Day, when they entered a burning building to evacuate the residents; and presented Paramedics Choudry and Stoodley with a memento to mark the occasion.

Mr. Ron Kelusky addressed the Council and expressed the appreciation of Emergency Medical Services for the acknowledgement by Council of the 25th Anniversary of Toronto EMS and recognized the following individuals, those who were instrumental in the creation of the concept a single emergency medical services provider and who, over time, built the foundation of one of the premier EMS services in the world, and those who served as senior staff of EMS:

- former Metropolitan Toronto Chairman Paul Godfrey;
- former North York Councillor Barbara Green;
- former North York Councillor Esther Shiner;
- former City of Toronto Councillor Bruce Sinclair;
- former Metropolitan Toronto Commissioner John Dean; and
- former Directors Len Klinck, Bob Scott, Tom Alston, Ken Kitchen and Sonny Attard.

Mayor Lastman, during the afternoon session of the meeting, invited Ms. Tracy Blyth, Executive Director of the North York Chamber of Commerce, Ms. Elie Betito, President of the North York Chamber of Commerce, and Mr. Don Bell, President of the Rotary Club of Toronto, to the podium; expressed, on behalf of Council, the appreciation of Council to the Rotary Club for their efforts in making the City of Toronto's Millennium Coin Project, the "Meloonie", such a success; and presented a cheque, in the amount of \$21,480.00, to Mr. Bell, representing the Rotary Club's share of the proceeds from the sale of the "Meloonie".

January 31, 2001:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the Grade 2 students from Huron Street Public School, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the Grade 5 students from Bedford Park Public School, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the following individuals, present at the meeting:

- Mr. Fergy Brown, former Mayor of the City of York;
- Mr. Gordon Chong, Chair, Greater Toronto Services Board;
- Ms. Joan King, former City of Toronto Councillor; and
- Mr. John Downing, former Editor of the Toronto Sun.

Deputy Mayor Ootes, during the afternoon session of the meeting, invited Councillor Chow, Youth Advocate, and the Steering Committee Members of the Toronto Youth Cabinet to the podium.

Councillor Chow addressed the Council and, on behalf of Council, expressed the appreciation of Council to the Toronto Youth Cabinet for their contribution of time and effort to the youth of the City of Toronto; introduced the Toronto Youth Cabinet Steering Committee Members present at the meeting - Adrian Johnston, President, Ryan Teschner, Zabrina Law, Kehinde Bah, Mike Foderick, Wei-Jia Zhou, Kevin King, Chalo Barrueto, Mark Riczu and Amelia Phillips; and invited Adrian Johnston to address the Council.

Adrian Johnston addressed the Council and invited Council to view a video presentation by James Darling on the activities of the Youth Cabinet.

2.81 **MOTIONS TO VARY PROCEDURE**

Vary the order of proceedings of Council:

January 30, 2001:

Councillor Layton, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 2 of Report No. 1 of The Community Services Committee, headed "Responding to the Homeless Crisis in Toronto", at 9:30 a.m. on Thursday, February 1, 2001, or as the last item of business, which carried.

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

January 30, 2001:

Councillor Johnston moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council recess from 2:00 p.m. to 4:00 p.m. on January 31, 2001, in order to receive a presentation from the Chief Administrative Officer respecting the 2001 Operating and Capital Budgets, and that such presentation take place between 2:00 p.m. to 4:00 p.m., in lieu of 1:00 p.m. to 3:00 p.m., which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes, at 7:25 p.m., proposed that Council now recess and reconvene at 9:30 a.m. on Wednesday, January 31, 2001.

Council concurred in the proposal by Deputy Mayor Ootes.

January 31, 2001:

Councillor Augimeri, at 4:06 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council now recess and reconvene at 5:00 p.m., in order to continue the presentation from the Chief Administrative Officer respecting the 2001 Operating and Capital Budgets, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Disero, at 7:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of all matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 20	
Councillors:	Berardinetti, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Lindsay Luby, McConnell, Milczyn, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Walker
No - 16	
Mayor:	Lastman
Councillors:	Altobello, Bussin, Cho, Chow, Feldman, Johnston, Jones, Kelly, Layton, Mihevc, Moeser, Moscoe, Prue, Shiner, Soknacki

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

Councillor Disero, at 7:29 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, and that Council continue in session until 8:00 p.m., the vote upon which was taken as follows:

Yes - 19	
Councillors:	Berardinetti, Disero, Duguid, Flint, Ford, Hall, Holyday, Jones, Lindsay Luby, Milczyn, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Walker
No - 17	
Mayor:	Lastman
Councillors:	Altobello, Bussin, Cho, Chow, Di Giorgio, Feldman, Johnston, Kelly, Layton, McConnell, Mihevc, Miller, Moeser, Moscoe, Prue, Shiner

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

Councillor Disero, at 7:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 1 of Report No. 1 of The Policy and Finance Committee, headed "Waterfront Redevelopment Initiative", the vote upon which was taken as follows:

Yes - 29	
Councillors:	Berardinetti, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker

No - 7
 Mayor: Lastman
 Councillors: Altobello, Bussin, Cho, Layton, Moeser, Moscoe

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

2.82 ATTENDANCE

Councillor Silva, seconded by Councillor Berardinetti, moved that the absence of Councillors Mammoliti and Minnan-Wong, from this meeting of Council, be excused, which carried.

