

Appendix A

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

WEDNESDAY, FEBRUARY 4, 1998

City Council met at 9:41 a.m., in the Council Chamber, Metro Hall, Toronto.

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

The Meeting opened with O Canada.

81 Members present at first morning session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

82 Councillor Korwin-Kuczynski, seconded by Mayor Lastman, moved that:

“WHEREAS, the Members of City Council are deeply saddened to learn of the sudden passing of their friend and colleague, former City of Toronto Councillor William (Bill) Boytchuk on Thursday, January 22, 1998; and

WHEREAS, Mr. Boytchuk served on the former City of Toronto Council for 25 years, from 1969 to 1976 and from 1978 to 1994, when he retired, and served as chairperson of every standing committee, including 12 years heading the city's grants review board; and

WHEREAS, Mr. Boytchuk also served on Metropolitan Council, from 1974 to 1976 and from 1980 to 1982; and

WHEREAS, Mr. Boytchuk, originally from western Ukraine, understood and valued the contributions of the diverse ethnocultural community he represented, in the former west-end Ward 1, including helping communities to establish visible identities in Toronto, such as statues and parks; and

WHEREAS, Mr. Boytchuk had a particular interest in soccer, and was Honorary Life President of the National Soccer League (Ontario) and Sports Association Ukraina, Toronto, and his service to sports included the pioneering and building of the Lamport Stadium at the King and Dufferin Streets location; and

WHEREAS, Mr. Boytchuk introduced the Business Improvement Area (BIA) concept in 1970, when he arranged legislation to allow the formation and funding of the Bloor West Village BIA. There are now some 38 BIAs in the City of Toronto, with 300 BIAs in cities across Canada;

NOW THEREFORE BE IT RESOLVED THAT Council extend its sympathies to Mr. Boytchuk's wife Tania (Mr. Boytchuk being predeceased by his first wife, Maria); sons Ihor, Yarko and Taras; daughter Sylvia Kowal; his 10 grandchildren; and brother Stephan; and his family and friends, whose sorrow we share; and that leave be granted to introduce this Resolution in accordance with the provisions of Section 27 of the Council Procedural By-law."

Leave to introduce the foregoing Motion was granted and the Motion was carried unanimously.

Council rose and observed a moment of silence in memory of the late Mr. Boytchuk.

The following communications were listed on the Order Paper for this meeting:

- 83 From the City Clerk (January 15, 1998) advising that the Community and Neighbourhood Services Committee endorsed the recommendations embodied in the report dated December 30, 1997, from the Acting Medical Officer of Health on the implementation of the Healthy Babies, Healthy Children Program; and requested the Acting Medical Officer of Health to report to the Children's Action Committee, the Interim Board of Health and the Community and Neighbourhood Services Committee on the requirements necessary to ensure that the Healthy Babies, Healthy Children Program, meets current standards.

The foregoing communication was considered with Clause No. 1 of Report No.1 of The Interim Board of Health. (See Appendix "A", page 577.)

- 84 From the President, Local 79, Canadian Union of Public Employees (January 26, 1998) regarding the implementation of the Healthy Babies, Healthy Children Program, indicating that, in order to ensure a consistent level of service for all residents of the new City, Council should recommend the direct employment of all lay home visitors and all new employees in the program be permanently and directly employed by the City.

The foregoing communication was considered with Clause No. 1 of Report No.1 of The Interim Board of Health. (See Appendix "A", page 577.)

- 85 From the Functional Lead - Legal Services (January 15, 1998) advising of the procedures relating to the appointment of members of the Board of Health and recommending that a by-law establishing the size of the Board of Health be enacted.

The foregoing report was considered with Clause No. 2 of Report No.2 of The Interim Board of Health. (See Appendix "A", page 591.)

- 86 From the Commissioner of Transportation (January 19, 1998) reporting, as requested by the Urban Environment and Development Committee, on whether the City of Toronto has received an equitable portion of the funds allocated by the Province to municipalities for highway transfers relative to the quantity and size of the highways that were downloaded to the City.

The foregoing report was considered with Clause No. 2 of Report No.1 of The Urban Environment and Development Committee. (See Appendix "A", page 212.)

- 87 From Ms. E. Hudson, President, Toronto Region Architectural Conservancy (January 27, 1998) expressing opposition to the proposed demolition of the cottages at 399, 401 and 403 King Street East, noting that these houses form part of a Heritage District.

The foregoing communication was considered with Clause No. 15 of Report No.1 of The Toronto Community Council. (See Appendix "A", page 528.)

- 88 From the Acting Executive Commissioner, Community and Neighbourhood Services (January 29, 1998) providing a context for the presentation planned for Council concerning the services available to and needed by children within the City of Toronto; outlining the set of principles which will guide the work of the Children's Action Committee; and requesting endorsement of such principles.

The foregoing report was considered with Clause No. 2 of Report No.1 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 112.)

- 89 From the President, City of Toronto Non-Profit Housing Corporation, and the President, The Metropolitan Toronto Housing Company Limited (January 28, 1998) regarding the appointments to the interim Boards of Directors for the municipal housing companies and submitting recommendations in regard thereto.

The foregoing report was considered with Clause No. 5 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 666.)

- 90 From the Chief Administrative Officer (February 2, 1998) submitting a modified Option Three Administrative Structure incorporating the changes recommended by the Special Committee to Review the Final Report of the Toronto Transition Team

and recommending a change to the Community and Economic Development Services group in order to better reflect the focus of this group of services.

The foregoing report was considered with Clause No. 3 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 630.)

- 91 From the Chief Administrative Officer (February 2, 1998) providing, for information, an outline of the ratification process followed for senior staff.

The foregoing report was considered with Clause No. 3 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 630.)

- 92 From Mr. B. Kuwabara, et al, Members of the Toronto Society of Architects (January 28, 1998) in support of the recommendation that the Toronto City Hall be the interim and permanent home for City Council.

The foregoing communication was considered with Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 613.)

- 93 From the President, Local 79, Canadian Union of Public Employees (February 3, 1998) regarding the Strategic Restructuring Initiative, outlining a plan for restructuring all the departments in the new City of Toronto and requesting that the proposal to hire an outside consultant be rejected by Council.

The foregoing communication was considered with Clause No. 1 of Report No. 1 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 240.)

- 94 From the President, Local 79, Canadian Union of Public Employees (February 3, 1998) regarding the Strategic Restructuring - Human Resources Principles and Strategic Directions Initiative, outlining "Principles and Values" to be used during restructuring and urging Councillors to include in the Human Resources Principles and Directions commitments to avoid layoffs as a means to achieve budget targets and to maintain high quality service to the public.

The foregoing communication was considered with Clause No. 2 of Report No. 1 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 247.)

- 95 Communications from the following individuals, in opposition to the proposal to demolish the properties at 399-403 King Street East:
- (i) from Mr. P. D. Pellier, Oakville, Ontario, forwarding a copy of a communication (January 26, 1998) addressed to the Anglican Diocese of Toronto;
 - (ii) from Ms. C. Robson, Toronto (undated);
 - (iii) from Ms. B. Dashwood, Toronto (January 30, 1998); and
 - (iv) from Mr. R. W. McLennan, Toronto (January 29, 1998).

The foregoing communications were considered with Clause No. 15 of Report No.1 of The Toronto Community Council. (See Appendix "A", page 528.)

- 96 Petitions, containing signatures of staff from O'Connor Social Services, in opposition to City Councillors' salary increase.

The foregoing petitions were considered with Notices of Motions 11(a) to (c) appearing on the Order Paper. (See Minute No. 154)

- 97 From the President, Beach Triangle Residents Association (January 29, 1998) expressing opposition to the establishment of gambling facilities.

The foregoing communication was considered with Notices of Motions 11(f) to (g) appearing on the Order Paper. (See Minute No. 165)

- 98 From the President, Toronto Region Architectural Conservancy (January 30, 1998) expressing opposition to the demolition order regarding the property at 888 Yonge Street, otherwise known as the Masonic Hall, noting that the building is of historic interest and designated by the City under the Ontario Heritage Act.

The foregoing communication was considered with Notices of Motions 11(l) appearing on the Order Paper. (See Minute No. 170)

- 99 At this point in the proceedings, the City Clerk advised that there were no petitions or enquiries and that Councillor Kinahan would be absent from this Council Meeting.

- 100 Mayor Lastman requested Members of Council to indicate the Report and Clause Number wherein they have an interest, together with the nature of the interest.

Councillor Balkissoon declared his interest in Item (e), entitled "Bell Canada Telephone Booth Advertising", contained in Clause No. 5 of Report No. 1 of The Urban Environment

and Development Committee, headed "Other Items Considered by the Committee"; in Item (d), entitled, "Agreement with Bell Canada with Respect to Commercial Advertising on Telephone Booths", contained in Clause No. 5 of Report No. 1 of The East York Community Council, headed "Other Items Considered by the Community Council"; in Item (h), entitled "Illuminated Commercial Advertising on Telephone Booths", contained in Clause No. 7 of Report No. 1 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council"; in Item (h), entitled "Bell Canada Telephone Booth Advertising", contained in Clause No. 2 of report No. 1 of The Scarborough Community Council, headed "Other Items Considered by the Scarborough Community Council"; in Item (n), entitled "Bell Canada Telephone Booth Advertising", contained in Clause No. 18 of Report No. 1 of The Toronto Community Council, headed "Other Items Considered by the Community Council"; in Item (w), entitled "Bell Canada Telephone Booth Advertising", contained in Clause No. 6 of Report No. 1 of The York Community Council, headed "Other Items Considered by the Community Council"; and in Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Planning for the Seat of Government", in that he is an employee on leave of absence from Bell Canada.

Councillor Cho declared his interest in Clause No. 9 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "Financial Relationships with the Toronto District School Board", in that he is a teacher on leave of absence from the Toronto District School Board.

Councillor Feldman declared his interest in Item (j), entitled "Recommendations Report - Official Plan and Zoning Amendment Application UDOZ-97-26 - Shell Canada Limited - 4021 Yonge Street - Ward 9 - North York Centre South", contained in Clause No. 4 of Report No. 1 of The North York Community Council, in that he resides in the immediate vicinity of the site set out in the development application.

Councillor Gardner declared his interest in Item (b), entitled "Results of the Metropolitan Toronto Police Alarm Cost Recovery Program", contained in Clause No. 2 of Report No. 1 of The Emergency and Protective Services Committee, headed "Other Items Considered by the Committee", in that he is a member of the Board of Directors of an alarm company.

Councillor Giansante declared his interest in Item (e), entitled "Bell Canada Telephone Booth Advertising", contained in Clause No. 5 of Report No. 1 of The Urban Environment and Development Committee, headed "Other Items Considered by the Committee"; in Item (d), entitled, "Agreement with Bell Canada with Respect to Commercial Advertising on Telephone Booths", contained in Clause No. 5 of Report No. 1 of The East York Community Council, headed "Other Items Considered by the Community Council"; in Item (h), entitled "Illuminated Commercial Advertising on Telephone Booths", contained in Clause No. 7 of Report No. 1 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council"; in Item (h), entitled "Bell Canada Telephone Booth Advertising", contained in Clause No. 2 of report No. 1 of The Scarborough Community Council, headed "Other Items Considered by the Scarborough Community Council"; in Item

(n), entitled “Bell Canada Telephone Booth Advertising”, contained in Clause No. 18 of Report No. 1 of The Toronto Community Council, headed “Other Items Considered by the Community Council”; in Item (w), entitled “Bell Canada Telephone Booth Advertising”, contained in Clause No. 6 of Report No. 1 of The York Community Council, headed “Other Items Considered by the Community Council”; and in Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Planning for the Seat of Government”, in that his wife is an employee of Bell Canada.

Councillor Mammoliti declared his interest in Clause No. 5 of Report No. 1 of the Community and Neighbourhood Services Committee, headed “Metro Access to Social Housing”, in that he is technically employed with The Metropolitan Toronto Housing Authority.

Councillor Miller declared his interest in Clause No. 10 of Report No. 1 of The Toronto Community Council, headed “300, 304 St. Clair Avenue West and 345 Spadina Road, Toronto - Application to Remove Four Trees and Injure One Tree Situated on Private Property (East Toronto)”, in that his spouse owns property within 300 metres of the subject site.

Councillor Moscoe declared his interest in Clause No. 9 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Financial Relationships with the Toronto District School Board”, in that he has three children who are employed by the Toronto District School Board.

Councillor Rae declared his interest in Clause No. 12 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “1998 Interim Capital Budget - Capital Projects Requiring Urgent Financing Approval”, insofar as it pertains to that portion of the Clause relating to Project A-5(b) - Park Land Acquisition - 41R Dundonald Street, in that his residence is in close proximity to such property.

Councillor Shiner declared his interest in Clause No. 3 of Report No. 1 of the Urban Environment and Development Committee, headed “Removal of King Street Reserved Streetcar Lanes”, in that his family owns property on King Street West.

The following Members of Council declared their interest in other matters on the Order Paper:

- Councillor Kelly declared his interest in Notice of Motion 11(e) appearing on the Order Paper, in that his wife is employed by the City of Toronto as his Executive Assistant.
- Councillor Mahood declared his interest in Notice of Motion 11(e) appearing on the Order Paper, in that his daughter is employed by the City of Toronto as his Administrative Assistant.

101 Councillor Ootes presented the following Reports for consideration by Council:

Report No. 1 of The Urban Environment and Development Committee,
Report No. 1 of The Emergency and Protective Services Committee,
Report No. 1 of The Works and Utilities Committee,
Report No. 1 of The Community and Neighbourhood Services Committee,
Report No. 1 of The Corporate Services Committee,
Report No. 1 of The Strategic Policies and Priorities Committee,
Report No. 1 of The East York Community Council,
Report No. 1 of The Etobicoke Community Council,
Report No. 1 of The North York Community Council,
Report No. 1 of The Scarborough Community Council,
Report No. 1 of The Toronto Community Council,
Report No. 1 of The York Community Council,
Report No. 1 of The Interim Board of Health, and
Report No. 2 of The Interim Board of Health,

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

Councillor Ootes further presented the following Reports for the consideration of Council:

Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, and
Report No. 2 of The Strategic Policies and Priorities Committee,

and moved, seconded by Councillor Rae, that the provisions of Section 45 of the Council Procedural By-law be waived in connection with the foregoing Reports and that Council now give consideration to such Reports, which was carried, more than two-thirds of Members of Council present having voted in the affirmative.

Mayor Lastman proposed that Council now proceed through the Reports, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council then proceed with the adoption of the remaining Clauses; and that Council then give further consideration to those Clauses which have been held at the request of Members of Council, not necessarily in the order they appear on the Agenda.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 1 of The Urban Environment and Development Committee (with the exception of Clause No. 3), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Emergency and Protective Services Committee, without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Works and Utilities Committee (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Community and Neighbourhood Services Committee (with the exception of Clauses Nos. 1, 2 and 5), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Corporate Services Committee (with the exception of Clauses Nos. 3, 5 and 6), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 1, 2 and 3), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The East York Community Council, without amendment, it was carried. (See also Minute No. 122)

Upon the question of the adoption of Report No. 1 of The Etobicoke Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The North York Community Council (with the exception of Clause No. 4), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Scarborough Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Toronto Community Council (with the exception of Clauses Nos. 1, 2, 7, 15, 16 and 18), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The York Community Council (with the exception of Clause No. 6), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Interim Board of Health, without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Interim Board of Health (with the exception of Clauses Nos. 1 and 2), without amendment, it was carried.

Upon the question of the adoption of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team (with the exception of Clauses Nos. 2, 3, 4 and 5), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Strategic Policies and Priorities Committee, without amendment, it was held in its entirety.

102 **Clause No. 1 of Report No. 1 of The Toronto Community Council, headed “Swansea Town Hall Board of Management - Appointment (High Park)”.**
(See Appendix “A”, page 484.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Miller, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Toronto Community Council and inserting in lieu thereof the following:

“The Toronto Community Council recommends that Ms. Valerie Cooper-Wells be appointed to the Swansea Town Hall Board of Management in the place and stead of Ms. Wilma Hays, to complete Ms. Hays’ term of office, and/or until her successor is appointed.”

Upon the question of the adoption of the foregoing motion by Councillor Miller, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 103 **Clause No. 2 of Report No. 1 of The Toronto Community Council, headed “Eastview Neighbourhood Community Centre - Appointment (Don River)”.**
(See Appendix “A”, page 485.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Layton, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Toronto Community Council and inserting in lieu thereof the following:

“The Toronto Community Council recommends that Ms. Andrea Addario be appointed to the Eastview Neighbourhood Community Centre in the place and stead of Ms. Linda LaPlante, to complete Ms. LaPlante’s term of office, and/or until her successor is appointed.”

Upon the question of the adoption of the foregoing motion by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 104 **Clause No. 7 of Report No. 1 of The Toronto Community Council, headed “30 Gates Avenue - Request to Move Hydro Pole (East Toronto)”.**
(See Appendix “A”, page 492.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be directed to submit to the next meeting of the Toronto Community Council scheduled to be held on February 18, 1998, the report previously requested by the Toronto

Community Council on establishing a policy which would extend this needed benefit to senior citizens in the same circumstances across the City.”

Upon the question of the adoption of the foregoing motion by Councillor Pantalone, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

105 **Clause No. 18 of Report No. 1 of The Toronto Community Council, headed “Other Items Considered by the Community Council”.**

(See Appendix “A”, page 550.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be received for information, subject to adding thereto the following:

“It is further recommended that, notwithstanding subsection 128(5) of the Council Procedural By-law, the City Clerk be requested to forward a copy of the report dated August 27, 1997, from the Commissioner of City Works Services, as listed under Item (d), entitled ‘Oakwood Avenue at its Intersection with Burlington Crescent - Installation of an all “Stop” Sign Control (Davenport)’, to the Toronto Transit Commission, with a request that the Commission submit comments thereon to Toronto Community Council for its meeting scheduled to held on February 18, 1998.”