January 30, 2001	9:40 a.m. to 12:35 p.m.*	Roll Call 11:02 a.m.	Roll Call 11:30 a.m.	Roll Call 2:14 p.m.	2:14 p.m. to 7:25 p.m.*	Roll Call 3:30 p.m.	Roll Call 3:46 p.m.
Lastman	x	x	x	x	x	-	-
Altobello	x	x	x	x	x	x	x
Ashton	x	x	x	x	x	-	x
Augimeri	x	x	x	x	x	-	x
Balkissoon	x	x	x	x	x	-	x
Berardinetti	x	x	x	x	x	-	x
Bussin	x	x	-	x	x	-	-
Cho	x	x	x	x	x	x	x
Chow	x	-	-	-	x	x	-
Di Giorgio	x	-	x	-	x	x	x
Disero	x	x	x	x	x	-	x
Duguid	x	x	x	x	x	x	x
Feldman	x	x	x	x	x	-	-
Filion	x	x	x	-	x	x	-
Flint	x	x	x	x	x	x	-
Ford	x	x	x	x	x	x	x
Hall	x	x	x	-	x	-	x
Holyday	x	x	x	x	x	x	x
Johnston	x	x	x	-	x	x	-
Jones	x	x	x	-	x	x	x

Minutes of the Council of the City of Toronto
January 30, 31 and February 1, 2001

January 30, 2001	9:40 a.m. to 12:35 p.m.*	Roll Call 11:02 a.m.	Roll Call 11:30 a.m.	Roll Call 2:14 p.m.	2:14 p.m. to 7:25 p.m.*	Roll Call 3:30 p.m.	Roll Call 3:46 p.m.
Kelly	x	-	-	-	x	x	x
Korwin-Kuczynski	x	x	x	x	x	-	x
Layton	x	-	x	x	x	x	x
Li Preti	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	-	x
Mammoliti	-	-	-	-	-	-	-
McConnell	x	x	x	-	x	x	x
Mihevc	x	x	-	-	x	-	x
Milczyn	x	x	-	-	x	-	x
Miller	x	x	x	-	x	-	-
Minnan-Wong	-	-	-	-	-	-	-
Moeser	x	x	x	x	x	x	x
Moscoe	x	x	x	-	x	-	x
Nunziata	x	x	x	x	x	-	x
Ootes	x	x	x	x	x	x	-
Pantalone	x	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x	x
Prue	x	x	x	-	x	x	x
Rae	x	x	x	x	x	x	x
Shaw	x	x	x	-	x	-	x
Shiner	x	x	-	-	x	-	x
Silva	x	x	x	-	x	x	-
Soknacki	x	x	x	x	x	-	-
Sutherland	x	x	x	-	x	x	x
Walker	x	x	-	-	x	x	x
Total	43	39	36	25	43	24	32

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

Minutes of the Council of the City of Toronto
January 30, 31 and February 1, 2001

January 31, 2001	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.	4:06 p.m. to 4:07 p.m.	Roll Call 5:06 p.m.	5:08 p.m. to 7:37 p.m.*
Lastman	-	x	x	x	x
Altobello	x	x	x	x	x
Ashton	-	x	x	-	x
Augimeri	-	x	x	-	x
Balkissoon	x	x	x	x	x
Berardinetti	x	x	x	x	x
Bussin	x	x	x	x	x
Cho	-	x	x	x	x
Chow	x	x	x	x	x
Di Giorgio	x	x	x	-	x
Disero	x	x	x	x	x
Duguid	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	-	x	x	-	-
Flint	x	x	x	x	x
Ford	x	x	x	-	x
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	-	x	x	x	x
Jones	x	x	x	x	x
Kelly	x	x	x	x	x
Korwin-Kuczynski	x	x	x	x	x
Layton	-	x	-	-	x
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	-	-	-	-	-
McConnell	x	x	x	-	x
Mihevc	x	x	x	x	x
Milczyn	-	x	x	x	x
Miller	-	x	x	x	x

Minutes of the Council of the City of Toronto
January 30, 31 and February 1, 2001

January 31, 2001	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.	4:06 p.m. to 4:07 p.m.	Roll Call 5:06 p.m.	5:08 p.m. to 7:37 p.m.*
Minnan-Wong	-	-	-	-	-
Moeser	-	x	x	-	x
Moscoe	x	x	-	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x
Pitfield	x	x	x	x	x
Prue	-	x	x	x	x
Rae	x	x	x	x	x
Shaw	x	x	x	-	x
Shiner	x	x	x	x	x
Silva	x	x	x	x	x
Soknacki	x	x	x	x	x
Sutherland	x	x	x	-	x
Walker	-	x	x	x	x
Total	31	43	41	33	42