Upon the question of the adoption of the foregoing motion by Councillor Moscoe, it was carried.

Upon the question of the receipt for information of the foregoing Clause, as amended, it was carried.

106 **Clause No. 5 of Report No. 1 of The Corporate Services Committee, headed “Legal Claim”.**

(See Appendix “A”, page 186.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

At this point in the proceedings, and with the permission of Council, Councillor Korwin-Kuczynski moved that Council vary the order of its proceedings to now consider Clause No. 1 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Collective Bargaining Agreement - Local 113, Toronto Firefighters’ Association”, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 53.

Nay: Councillor: Mammoliti - 1.

Decided in the affirmative by a majority of 52.

107 **Clause No. 6 of Report No. 1 of The Corporate Services Committee, headed "Other Items Considered by the Committee".**

(See Appendix "A", page 187.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

108 **Clause No. 1 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "Collective Bargaining Agreement - Local 113, Toronto Firefighters' Association".**

(See Appendix "A", page 263.)

At this point in the proceedings, Councillor Minnan-Wong, with the permission of Council, moved that Council now recess and immediately reconvene in Committee Room "A"; that Council resolve itself into Committee of the Whole and then recess to meet privately to consider the foregoing Clause, having regard that such Clause pertains to labour relations issues, in accordance with subsection 55(7) of the Municipal Act, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Ashton, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Faubert, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, King, Lindsay Luby, Mahood, Minnan-Wong, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Sinclair, Tzekas - 32.

Nays: Councillors: Adams, Altobello, Augimeri, Berardinetti, Chow, Disero, Filion, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Prue, Silva, Walker - 22.

Decided in the affirmative by a majority of 10.

Council recessed at 10:26 a.m.

10:35 A.M.

Council reconvened in Committee Room "A".

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

109 Members present at the second morning session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

At this point in the proceedings, Council resolved itself into Committee of the Whole.

The Committee of the Whole recessed at 10:36 a.m. to meet privately to consider Clause No. 1 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "Collective Bargaining Agreement - Local 113, Toronto Firefighters' Association", in accordance with subsection 55(7) of the Municipal Act.

12:25 P.M.

The Committee of the Whole reconvened in Committee Room "A".

The Committee of the Whole rose.

Council reconvened.

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

110 Members present at the first afternoon session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

At this point in the proceedings, Mayor Lastman, with the permission of Council, proposed that Council now recess and reconvene in the Council Chamber at 2:00 p.m.

Council concurred in the foregoing proposal.

- 111 Council deferred further consideration of Clause No. 1 of Report No. 2 of The Strategic Polices and Priorities Committee, headed "Collective Bargaining Agreement - Local 113, Toronto Firefighters' Association", until later in the meeting. (See Minute No. 117)

Council recessed at 12:26 p.m.

2:09 P.M.

Council reconvened.

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

- 112 Members present at the second afternoon session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

- 113 At this point in the proceedings, Councillor O'Brien, with the permission of Council, advised the Council that representatives of the Toronto and Region Conservation Authority, the Humber Watershed Alliance and the Humber Heritage Committee had today, with the assistance of former Metropolitan Councillor Lois Griffin, presented the nomination document requesting that the Humber River be declared as one of Canada's National Heritage Rivers to the Canadian Heritage Rivers Board in Quebec City; and that the submission had been unanimously accepted by the Canadian Heritage Rivers Board who will now recommend to Parks Canada and the Ontario Ministry of Natural Resources that the nomination of the Humber River as a Canadian Heritage River be officially adopted.

Councillor O'Brien, seconded by Councillor Korwin-Kuczynski, moved that the City Clerk be requested to convey the congratulations and appreciation of City Council to all who have participated in the plan to have the Humber River designated as a Canadian Heritage River, which was carried.

- 114 At this point in the proceedings, Councillor King, seconded by Councillor Fotinos, moved that Council vary the order of its proceedings to now consider the following Notice of

Motion and that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit debate of such Motion, which was carried, more than two-thirds of Members of Council present having voted in the affirmative:

Moved by: Councillor King

Seconded by: Councillor Fotinos

“**WHEREAS** the Association of Municipalities of Ontario (AMO) will be holding a special meeting on February 6, 1998, to discuss issues of importance to the Association, including an analysis of the impact of Provincial downsizing on Municipalities across the Province; and

WHEREAS City Council is eligible to have eight voting delegates at the special meeting in addition to the four Councillors who are qualified as voting delegates because they serve as Board Members; and

WHEREAS the City Clerk has canvassed Members of Council for their interest in this regard;

NOW THEREFORE BE IT RESOLVED THAT the following Members of Council be appointed as voting delegates for the special meeting of AMO to be held on February 6, 1998:

Councillor Lorenzo Berardinetti
Councillor Ila Bossons
Councillor Dennis Fotinos
Councillor Anne Johnston
Councillor David Miller
Councillor Mario Silva;

AND BE IT FURTHER RESOLVED THAT Ms. Shirley Hoy, Commissioner of Community and Neighbourhood Services and Ms. Rosanna Scotti, Director, Corporate Policy and Planning, also be appointed as voting delegates.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

Council resumed its consideration of the various reports of the Standing Committees, the Community Councils and other Committees.

115 **Clause No. 2 of Report No. 1 of The Community and Neighbourhood Services Committee, headed “Role of the Children’s Advocate and ‘The First Duty’, Final Report of the Metro Task Force on Services to Young Children and Families”.**

(See Appendix "A", page 112.)

Council also had before it, during consideration of the foregoing Clause, a report (January 29, 1998) from the Acting Executive Commissioner, Community and Neighbourhood Services, providing a context for the presentation planned for Council concerning the services available to and needed by children within the City of Toronto; outlining the set of principles which will guide the work of the Children's Action Committee; and requesting endorsement of such principles.

Council also had before it, during consideration of the foregoing Clause, a copy of the presentation material (February 4, 1998) submitted by the Acting Executive Commissioner of Community and Neighbourhood Services.

At this point in the proceedings, and with the permission of Council, Ms. Shirley Hoy, Acting Executive Commissioner, Community and Neighbourhoods, gave a presentation to the Council in regard to the Children's Agenda for the City.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that the report dated January 29, 1998, from the Acting Executive Commissioner of Community and Neighbourhood Services, entitled 'A Children's Agenda for the City', embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the principles of the Children's Strategy as recommended in "The First Duty" report and the principles underlying the public health report "Child Poverty: A Public Health Perspective", be endorsed by Council and Council support their continued use to guide the work of the Children's Advocate and the Children's Action Committee;
- (2) the Children's Action Committee develop and submit terms of reference outlining the composition and mandate of the Committee to both the Special Committee to Review the Final Report of the Toronto Transition Team and the Community and Neighbourhood Services Committee;
- (3) the Children's Action Committee develop a workplan and an estimate of resources needed to undertake these planned initiatives and activities for discussion during the budget process; and

- (4) the appropriate City officials take the necessary action to give effect thereto.’ ”

Upon the question of the adoption of the foregoing motion by Councillor Chow, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

116 At this point in the proceedings, Councillor Chow, with the permission of Council, introduced Ms. Fiona Nelson, former School Trustee, present at this meeting.

117 Council resumed its consideration of Clause No. 1 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Collective Bargaining Agreement - Local 113, Toronto Firefighters’ Association”. (See also Minute No. 111)

The City Clerk, in accordance with subsections 55(8) and (9) of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause:

- (a) Councillor Shiner, in amendment, moved that:
- (1) consideration of the foregoing Clause be deferred;
 - (2) the Chief Administrative Officer, the Commissioner of Human Resources and the Lead Solicitor be requested to submit a full report in this regard to the next meeting of City Council; and
 - (3) the files from the former City of Toronto respecting this matter, together with all relevant information, be provided to the Lead Solicitor, and sufficient time be given for the Lead Solicitor and appropriate staff to review the files.
- (b) Councillor Adams, in amendment, moved that the foregoing motion (a) by Councillor Shiner be amended by adding thereto the following:
- “It is further recommended that the outside legal counsel, Mr. McDermott, be requested to attend an in-camera meeting of Council, to be held during this meeting of Council, to discuss this matter.”
- (c) Councillor Davis, in amendment, moved that the foregoing motion (b) by Councillor Adams be amended to provide that the outside legal counsel, Mr. McDermott, be requested to provide the files and relevant information to the Lead Solicitor for review, prior to Mr. McDermott being present at the in-camera meeting of Council.

- (d) Councillor McConnell, in amendment, moved that the foregoing motion (b) by Councillor Adams be amended to provide that Ms. Sylvia Watson also be invited to attend the in-camera meeting of Council.
- (e) Councillor Moscoe, in amendment, moved that the foregoing motion (a) by Councillor Shiner be amended by adding thereto the following:
- “and further that the proposals outlined in the foregoing motions (b), (c) and (d) by Councillors Adams, Davis and McConnell, respectively, regarding legal advice and background information, be referred to the Chief Administrative Officer, and the Chief Administrative Officer be directed to ensure that full legal advice and background information are provided to Council when this matter is submitted to Council for consideration.”
- (f) Councillor Flint, in amendment, moved that the foregoing motion (b) by Councillor Adams be amended to provide that the in-camera meeting of Council be held on Friday, February 6, 1998, at 9:30 a.m.

At this point in the proceedings, and with the permission of Council, Councillor Moscoe requested the permission of Council to delete the words “when this matter is submitted to Council for consideration” from his foregoing motion (e).

Council concurred in the foregoing request.

Mayor Lastman, having regard to the foregoing motions moved in Committee of the Whole, called upon additional motions with respect thereto.

- (g) Councillor Holyday, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“It is recommended that the report dated January 16, 1998, from the Commissioner of Human Resources, be adopted.”

Upon the question of the adoption of the foregoing motion (e) by Councillor Moscoe, as subsequently amended by Councillor Moscoe, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Chow, Disero, Duguid, Faubert, Fillion, Fotinos, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 39.

Nays: Councillors: Bossons, Brown, Cho, Chong, Davis, Feldman, Flint, Gardner, Giansante, Lindsay Luby, Minnan-Wong, Moeser, Pantalone, Sgro, Shiner - 15.

Decided in the affirmative by a majority of 24.

Upon the question of the adoption of the foregoing motion (f) by Councillor Flint, the vote was taken as follows:

Yeas: Councillors: Bussin, Flint, Korwin-Kuczynski, McConnell - 4.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 50.

Decided in the negative by a majority of 46.

Upon the question of the adoption of the foregoing motion (a) by Councillor Shiner, as amended, viz.:

“that:

- (1) consideration of the foregoing Clause be deferred;
- (2) the Chief Administrative Officer, the Commissioner of Human Resources and the Lead Solicitor be requested to submit a full report in this regard to the next meeting of City Council;
- (3) the files from the former City of Toronto respecting this matter, together with all relevant information, be provided to the Lead Solicitor, and sufficient time be given for the Lead Solicitor and appropriate staff to review the files; and

further, that the proposals outlined in the foregoing motions (b), (c) and (d) by Councillors Adams, Davis and McConnell, respectively, regarding legal advice and background information, be referred to the Chief Administrative Officer, and the Chief Administrative Officer be directed to ensure that full legal advice and background information are provided to Council.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Balkissoon, Bossons, Brown, Cho, Chong, Davis, Duguid, Faubert, Feldman, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shaw, Shiner, Sinclair - 20.

Nays: Councillors: Adams, Altobello, Augimeri, Berardinetti, Bussin, Chow, Disero, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 33.

Decided in the negative by a majority of 13.

At this point in the proceedings, Mayor Lastman, having regard to the nature of the foregoing motion (g) by Councillor Holyday, ruled such motion out of order.

Upon the question of the adoption of the foregoing Clause, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Chow, Disero, Filion, Fotinos, Gardner, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Walker - 33.

Nays: Mayor: Lastman.
Councillors: Bossons, Brown, Cho, Chong, Davis, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Sinclair - 22.

Decided in the affirmative by a majority of 11.

- 118 **Clause No. 5 of Report No. 1 of The Community and Neighbourhood Services Committee, headed "Metro Access to Social Housing".**
(See Appendix "A", page 157.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 119 **Clause No. 2 of Report No. 1 of The Strategic Policies and Priorities Committee, headed "Strategic Restructuring - Human Resources Principles and Strategic Directions".**
(See Appendix "A", page 247.)

Council also had before it, during consideration of the foregoing Clause, a communication (February 3, 1998) from the President, Local 79, Canadian Union of Public Employees, regarding the Strategic Restructuring - Human Resources Principles and Strategic Directions

Initiative, outlining “Principles and Values” to be used during restructuring and urging Councillors to include in the Human Resources Principles and Directions commitments to avoid layoffs as a means to achieve budget targets and to maintain high quality service to the public.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 120 **Clause No. 15 of Report No. 1 of The Toronto Community Council, headed “Residential Demolition Permit Applications - 399 - 403 King Street East (Don River)”.**
(See Appendix “A”, page 528.)

Council also had before it, during consideration of the foregoing Clause, the following communications:

- (i) from Ms. E. Hudson, President, Toronto Region Architectural Conservancy (January 27, 1998) expressing opposition to the proposed demolition of the cottages at 399, 401 and 403 King Street East, noting that these houses form part of a Heritage District; and
- (ii) from the following individuals, in opposition to the proposal to demolish the properties at 399-403 King Street East:
 - (i) from Mr. P. D. Pellier, Oakville, Ontario, forwarding a copy of a communication (January 26, 1998) addressed to the Anglican Diocese of Toronto;
 - (ii) from Ms. C. Robson, Toronto (undated);
 - (iii) from Ms. B. Dashwood, Toronto (January 30, 1998); and
 - (iv) from Mr. R. W. McLennan, Toronto (January 29, 1998).

Council also had before it, during consideration of the foregoing Clause, a report (February 3, 1998) from the Chief Financial Officer and Treasurer responding to a request from the Toronto Community Council for information regarding a tax exemption for two properties located at 399-403 King Street East.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 121 **Clause No. 6 of Report No. 1 of The York Community Council, headed “Other Items Considered by the Community Council”.**
(See Appendix “A”, page 567.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

At this point in the proceedings, Councillor Prue, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 1 of The East York Community Council, headed "Implementation of a Disabled Parking Space on Bryant Avenue", be re-opened for further consideration, which was carried, more than two-thirds of Members of Council present having voted in the affirmative.

- 122 **Clause No. 3 of Report No. 1 of The East York Community Council, headed "Implementation of a Disabled Parking Space on Bryant Avenue".**
(See Appendix "A", page 439; see also Minute No. 101.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Prue, in amendment, moved that the foregoing Clause be struck out and referred back to the East York Community Council for further consideration.

Upon the question of the adoption of the foregoing motion by Councillor Prue, it was carried.

- 123 **Clause No. 5 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Interim Boards of Directors for the Municipal Housing Companies".**
(See Appendix "A", page 666.)

Council also had before it, during consideration of the foregoing Clause, a joint report (January 28, 1998) from the President, City of Toronto Non-Profit Housing Corporation, and the President, The Metropolitan Toronto Housing Company Limited, regarding the appointments to the interim Boards of Directors for the municipal housing companies and submitting recommendations in regard thereto.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Walker, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that the joint report dated January 28, 1998, from the President, City of Toronto Non-Profit Housing Corporation, and the President, The Metropolitan Toronto Housing Company Limited, entitled 'Appointments to the Interim Boards of Directors for the Municipal Housing Companies', embodying the following recommendations, be adopted:

'It is recommended that:

- (1) this report be considered by Council simultaneously with communication dated December 22, 1997, from the General Managers of The Metropolitan Toronto Housing Company Limited and Cityhome, which was before Council at its meeting held on January 2, 6, 8 and 9, 1998 and referred to the Special Committee to

Review the Final Recommendations of the Toronto Transition Team for further consideration;

- (2) a special resolution of the City of Toronto in its capacity as the sole shareholder of The Metropolitan Toronto Housing Company Limited (MTHCL) authorizing a Board of Directors of nine members (to be effective as provided for therein) be passed in accordance with the wording appended to this report;
- (3) effective on the date of effectiveness specified in the special resolution referred to in Recommendation No. (2);
 - (i) the existing Directors of MTHCL, other than Councillors Michael Walker and Michael Feldman, be removed; and
 - (ii) the following individuals be elected to fill the seven MTHCL Board vacancies created by the combined operation of such removal and the said special resolution:

Marvin Sadowski (President, MTHCL);
Madeleine Fleming (President, Cityhome);
John Alleyne;
Catherine Bertucci-Menchetti;
John Metson;
David Monk; and
Wayne Sticklely;
- (4) effective on the date of effectiveness specified in the special resolution referred to in Recommendation No. (2), the following individuals be elected to the Board of Directors of the City of Toronto Non-Profit Housing Corporation (Cityhome) in the place and stead of the seven (7) existing Directors thereof who have continued in office after the end of the last term:

Marvin Sadowski (President, MTHCL);
Madeleine Fleming (President, Cityhome);
John Alleyne;
Catherine Bertucci-Menchetti;
John Metson;
David Monk; and
Wayne Sticklely;
- (5) an expression of thanks for their public service to the persons whose directorships will terminate pursuant to Recommendation No. (4) and

Part (i) of Recommendation No. (3) be recorded, and conveyed to them following such termination;

- (6) By-law No. 1997-0305 of the former City of Toronto providing for payments to Cityhome Directors be repealed and authority be granted for the introduction in Council of the necessary Bill effective on the date of effectiveness of the appointments referred to in Recommendation No. (4); and
- (7) the appropriate officials of the City be authorized to take all steps necessary to give effect to Recommendations Nos. (2) to (6).’ ”

Upon the question of the adoption of the foregoing motion by Councillor Walker, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 124 **Clause No. 3 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Contract No. T-8-98 - Bathurst Street Bridge over the Toronto Terminal Railways South of Front Street - Structure Rehabilitation”.**
(See Appendix “A”, page 269.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 125 **Clause No. 4 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Contracts Nos. T-43-98 and T-44-98 - Minor Bridge Repairs on Metropolitan Roads”.**
(See Appendix “A”, page 276.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 126 **Clause No. 5 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Contracts Nos. T-2-98, T-3-98, T-4-98 and T-5-98 - Permanent Repairs to Utility Road Cuts”.**
(See Appendix “A”, page 279.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 127 **Clause No. 6 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Contracts Nos. T-6-98, T-7-98, T-21-98 and T-22-98 - General Maintenance of Metropolitan Roads”.**
(See Appendix “A”, page 283.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 128 **Clause No. 8 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “1998 Capital Works Program - Preliminary Targets and Status Report on Outstanding Debt of the City of Toronto”.**
(See Appendix “A”, page 295.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 129 **Clause No. 13 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Other Items Considered by the Committee”.**
(See Appendix “A”, page 434.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

- 130 At this point in the proceedings, Councillor Moeser, with the permission of Council, moved that Council vary the order of its proceedings to now consider Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Planning for the Seat of Government”, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Bussin, Cho, Disero, Feldman, Filion, Giansante, Jakobek, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Prue, Silva, Sinclair, Walker - 24.

Nays: Mayor: Lastman.

Councillors: Ashton, Balkissoon, Berardinetti, Brown, Chong, Chow, Duguid, Faubert, Flint, Gardner, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Nunziata, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Tzekas - 28.

Decided in the negative by a majority of 4.

- 131 **Clause No. 3 of Report No. 1 of The Urban Environment and Development Committee, headed “Removal of King Street Reserved Streetcar Lanes”.**
(See Appendix “A”, page 216.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Urban Environment and Development Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the Chief of Police be requested to continue enforcement of the reserved streetcar lanes on King Street; and
 - (2) the Interim Functional Lead for Transportation be requested to submit a report to the Urban Environment and Development Committee, in six months, on the success of such enforcement.”
- (b) Councillor Miller, in amendment, moved that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended to provide that:
- (1) in the interim, the reserved streetcar lanes on King Street be removed from Jarvis Street to John Street; and
 - (2) the Interim Functional Lead for Transportation, in consultation with the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the Urban Environment and Development Committee, in six months, on the operation of the reserved lanes, having regard for this change.

Upon the question of the adoption of the foregoing motion (b) by Councillor Miller, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Brown, Chow, Disero, Filion, Flint, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O’Brien, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Walker - 26.

Nays: Mayor: Lastman.
Councillors: Ashton, Bossons, Cho, Davis, Faubert, Feldman, Gardner, Giansante, Kelly, Lindsay Luby, Sinclair, Tzekas - 13.

Decided in the affirmative by a majority of 13.

Upon the question of the adoption of the foregoing motion (a) by Councillor Korwin-Kuczynski, as amended, viz.:

“that the foregoing Clause be amended by striking out the recommendation of the Urban Environment and Development Committee and inserting in lieu thereof the following:

‘It is recommended that:

- (1) on an interim basis, the reserved streetcar lanes on King Street, between Jarvis Street and John Street, be removed;

- (2) the balance of the reserved streetcar lanes on King Street be retained and the Chief of Police be requested to continue enforcement of such lanes; and
- (3) the Interim Functional Lead for Transportation, in consultation with the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the Urban Environment and Development Committee, in six months, on the operation of the reserved lanes, having regard for the deletion of the reserved streetcar lanes between Jarvis Street and John Street, and the success of enforcement by the Toronto Police Service.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Brown, Cho, Disero, Feldman, Filion, Giansante, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Prue, Rae, Sgro, Silva, Tzekas, Walker - 28.

Nays: Mayor: Lastman.
Councillors: Ashton, Bossons, Davis, Faubert, Flint, Gardner, Kelly, Pantalone, Shaw - 10.

Decided in the affirmative by a majority of 18.

- 132 At this point in the proceedings, and with the permission of Council, Councillor Mahood moved that Council vary the order of its proceedings to now consider Notices of Motions 11(a), (b) and (c) appearing on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Brown, Bussin, Cho, Davis, Feldman, Filion, Giansante, Holyday, Jakobek, Lindsay Luby, Mahood, Minnan-Wong, Nunziata, Prue, Shaw - 17.

Nays: Councillors: Adams, Ashton, Augimeri, Bossons, Chow, Disero, Faubert, Flint, Gardner, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien Pantalone, Rae, Sgro, Shiner, Silva, Tzekas, Walker - 29.

Decided in the negative by a majority of 12.

- 133 **Clause No. 1 of Report No. 1 of The Works and Utilities Committee, headed "Deposit/Return Systems for Beverage Containers".**
(See Appendix "A", page 228.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Disero, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Interim Functional Lead for Solid Waste Management, in responding to the direction of the Committee, be requested to separate the issue of wine and spirit containers from the issue of all other beverage containers when reporting thereon to the Committee.”

- (b) Councillor Gardner, in amendment, moved that the foregoing Clause be received.

Mayor Lastman designated Councillor Pantalone to take the Chair for the next part of the meeting, and vacated the Chair.

Mayor Lastman resumed the Chair.

Upon the question of the adoption of the foregoing motion (b) by Councillor Gardner, and, in the absence of Councillor Gardner, moved by Councillor O'Brien, the vote was taken as follows:

Yeas: Councillors: Berger, Gardner, Mammoliti, O'Brien, Ootes - 5.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 46.

Decided in the negative by a majority of 41.

Upon the question of the adoption of the foregoing motion (a) by Councillor Disero, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, insofar as it pertains to Parts (1), (2) and (3) of Recommendation (A) of the Works and Utilities Committee, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King,

Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 47.

Nays: Councillors: Brown, Gardner, O'Brien, Ootes - 4.

Decided in the affirmative by a majority of 43.

Upon the question of the adoption of the balance of the foregoing Clause, as amended, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 47.

Nays: Councillors: Gardner, O'Brien, Ootes - 3.

Decided in the affirmative by a majority of 44.

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- 134 **Clause No. 3 of Report No. 1 of The Corporate Services Committee, headed "Acquisition of Subsurface Fee Interest for the Southwest Wye Tunnel and a Temporary Work Site Lease, Sheppard Avenue Subway - Yonge Station, Owner: OMERS Realty Corporation and Canadian Pacific Properties Incorporated and Leased to 4800 Yonge Street Limited".**
(See Appendix "A", page 182.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 135 **Clause No. 1 of Report No. 1 of The Strategic Policies and Priorities Committee, headed "Strategic Structuring Initiative".**
(See Appendix "A", page 240.)

Council also had before it, during consideration of the foregoing Clause, a communication (February 3, 1998) from the President, Local 79, Canadian Union of Public Employees, regarding the Strategic Restructuring Initiative, outlining a plan for restructuring all the departments in the new City of Toronto and requesting that the proposal to hire an outside consultant be rejected by Council.

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 136 **Clause No. 3 of Report No. 1 of The Strategic Policies and Priorities Committee, headed “Staffing of Organizational Leadership Positions”.**
(See Appendix “A”, page 249.)

Council also had before it, during consideration of the foregoing Clause, a confidential communication (February 3, 1998) from the City Clerk advising that the Strategic Policies and Priorities Committee on February 3, 1998, recommended to Council the adoption of the report dated February 2, 1998, from Mayor Lastman respecting the ratification of senior staff; and submitting a copy of such report for the consideration of Council.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Rae, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the recommendation of the Strategic Policies and Priorities Committee embodied in the confidential communication dated February 3, 1998, from the City Clerk, be adopted, viz.:

‘The Strategic Policies and Priorities Committee on February 3, 1998, recommended to Council the adoption of the confidential report dated February 2, 1998, from Mayor Lastman, entitled “Ratification of Senior Staff”, embodying the following recommendations:

“It is recommended that:

- (1) the following candidates for the positions indicated be ratified for the positions of Solicitor, Auditor and Commissioners (4); Jeffrey Griffiths, Auditor; Osmond Doyle, Solicitor; Shirley Hoy, Commissioner responsible for the community and neighbourhood services portfolio; Virginia West, Commissioner responsible for the planning and urban development services portfolio; Barry Gutteridge, Commissioner responsible for the works and emergency services portfolio; and Margaret Rodrigues, Commissioner responsible for the corporate services portfolio;
- (2) the Commissioner responsible for the economic development, culture and tourism portfolio be hired as soon as possible according to the process approved by Council, with a hiring team consisting of the Mayor or his designate, the Deputy Mayor, the Chair of the Corporate Services Committee and

two other members to be appointed by Council, and the Chief Administrative Officer; and

- (3) the appropriate City officials be authorized to take the necessary action to give effect thereto.’ ”

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

“It is further recommended that the by-law that grants the Chief Administrative Officer the authority to appoint the second layer of management staff be waived in order to grant Council the authority to appoint the second layer of management staff as well as for the initial appointments.”

At this point in the proceedings, Councillor Walker, with the permission of Council, moved that Council now recess and immediately reconvene in Committee Room “A”; that Council resolve itself into Committee of the Whole and then recess to meet privately to consider the foregoing Clause, insofar as it pertains to a personnel matter, in accordance with subsection 55(7) of the Municipal Act, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Bossons, Bussin, Cho, Chow, Faubert, Filion, Holyday, Jones, Layton, McConnell, Mihevc, Miller, Nunziata, Silva, Sinclair, Tzekas, Walker - 19.

Nays: Councillors: Ashton, Augimeri, Balkissoon, Berger, Brown, Chong, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Jakobek, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Moscoe, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook - 28.

Decided in the negative by a majority of 9.

At this point in the proceedings, Deputy Mayor Ootes, having regard that the questions by Councillor Walker of the Chief Administrative Officer pertained to matters of a confidential nature, ruled such questions out of order.

Councillor Walker challenged the ruling of Deputy Mayor Ootes.

Upon the question, “Shall the ruling of the Deputy Mayor be upheld?”, the vote was taken as follows:

Yeas: Councillors: Altobello, Balkissoon, Berger, Bossons, Brown, Bussin, Chong, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mihevc, O’Brien, Prue, Saundercook, Sinclair, Tzekas - 27.

Nays: Councillors: Adams, Filion, Jones, Mammoliti, McConnell, Miller, Rae, Silva, Walker - 9.

Decided in the affirmative by a majority of 18.

(c) Councillor Duguid, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Human Resources be requested to submit monthly update reports to the Corporate Services Committee, for the next six months, on:

- (1) the number of management employees hired to date; and
- (2) the number of employees hired from each of the former Area Municipalities.”

Mayor Lastman resumed the Chair.

(d) Councillor Ashton, in amendment, moved that:

- (1) consideration of the recommendation of the Strategic Policies and Priorities Committee, as embodied in the confidential communication dated February 3, 1998, from the City Clerk, entitled “Ratification of Senior Staff”, be deferred to the next meeting of Council to be held on March 4, 1998;
- (2) the Chief Administrative Officer be requested to submit a report to such meeting on the performance contracts associated with the hiring of each of the Executive Commissioners; and
- (3) the hiring of the Executive Commissioners be deferred until City Council has considered such performance contracts.

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

At this point in the proceedings, Deputy Mayor Ootes, having regard that the questions by Councillor Walker of Mayor Lastman pertained to matters of a confidential nature, ruled such questions out of order.

At this point in the proceedings, Councillor Moeser, with the permission of Council, requested that Parts (1) and (2) of the foregoing motion (c) by Councillor Duguid, be voted on separately.

Council concurred in the foregoing request.

- (e) Councillor Mahood, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that Councillors Ashton and Mahood be appointed as the additional City Council representatives on the hiring team.”

Mayor Lastman resumed the Chair.

At this point in the proceedings, Councillor Chong moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 6:30 p.m. recess, in order to conclude consideration of the foregoing Clause, which was carried, there being more than two-thirds of Members of Council present and voting in the affirmative.

- (f) Councillor McConnell, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Corporate Services Committee outlining a comprehensive policy for the hiring of senior City staff.”

At this point in the proceedings, and with the permission of Council, Councillor Moscoe withdrew his foregoing motion (b), viz.:

“that the foregoing Clause be amended by adding thereto the following;

‘It is further recommended that the Chief Administrative Officer by-law that grants the Chief Administrative Officer the authority to appoint the second layer of management staff be waived in order to grant Council the authority to appoint the second layer of management staff as well as for the initial appointments.’ ”

Upon the question of the adoption of the foregoing motion (d) by Councillor Ashton, the vote was taken as follows:

Yeas: Councillors: Ashton, Filion, Korwin-Kuczynski, Miller, Silva, Walker - 6.

Nays: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 48.

Decided in the negative by a majority of 42.

At this point in the proceedings, Councillor Walker requested that the vote be taken separately on each of the Executive Commissioner positions.

Mayor Lastman, having regard to the nature of the foregoing request by Councillor Walker, ruled such request out of order.

Councillor Walker challenged the ruling of the Mayor.

Upon the question, "Shall the ruling of the Mayor be upheld?", the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Miller, Moeser, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 35.

Nays: Councillors: Adams, Augimeri, Berardinetti, Bussin, Chow, Filion, Jones, Layton, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Prue, Rae, Silva, Walker - 19.

Decided in the affirmative by a majority of 16.

Upon the question of the adoption of the foregoing motion (a) by Councillor Rae, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 50.

Nays: Councillors: Augimeri, Silva, Walker - 3.

Decided in the affirmative by a majority of 47.

Upon the question of the adoption of the foregoing motion (e) by Councillor Mahood, it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion (c) by Councillor Duguid, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Commissioner of Human Resources be requested to submit monthly update reports to the Corporate Services Committee, for the next six months, on:

(1) the number of management employees hired to date;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Holyday, Jones, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 43.

Nays: Councillors: Berardinetti, Brown, Davis, Feldman, Giansante, Johnston, Kelly, Lindsay Luby, Rae, Saundercook, Sgro - 11.

Decided in the affirmative by a majority of 32.

Upon the question of the adoption of Part (2) of the foregoing motion (c) by Councillor Duguid, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Commissioner of Human Resources be requested to submit monthly update reports to the Corporate Services Committee, for the next six months, on:

(2) the number of employees hired from each of the former Area Municipalities.’ ”,

the vote was taken as follows:

Yeas: Councillors: Bossons, Brown, Cho, Duguid, Filion, Korwin-Kuczynski, Mammoliti, Minnan-Wong, Silva, Tzekas, Walker - 11.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Chong, Chow, Davis, Disero, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc,

Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair - 43.

Decided in the negative by a majority of 32.

Upon the question of the adoption of the foregoing motion (f) by Councillor McConnell, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (a) the recommendation of the Strategic Policies and Priorities Committee embodied in the confidential communication dated February 3, 1998, from the City Clerk, be adopted, viz.:

“The Strategic Policies and Priorities Committee on February 3, 1998, recommended to Council the adoption of the confidential report dated February 2, 1998, from Mayor Lastman, entitled ‘Ratification of Senior Staff’, embodying the following recommendations:

‘It is recommended that:

- (1) the following candidates for the positions indicated be ratified for the positions of Solicitor, Auditor and Commissioners (4); Jeffrey Griffiths, Auditor; Osmond Doyle, Solicitor; Shirley Hoy, Commissioner responsible for the community and neighbourhood services portfolio; Virginia West, Commissioner responsible for the planning and urban development services portfolio; Barry Gutteridge, Commissioner responsible for the works and emergency services portfolio; and Margaret Rodrigues, Commissioner responsible for the corporate services portfolio;
- (2) the Commissioner responsible for the economic development, culture and tourism portfolio be hired as soon as possible according to the process approved by Council, with a hiring team consisting of the Mayor or his designate, the Deputy Mayor, the Chair of the Corporate Services Committee and two other members to be appointed by Council, and the Chief Administrative Officer; and

- (3) the appropriate City officials be authorized to take the necessary action to give effect thereto.' ”;
- (b) Councillors Ashton and Mahood be appointed as the additional City Council representatives on the hiring team;
- (c) the Chief Administrative Officer be requested to submit a report to the Corporate Services Committee outlining a comprehensive policy for the hiring of senior City staff; and
- (d) the Commissioner of Human Resources be requested to submit monthly update reports to the Corporate Services Committee, for the next six months, on the number of management employees hired to date.' ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 51.

Nays: Councillors: Augimeri, Silva, Walker - 3.

Decided in the affirmative by a majority of 48.

At this point in the proceedings, Councillor Pantalone, with the permission of Council, proposed that Council now recess and reconvene at 8:00 p.m.

Council concurred in the foregoing proposal.

Council recessed at 6:25 p.m.

8:15 P.M.

Council reconvened.

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

137 Members present at the evening session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

Council resumed its consideration of the various Reports of the Standing Committees, the Community Councils and other Committees.

138 **Clause No. 1 of Report No. 1 of The Community and Neighbourhood Services Committee, headed "Administration of Municipal Grants Programs".**

(See Appendix "A", page 81.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

139 **Clause No. 4 of Report No. 1 of The North York Community Council, headed "Other Items Considered by the Community Council".**

(See Appendix "A", page 464.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, it was carried.

140 **Clause No. 1 of Report No. 2 of The Interim Board of Health, headed "Review of PCB Waste Transfers Across City Boundaries".**

(See Appendix "A", page 589.)