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

February 1, 2001	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 10:51 a.m.	Roll Call 12:25 p.m.	Roll Call 2:13 p.m.	2:13 p.m. to 3:40 p.m.*	Ctte. of the Whole in-Camera 3:48 p.m.	5:00 p.m. to 5:25 p.m.*
Lastman	-	x	-	-	-	-	-	-
Altobello	x	x	x	-	x	x	x	x
Ashton	-	x	-	-	-	x	x	x
Augimeri	-	x	x	x	x	x	x	x
Balkissoon	x	x	-	x	x	x	x	x
Berardinetti	-	x	x	x	x	x	-	x
Bussin	x	x	x	x	-	x	x	x
Cho	-	x	-	x	x	x	x	x
Chow	-	x	x	x	-	x	x	x
Di Giorgio	x	x	-	x	x	x	x	x

Minutes of the Council of the City of Toronto
January 30, 31 and February 1, 2001

February 1, 2001	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 10:51 a.m.	Roll Call 12:25 p.m.	Roll Call 2:13 p.m.	2:13 p.m. to 3:40 p.m.*	Ctte. of the Whole in-Camera 3:48 p.m.	5:00 p.m. to 5:25 p.m.*
Disero	x	x	x	x	x	x	x	x
Duguid	x	x	x	x	x	x	x	x
Feldman	-	x	x	-	x	x	x	x
Filion	-	x	-	-	x	x	x	-
Flint	-	x	-	x	x	x	-	x
Ford	x	x	x	x	x	x	x	x
Hall	x	x	-	x	-	x	-	-
Holyday	x	x	-	x	x	x	x	x
Johnston	x	x	x	-	-	x	-	-
Jones	-	x	x	x	x	x	x	x
Kelly	x	x	x	-	-	x	x	x
Korwin-Kuczynski	x	x	x	-	x	x	x	-
Layton	x	x	x	x	-	x	x	x
Li Preti	x	x	-	-	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x	x
Mammoliti	-	-	-	-	-	-	-	-
McConnell	-	x	x	x	-	x	-	x
Mihevc	x	x	x	x	x	x	x	x
Milczyn	-	x	x	x	x	x	-	-
Miller	-	x	x	-	-	x	x	x
Minnan-Wong	-	-	-	-	-	-	-	-
Moeser	-	x	-	-	-	-	-	-
Moscoe	-	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	x
Pitfield	x	x	x	x	-	x	x	x
Prue	x	x	-	-	-	x	x	x
Rae	x	x	x	x	x	x	x	x
Shaw	-	x	x	x	-	x	x	x

Minutes of the Council of the City of Toronto
January 30, 31 and February 1, 2001

February 1, 2001	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 10:51 a.m.	Roll Call 12:25 p.m.	Roll Call 2:13 p.m.	2:13 p.m. to 3:40 p.m.*	Ctte. of the Whole in-Camera 3:48 p.m.	5:00 p.m. to 5:25 p.m.*
Shiner	x	x	-	-	-	-	x	x
Silva	-	x	-	-	x	x	-	x
Soknacki	-	x	-	x	-	x	-	-
Sutherland	x	x	x	-	-	x	x	x
Walker	x	x	-	-	-	x	x	x
Total	25	43	27	27	25	40	33	35

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

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

ATTACHMENT NO. 1

Enquiry dated December 20, 2000, from Councillor Moscoe, regarding the status of the TEDCO investigation requested by City Council (See Minute No. 2.3, Page 1):

At the May 2000 Council meeting, Council by a vote of 42-3 passed the following motion:

“That City Council request the OPP to conduct an investigation of all aspects of this transaction and that part of such investigation be a forensic audit to be paid for by the City. The source of funding for such forensic audit be referred to the Policy and Finance Committee.”

Eight months have now passed since the motion was adopted and the results of the investigation have not been released. Furthermore, the City indicated its willingness to pay for a forensic audit of TEDCO.

Would you please answer the following questions:

- (1) Have the OPP completed their investigation?
- (2) Has the OPP started their investigation?
- (3) Has the OPP requested funding from the City for a forensic audit?
- (4) Has the City provided the OPP any funding for a forensic audit?

I am filing this enquiry on December 20, 2000, so that the Clerk's Department has ample time to discuss this matter with the Ontario Provincial Police and I am hereby requesting a full report on the OPP investigation for the January 2001 Council meeting.

Thank you for your consideration of this matter.

ATTACHMENT NO. 2

Enquiry dated January 8, 2000, from Councillor Walker, regarding the status of the TEDCO investigation requested by City Council (See Minute No. 2.3, Page 1):

Further to City Council's action of May 11, 2000, requesting the Ontario Provincial Police (O.P.P.) to conduct a full investigation of this transaction, including a forensic audit to be paid by the City, I note there has been no report (interim or final) back to City Council from the O.P.P. as requested by City Council.