Upon the question of the adoption of the foregoing Clause, without amendment:

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

"It is further recommended that the Acting Medical Officer of Health and the Interim Functional Lead for Building, in consultation with appropriate staff, be requested to submit a report to the Board of Health and to the Urban Environment and Development Committee on the monitoring and securing of existing PCB storage sites in the City of Toronto and, in particular, on ensuring that all levels of government are working together to ensure the safety of the public in PCB storage."

- (b) Councillor Moeser, in amendment, moved that the foregoing motion (a) by Councillor Layton be amended by adding thereto the words "such report to include

details on the responsibilities of the City of Toronto and the Provincial government in this regard”.

Upon the question of the adoption of the foregoing motion (b) by Councillor Moeser, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Layton, as amended, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 141 **Clause No. 2 of Report No. 2 of The Interim Board of Health, headed “Increase in Size of the Board of Health for the City of Toronto Health Unit”.**
(See Appendix “A”, page 591.)

Council also had before it, during consideration of the foregoing Clause, a report (January 15, 1998) from the Functional Lead, Legal Services, advising of the procedures relating to the appointment of members of the Board of Health and recommending that a by-law establishing the size of the Board of Health be enacted.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Filion, seconded by Councillor Jones, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the report dated January 15, 1998, from the Functional Lead, Legal Services, entitled ‘By-law to Appoint Members of the Board of Health’, be received; and
- (2) Bill No. 26 be amended to provide for the increase in the size of the Board of Health for the City of Toronto Health Unit to 10 municipal members.”

- (b) Councillor King, in amendment, moved that:

- (1) the foregoing Clause be received;
- (2) the report dated January 15, 1998, from the Functional Lead, Legal Services, entitled ‘By-law to Appoint Members of the Board of Health’, be adopted; and
- (3) the Board of Health be requested to immediately establish the criteria it deems appropriate to seek six additional community members and request the

Nominating Committee to proceed with the process to appoint such members as expeditiously as possible.

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

“It is further recommended that it be clear that it is the intent of City Council that the citizen appointees are only to be in place until their successors are appointed.”

At this point in the proceedings, Councillor King, with the permission of Council, withdrew her foregoing motion (b).

Upon the question of the adoption of the foregoing motion (c) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Filion, seconded by Councillor Jones, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the report dated January 15, 1998, from the Functional Lead, Legal Services, entitled “By-law to Appoint Members of the Board of Health”, be received;
- (2) Bill No. 26 be amended to provide for the increase in the size of the Board of Health for the City of Toronto Health Unit to 10 municipal members; and
- (3) it be clear that it is the intent of City Council that the citizen appointees are only to be in place until their successors are appointed.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe,

Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 50.

Nays: Councillors: Faubert, Korwin-Kuczynski, Minnan-Wong - 3.

Decided in the affirmative by a majority of 47.

- 142 **Clause No. 16 of Report No. 1 of The Toronto Community Council, headed "Status of Bill C-9, the Canada Marine Act - Implications for the Port of Toronto".**
(See Appendix "A", page 543.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Ashton, in amendment, moved that the foregoing Clause be amended by deleting from Recommendations Nos. (1) and (2) of the Toronto Community Council the words "Toronto Community Council's" and inserting in lieu thereof the words "Toronto City Council's".
- (b) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended to include Councillor Howard Moscoe in the delegation to appear before the Senate Committee considering Bill C-9.
- (c) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) City Council request the Councillors who are members of the Toronto Harbour Commission to request an urgent meeting of the Toronto Harbour Commission to take place before the end of February in order to take a position on the new Port Authority legislation;
 - (2) the Chief Administrative Officer be requested to provide appropriate staff support to assist the delegation of Councillors in arranging, attending, and making a presentation to the Senate Committee on the question; and
 - (3) the Commissioner of Planning and Urban Development Services be requested to conduct an evaluation of the assets of the Toronto Harbour Commission and the municipal interest in those assets that will be lost by the passage of Bill C-9, the Canada Marine Act."
- (d) Councillor Kelly, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (3) of the Toronto Community Council the words "Councillors from affected wards" and inserting in lieu thereof the words "interested Members of City Council".

- (e) Councillor Jakobek, in amendment, moved that the foregoing Clause, together with all motions in this regard, be referred to the Office of the Mayor, with a request that the Mayor meet with the GTA Members of the Federal Caucus and any interested Members of Council to discuss this matter.
- (f) Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that a copy of the Clause, as adopted by Council, be referred to the Office of the Mayor, with a request that the Mayor meet with the GTA Members of the Federal Caucus or the appropriate Federal Officials to discuss this matter.”
- (g) Councillor Miller, in amendment, moved that the foregoing Clause be amended by adding to the recommendations of the Toronto Community Council the following new Recommendation No. (9):
- “(9) the Mayor or his designate be requested to participate in this process.”

Upon the question of the adoption of the foregoing motion (e) by Councillor Jakobek, the vote was taken as follows:

Yeas: Councillors: Adams, Berardinetti, Berger, Brown, Cho, Davis, Gardner, Giansante, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moeser, Ootes, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 23.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Johnston, Jones, King, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Tzekas - 29.

Decided in the negative by a majority of 6.

Upon the question of the adoption of the foregoing motion (d) by Councillor Kelly, it was carried.

At this point in the proceedings, Mayor Lastman, having regard to the foregoing decisions of Council, declared the foregoing motion (b) by Councillor Moscoe, redundant.

Upon the question of the adoption of the foregoing motion (a) by Councillor Ashton, it was carried.

Upon the question of the adoption of the foregoing motion (g) by Councillor Miller, it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing motion (f) by Councillor Chow, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“that the foregoing Clause be amended by:

- (1) amending the recommendations of Toronto Community Council by:
 - (a) deleting from Recommendations Nos. (1) and (2) the words ‘Toronto Community Council’s’ and inserting in lieu thereof the words ‘Toronto City Council’s’; and
 - (b) deleting from Recommendation No. (3) the words ‘Councillors from affected wards’ and inserting in lieu thereof the words ‘interested Members of City Council’; and
 - (c) adding thereto the following new Recommendation No. (9):
 - ‘(9) the Mayor or his designate be requested to participate in this process.’;

so that the recommendations of the Toronto Community Council shall now read as follows:

‘The Toronto Community Council recommends that:

- (1) the Federal Government be advised of the Toronto City Council’s position on Bill C-9, the Canada Marine Act;
- (2) the Senate Committee be notified of the Toronto City Council’s position;
- (3) appropriate officials and interested Members of City Council form a delegation to appear before the Senate Committee considering Bill C-9;
- (4) the Senate Committee be requested to hold hearings in Toronto on the proposed Canada Marine Act;
- (5) appropriate officials negotiate with the Federal Government on an alternative strategy for the administration of the Port and associated lands, beginning with an exemption from the proposed Canada Marine Act;

- (6) appropriate officials prepare a full inventory, maps and an estimated evaluation of the value of the Toronto Harbour Commission's land, and that this inventory and evaluation be made available to all Councillors as soon as possible;
 - (7) the Chief Financial Officer and Treasurer report to the Toronto Community Council concerning the impact on the assets of the City of Toronto which would result from the federal takeover of the Toronto Harbour Commission lands;
 - (8) in the unfortunate event that the Bill C-9, the Canada Marine Act, is passed by the Senate, the Federal Government be requested to remove the provision which excludes elected Members of Council from serving on the new Port Authority; and
 - (9) the Mayor or his designate be requested to participate in this process.'; and
- (2) adding thereto the following:
- 'It is further recommended that:
- (a) City Council request the Councillors who are members of the Toronto Harbour Commission to request an urgent meeting of the Toronto Harbour Commission to take place before the end of February in order to take a position on the new Port Authority legislation;
 - (b) the Chief Administrative Officer be requested to provide appropriate staff support to assist the delegation of Councillors in arranging, attending, and making a presentation to the Senate Committee on the question;
 - (c) the Commissioner of Planning and Urban Development Services be requested to conduct an evaluation of the assets of the Toronto Harbour Commission and the municipal interest in those assets that will be lost by the passage of Bill C-9, the Canada Marine Act; and
 - (d) a copy of the Clause, as adopted by Council, be referred to the Office of the Mayor, with a request that the Mayor meet with the GTA Members of the Federal Caucus or the appropriate Federal Officials to discuss this matter.' "

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Tzekas - 47.

Nays: Councillors: Brown, Giansante, Korwin-Kuczynski, Sgro, Shaw, Walker - 6.

Decided in the affirmative by a majority of 41.

143 Councillor Berardinetti, seconded by Councillor Walker, moved that leave be granted to introduce:

“Bill No. 34 To confirm the first portion of the proceedings of the Council at its Meeting held on the 4th day of February, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 21-1998 To confirm the first portion of the proceedings of the Council at its Meeting held on the 4th day of February, 1998.”,

it was carried, without dissent.

Council recessed at 10:00 p.m. to reconvene at 9:30 a.m. on Thursday, February 5, 1998.

THURSDAY, FEBRUARY 5, 1998, 9:45 A.M.

Council reconvened.

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

144 Members present at the morning session of the second day of this meeting:

Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

Council resumed its consideration of the various Reports of the Standing Committees, the Community Councils and other Committees.

- 145 **Clause No. 2 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Separation Program for Executive, Management and Non-Union Staff”.**
(See Appendix “A”, page 265.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Chong, in amendment, moved that the foregoing Clause be amended by amending the report dated February 3, 1998, from the Chief Administrative Officer, by:
- (1) deleting from Recommendation No. (1) the words “five years” and inserting in lieu thereof the words “two years”;
 - (2) deleting Recommendation No. (3); and
 - (3) deleting Recommendation No. (4).
- (b) Councillor Johnston, in amendment, moved that the foregoing 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 Corporate Services Committee outlining a re-employment policy for former Members of Council; and
 - (2) the Special Committee to Review the Final Report of the Toronto Transition Team be requested to re-examine why the Strategic Policies and Priorities Committee and the Budget Committee review and make recommendations respecting Human Resources issues, given the existence of a Corporate Services Committee.”
- (c) Councillor Holyday, in amendment, moved that the foregoing Clause be amended by amending the report dated February 3, 1998, from the Chief Administrative Officer, by:
- (1) deleting from Recommendation No. (1) the words “five years” and inserting in lieu thereof the words “three years”; and
 - (2) deleting Recommendation No. (4) and inserting in lieu thereof the following new Recommendation No. (4):
“(4) the re-employment policy also apply to former Members of Council seeking employment with the municipality, and that they not be allowed to seek employment with the municipality during their severance period.”

- (d) Councillor Walker, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (2) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, by deleting the words “with the approval of the Chief Administrative Officer in consultation with the Chair of the Corporate Services Committee. Exceptions beyond six months must receive the approval of Council”, after the words “in duration”, and inserting in lieu thereof the words “on recommendation of the Chief Administrative Officer for approval by City Council”.
- (e) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by amending the report dated February 3, 1998, from the Chief Administrative Officer, by inserting in Recommendation No. (3), after the words “applied to”, the word “permanent”.
- (f) Councillor Ashton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Strategic Policies and Priorities Committee identifying the reserve fund sources and amounts allocated to the Workfare Reduction and Retraining Reserve; such report to also address whether such reserve can be self-funded from separation savings.”
- (g) Councillor Ootes, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (1) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, by:
- (1) inserting the words “or an Agency, Board or Commission funded in whole or in part by the City”, after the words “City of Toronto”; and
 - (2) inserting the words “or employment”, after the words “for re-employment”.
- (h) Councillor Cho, in amendment, moved that the foregoing Clause be amended by:
- (1) amending the report dated February 3, 1998, from the Chief Administrative Officer, by deleting from Recommendation No. (2) the words “not to exceed” and inserting in lieu thereof the words “up to” and inserting the words “at one-half of their previous salary” after the word “duration”; and
 - (2) adding thereto the following:
- “It is further recommended that any firm that is bidding on a contract with the City of Toronto and has hired a former senior management employee of the former Metropolitan Toronto or Area Municipal governments shall be required to provide the name of that former employee to the City.”

- (i) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendations Nos. (3) and (4) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, back to the Chief Administrative Officer for further consideration and report thereon to the Corporate Services Committee.
- (j) Councillor O'Brien, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (2) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, by adding thereto the words "such policy to apply whether employees are hired as consultants or employees".
- (k) Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that the Chief Administrative Officer be requested to ensure that human resources issues are submitted to the Corporate Services Committee for consideration, in accordance with the provisions of the Council Procedural By-law."

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

At this point in the proceedings, Councillor Chong, with the permission of Council, withdrew Parts (2) and (3) of his foregoing motion (a), viz.:

"that the foregoing Clause be amended by amending the report dated February 3, 1998, from the Chief Administrative Officer, by:

- (2) deleting Recommendation No. (3); and
- (3) deleting Recommendation No. (4)."

Upon the question of the adoption of the foregoing motion (i) by Councillor Moscoe, insofar as it pertains to the referral of Recommendation No. (3) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, back to the Chief Administrative Officer for further consideration and report thereon to the Corporate Services Committee, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Filion, Johnston, Jones, Kelly, King, Layton, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 37.

Nays Councillors: Cho, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Nunziata, Ootes, Shiner, Tzekas - 17.

Decided in the affirmative by a majority of 20.

Upon the question of the adoption of the foregoing motion (i) by Councillor Moscoe, insofar as it pertains to the referral of Recommendation No. (4) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, back to the Chief Administrative Officer for further consideration and report thereon to the Corporate Services Committee, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Duguid, Fillion, Jones, Kelly, King, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 38.

Nays: Councillors: Cho, Disero, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Nunziata, Ootes - 16.

Decided in the affirmative by a majority of 22.

Having regard to the foregoing decision of Council, Deputy Mayor Ootes proposed that Part (2) of the foregoing motion (c) by Councillor Holyday, and the foregoing motion (e) by Councillor Pantalone be referred to the Chief Administrative Officer for further consideration and report thereon to the Corporate Services Committee.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Chong, viz.:

“that the foregoing Clause be amended by amending the report dated February 3, 1998, from the Chief Administrative Officer, by:

- (1) deleting from Recommendation No. (1) the words ‘five years’ and inserting in lieu thereof the words ‘two years’;”

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Faubert, Flint, Fotinos, Giansante, Johnston, Jones,

King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, O'Brien, Ootes, Prue, Rae, Silva, Sinclair, Walker - 29.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Feldman, Filion, Holyday, Jakobek, Kelly, Lindsay Luby, Li Preti, Mahood, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Saundercook, Sgro, Shiner, Tzekas - 25.

Decided in the affirmative by a majority of 4.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, advised the Council that Part (1) of the foregoing motion (c) by Councillor Holyday, was redundant.

Upon the question of the adoption of the foregoing motion (g) by Councillor Ootes, viz.:

“that the foregoing Clause be amended by amending Recommendation No. (1) embodied the report dated February 3, 1998, from the Chief Administrative Officer, by:

- (1) inserting the words ‘or an Agency, Board or Commission funded in whole or in part by the City’, after the words ‘City of Toronto’; and
- (2) inserting the words ‘or employment’, after the words ‘for re-employment’.”,

it was carried.

Upon the question of the adoption of the foregoing motion (j) by Councillor O'Brien, viz.:

“that the foregoing Clause be amended by amending Recommendation No. (2) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, by adding thereto the words ‘such policy to apply whether employees are hired as consultants or employees’.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Disero, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas, Walker - 41.

Nays: Mayor: Lastman.
Councillors: Chow, Davis, Duguid, Faubert, Filion, Johnston, Jones, Kelly, King, Mammoliti, Miller, Sinclair - 13.

Decided in the affirmative by a majority of 28.

Upon the question of the adoption of Part (1) of the foregoing motion (h) by Councillor Cho, viz.:

“that the foregoing Clause be amended by:

- (1) amending the report dated February 3, 1998, from the Chief Administrative Officer, by deleting from Recommendation No. (2) the words ‘not to exceed’ and inserting in lieu thereof the words ‘up to’ and inserting the words ‘at one-half of their previous salary’ after the word ‘duration’;”

the vote was taken as follows:

Yeas: Councillors: Cho, Chow, Duguid, Flint, Tzekas - 5.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Davis, Disero, Faubert, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 49.

Decided in the negative by a majority of 44.

Upon the question of the adoption of the foregoing motion (d) by Councillor Walker, viz.:

“that the foregoing Clause be amended by amending Recommendation No. (2) embodied in the report dated February 3, 1998, from the Chief Administrative Officer, by deleting the words ‘with the approval of the Chief Administrative Officer in consultation with the Chair of the Corporate Services Committee. Exceptions beyond six months must receive the approval of Council’, after the words ‘in duration’, and inserting in lieu thereof the words ‘on recommendation of the Chief Administrative Officer for approval by City Council’.”

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Moscoe, Prue, Rae, Saundercook, Shiner, Sinclair, Tzekas, Walker - 32.

Nays: Mayor: Lastman.
Councillors: Berger, Brown, Chong, Chow, Davis, Faubert, Flint, Jones, Kelly, King, Korwin-Kuczynski, Li Preti, Mammoliti, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Sgro, Silva - 22.

Decided in the affirmative by a majority of 10.

At this point in the proceedings, Councillor Shiner, rising on a point of order, requested Deputy Mayor Ootes to rule on whether Part (1) of the foregoing motion (b) by Councillor Johnston, was in order, viz.:

“that the foregoing 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 Corporate Services Committee outlining a re-employment policy for former Members of Council;’ ”

Deputy Mayor Ootes, having regard to the nature of Part (1) of the foregoing motion (b) by Councillor Johnston, ruled such motion in order.