Thus I am requesting answers to the following questions:

- (1) Who communicated City Council's request of May 11, 2000, to the O.P.P.?
- (2) When (on what date) did the City first communicate its request to the O.P.P. to conduct this investigation?
- (3) What was the nature of the request?
- (4) What is/are the name(s) of the O.P.P. staff heading this investigation?
- (5) Have the City and TEDCO provided all documents and tape recordings in their possession to the O.P.P.?
- (6) Has Mr. George Rust-D'Eye of Weir & Foulds been contacted by the O.P.P. in carrying out this investigation? And, if not, why not?
- (7) Has the City or the O.P.P. retained Mr. George Rust-D'Eye to assist the O.P.P.?
- (8) Who is the O.P.P. officer in charge of this investigation?
- (9) Which forensic accounting firm has been retained to undertake this investigation?
- (10) Who is the main contact person for the O.P.P. at:
 - (a) the City of Toronto; and
 - (b) TEDCO?
- (11) When can City Council expect that the O.P.P. will:
 - (a) be completing its investigation; and

- (b) providing its report on this matter?
- (12) Who will be providing an “in camera” update to City Council’s meeting to be held on January 30, 2001?

This investigation is very important as it addresses the issues of possible corruption, transparency and protecting public assets.

The question being asked is whether City Council’s decision for an impartial outside investigation has been properly implemented on a timely basis.

I would be pleased to receive your objective response in order that this matter can be discussed at the Toronto City Council meeting being held on January 30, 2001.

ATTACHMENT NO. 3

Answer dated January 29, 2001, from the City Solicitor and the Chief Administrative Officer, to the Enquiries dated December 20, 2000, and January 8, 2001, from Councillors Moscoe and Walker, respectively, regarding the status of the TEDCO investigation (See Minute No. 2.3, Page 1):

Purpose:

To respond to an inquiry dated December 20, 2000 from Councillor Moscoe and an inquiry dated January 8, 2001 from Councillor Walker concerning the status of the investigation by the Ontario Provincial Police (OPP) into the lease between TEDCO and Sevendon Holdings Limited.

Financial Implications and Impact Statement:

N/A

Recommendations:

It is recommended that:

- (1) Council authorize City staff to take all actions possible to assist the Ontario Provincial Police in their investigation, and provide all documentation, confidential and otherwise, to the OPP, participate in interviews, and otherwise facilitate the OPP investigation; and
- (2) the appropriate officials be authorized to give effect thereto.

Background:

City Council at its meeting of April 11, 12 and 13, 2000, adopted the recommendations in the confidential joint report dated April 7, 2000, from the Chief Administrative Officer, the City Auditor and the City Solicitor, respecting the investigation into issues surrounding a new lease provided to Sevendon Holdings Limited by the Toronto Economic Development Corporation (TEDCO). In so doing, Council directed that the report remain confidential, in accordance with the provisions of the Municipal Act as it contained information that is subject to solicitor-client privilege.

At its meeting held on May 9, 10 and 11, 2000, City Council requested the OPP to conduct an investigation of all aspects of the aforementioned lease transaction, and that part of such investigation be a forensic audit to be paid for by the City, and that the OPP be requested to report back to City Council on the results of its investigation. In doing so, Council also forwarded certain confidential communications from

TEDCO and from Mr. George Rust-D'Eye, Solicitor for TEDCO in respect of this matter, to the OPP.

Comments:

By letters dated January 4 and 10, 2001, the OPP was requested to respond to the issues raised in the Enquiries of Councillors Moscoe and Walker. This report is in response to the questions raised in the Enquiries of Councillors Moscoe and Walker, which are before Council. City Council's request that the OPP investigate this matter was initially communicated by the City Clerk. Copies of City Council's actions were sent to the Office of the Commissioner, Ontario Provincial Police, by communications dated April 18 and May 19, 2000. In addition, City Legal staff and Mr. Rust-D'Eye, as well, communicated directly with staff in the Commissioner's Office at OPP Headquarters in Orillia. Finally, Mr. Julian Fantino, Chief of Police of the Toronto Police Services, requested the OPP to conduct an investigation into this matter.

Detective Chief Superintendent David Crane advises that the case was accepted for investigation and assigned to Detective Staff Sergeant Bob Lemieux, Anti-Rackets Section, under the direction of Detective Inspector Cliff Strachan, Criminal Investigation Branch, both of the OPP Investigation Bureau. Mr. George Rust-D'Eye, and City staff have been contacted by the OPP in respect of this investigation. Detective Chief Superintendent Crane advises that the OPP have already conducted a number of interviews and intend to do more, but that a completion date for the investigation is unknown. Detective Chief Superintendent Crane advises that the OPP has not requested funding from the City for a forensic audit at this time but that the OPP are aware of Council's offer to fund such an audit, if and when it becomes necessary. The main contact person for the OPP at the City of Toronto is Mary Ellen Bench, Director, Municipal Law. The main contact person for the OPP at TEDCO is Alan Andrews, President, TEDCO.

City staff have already provided copies of all public documents requested by the OPP, and have been providing assistance as requested. However, City Council has not authorized staff to share confidential information of the City with the OPP. Consequently, at this time, specific authority is sought for City staff, including the City Solicitor, City Auditor, staff in the Chief Administrator's Office and any other City staff with information relevant to this investigation, to meet with the OPP to share this information and otherwise discuss any matters relevant to the investigation with the OPP. Requests in this respect have only recently being made by the OPP.