At this point in the proceedings, Councillor Moscoe, rising on a point of order, requested Deputy Mayor Ootes to rule on whether Part (2) of the foregoing motion (b) by Councillor Johnston, was in order, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (2) the Special Committee to Review the Final Report of the Toronto Transition Team be requested to re-examine why the Strategic Policies and Priorities Committee and the Budget Committee review and make recommendations respecting Human Resources issues, given the existence of a Corporate Services Committee.’ ”

Deputy Mayor Ootes, having regard to the nature of Part (2) of the foregoing motion (b) by Councillor Johnston, ruled such motion in order.

At this point in the proceedings, Councillor Johnston, with the permission of Council, withdrew Part (1) of her foregoing motion (b).

Upon the question of the adoption of Part (2) of the foregoing motion (b) by Councillor Johnston, it was carried.

Upon the question of the adoption of the foregoing motion (f) by Councillor Ashton, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Strategic Policies and Priorities Committee identifying the reserve fund sources and amounts allocated to the Workfare Reduction and Retraining Reserve; such report to also address whether such reserve can be self-funded from separation savings.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (k) by Councillor Chow, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Chief Administrative Officer be requested to ensure that human resources issues are submitted to the Corporate Services Committee for consideration, in accordance with the provisions of the Council Procedural By-law.’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (h) by Councillor Cho, viz.:

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that any firm that is bidding on a contract with the City of Toronto and has hired a former senior management employee of the former Metropolitan Toronto or Area Municipal governments shall be required to provide the name of that former employee to the City.’ ”,

the vote was taken as follows:

Yeas: Councillors: Berardinetti, Berger, Bossons, Brown, Cho, Davis, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Prue, Sgro, Shiner - 27.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chong, Chow, Duguid, Faubert, Johnston, Jones, Kelly, King, Layton, Mammoliti, Mihevc, Pantalone, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker - 24.

Decided in the affirmative by a majority of 3.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

In summary, Council adopted the joint confidential report dated January 19, 1998, from the Commissioner of Human Resources, Chief Financial Officer and Treasurer and the Chief Administrative Officer, embodying the following recommendations, as amended by the Budget Committee at its meeting held on January 26, 1998:

“It is recommended that:

- (1) Council adopt the Separation Program for Executive, Management and Non-Union staff;
- (2) this program replace all separation or exit programs, policies and practices in the former municipalities;
- (3) all employees of the (new) City of Toronto be advised that separation or exit programs, policies and practices which may have been in place in the former municipalities are no longer in force;
- (4) Council approve the establishment of a Workforce Reduction and Retraining Reserve to accommodate the funding for the Separation Program for Executives, Management and Non-Union staff, with initial funding of \$10 million to be allocated from existing reserve funds;
- (5) the Chief Financial Officer and Treasurer request the Province of Ontario for assistance in funding the Separation Program required as a result of the amalgamation dictated by the City of Toronto Act, 1997; and
- (6) the Chief Administrative Officer, Chief Financial Officer and Treasurer and the Commissioner of Human Resources be authorized to take all the necessary steps to implement these actions and to administer the Workforce Reduction Strategy.”

In addition, Council adopted the report dated February 3, 1998, from the Chief Administrative Officer, subject to:

- (1) amending Recommendation No. (1) by:

- (a) inserting the words “or an Agency, Board or Commission funded in whole or in part by the City”, after the words “City of Toronto”; and
 - (b) inserting the words “or employment”, after the words “for re-employment”;
 - (c) deleting the words “five years” and inserting in lieu thereof the words “two years”;
- (2) amending Recommendation No. (2) by:
- (a) deleting the words “with the approval of the Chief Administrative Officer in consultation with the Chair of the Corporate Services Committee. Exceptions beyond six months must receive the approval of Council”, after the words “in duration”, and inserting in lieu thereof the words “on recommendation of the Chief Administrative Officer for approval by City Council”; and
 - (b) adding thereto the words “such policy to apply whether employees are hired as consultants or employees”;
- (3) striking out and referring Recommendations Nos. (3) and (4) back to the Chief Administrative Officer for further consideration and report thereon to the Corporate Services Committee, together with the following motions:

Moved by Councillor Pantalone:

“That the foregoing Clause be amended by inserting in Recommendation No. (3) the word ‘permanent’ after the words ‘applied to’.”

Moved by Councillor Holyday:

“That the foregoing Clause be amended by striking out Recommendation No. (4) and inserting in lieu thereof the following:

- ‘(4) the re-employment policy also apply to former Members of Council seeking employment with the municipality, and that they should not be allowed to seek employment with the municipality during their severance period.’ ”

so that the recommendations embodied in the confidential report dated February 3, 1998, from the Chief Administrative Officer, shall now read as follows:

- “(1) employees who receive an exit or retirement package from the City of Toronto or an Agency, Board or Commission funded in whole or in part by the City, or who received an exit or retirement package from one of the seven

former municipalities, will not be eligible for re-employment or employment by the municipality for a period of two years; and

- (2) in limited, exceptional circumstances, any employee may be re-employed on a contract basis, for a defined period of time not to exceed six months in duration, on recommendation of the Chief Administrative Officer for approval by City Council, such policy to apply whether employees are hired as consultants or employees.”

Council also adopted the following recommendations:

“It is further recommended that:

- (1) any firm that is bidding on a contract with the City of Toronto and has hired a former senior management employee of the former Metropolitan Toronto or Area Municipal governments shall be required to provide the name of that former employee to the City;
- (2) the Special Committee to Review the Final Report of the Toronto Transition Team be requested to re-examine why the Strategic Policies and Priorities Committee and the Budget Committee review and make recommendations respecting Human Resources issues, given the existence of a Corporate Services Committee;
- (3) the Chief Administrative Officer be requested to ensure that human resources issues are submitted to the Corporate Services Committee for consideration, in accordance with the provisions of the Council Procedural By-law; and
- (4) the Chief Financial Officer and Treasurer be requested to submit a report to the Strategic Policies and Priorities Committee identifying the reserve fund sources and amounts allocated to the Workfare Reduction and Retraining Reserve; such report to also address whether such reserve can be self-funded from separation savings.”

146 At this point in the proceedings, Councillor Augimeri, rising on a point of privilege, requested the Deputy Mayor to direct that the doors to the Council Chamber be unlocked to admit members of the Ontario Coalition Against Poverty.

Deputy Mayor Ootes requested the Security staff to unlock the doors of the Council Chamber.

147 At this point in the proceedings, Councillor Mammoliti, rising on a point of privilege, requested that the Toronto Police Service be contacted to investigate a threatening note he and other Members of Council had received.

- 148 **Clause No. 7 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “1998 Operating and Capital Budgets - Schedule and Public Consultation Process”.**
(See Appendix “A”, page 288.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Saundercook, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Budget Chair be requested to contact the Chairs of the Community Councils in order to discuss and effect a better controlled budget process.”

At this point in the proceedings, Councillor Saundercook, with the permission of Council, withdrew his foregoing motion (a).

- (b) Councillor Miller, in amendment, moved that the foregoing Clause be amended by:

(1) adding to Recommendation No. (2) embodied in the transmittal letter dated January 28, 1998, from the Budget Committee, after the words “Chairs of the Standing Committees and/or their designates”, the words “the Chairs of the Community Councils and/or their designates”; and

(2) adding thereto the following:

“It is further recommended that a five-year planning process be continued with respect to the Capital Budgets for the former Metropolitan Toronto Agencies, Boards and Commissions.”

- (c) Councillor Bossons, in amendment, moved that the foregoing Clause be amended by striking out the following recommendation embodied in the transmittal letter dated January 28, 1998, from the Budget Committee:

“(2) the Chief Financial Officer and Treasurer be directed to invite the Budget Chair and/or his designate, other interested members of the Budget Committee and the Chairs of the Standing Committees and/or their designates to attend staff Budget reviews, to obtain necessary background information on the various departmental budgets.”

- (d) Councillor Kelly, in amendment, moved that the foregoing Clause be amended by deleting from that part of the schedule embodied in Recommendation No. (1) of the Budget Committee, the portion pertaining to the Capital Budget review by the Standing Committees and Community Councils and submission of Phase 1 of the Operating Budget, between February 9-19.

At this point in the proceedings, Councillor Moscoe moved that Council vary the order of its proceedings to consider Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Planning for the Seat of Government", at 2:00 p.m., which was carried. (See Minute No.150)

- (e) Councillor Davis, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (1) of the Budget Committee the process outlined for the period March 23 to April 2, and inserting in lieu thereof the following:

"March 23 to April 2 The Budget Committee hold consultation meetings in the various Community Council Chambers."

At this point in the proceedings, Councillor Moscoe moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of the foregoing Clause, which was carried, more than two-thirds of Members of Council present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (c) by Councillor Bossons, the vote was taken as follows:

Yeas: Councillors: Adams, Balkissoon, Berger, Bossons, Davis, Disero, Duguid, Fotinos, Giansante, Jakobek, Johnston, Kelly, Lindsay Luby, Li Preti, Mahood, Mihevc, Minnan-Wong, Moscoe, Nunziata, Prue, Saundercook, Shiner, Silva, Tzekas - 24.

Nays: Councillors: Altobello, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Filion, Flint, Holyday, Jones, Korwin-Kuczynski, Layton, McConnell, Moeser, O'Brien, Ootes, Pantalone, Sgro, Shaw, Walker - 21.

Decided in the affirmative by a majority of 3.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (1) of the foregoing motion (b) by Councillor Miller, redundant.

Upon the question of the adoption of the foregoing motion (d) by Councillor Kelly, the vote was taken as follows:

Yeas: Councillors: Davis, Filion, Kelly, Korwin-Kuczynski, Li Preti, Ootes - 6.

Nays: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, King, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Minnan-Wong,

Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 40.

Decided in the negative by a majority of 34.

Upon the question of the adoption of the foregoing motion (e) by Councillor Davis, the vote was taken as follows:

Yeas: Councillors: Adams, Davis, Filion, Giansante, Kelly, Li Preti, Minnan-Wong, Moeser, Saundercook, Shaw - 10.

Nays: Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Sgro, Silva, Tzekas, Walker - 35.

Decided in the negative by a majority of 25.

Upon the question of the adoption of Part (2) of the foregoing motion (b) by Councillor Miller, it was carried.

At this point in the proceedings, Councillor Johnston, with the permission of Council, moved that Council defer the vote on the foregoing Clause, as amended, until later in the meeting.

Deputy Mayor Ootes, having regard to the nature of the foregoing motion by Councillor Johnston, declared such motion out of order.

Councillor Johnston challenged the ruling of the Deputy Mayor.

Upon the question, "Shall the ruling of the Deputy Mayor be upheld?", the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shiner, Silva, Walker - 37.

Nays: Councillors: Bossons, Bussin, Davis, Filion, Giansante, Johnston, Layton, Tzekas - 8.

Decided in the affirmative by a majority of 29.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“That the foregoing Clause be amended by:

- (a) striking out the following recommendation embodied in the transmittal letter dated January 28, 1998, from the Budget Committee:

‘(2) the Chief Financial Officer and Treasurer be directed to invite the Budget Chair and/or his designate, other interested members of the Budget Committee and the Chairs of the Standing Committees and/or their designates to attend staff Budget reviews, to obtain necessary background information on the various departmental budgets.’; and

- (b) adding thereto the following:

‘It is further recommended that a five-year planning process be continued with respect to the Capital Budgets for the former Metropolitan Toronto Agencies, Boards and Commissions.’ ”,

the vote was taken as follows

Yeas: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 41.

Nays: Councillors: Davis, Filion, Giansante, Johnston, Mammoliti - 5.

Decided in the affirmative by a majority of 36.

Council recessed at 12:43 p.m.

2:14 P.M.

Council reconvened.

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

- 149 At the request of Council, the City Clerk called the Roll at 2:16 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King,

Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 49.

Council resumed its consideration of the various Reports of the Standing Committees, the Community Councils and other Committees.

- 150 **Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Planning for the Seat of Government".**
(See Appendix "A", page 613.)

Council also had before it, during consideration of the foregoing Clause, the following:

- (i) copy of a submission (June 18, 1997) entitled "Toronto's Meeting Place", which was prepared by the former City of Toronto for presentation to the Toronto Transition Team; and
- (ii) communication (January 28, 1998) from Mr. B. Kuwabara, et al, Members of the Toronto Society of Architects, in support of the recommendation that the Toronto City Hall be the interim and permanent home for City Council.

At this point in the proceedings, and with the permission of Council, the Commissioner of Corporate Services gave a presentation to the Council on the proposed City Centre Project.

At this point in the proceedings, and with the permission of Council, Councillor Moscoe, seconded by Councillor Shiner, moved that no questions by Members of Council of the Commissioner of Corporate Services be permitted, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Berger, Bussin, Chong, Duguid, Flint, Giansante, Jakobek, King, Lindsay Luby, Mahood, Moeser, Moscoe, Pantalone, Saundercook - 15.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Brown, Cho, Chow, Davis, Disero, Faubert, Feldman, Filion, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Nunziata, O'Brien, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 33.

Decided in the negative by a majority of 18.

Mayor Lastman designated Councillor Johnston to take the Chair for the next part of the meeting, and vacated the Chair.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by:
- (1) deleting from Recommendation No. (1)(i)(1)(b) of the Special Committee to Review the Final Report of the Toronto Transition Team, all the words after the words "City Hall", and inserting in lieu thereof the words "no later than the next term of Council, but sooner if possible";
 - (2) adding to Recommendation No. (1)(ii)(2) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words "and the Commissioner of Corporate Services be requested to meet with each Member of Council not presently located at Metro Hall to determine how best to accommodate their needs during the transition period and to ascertain what accommodation they might require at Metro Hall"; and
 - (3) adding the following new recommendations to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team:
 - "(12) that the Province of Ontario be served notice to vacate Old City Hall at the end of the present lease agreement; however, they be advised that the City of Toronto is prepared to extend the lease for a one-year period at \$7.2 million, and that \$1.6 million of that figure be used to offset the renovation at Metro Hall; and
 - (13) that the Province of Ontario be offered the opportunity to lease the former Police Headquarters on Jarvis Street to house the Provincial Courts."
- (b) Councillor Walker, in amendment, moved that the foregoing Clause be amended by:
- (1) deleting from Recommendation No. (1)(i)(1) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words "long-term"; and
 - (2) deleting from Recommendation No. (1)(i)(1)(b) of the Special Committee to Review the Final Report of the Toronto Transition Team, all of the words after the words "City Hall", and inserting in lieu thereof the words "no later than the end of 1998".
- (c) Councillor Jakobek, in amendment, moved that the foregoing Clause be:
- (1) adopted, subject to:

- (a) City Council approving the Toronto City Hall, at 100 Queen Street West, as the new City Hall for the Council of the City of Toronto; and
 - (b) Council Members' offices, Committee Rooms and the Council Chamber renovations being completed no later than December 31, 1998, or sooner; and
- (2) amended by adding thereto the following:
- “It is further recommended that the Commissioner of Corporate Services be requested to submit a report to Council, through the Corporate Services Committee, within six months, outlining a detailed plan for the remainder of the City's office needs.”
- (d) Councillor Moeser, in amendment, moved that the foregoing Clause be amended:
- (1) to provide that City Council adopt the principle that all Members of Council are to be located in the same location, in the same building, in the year 1998; and
 - (2) by adding thereto the following:
- “It is further recommended that the Special Committee to Review the Final Report of the Toronto Transition Team be requested to establish a sub-committee of five members to report back on details for the relocation of all Members of Council, such report to address the time frame and construction details.”
- (e) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by:
- (1) striking out Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:
 - “(ii) striking out Recommendation No. (2) and inserting in lieu thereof the following:
 - ‘(2) that City Council approve, in the interim, where appropriate, that Council meetings be located at Metro Hall;’ ”; and
 - (2) adding thereto the following:

“It is further recommended that a regular shuttle bus service be provided between City Hall and Metro Hall for Members of Council and City employees.”

- (f) Councillor O’Brien, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee, within four months, on the financial feasibility of accomplishing all of the recommendations that have been put forward by the Special Committee to Review the Final Report of the Toronto Transition Team.”

- (g) Councillor Miller, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

“(ii) striking out Recommendation No. (2) and inserting in lieu thereof the following:

‘(2) City Council approve that, in the interim, Council meetings and Councillors’ offices shall be located at City Hall and that the necessary work be undertaken at City Hall at a cost not to exceed \$2.7 million.’ ”

- (h) Councillor Holyday, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

“It is recommended that the joint report dated January 22, 1998, from the Chief Administrative Officer and the Acting Executive Commissioner of Corporate Services, be adopted.”

- (i) Councillor McConnell, in amendment, moved that:

(1) the foregoing Clause be amended to provide that the necessary work at Toronto City Hall be undertaken at a cost not to exceed \$5.2 million; and

(2) Part (2) of the foregoing motion (d) by Councillor Moeser be amended by adding thereto the words “and address the issue of how to phase in the funding of the \$5.2 million cost for the renovations to Toronto City Hall over one or two years”.

Councillor Johnston gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- (j) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (6) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words “, and to the University Avenue Subway”, so that Recommendation No. (6) shall now read as follows:
- “(6) that this project include a review of the feasibility of underground connections to Old City Hall and the Yonge Subway, either via the Eaton Centre or across Queen Street via The Bay, and to the University Avenue Subway;”.
- (k) Councillor Davis, in amendment, moved that the foregoing Clause be amended by:
- (1) deleting from Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team the figure “\$1.6” and inserting in lieu thereof the figure “\$1.3”; and
- (2) adding thereto the following:
- “It is further recommended that the Chief Administrative Officer be requested to investigate the feasibility of leasing Metro Hall to the Greater Toronto Services Board, if and when it is established, and submit a report thereon to the Corporate Services Committee.”
- (l) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by adding the following new recommendation to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team:
- “that the Chief Administrative Officer be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team, outlining a process for public participation in planning the redesign of Toronto City Hall, including organizations and groups such as Tourism Toronto”.
- (m) Councillor Mammoliti, in amendment, moved that:
- (1) Part (1) of the foregoing motion (a) by Councillor Moscoe be amended by adding thereto the words “and that all renovations be completed and ready for Councillors to move into no later than January 1, 2000”; and
- (2) the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that each member of staff of Members of Council be accommodated at Toronto City Hall in accordance with current City space standards.”

Councillor Mammoliti, having spoken to the matter for a period of five minutes, Councillor Walker, seconded by Councillor Sinclair, moved that Section 24 of the Council Procedural By-law be waived and that Councillor Mammoliti be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried, there being more than two-thirds of Members present having voted in the affirmative.

- (n) Councillor Sinclair, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the current office arrangements for Members of Council be maintained through the preparation, implementation and completion of the City Centre Project.”

- (o) Councillor Berardinetti, in amendment, moved that the foregoing 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 Corporate Services Committee on the use of the other Civic Centre locations, in order to ensure that local government remains accessible to local constituents.”

- (p) Councillor Minnan-Wong, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that, until such time as Members of Council relocate to Toronto City Hall, during normal business hours, the doors to the Members’ Offices at Metro Hall remain unlocked to allow access to Members of Council by the media, constituents and visitors.’ ”

- (q) Councillor Shiner, in amendment, moved that:

- (1) Council defer consideration of the decision on the final location of the City of Toronto Council; and
- (2) the Chief Administrative Officer and the Commissioner of Corporate Services be requested to submit a joint report to the Corporate Services Committee within one year or once downsizing levels have been determined.

- (r) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that, should City Council adopt the recommendation to move to Toronto City Hall, the offices for Members of Council be aligned in the order of the Ward numbers, in order to ensure that both Members for each Ward are in adjacent offices.”

Council deferred further consideration of the foregoing Clause until later in the meeting.
(See Minute No. 152)

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, proposed that Council now recess and reconvene at 8:00 p.m.

Council concurred in the foregoing proposal.

Council recessed at 6:18 p.m.

8:15 P.M.

Council reconvened.

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

151 Members present at the evening session of the second day of this meeting:

Members present:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

152 Council resumed its consideration of Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Planning for the Seat of Government". (See also Minute No. 150)

Upon the question of the adoption of the foregoing motion (q) by Councillor Shiner, viz.:

"that:

- (1) Council defer consideration of the decision on the final location of the City of Toronto Council; and
- (2) the Chief Administrative Officer and the Commissioner of Corporate Services be requested to submit a joint report to the Corporate Services Committee within one year or once downsizing levels have been determined."

the vote was taken as follows:

Yeas: Councillors: Berger, Brown, Chong, O'Brien, Sgro, Shiner - 6.

Nays: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 48.

Decided in the negative by a majority of 42.

Upon the question of the adoption of the foregoing motion (h) by Councillor Holyday, viz.:

“that the foregoing Clause be amended by striking out the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

‘It is recommended that the joint report dated January 22, 1998, from the Chief Administrative Officer and the Acting Executive Commissioner of Corporate Services, be adopted.’ ”

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Berger, Brown, Cho, Chong, Davis, Holyday, Kelly, King, Nunziata, O'Brien, Ootes, Saundercook, Sgro, Shiner - 15.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Prue, Rae, Shaw, Silva, Sinclair, Walker - 39.

Decided in the negative by a majority of 24.

Upon the question of the adoption of Part (1) of the foregoing motion (d) by Councillor Moeser, viz.:

“that the foregoing Clause be amended:

- (1) to provide that City Council adopt the principle that all Members of Council are to be located in the same location, in the same building, in the year 1998;”,

the vote was taken as follows:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 52.

Nays: Councillors: Berger, Holyday- 2.

Decided in the affirmative by a majority of 50.

Upon the question of the adoption of Part (1)(a) of the foregoing motion (c) by Councillor Jakobek, viz.:

“(1) (a) City Council approving the Toronto City Hall, at 100 Queen Street West, as the new City Hall for the Council of the City of Toronto;”

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 47.

Nays: Mayor: Lastman.

Councillors: Chong, Holyday, Kelly, O'Brien, Sgro, Shiner - 7.

Decided in the affirmative by a majority of 40.

Upon the question of the adoption of Part (1)(b) of the foregoing motion (c) by Councillor Jakobek, viz.:

“(1) (b) Council Members' offices, Committee Rooms and the Council Chamber renovations being completed no later than December 31, 1998, or sooner;”

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Rae, Shaw, Silva, Sinclair, Walker - 39.

Nays: Councillors: Cho, Chong, Davis, Holyday, Johnston, Kelly, King, Mahood, Moscoe, O'Brien, Pantalone, Prue, Saundercook, Sgro, Shiner - 15.

Decided in the affirmative by a majority of 24.

Upon the question of the adoption of Part (2) of the foregoing motion (c) by Councillor Jakobek, viz.:

“that the foregoing Clause be:

(2) amended by adding thereto the following:

‘It is further recommended that the Commissioner of Corporate Services be requested to submit a report to Council, through the Corporate Services Committee, within six months, outlining a detailed plan for the remainder of the City’s office needs.’ ”,

it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (1) of the foregoing motion (a) by Councillor Moscoe, the foregoing motion (b) by Councillor Walker, and Part (1) of the foregoing motion (m) by Councillor Mammoliti, redundant.

Upon the question of the adoption of Part (1) of the foregoing motion (i) by Councillor McConnell, viz.:

“that:

(1) the foregoing Clause be amended to provide that the necessary work at Toronto City Hall be undertaken at a cost not to exceed \$5.2 million;”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Jakobek, Johnston, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Silva, Sinclair, Walker - 35.

Nays: Mayor: Lastman.
Councillors: Berardinetti, Bossons, Brown, Chong, Davis, Faubert, Flint, Holyday, Jones, Kelly, King, Mahood, Minnan-Wong, O'Brien, Saundercook, Sgro, Shaw, Shiner - 19.

Decided in the affirmative by a majority of 16.

At this point in the proceedings, Councillor Miller, with the permission of Council, withdrew his foregoing motion (g), viz.:

“that the foregoing Clause be amended by striking out Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

‘(ii) striking out Recommendation No. (2) and inserting in lieu thereof the following:

“(2) City Council approve that, in the interim, Council meetings and Councillors’ offices shall be located at City Hall and that the necessary work be undertaken at City Hall at a cost not to exceed \$2.7 million.” ’ ’ ”

Upon the question of the adoption of Part (1) of the foregoing motion (k) by Councillor Davis, viz.:

“that the foregoing Clause be amended by:

(1) deleting from Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team the figure ‘\$1.6’ and inserting in lieu thereof the figure ‘\$1.3’;”,

the vote was taken as follows:

Yeas: Councillors: Berger, Cho, Faubert, Flint, Ootes, Shiner - 6.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 48.

Decided in the negative by a majority of 42.

Upon the question of the adoption of Part (1) of the foregoing motion (e) by Councillor Korwin-Kuczynski, viz.:

“that the foregoing Clause be amended by:

(1) striking out Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

‘(ii) striking out Recommendation No. (2) and inserting in lieu thereof the following:

“(2) that City Council approve, in the interim, where appropriate, that Council meetings be located at Metro Hall;” ’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (a) by Councillor Moscoe, viz.:

“that the foregoing Clause be amended by:

(2) adding to Recommendation No. (1)(ii)(2) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words ‘and the Commissioner of Corporate Services be requested to meet with each Member of Council not presently located at Metro Hall to determine how best to accommodate their needs during the transition period and to ascertain what accommodation they might require at Metro Hall’;”,

it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, proposed that Part (2) of the foregoing motion (i) by Councillor McConnell be amended by deleting the words “one or two years” and inserting in lieu thereof the words “one year”.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Part (2) of the foregoing motion (i) by Councillor McConnell, as amended, viz.:

“that:

- (2) Part (2) of the foregoing motion (d) by Councillor Moeser be amended by adding thereto the words ‘and address the issue of how to phase in the funding of the \$5.2 million cost for the renovations to Toronto City Hall over one year’.”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (d) by Councillor Moeser, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Special Committee to Review the Final Report of the Toronto Transition Team be requested to establish a sub-committee of five members to:

- (1) report back on details for the relocation of all Members of Council, such report to address the time frame and construction details; and
- (2) address the issue of how to phase in the funding of the \$5.2 million cost for the renovations to Toronto City Hall over one year.’ ”,

it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared the foregoing motion (n) by Councillor Sinclair, redundant.

Upon the question of the adoption of the foregoing motion (j) by Councillor Mihevc, viz.:

“that the foregoing Clause be amended by adding to Recommendation No. (6) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words ‘, and to the University Avenue Subway’, so that Recommendation No. (6) shall now read as follows:

- ‘(6) that this project include a review of the feasibility of underground connections to Old City Hall and the Yonge Subway, either via the Eaton Centre or across Queen Street via The Bay, and to the University Avenue Subway;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chow, Davis, Disero, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Jakobek, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell,

Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Sinclair, Walker - 44.

Nays: Mayor: Lastman.
Councillors: Altobello, Bossons, Chong, Duguid, Holyday, Johnston, King, Saundercook, Shiner - 10.

Decided in the affirmative by a majority of 34.

At this point in the proceedings, and with the permission of Council, Councillor Moscoe, having regard to the foregoing decisions of Council, proposed that Part (3) of his foregoing motion (a) be amended by deleting from the proposed new Recommendation No. (12) the words "\$1.6 million of that figure" and inserting in lieu thereof the words "the money", and deleting the words "Metro Hall" and inserting in lieu thereof the words "City Hall".

Council concurred in the foregoing proposal.

Upon the question of the adoption of Part (3) of the foregoing motion (a) by Councillor Moscoe, as amended, viz.:

"that the foregoing Clause be amended by:

- (3) adding the following new recommendations to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team:
 - '(12) that the Province of Ontario be served notice to vacate Old City Hall at the end of the present lease agreement; however, they be advised that the City of Toronto is prepared to extend the lease for a one-year period at \$7.2 million, and that the money be used to offset the renovation at City Hall; and
 - (13) that the Province of Ontario be offered the opportunity to lease the former Police Headquarters on Jarvis Street to house the Provincial Courts.' "

the vote was taken as follows:

Yeas: .Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes,

Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 52.

Nays: Councillors: Holyday, Shiner - 2.

Decided in the affirmative by a majority of 50.

Upon the question of the adoption of Part (2) of the foregoing motion (e) by Councillor Korwin-Kuczynski, viz.:

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that a regular shuttle bus service be provided between City Hall and Metro Hall for Members of Council and City employees.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berger, Brown, Bussin, Chow, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Pantalone, Sinclair - 13.

Nays: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 41.

Decided in the negative by a majority of 28.

Upon the question of the adoption of the foregoing motion (f) by Councillor O’Brien, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee, within four months, on the financial feasibility of accomplishing all of the recommendations that have been put forward by the Special Committee to Review the Final Report of the Toronto Transition Team.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 45.

Nays: Councillors: Adams, Disero, Filion, Fotinos, Kelly, Mahood, Mihevc, Moscoe, Walker - 9.

Decided in the affirmative by a majority of 36.

Upon the question of the adoption of Part (2) of the foregoing motion (m) by Councillor Mammoliti, viz.:

“that:

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

‘It is further recommended that each member of staff of Members of Council be accommodated at Toronto City Hall in accordance with current City space standards.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Filion, Fotinos, Holyday, Jakobek, Jones, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Silva, Sinclair, Walker - 33.

Nays: Councillors: Balkissoon, Brown, Chong, Davis, Duguid, Faubert, Feldman, Flint, Giansante, Johnston, Kelly, King, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Rae, Saundercook, Sgro, Shaw, Shiner - 21.

Decided in the affirmative by a majority of 12.

Upon the question of the adoption of Part (2) of the foregoing motion (k) by Councillor Davis, viz.:

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that the Chief Administrative Officer be requested to investigate the feasibility of leasing Metro Hall to the Greater Toronto Services Board, if and when it is established, and submit a report thereon to the Corporate Services Committee.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Chong, Chow, Davis, Duguid, Faubert, Holyday, Jones, King, Layton, O’Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 20.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Disero, Feldman, Filion, Flint, Fotinos, Giansante, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Prue, Rae, Walker - 33.

Decided in the negative by a majority of 13.

Upon the question of the adoption of the foregoing motion (l) by Councillor Lindsay Luby, viz.:

“that the foregoing Clause be amended by adding the following new recommendation to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team:

‘that the Chief Administrative Officer be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team, outlining a process for public participation in planning the redesign of Toronto City Hall, including organizations and groups such as Tourism Toronto.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (o) by Councillor Berardinetti, viz.:

“that the foregoing 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 Corporate Services Committee on the use

of the other Civic Centre locations, in order to ensure that local government remains accessible to local constituents.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (r) by Councillor Fotinos, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that, should City Council adopt the recommendation to move to Toronto City Hall, the offices for Members of Council be aligned in the order of the Ward numbers, in order to ensure that both Members for each Ward are in adjacent offices.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Berardinetti, Berger, Bussin, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Kelly, Layton, Lindsay Luby, Mahood, Mammoliti, Miller, Moscoe, Pantalone, Saundercook, Silva, Walker - 24.

Nays: Councillors: Adams, Altobello, Ashton, Balkissoon, Bossons, Brown, Cho, Faubert, Feldman, Filion, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Prue. Rae Sgro, Shaw, Shiner, Sinclair - 30.

Decided in the negative by a majority of 6.

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, moved that the following motion (p) by Councillor Minnan-Wong, be referred to the Corporate Services Committee, viz.:

“Moved by Councillor Minnan-Wong:

‘It is recommended that, until such time as Members of Council relocate to Toronto City Hall, during normal business hours, the doors to the Members’ Offices at Metro Hall remain unlocked to allow access to Members of Council by the media, constituents and visitors.’ ”,

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Duguid, Faubert, Feldman, Fotinos, Giansante, Johnston, Jones, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair - 25.

Nays: Councillors: Adams, Brown, Bussin, Chow, Davis, Disero, Filion, Holyday, Jakobek, Korwin-Kuczynski, Layton, McConnell, Mihevc, Minnan-Wong, Nunziata, Rae, Sgro, Walker - 18.

Decided in the affirmative by a majority of 7.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“That the foregoing Clause be adopted, subject to:

- (1)
 - (a) City Council adopting the principle that all Members of Council are to be located in the same location, in the same building, in the year 1998;
 - (b) City Council approving the Toronto City Hall, at 100 Queen Street West, as the new City Hall for the Council of the City of Toronto;
 - (c) Council Members' offices, Committee Rooms and the Council Chamber renovations being completed no later than December 31, 1998, or sooner; and
 - (d) the necessary work at Toronto City Hall being undertaken at a cost not to exceed \$5.2 million;
- (2) striking out Recommendation No. (1)(ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:
 - (ii) striking out Recommendation No. (2) and inserting in lieu thereof the following:
 - “(2) that City Council approve, in the interim, where appropriate, that Council meetings be located at Metro Hall, and the Commissioner of Corporate Services be requested to meet with each Member of Council not presently located at Metro Hall to determine how best to accommodate their needs during the transition period and to ascertain what accommodation they might require at Metro Hall;”.

- (3) adding to Recommendation No. (6) of the Special Committee to Review the Final Report of the Toronto Transition Team the words ‘, and to the University Avenue Subway’, so that Recommendation No. (6) shall now read as follows:
- ‘(6) that this project include a review of the feasibility of underground connections to Old City Hall and the Yonge Subway, either via the Eaton Centre or across Queen Street via The Bay, and to the University Avenue Subway;’;
- (4) adding the following new recommendations to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team:
- “(12) that the Province of Ontario be served notice to vacate Old City Hall at the end of the present lease agreement; however, they be advised that the City of Toronto is prepared to extend the lease for a one-year period at \$7.2 million, and that the money be used to offset the renovation at Toronto City Hall;
- (13) that the Province of Ontario be offered the opportunity to lease the former Police Headquarters on Jarvis Street to house the Provincial Courts; and
- (14) that the Chief Administrative Officer be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team, outlining a process for public participation in planning the redesign of Toronto City Hall, including organizations and groups such as Tourism Toronto.”; and
- (5) adding thereto the following:
- ‘It is further recommended that:
- (a) each member of staff of Members of Council be accommodated at Toronto City Hall in accordance with current City space standards;
- (b) the Special Committee to Review the Final Report of the Toronto Transition Team be requested to establish a sub-committee of five members to:
- (i) report back on details for the relocation of all Members of Council, such report to address the time frame and construction details; and

- (ii) address the issue of how to phase in the funding of the \$5.2 million cost for the renovations to Toronto City Hall over one year;
- (c) the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee, within four months, on the financial feasibility of accomplishing all of the recommendations that have been put forward by the Special Committee to Review the Final Report of the Toronto Transition Team;
- (d) the Commissioner of Corporate Services be requested to:
 - (i) submit a report to Council, through the Corporate Services Committee, within six months, outlining a detailed plan for the remainder of the City's office needs; and
 - (ii) submit a report to the Corporate Services Committee on the use of the other Civic Centre locations, in order to ensure that local government remains accessible to local constituents; and
- (e) the following motion be referred to the Corporate Services Committee:

Moved by Councillor Minnan-Wong:

"It is recommended that, until such time as Members of Council relocate to Toronto City Hall, during normal business hours, the doors to the Members' Offices at Metro Hall remain unlocked to allow access to Members of Council by the media, constituents and visitors." ' ' ,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 44.

Nays: Councillors: Brown, Chong, Davis, Holyday, Kelly, O'Brien, Sgro, Shiner - 8.

Decided in the affirmative by a majority of 36.