Contact:

Mary Ellen Bench

Director

Municipal Law

Telephone: 392-7245

Fax: 392-1017

E-mail: mbench@city.toronto.on.ca

List of Attachments:

Copy of the response dated January 22, 2001, received from Detective Chief Superintendent Crane, to the Councillor Enquiries made with respect to this matter.

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

ATTACHMENT NO. 4

Enquiry dated January 2, 2001, from Councillor Walker, addressed to the Chief Administrative Officer, regarding the redevelopment of the waterfront (See Minute No. 2.3, Page 1):

Re: City's First \$500 Million Contribution to Waterfront Redevelopment

Further to my first Enquiry on November 22, 2000, and your response dated December 5, 2000, it has generated further questions for which I would like a response for the Toronto City Council Meeting of January 30, 2001.

It's time City Council endorsed, in principle, the concepts for the redevelopment of the waterfront but it did not give any approval to the commitment of any monies and/or "in kind" contributions, such as land, most specifically without acquiring formal approval by City Council.

The question which I asked in my earlier inquiry dated November 22, 2000, and which your response did not answer is, I repeat:

- (a) Did City Council give any formal approval to spend/commit monies, land and/or any other "in kind" contributions to meet its initial "in principle" \$500 million contribution?
- (b) Under what specific authority did the Mayor make this initial \$500 million commitment? At what City Council meeting was this authority given?
- (c) What lands and Capital projects along the waterfronts are you referring to in the third paragraph of your letter to my November 22, 2000 Enquiry?
- (d) How have you valued these lands and Capital projects to arrive at the initial amount of \$500 million?
- (e) Have the public and/or the Councillors of the City of Toronto been informed and/or involved in the process of determining the lands and Capital projects to be included in this initial \$500 million commitment?
- (f) Has City Council ever approved any policy involving the selling of public lands along the waterfront to meet part or all of its one-third contribution to the redevelopment of the waterfront?

ATTACHMENT NO. 5

Answer dated January 29, 2001, from the Chief Administrative Officer, to the Enquiry dated January 2, 2001, from Councillor Walker, regarding the redevelopment of the waterfront (See Minute No. 2.3, Page 1):

In response to Councillor Walker's enquiry dated January 2, 2001, the following is a response to each of the specific questions:

- (a) My memorandum of December 5, 2000, states in the first sentence that "Council has not yet formally approved the City's contribution to Waterfront Development".
- (b) Same as (a).
- (c) The Mayor's announcement on October 20, 2000, proposed that the City's contribution of \$500 million be comprised of City Capital projects in the waterfront area and City lands with the potential for development. The specifics of these components are still being developed, however, there are many Capital projects in the City's existing capital plan which fall within the region on the waterfront. Staff are evaluating the benefits of including some of these projects for consideration as part of the City's contribution.
- (d) The \$500 million was based on the Waterfront Revitalization Task Force's recommendation that governments contribute \$1.5 billion to initiate the waterfront development plan. The City's share is a target amount.
- (e) Staff are still at the preliminary stage of developing the proposed composition of the \$500 million. This will be brought forward to Council once a proposal has been developed.
- (f) Council has not yet addressed this issue.

ATTACHMENT NO. 6

Enquiry dated January 10, 2001, from Councillor Moscoe, regarding the status of the direction of Council with respect to the availability of TEELA data to Councillors (See Minute No. 2.3, Page 1):

At the City of Toronto Council of June 7, 8 and 9, 2000, Council adopted the following:

- “(1) the appeal of the Assistant Privacy Commissioner authorized by Council at its last meeting proceed as soon as possible;
- (2) Council seek an interim order to permit Councillors to at least have access to on-line assessment and property tax data; and
- (3) Council seek a statutory amendment to permit Councillors sufficient data to be able to fulfil their obligations to their constituents.”

It further adopted:

“That Council direct the Chair of the Administration Committee to seek a meeting with the Attorney General of Ontario to request an amending regulation that would ensure the Council Members have sufficient access to data to properly do their jobs.”

Please provide a complete report on the way in which staff are dealing with this motion and the progress that has been made to date.

ATTACHMENT NO. 7

Answer dated January 24, 2001, from the City Solicitor, to the Enquiry dated January 10, 2001, from Councillor Moscoe, regarding the status of the direction of Council with respect to the availability of TEELA data to Councillors (See Minute No. 2.3, Page 1):

The purpose of this memorandum is to respond to the enquiry made by Councillor Moscoe in accordance with section 58 of Chapter 27 of the City of Toronto Municipal Code. By memorandum dated January 10, 2001, Councillor Moscoe submitted an Enquiry to the City Clerk regarding the status of the direction of Council with respect to the availability to Councillors of the TEELA data.

City Council at its meeting held on May 9, 10 and 11, 2000, adopted, as amended, a motion by Councillor Moscoe regarding the availability to Councillors of the TEELA data and "on-line access" to assessment data which the Assistant Privacy Commissioner for the Province of Ontario ruled was personal information. The Assistant Privacy Commissioner also ruled that the routine disclosure of lists of personal information to Councillors was not in accordance with section 32 of the Act (Investigation MC-980018-1).

Council authorized the City Solicitor to use whatever action may be necessary to overturn the rulings in Investigation MC-980018-1, including court action and the use of an outside solicitor, if necessary.

Council gave this matter further consideration at its meeting held June 7, 8 and 9, 2000, and adopted the following:

- “(1) that the appeal of the assistant Privacy Commissioner authorized by Council at its last meeting proceed as soon as possible;
- (2) that Council seek an interim order to permit Councillors to at least have access to on-line assessment and property tax data; and
- (3) that Council seek a statutory amendment to permit Councillors sufficient data to be able to fulfil their obligations to their constituents.

I retained the services of the law firm Weir & Foulds, to advise Council on the matters set out in this memorandum and to take any legal action that may be necessary to respond to the direction of City Council. I also advised Weir & Foulds of Councillor Moscoe's Enquiry. Mr. Rust-D'Eye of that firm is preparing a response to Councillor Moscoe's enquiry and will report directly to Council on this matter.

ATTACHMENT NO. 8

Answer dated January 29, 2001, from Mr. George Rust-D'Eye, Weir and Foulds, to the Enquiry dated January 10, 2001, from Councillor Moscoe, regarding the status of the direction of Council with respect to the availability of TEELA data to Councillors (See Minute No. 2.3, Page 1):

Councillor Moscoe has submitted an Enquiry to the City Clerk regarding the status of the direction of Council with respect to the availability to Councillors of TEELA Data. The City Solicitor has requested that we provide a response to Councillor Moscoe's Enquiry.

Background:

The City of Toronto retained Weir & Foulds, in June 2000, to bring court proceedings with respect to an October 28, 1998 ruling by the Information and Privacy Commission for Ontario (IPC). That ruling dealt with the right of members of City Council, in their capacity as Councillors, to certain information in the possession of the City Corporation. This includes information about real estate transactions obtained from a company (generally known as "TEELA", now called "Vista Info") which compiles and markets Ministry of Consumer and Commercial Relations' land registry information; a real estate board database; and assessment roll information. The information consists of the names and addresses of purchasers of land, purchase prices, names of vendors, assessment roll numbers, assessed values, amount of down payments, registered mortgages, address of properties purchased, vendors' names, as well as other similar information (collectively referred to as "the information"). The IPC ruling decided that the information in question is "personal information" for the purposes of the Municipal of Freedom of Information and Protection of Privacy Act (MFIPPA); that the information is not obtained or maintained by the City for the purpose of creating a record available to the general public; that members, whether or not they may be considered "officers" of the City, do not need the information in order to discharge their responsibilities as members; and, consequently, that routine disclosure of lists of such information to Councillors, without the consent of the persons in question, is not in accordance with section 32 of MFIPPA.

Action Taken To Date:

Since being retained in June 2000, we have conducted legal research, drafted a Notice of Application for Judicial Review, drafted Affidavits in support of the application for judicial review to be sworn by City Councillors and various staff members, conducted interviews, and conducted extensive factual research regarding the information in question. We have also prepared a legal opinion with respect to whether or not the

City could provide the information to Councillors pending a court determination of the issues.

Upon commencing work on this file, it became apparent that the factual background was incomplete and that further information was required before the documentation for the application could be finalized. The specific factual issues that needed to be addressed included the exact nature of the information sought, the authority under which the information was compiled, the methods used to compile the information and the uses to which the information was put. It was also necessary to determine how and pursuant to what authority TEELA obtained the information from the Province. In order to answer the factual questions, we conducted telephone interviews with various City staff members and with TEELA staff and reviewed a number of documents relating to the information.

It has taken more time than usual to commence this application. We pride ourselves on our ability to respond quickly to client requests, however, in this particular circumstance, we have encountered a number of obstacles which have impaired our ability to respond quickly.

Among the contributing factors to the delay are the fact of the amalgamation of the former municipalities into the new City of Toronto and the consequent confusion and dislocation of staff, the absence of any one person or several persons responsible for the collection and administration of the information, and the differing practices employed by various former municipalities and City departments with respect to the information. We also learned that, although we had been originally informed that the information at issue was mostly TEELA information, it is the assessment information with which Councillors are most concerned. This necessitated a change in direction in terms of our preparation. The fact that no one person or department is responsible for, or knowledgeable with respect to the information, in itself resulted in delay, since we were required to spend a great deal of time trying to locate persons with first-hand knowledge of the information who could provide affidavits. As a result of all of these factors, extensive time and energy was required on our part to fill in the factual gaps which must be filled in, so that we can present a convincing case to the Court.

As previously mentioned, we have prepared a Notice of Application for Judicial Review and have drafted Affidavits in support of that application. We currently have sworn Affidavits from one City staff member, from an employee at Vista Info, and from Councillor Bas Balkissoon. We are awaiting a sworn Affidavit from another City staff member and are in the process of preparing an Affidavit for Councillor Miller's signature. We anticipate that once these materials are complete, we will be able to commence the application.

Interim Measures Available To The City:

In the meantime, we have recently considered the IPC ruling in light of earlier case law and have determined that it is open to the City to disclose to the Councillors some of the information which the Councillors seek, while we await the determination of this issue.