Mayor Lastman resumed the Chair.

- 153 **Clause No. 9 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Financial Relationships with the Toronto District School Boards”.**
(See Appendix “A”, page 318.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Bussin, in amendment, moved that the foregoing Clause be amended by:

- (a) deleting from Recommendations Nos. (1) and (2) embodied in the transmittal letter dated January 28, 1998, from the Budget Committee, the references to the date “June 1, 1998” and inserting in lieu thereof “August 31, 1998”, so that such recommendations shall now read as follows:

“(1) that the effective date of the change to quarterly payments be August 31, 1998, and that the former financing arrangements in effect in 1997 continue until that time without prejudice to the City of Toronto;

(2) that City and School Board officials present an agreement before August 31, 1998, that addresses the City use of daycare and school facilities for parks and recreation purposes into a new master agreement between the City and the School Boards;” and

- (b) adding thereto the following:

“It is further recommended that Council appoint a delegation composed of Councillors Bussin, Jakobek, McConnell, Walker and any other interested Councillors, to meet with officials of the Ministry of Education and Training with respect to education costs that are no longer covered by Provincial funding.”

Upon the question of the adoption of the foregoing motion by Councillor Bussin, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

- 154 At this point in the proceedings, Councillor Moeser moved that Council vary the order of its proceedings to now consider Notices of Motions 11(a), (b) and (c) appearing on the Order Paper, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Berardinetti, Berger, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday,

Jakobek, Jones, Kelly, King, Lindsay Luby, Mahood, Mihevc, Moeser, Nunziata, Ootes, O'Brien, Rae, Shaw, Silva, Sinclair - 31.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Pantalone, Prue, Saundercook, Sgro, Shiner, Walker - 22.

Decided in the affirmative by a majority of 9.

At this point in the proceedings, Councillor Nunziata, seconded by Councillor Layton, moved that Council now give consideration to the following Notices of Motions, which was carried, more than two-thirds of Members of Council present having voted in the affirmative:

(a) **Moved by:** **Councillor Duguid**

Seconded by: **Councillor Tzekas**

“WHEREAS City Council at its Inaugural Meeting held on January 2, 6, 8 and 9, 1998, during its consideration of the final report of the Toronto Transition Team, adopted the following motion:

‘It is recommended that Recommendation 11 of the final report of the Toronto Transition Team be amended to provide that, until the matter of salaries for Members of Council and tax-free portions has been resolved, the salaries for Councillors be set at \$64,505.13, one-third tax free, as it was for the previous Metropolitan Councillors; and, further, that the Mayor’s salary also remain the same as the previous Metropolitan Chairman;’; and

WHEREAS the Provincial legislature has not yet amended legislation as it pertains to Councillors' salaries and benefits; and

WHEREAS the residents of the City of Toronto deserve and desire diligence and fiscal responsibility with respect to expenditures by and for their elected Councillors;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, the issue of salaries for the Mayor and Members of City Council be reopened for further consideration;

AND BE IT FURTHER RESOLVED THAT the interim salary for Councillors be established at \$61,300.00, and that the Mayor's salary be set at \$101,083.50;

AND BE IT FURTHER RESOLVED THAT upon passage of Provincial legislation eliminating the tax-exempt provisions for municipal representatives, City of Toronto Councillor Salaries be set at \$79,500.00; that the Mayor's salary be set at \$140,000.00, as recommended by the Transition Team's Final Report;

AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto request that the Minister of Municipal Affairs of the Province of Ontario introduce legislation at the earliest possible time to amend tax-exempt provisions for salaries.”

(b) **Moved by:** Councillor Nunziata

Seconded by: Councillor Holyday

“**WHEREAS** the Provincial Transition Team recommended a salary level of \$79,500.00 for Members of Council with the one-third tax free allowance being eliminated; and

WHEREAS the one-third tax free allowance has not yet been eliminated by legislation and will not for the foreseeable future;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, the issue of salaries for the Mayor and Members of City Council be reopened for further consideration;

AND BE IT FURTHER RESOLVED THAT the salary for the Mayor and Members of Council be established at the level recommended by the Transition Team.”

(c) **Moved by:** Councillor Mahood

Seconded by: Councillor Ootes

“**WHEREAS** the Transition Team recommended a salary of \$79,500.00 for Councillors, and \$140,000.00 for the Mayor, which assumed that the one-third tax free expense allowance would be eliminated in 1998; and

WHEREAS the current Municipal Act does not immediately eliminate the one-third tax free expense allowance;

WHEREAS, until such time as the one-third tax free allowance is eliminated, Members of Council wish to take home the same net pay as the Transition Team recommended; and

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, the issue of salaries for the Mayor and Members of Council be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council strongly urge the Province of Ontario to immediately eliminate the one-third tax free allowance;

AND BE IT FURTHER RESOLVED THAT the Transition Team recommendations be adopted when the one-third tax free allowance is eliminated by the Province of Ontario;

AND BE IT FURTHER RESOLVED THAT, until such time as the Province of Ontario eliminates the one-third tax free expense allowance, the salary of a Councillor be set at \$63,915.00 (including the continuation of the Type 6 agreement) and the salary of the Mayor be set at \$101,084.00, in order to ensure that all Members of Council receive the same net pay as recommended by the Transition Team.”

Council also had before it, during consideration of the foregoing Motions, petitions, containing signatures of staff from O’Connor Social Services, in opposition to City Councillors’ salary increase.

At this point in the proceedings, Councillor Nunziata, seconded by Councillor Layton, moved that the first Operative Paragraph embodied in the foregoing Motions (a), (b) and (c), be adopted, viz.:

“**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, the issue of salaries for the Mayor and Members of Council be re-opened for further consideration;”

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair- 50.

Nays: Councillors: Mammoliti, Miller, Saundercook, Walker - 4.

Decided in the affirmative by a majority of 46.

At this point in the proceedings, and with the permission of Council, Councillor Duguid withdrew his foregoing Motion (a).

At this point in the proceedings, Councillor Mahood moved that, in accordance with subsection 38(c) of the Council Procedural By-law, the vote be now taken on the foregoing Motion (c), the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 48.

Nays: Councillors: Davis, Miller, Minnan-Wong, O'Brien - 4.

Decided in the affirmative by a majority of 44.

Upon the question of the adoption of the foregoing Motion (c) by Councillor Mahood, seconded by Councillor Ootes, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 53.

Nay: Councillor Davis - 1.

Decided in the affirmative by a majority of 52.

Having regard to the foregoing decision of Council, the foregoing Motion (b) by Councillor Nunziata, seconded by Councillor Holyday, was not put to a vote.

155 **Clause No. 10 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "Expenditure Reduction Proposals - Cost of Salaries, Wages and Benefits".**
(See Appendix "A", page 337.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 156 **Clause No. 11 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “1998 Operating Budget - A Phased Review Approach”.**
(See Appendix “A”, page 343.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

- 157 **Clause No. 12 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “1998 Interim Capital Budget - Capital Projects Requiring Urgent Financing Approval”.**
(See Appendix “A”, page 350.)

Upon the question of the adoption of the foregoing Clause, without amendment, it was carried.

Mayor Lastman gave the Chair to Deputy Mayor Ootes, and vacated the Chair.

- 158 **Clause No. 3 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team headed “City of Toronto Administrative Structure”.**
(See Appendix “A”, page 630.)

Council also had before it, during consideration of the foregoing Clause, the following reports:

- (i) from the Chief Administrative Officer (February 2, 1998) submitting a modified Option Three Administrative Structure incorporating the changes recommended by the Special Committee to Review the Final Report of the Toronto Transition Team and recommending a change to the Community and Economic Development Services group in order to better reflect the focus of this group of services; and
- (ii) from the Chief Administrative Officer (February 2, 1998) providing, for information, an outline of the ratification process followed for senior staff.

Council also had before it during consideration of the foregoing Clause, the following report and communication:

- (i) from the City Clerk (February 3, 1998) advising that the Strategic Policies and Priorities Committee, on February 3, 1998, recommended to Council the adoption of the report dated February 2, 1998, from Mayor Lastman respecting the ratification senior staff; and that such recommendation be considered with Clause No. 3 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “City of Toronto Administrative Structure”; and
- (ii) information sheet (February 3, 1998), entitled “CSPC Toronto Sound Bite”, prepared by the Community and Social Planning Council of Toronto, providing research data

on the health and social benefits of recreation programs, and requesting that this service fall under the Community and Neighbourhood Services cluster in the new City's administrative structure.

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Prue, in amendment, moved that the foregoing Clause be amended by:
- (1) striking out the words "recreation and" in Recommendation (A) (1) (b) (ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and placing "recreation" under the Economic Development, Culture and Tourism group; and
 - (2) adding thereto the following:

"It is further recommended that the Chief Administrative Officer be requested to submit a report to Council, through the Corporate Services Committee, within six months or less, on the linkages and improvements that may be made to the Corporate structure."
- (b) Councillor Miller, in amendment, moved that:
- (1) Part (2) of the foregoing motion (a) by Councillor Prue be amended to provide that the Chief Administrative Officer be requested to submit reports in this regard to City Council, in August, 1998, November, 1998, and February, 1999, such reports to be submitted through the Special Committee to Review the Final Report of the Toronto Transition Team and/or the Corporate Services Committee, as appropriate; and
 - (2) the foregoing Clause be amended by:
 - (a) striking out the words "Strategic Policies and Priorities Committee" in Recommendation No. (3) of the Special Committee to Review the Final Report of the Toronto Transition Team, and inserting in lieu thereof the words "Special Committee to Review the Final Report of the Toronto Transition Team"; and
 - (b) adding thereto the following:

"It is further recommended that:

 - (1) the report dated February 2, 1998, from the Chief Administrative Officer, entitled 'City of Toronto Administrative Structure', including the 2nd revised Appendix A, revised Appendix B, and Appendix C, be adopted; and

- (2) the Chief Administrative Officer, in consultation with appropriate staff, be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the staffing and administrative structure for the Community Councils.”
- (c) Councillor Johnston, in amendment, moved that the foregoing Clause be amended by inserting the word “parks” prior to the words “recreation and libraries” in Recommendation (A) (1) (b) (ii) of the Special Committee to Review the Final Report of the Toronto Transition Team, so that “parks” would be placed under the Community and Neighbourhood Services group.

At this point in the proceedings, Councillor Moscoe moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, in order to complete consideration of all matters remaining on the Order Paper, the vote upon which was taken as follows:

- Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Brown, Cho, Davis, Disero, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair - 38.
- Nays: Councillors: Augimeri, Berardinetti, Bussin, Chong, Duguid, Faubert, Flint, Korwin-Kuczynski, Layton, Miller, Minnan-Wong, Walker - 12.

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

- (d) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Administrative Officer be requested to give consideration to the matter of the titles used for positions below that of Commissioners and submit a report thereon, as soon as possible, to the Special Committee to Review the Final Report of the Toronto Transition Team, after determining what is commonly used in other municipalities.”
- (e) Councillor Kelly, in amendment, moved that the foregoing Clause be amended by:
- (1) striking out Recommendation No. (2) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

“(2) that the title of the leads of the administrative structures be designated as ‘Executive Commissioners’;” and

(2) adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the title used for positions below that of Commissioners, and, in so doing, give consideration to recommending an appropriate title that recognizes the prestige and uniqueness of the title ‘Commissioner’ used for most Department Heads in the former municipalities.”

(f) Councillor Moeser, in amendment, moved that the foregoing Clause be struck out and referred back to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration.

(g) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended to provide that:

(1) parks, arts and culture, and heritage also be assigned to the Community and Neighbourhood Services cluster and deleted from the Economic Development, Culture and Tourism cluster;

(2) the issues of by-law enforcement, licensing, building permits and inspections, fire and ambulance be assigned to the Economic Development cluster, and the words “culture and tourism” be deleted from the name of the cluster;

(3) roads and expressways be assigned to the Urban Planning and Development cluster, and the cluster be re-named “Urban Planning and Transportation”; and

(4) the remaining divisions in the administrative structure be assigned as outlined in the 2nd Revised Appendix A.

(h) Councillor Sinclair, in amendment, moved that the foregoing Clause be amended to provide that libraries be assigned to the Community and Neighbourhood Services cluster.

(i) Councillor Moscoe, in amendment, moved that:

(1) Part (1) of the foregoing motion (g) by Councillor Fotinos be amended to provide that “parks and recreation” be moved to the Economic Development, Culture and Tourism service cluster; and

- (2) the foregoing Clause be amended to provide that the issue of the names for the service clusters be referred to the Special Committee to Review the Final Report of the Toronto Transition Team for further review and, in no instance should the word “strategic” be used as part of such names.
- (j) Councillor Bossons, in amendment, moved that the foregoing Clause be amended to provide that the function “tourism” be added under Economic Development, Culture and Tourism.

At this point in the proceedings, Councillor Korwin-Kuczynski moved that, in accordance with subsection 38(c) of the Council Procedural By-law, the vote be now taken on the foregoing Clause, the vote upon which was taken as follows:

- Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Berardinetti, Berger, Brown, Cho, Chong, Disero, Duguid, Faubert, Feldman, Fotinos, Giansante, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Minnan-Wong, Moeser, Nunziata, Prue, Saundercook, Sgro, Sinclair, Walker - 31.
- Nays: Councillors: Ashton, Augimeri, Balkissoon, Bossons, Bussin, Chow, Filion, Flint, Jones, Layton, Mihevc, Miller, Moscoe, O’Brien, Ootes, Pantalone, Rae, Shaw, Shiner, Silva - 20.

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

- (k) Councillor Shiner, in amendment, moved that the foregoing Clause be amended to provide that, to ensure service integration and co-operation, matters of recreation that serve the social agenda report through the Community and Neighbourhood Services Committee and the Chief Administrative Officer be requested to submit a report thereon to Council.

At this point in the proceedings, Councillor Miller, rising on a point of order, requested Deputy Mayor Ootes to rule on whether the foregoing motion (k) by Councillor Shiner, was in order.

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

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 186)

- 159 **Clause No. 4 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Interim Policy for Citizen Appointments”.**

(See Appendix "A", page 655.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding to Part (7) of the Appendix 2, entitled "City of Toronto, Interim Policies for Appointments of Citizens to Agencies, Boards and Commissions" embodied in the report dated January 26, 1998, from the City Clerk, the sentence "All Members of Council be notified of the meeting dates, and all Members of Council be permitted to review the list of applicants who have submitted their names prior to the interview process, in order that they can provide input prior to the meeting.", so that Part (7) shall now read as follows:

"(7) The Nominating Committee shall meet in private to review the applications and select candidates for interview. The Chairman of the relevant Standing Committee, a representative of the Access and Equity Unit, and any program staff identified by the Nominating Committee shall be invited as advisors/observers. All Members of Council be notified of the meeting dates, and all Members of Council be permitted to review the list of applicants who have submitted their names prior to the interview process, in order that they can provide input prior to the meeting."

Upon the question of the adoption of the foregoing motion by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

160 At this point in the proceedings, and with the permission of Council, Councillor Li Preti, seconded by Councillor Augimeri, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Li Preti

Seconded by: Councillor Augimeri

"WHEREAS the City Solicitor has recommended that a settlement be entered into with respect to the City's opposition to a crematorium proposal in the City of Vaughan, on certain terms; and

WHEREAS the terms of the settlement satisfy a number of concerns of the City, but not all of the concerns of the community; and

WHEREAS the representatives of the community have retained legal counsel and instructed him to continue their opposition to the crematorium proposal; and

WHEREAS the community has made every effort to oppose the crematorium proposal, including hiring of independent counsel at their own considerable expense;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the City of Toronto assist the community by contributing the sum of \$10,000.00 to their expenses from Corporate Contingency; and
- (2) the City of Toronto notify the City of Vaughan and the Regional Municipality of York that it opposes any further intensification of the subject lands beyond that proposed by this settlement.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 41.

Nays: Councillors: Ashton, Balkissoon, Faubert, Holyday, Kelly, Pantalone, Rae, Shaw - 8.

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

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Faubert, in amendment, moved that the foregoing Motion be amended by deleting Part (1) of the Operative Paragraph.

Upon the question of the adoption of the foregoing motion by Councillor Faubert, the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Bossons, Cho, Duguid, Faubert, Giansante, Holyday, Kelly, Lindsay Luby, Mahood, Mihevc, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Sinclair - 20.

Nays: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Brown, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Prue, Sgro, Shiner, Silva, Walker - 28.

Decided in the negative by a majority of 8.

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Prue, Sgro, Shiner, Silva, Sinclair, Walker - 35.

Nays: Councillors: Ashton, Balkissoon, Duguid, Faubert, Giansante, Holyday, Jones, Kelly, Lindsay Luby, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw - 15.

Decided in the affirmative by a majority of 20.

- 161 At this point in the proceedings, and with the permission of Council, Councillor Li Preti, seconded by Councillor O'Brien, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion by Councillor Li Preti, seconded by Councillor Augimeri, and, with the permission of Council, seconded by Councillor O'Brien:

Moved by: Councillor Li Preti

Seconded By: Councillor O'Brien

“WHEREAS the City Solicitor (North York) has prepared a report to Council requesting instructions on a settlement proposal in respect of an Ontario Municipal Board Hearing scheduled to commence on February 9, 1998; and

WHEREAS the City Solicitor's report concerns an urgent matter arising since the publication of Council's agenda; and

WHEREAS Council's Interim Procedural By-law requires that notice of such matters be given prior to consideration by the Council;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the confidential report dated February 4, 1998, from the City Solicitor (North York).”

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc,

Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 44.

Nays: Councillors: Ashton, Balkissoon, Davis, Faubert, Kelly - 5.

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

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Walker - 41.