We have recently reviewed an IPC ruling involving the former municipality of Metropolitan Toronto which is of assistance. That case, Order P-23, involved a request for access to records relating to house-by-house market value assessment figures for the City of Toronto. The requesters did not want the names or addresses of owners of the property, therefore, the only issue was whether municipal addresses, assessment values and other geographical information constituted "personal information" within the meaning of the Act.

Commissioner Sidney Linden held that the municipal address of a property is a description identifying the location of the property in a municipality and is distinct from an individual's address, which is his or her place of residence. Commissioner Linden found that the information in question, that is the municipal location of a property and its estimated market value, is not information about an identifiable individual but is, rather, information about a property and does not, therefore, qualify as "personal information". He rejected the institution's argument that the requested information became personal information about an identifiable individual because it could be cross-referenced with the names of the owners of the property, since the individual's names could not be said to "appear with other personal information relating to the individual". This decision has been followed by subsequent IPC rulings, including Order M-176 and M-15.

In Order M-800, Assistant Commissioner Tom Mitchinson dealt with the issue of access to a list of all properties whose municipal taxes were in arrears, as well as the amounts owing. Assistant Commissioner Mitchinson found that this information was personal information, but noted that if the names and addresses of individual property owners were severed from the information, the remaining information associated with the listings would not be personal information.

Accordingly, it is our opinion that the City may continue to disclose to Councillors the municipal addresses of properties in the City as well as their assessed value, the taxes payable and other such information, so long as any personal information such as the name or address of the owner or occupant is severed from the record. This information need not be restricted to each Councillor's particular ward.

ATTACHMENT NO. 9

Answer dated January 29, 2001, from Councillor Berardinetti, the Enquiry dated January 10, 2001, from Councillor Moscoe, regarding the status of the direction of Council with respect to the availability of TEELA data to Councillors (See Minute No. 2.3, Page 1):

Please be advised that since my original letter to the Attorney General of Ontario on June 21, 2000, regarding the above, repeated written and verbal inquiries have failed to elicit a response to Council's motion approved at its meeting of June 7, 8 and 9, 2000.

Two weeks ago I was finally informed that jurisdiction in this matter had devolved to the Chair of the Management Board Secretariat. Accordingly, I wrote the Honourable Chris Hodgson and met with him briefly on January 21, 2000. The Minister promised a response to Council's motion would be forthcoming in the near future.

(A copy of the attachments to the foregoing Answer is on file in the Office of the City Clerk.)

ATTACHMENT NO. 10

Report dated January 30, 2001, from the Commissioner of Works and Emergency Services, entitled “Biosolids – Ashbridges Bay Treatment Plant Amending Agreements with Terratec/Azurix and With Republic Services for Temporary Biosolids Transport and Disposal”. (See Minute No. 2.73, Page 106)

Purpose:

The purpose of this report is to provide information on the arrangements that have been negotiated with Terratec Environmental Ltd. (“Terratec”) and its parent company, Azurix North America (Canada) Corp. (“Azurix”) to transport temporarily biosolids from the Ashbridges Bay Treatment Plant to the Carleton Farms landfill in Michigan, and other such landfills as approved by the Commissioner of Works and Emergency Services, as a result of a lack of biosolids winter storage capacity. The report therefore recommends the entering into of an agreement with both Terratec and Azurix and an amending agreement to Toronto’s Waste Transport and Disposal Agreement with the Republic Services group of companies.

Financial Implications and Impact Statement:

There are no financial implications arising from this report. Terratec will be responsible for all costs associated with the transport and disposal for the fee currently being paid for removal from the Ashbridges Bay Treatment Plant.

Recommendations:

It is recommended that:

- (1) Toronto enter into agreements between the City and Terratec Environmental Ltd. and Azurix North America (Canada) Corp., and between the City and Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Wilson Logistics Inc. substantially in accordance with the agreements attached hereto to permit Terratec/Azurix to temporarily transport and dispose of the biosolids in accordance with the terms and conditions set out in this report; and
- (2) the Commissioner of Works and Emergency Services be authorized to provide for any short term extensions to the temporary permission under the agreement with Terratec Environmental Ltd. and Azurix North America (Canada) Corp. in the event that he deems it necessary.

Background:

At its meeting of January 25 and 26, 1995, Metropolitan Toronto Council adopted Clause No. 1 of Report No. 1 of The Environment and Public Space Committee, authorizing an agreement with Terratec for the demonstration of the beneficial use of biosolids from the Main Treatment Plant (now known as the Ashbridges Bay Treatment Plant). The agreement was entered into in July 1996 to provide for haulage and agricultural application by Terratec of no more than 10,000 dry tonnes of solids per year for a period not to exceed five years and at a cost of \$85.00 per dry tonne. The contract commenced in August of 1996.

The Terratec agreement was later amended after adoption by Metropolitan Toronto Council, at its meeting of September 24 and 25, 1997, of Clause No. 1 of Report No. 12 of The Environment and Public Space Committee, allowing Terratec to handle quantities of biosolids from the Ashbridges Bay Treatment Plant (“ABTP”) in excess of the quantities described under the 1996 Agreement, for an additional cost of \$39.00 per dry tonne.

The agreement was further amended at the end of 1997, after adoption by Metropolitan Toronto Council, at its meeting of December 10 and 18, 1997, of Clause No. 1 of Report No. 13 of The Environment and Public Space Committee, to allow the provision of funds up to \$75,000.00, plus applicable taxes, to Terratec to expand its existing storage facility, in order to accommodate extra quantities of biosolids during winter months. The funds were provided to Terratec by Metropolitan Toronto in 1998.

After amalgamation of local municipalities in the Toronto area and Metropolitan Toronto into one (new) City of Toronto, the City assumed the obligations of Metropolitan Toronto in respect to the Agreement with Terratec.

In 1999 Azurix became the parent company of Terratec.

Comments:

Since August 1995, Terratec has hauled biosolids from the ABTP for the purposes of beneficially utilizing them on agricultural lands in Southern Ontario. During the winter months the contractor would haul the biosolids to a storage site in Halton. The storage lagoon would be filled during the winter and emptied during the spring and summer. As noted in this report’s background, this agreement has been amended several times to account for changing quantities and prices.

This program has functioned without incident until this past year, 2000. Due to the weather conditions in the spring and summer of 2000, Terratec was unable to empty the storage lagoon. This resulted in the storage lagoon being filled before the end of the winter season. This meant we had to find another location for these biosolids or increase our rate of incineration.

In the negotiation of Toronto's Solid Waste Agreement for landfill disposal, biosolids were included explicitly as part of the possible waste stream that could be sent to the Carleton Farms landfill site in Michigan, operated by Republic Services of Michigan I, LLC. The agreement, therefore, contemplated the use of the site for the possible disposal of biosolids during this winter season.

While the Solid Waste Agreement provides that the haulage of waste to Carlton Farms will be undertaken by Wilson Logistics, Inc. ("Wilson"), Republic reported to us that Wilson did not want to do the haulage of biosolids. Terratec, however, has appropriate transport vehicles and is willing to haul the biosolids to Carleton Farms, in return for the fees to be paid by Toronto for removal of the biosolids from the ABTP under the existing agreement.

The existing agreement permits payment for biosolids that are beneficially used, however, given that the current situation has arisen from circumstances that were beyond the control of Terratec, we believe that Terratec should be entitled to payment in accordance with the normal fee rate for removal of biosolids from the ABTP.

In order to (a) detail the permission given to Terratec and the conditions, including payment, relating to the permission, (b) secure all the required liability protection, including an indemnity from Azurix, and (c) further detail the arrangements with the Republic group of companies for landfilling, including the application of the indemnities under the Solid Waste Agreement, we have negotiated amending agreements with Republic and Terratec. Highlights of the amending agreements are as follows:

Terratec/Azurix

- The permission to landfill terminates on April 30, 2001, and Terratec and Azurix must continue to utilize their best efforts to beneficially use the biosolids in accordance with the terms of the 1996 agreement, as amended. The Commissioner may extend the time period, at his sole discretion.
- The permission to dispose of the biosolids extends to other licensed landfills in Ontario which are legally able to receive biosolids (should one become available), as may be approved by the Commissioner.

- Azurix and Terratec both indemnify Toronto in relation to the transport and disposal of the biosolids, and must obtain all permits and approvals and comply with all applicable laws.
- There are provisions for insurance and bonding.
- Toronto is not liable for any other costs of the transport and disposal, other than the per tonne fees set out in the 1996 agreement, as amended.

Republic

- Amends the Republic and Wilson Waste Transport and Disposal Agreement;
- Wilson waives any rights to transport the biosolids.
- Title to the biosolids passes to Carleton Farms upon acceptance at the landfill site and the unloading is subject to the reasonable policies of Carleton Farms.
- The City indemnifies the parties in respect of any breach of applicable law in the transport of the biosolids and from any negligence in the transport by the City or its contractor.
- The biosolids are not counted for the purpose of determining minimum tonnage under the agreement and is not considered municipal waste (for the purposes of any notice requirements under the agreement).

In order to deal with the biosolids in a timely fashion and to avoid an increase of the rate of incineration or deterioration of the plant effluent quality, we have commenced haulage of biosolids to Carleton Farms, with the understanding for both parties that we must obtain Council approval for these amending agreements.

The approval of these agreements will allow us to deal with the biosolids during this winter season. We are not incurring any increase in cost due to this change and we have not increased our rate of incineration. We realize that landfill will be a contingency for our biosolids when we cease all incineration at the ABTP, which we anticipate to be this spring, so the fact that we are going to a landfill site should not be of great concern.

Conclusions:

It is recommended that Council authorize the execution of the attached amending agreements with Republic and Terratec/Azurix to allow for the transportation of

biosolids from the ABTP to the Carlton Farms Landfill site or any approved Ontario landfill site, such approval to be in writing from the Commissioner.

Contact:

R.M. Pickett, P. Eng.
Director, Water Pollution Control
Water and Wastewater Services
Telephone: 392-8230

List of Attachments

Agreement between City of Toronto, Azurix North America and Terratec Environmental Ltd.

Agreement between the City of Toronto and Republic Services Inc. and Republic Services of Canada and Republic Services of Michigan

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