Nays: Councillors: Augimeri, Bussin, Chow, Faubert, Kelly, Layton, Moscoe, Silva - 8.

Decided in the affirmative by a majority of 33.

Council, in adopting the foregoing motion, without amendment, Council adopted the confidential report dated February 4, 1998, from the City Solicitor (North York), entitled "Proposed Crematorium, City of Vaughan, North-East Corner of Jane and Steeles, Ward 7 - Black Creek", embodying the following recommendations:

"It is recommended that the City Solicitor be instructed to approve Minutes of Settlement to give effect to the following changes to the application:

- (a) a reduction in the number of cremation units from six to two with the Certificate of Approval from the Ministry of Environment reflecting this change;
- (b) the Official Plan amendment and zoning by-law amendment shall restrict the number of cremator units, so that any future application for an increase in the number of cremators would be subject to the full Planning Act process including public meetings;
- (c) notice of any such Official Plan amendment or zoning by-law amendment shall be given to all owners of land and tenants within 400 metres of the subject site;

- (d) the proposed six storey building would be reduced to two stories, with permission for a second building of a maximum of four stories at the rear (north end) of the site;
- (e) the application's site plan approval shall be done in consultation with the City of Toronto local Councillors and the City of Toronto Planning Department; and
- (f) the applicant commits to work with the City's consultant and the Ministry of Environment to revise the recommendations of the City's consultant with respect to operation of the cremators and monitoring of emissions, to reflect a two retort facility rather than a six retort facility."

162 At this point in the proceedings, Councillor Chong moved that, in accordance with Section 46 of the Council Procedural By-law, the previous decision of Council pertaining to the completion of all matters remaining on the Order Paper, be re-opened for further consideration, the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Faubert, Flint, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Miller, Ootes, Shaw - 19.

Nays: Councillors: Adams, Ashton, Balkissoon, Berger, Brown, Chow, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Jakobek, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 33.

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

The hour of midnight having arrived, Council continued in session.

FRIDAY, FEBRUARY 6, 1998
12:00 MIDNIGHT

163 At this point in the proceedings, Deputy Mayor Ootes called upon Notice of Motion 11(d) appearing on the Order Paper, as follows:

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Davis

"WHEREAS the issue of Councillors' salaries has undermined the credibility of Council; and

WHEREAS Members of Council must demonstrate the highest degree of integrity and accountability; and

WHEREAS the setting of salary for Members of Council must be open, public and transparent;

NOW THEREFORE BE IT RESOLVED THAT Council may not increase their salaries, except during the period 90 days before a Municipal election;

AND BE IT FURTHER RESOLVED THAT 30 days' notice be required before any motion is considered by Council;

AND BE IT FURTHER RESOLVED THAT any increase in salary must be published in a major daily newspaper.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Corporate Services Committee.

Council concurred in the foregoing proposal.

164 At this point in the proceedings, Deputy Mayor Ootes called upon Notice of Motion 11(e) appearing on the Order Paper, as follows:

Moved by: Councillor Ootes

Seconded by: Councillor Chong

“**WHEREAS** City Council at its meeting held on January 2, 6, 8 and 9, 1998, adopted the following recommendations:

- (1) each Councillor be provided with a global budget of \$70,000.00 to cover office expenses, including communicating with constituents;
- (2) Councillors be allocated sufficient funds within the General Council budget to cover the salaries and benefits for one (1) Executive Assistant, one (1) Constituency Assistant and one (1) Administrative Assistant;
- (3) each Councillor be given the latitude to hire the equivalent of three (3) full-time staff from the following classifications: Executive Assistant, Constituency Assistant, Administrative Assistant and Clerical Assistant; and
- (4) on an interim basis, the salary range for the Executive Assistant and the Constituency Assistant be that of the Executive Assistant in the former Municipality of Metropolitan Toronto and the salary range for the Administrative Assistant and the Clerical Assistant be that of the

Administrative Assistant and the Clerk Grade 3 position in the former Municipality of Metropolitan Toronto;’ and

WHEREAS in order to make an informed decision, City Council requires additional information in this regard; and

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, the foregoing decision of City Council be reopened for further consideration;

AND BE IT FURTHER RESOLVED THAT this matter be referred to the Corporate Services Committee for further consideration at its meeting to be held on February 16, 1998, and the City Clerk be requested to submit a report to the Corporate Services Committee providing a review of the budgets for the former Members of Metropolitan Council, taking into account costs associated with newsletters, distribution, telephone equipment, office furniture, supplies, advertising, postage, courier services, photocopy charges, constituency meetings, and any other miscellaneous items, as well as any additional costs associated with the operation of a Councillor’s office;

AND BE IT FURTHER RESOLVED THAT, having regard that the City of Toronto Councillors should take the lead in ensuring that constituents are receiving full value for their tax dollars, the Corporate Services Committee be requested to provide direction in this matter, taking into consideration the number of constituents per ward and the additional responsibilities assumed by Members of City Council as a result of amalgamation.”

Councillor Chong moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berger, Chow, Davis, Duguid, Flint, Giansante, Holyday, Jones, Layton, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, O’Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Silva, Sinclair - 24.

Nays: Councillors: Adams, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Disero, Faubert, Feldman, Filion, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Prue, Rae, Shiner, Walker - 26.

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

At this point in the proceedings, Councillor Ootes gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council to be held on March 4, 1998.

165 At this point in the proceedings, Deputy Mayor Ootes called upon Notices of Motions 11(f) and (g), appearing on the Order paper, together with an additional Notice of Motion by Councillor Bussin, seconded by Councillor Augimeri, in this regard, as follows:

(i) **Moved by:** Councillor Sgro

Seconded by: Councillor Berardinetti

“**WHEREAS** on November 10, 1997, the citizens of the City of Toronto voted by over 67 percent against the establishment of permanent charity casinos;

WHEREAS on September 27, 1997, the Government of Ontario awarded eight (8) companies, thirty-six (36) full-time and eight (8) part-time charity gaming clubs in municipalities throughout the Province of Ontario;

WHEREAS the Government of Ontario has awarded seven (7) charity gaming clubs to five (5) companies in the City of Toronto;

WHEREAS at the time the NDP government introduced the issue of casinos, the then leader of the third party Mike Harris warned that: Gaming doesn't come cheap...it brings crime; it brings prostitution; it brings a lot of things that areas didn't have before. There is a big cost to pay.';

WHEREAS on numerous occasions Premier Mike Harris and the Minister Consumer and Commercial Relations, Dave Tsubouchi, have implied that municipalities will have the final veto on whether they want to permit any permanent charity gaming clubs in their communities;

WHEREAS the Minister of Economic Development and Tourism, Al Palladini, said, 'We are not going to force a municipality to have a casino in their area if they don't want them.';

WHEREAS the Province of Ontario has approved the installation of up to 20,000 video lottery terminals in racetracks, permanent charity gaming clubs and eventually bars, over the next few years;

WHEREAS in addition to gaming tables each permanent charity gaming club will have one hundred and fifty (150) video lottery terminals;

WHEREAS video lottery terminals are considered the 'most addictive' form of gambling;

WHEREAS Nova Scotia Supreme Court Justice Douglas MacLellan (when sentencing a woman who stole money from a charity to feed her gambling habit) stated: 'If video lottery terminals are going to be allowed, society is going to have to recognize there is going to be more crime.';

WHEREAS on November 23, 1997, a young father in Winnipeg committed suicide by hanging himself. His was the second suicide in a month attributed, by bereaved family members to an addiction to video lottery terminals;

WHEREAS the location of permanent charity gaming clubs in neighbourhoods throughout Toronto will not attract sufficient tourists. It will only attract people from local neighbourhoods. This will impact local businesses such as movie theatres, bowling alleys and restaurants, as people begin to shift their leisure dollars to casinos;

WHEREAS on May 13, 1997, the Metropolitan Toronto Board of Trade sent a letter to both Ministers Dave Tsubouchi and William Saunderson stating, '...we believe that the establishment of several casinos, of the type proposed, will not generate sufficient tourist revenue to offset the loss of leisure spending by the area's residents...';

WHEREAS the social, economic and planning impact, on communities, of 24-hour, 7-day-a-week-operation of permanent charity clubs and the installation of video lottery terminals at your local licensed restaurant, bingo hall or racetrack have not been studied; and

WHEREAS the Metropolitan Toronto Board of Trade has requested both Ministers Dave Tsubouchi and William Saunderson to put the plan of charity gaming clubs on hold until there is 'full disclosure of all aspects of the impact of the charity gaming clubs in Toronto' and calls for a 'comprehensive study' of the issue;

THEREFORE BE IT RESOLVED THAT Council advise the Province of Ontario that it opposes the establishment of permanent charity gaming clubs either as stand-alone facilities or in conjunction with racetracks or bingo halls;

AND BE IT FURTHER RESOLVED THAT Council also advise the Province of Ontario that it is opposed to the installation of the highly addictive video lottery terminals in any facilities, such as bingo halls, liquor licensed establishments, off-track betting establishments and racetracks;

AND BE IT FURTHER RESOLVED THAT Council requests that the Province of Ontario respect the wishes of the taxpayers who overwhelmingly voted against the establishment of permanent charity gaming clubs, by advising the successful bidders that Council has exercised its 'veto' and that no permanent charity gaming clubs can be located in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT Council immediately establish a task force co-chaired by Councillor Judy Sgro and Councillor Lorenzo Berardinetti to study the social, economic and planning impacts of both charity gaming clubs and video lottery terminals;

AND BE IT FURTHER RESOLVED THAT the task force be assigned staff from Clerks, Planning and Legal Department to assist with any public consultations and preparation of the final report;

AND BE IT FURTHER RESOLVED THAT the timing of this issue is crucial due to the cancellation of three-day roving charity casinos as of March 31, 1998, and the imminent opening of the permanent charity gaming clubs;

AND BE IT FURTHER RESOLVED THAT Council refer this motion to the February 9, 1998, meeting of the Urban Environment and Development Committee to ensure that the committee's recommendations are before Council on March 4, 1998;

AND BE IT FURTHER RESOLVED THAT the Functional Lead for Planning and the Functional Lead for Legal Services prepare reports on what steps must be taken to prohibit permanent charity gaming clubs in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the Functional Lead for Planning and the Functional Lead for Legal Services prepare reports on what steps must be taken to prohibit video lottery terminals in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the task force report, joint reports from the Functional Lead for Planning and Functional Lead for Legal Services be before City Council for their consideration within sixty (60) days;

AND BE IT FURTHER RESOLVED THAT a copy of this motion be sent to all members of the Ontario Legislature;

AND BE IT FURTHER RESOLVED THAT the Association of Municipalities of Ontario be advised of the City of Toronto's position;

AND BE IT FURTHER RESOLVED THAT all Municipalities with a population of over 50,000 be advised of the City of Toronto's position.”;

(ii) **Moved by:** Councillor Walker

Seconded by: Councillor Adams

“**WHEREAS** all of the municipalities of the new City of Toronto last summer passed a motion with regard to holding referenda concerning the opening and

operation of casinos, permanent charity gaming clubs and video lottery terminals; and

WHEREAS these same municipalities proceeded to approve placing one or more of these questions on the ballot for the November 1997 municipal election, one dealing with the opening and operation of a casino in the City of Toronto, a second pertaining to the operation of video lottery terminals in the City of Toronto and the third concerning the opening of permanent charity gaming clubs in the City of Toronto; and

WHEREAS five municipalities in the new City of Toronto held referendum questions regarding the operation of charitable gaming casinos in their respective areas; and

WHEREAS two municipalities held referendum questions concerning the operation of video lottery terminals; and

WHEREAS two municipalities held referendum questions regarding the opening and operation of a casinos; and

WHEREAS the results from the referendum regarding charitable gaming casinos in all of the five former municipalities show that there is clear opposition; 74.06 percent opposed in East York, 66.58 percent opposed in North York, 64.75 percent opposed in Scarborough, 66.47 percent opposed in Toronto and 68.55 percent opposed in York; and

WHEREAS the referendum results pertaining to video lottery terminals from the two municipalities holding referendum questions show clear opposition; 77.68 percent opposed in Toronto and 80.93 percent opposed in East York; and

WHEREAS the referendum results concerning the opening and operation of casinos in the two municipalities holding referendum questions show clear opposition; 72.13 percent opposed in Etobicoke and 70.58 percent opposed in Toronto; and

WHEREAS the provincial government has indicated in its platform that it supports holding referenda in order to gauge public opinion and have the provincial government's mandate driven by the people; and

WHEREAS the citizens of Toronto, as reflected by the referendum results, are altogether opposed to the Ontario provincial government's intention to introduce legislation regarding the operation of permanent charity clubs and video lottery terminals in the City of Toronto; and

WHEREAS there is evidence that gambling causes multiple social problems ranging from gambling addiction to an increase in crime most significantly theft, and extortion and suicide; and

WHEREAS video lottery terminals in particular have been described as the crack/cocaine of the working class; and

WHEREAS there is evidence that casinos do not bring prosperity to the community where they are located; in fact, it is only the provincial government and the gambling industry that reap the benefits; and

WHEREAS the British Columbia Supreme Court recently ruled that the provincial government's regulation by which charity gaming casino profits are allocated is illegal due to the fact that the British Columbia provincial government would be taking too large of a cut from the sponsoring charities; and

WHEREAS in Ontario, the provincial government's share will be even larger than that planned in British Columbia;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto confirm the referendum results from each of the former municipalities which is overwhelming in opposition to the opening and operation of casinos, the operation of video lottery terminals and the opening of permanent charity gaming casinos and request that the Ontario provincial government take no further action on these three issues as it applies to the new City of Toronto; and

AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto strongly urge the provincial government to reconsider its intention to introduce legislation regarding the establishment of casinos, permanent/temporary charitable gaming casinos, and video lottery terminals within the City of Toronto, given the strong opposition expressed by the electorate; and

AND BE IT FURTHER RESOLVED THAT the Premier of Ontario be advised of this decision by the Council of the City of Toronto.”; and

(iii) **Moved by:** **Councillor Bussin**

Seconded by: **Councillor Augimeri**

“WHEREAS the Provincial Government has made the public commitment not to introduce permanent charity gaming clubs or video lottery terminals in any municipality that does not want them; and

WHEREAS all former local municipalities making up the City of Toronto have expressed their concerns about permanent charity gaming clubs and video lottery terminals; and

WHEREAS the former City of Toronto has amended its Zoning By-laws to prohibit within a number of types of premises mechanical and/or electronic gaming machines for the purpose of gambling; and

WHEREAS those amendments have been appealed by the B'nai B'rith Canada and five companies described as 'applicants' whom the Province of Ontario recently awarded the right to operate a number of casino and gaming establishments in areas of the Province of Ontario; and

WHEREAS Toronto residents voted in the 1997 municipal elections by wide margins ranging from two-thirds to three-quarters against the introduction of permanent charity gaming clubs and video lottery terminals; and

WHEREAS City Council should now take a strong stand against their introduction;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Provincial Government to confirm its commitment not to take any steps to introduce charity gaming clubs or video lottery terminals in any municipality that does not want them;

AND BE IT FURTHER RESOLVED THAT City Council advise the Provincial Government that it opposes the introduction of permanent charity gaming clubs and video lottery terminals and request the Province to promise not to take any step to introduce either of these gambling activities in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT City Council request the Provincial Government to ask B'nai B'rith Canada, Gaming Venture Group, Fundtime Corporation, Star of Fortune Management Limited, RPC Anchor Gaming and Trillium Gaming Inc., to withdraw their appeal of By-laws Nos. 1997-0617-0623 of the former City of Toronto;

AND BE IT FURTHER RESOLVED THAT City Council request the Provincial Government to permit the continued operation of 'Roving Charitable Casinos' beyond March 31, 1998;

AND BE IT FURTHER RESOLVED THAT City Council request the Lead Solicitor to examine and report to Council on the applicability to Ontario of the recent British Columbia Supreme Court declaration that the Gaming Proceeds Distribution Regulations B.C. Reg. 362/97 is invalid and without force because the Province of British Columbia cannot receive, require or authorize 'for profit' gaming companies to receive, the proceeds of gaming that is managed and conducted by charitable and religious organizations, and to do so not only contradicts the British Columbia Lottery Act, R.S.B.C. 1996, c. 278, but as well expressly contradicts s. 207(1)(b) of the Criminal Code;

AND BE IT FURTHER RESOLVED THAT City Council request staff to examine and provide a synopsis to Council of all by-laws respecting casinos and video lottery terminals within the former municipalities of Metropolitan Toronto before the next regular scheduled Council meeting.”

Council also had before it, during consideration of the foregoing Motions, the following communications:

- (i) (January 29, 1998) from the President, Beach Triangle Residents Association, expressing opposition to the establishment of gambling facilities; and
- (ii) (February 4, 1998) from various members of the Ontario Charity Gaming Club Operators’ Association, requesting deferral of this matter pending the establishment of a task force to consider the implications of permanent charity gaming facilities in the City of Toronto, and the eventual receipt of the task force’s recommendations.

Deputy Mayor Ootes, having regard to the nature of the foregoing Motions, proposed that such motions be referred to the Urban Environment and Development Committee.

Council concurred in the foregoing proposal.

166 At this point in the proceedings, Deputy Mayor Ootes called upon Notice of Motion 11(h) appearing on the Order Paper, as follows:

Moved by: Councillor Miller

Seconded by: Councillor Pantalone

“**WHEREAS** prior to January 1, 1998, The Municipality of Metropolitan Toronto was the approval authority for subdivision applications under the Planning Act in respect of land within the Metropolitan Toronto boundaries and requested local municipalities within the Metropolitan Toronto boundaries to give notice of and hold the requisite public meetings with respect to such applications; and

WHEREAS, pursuant to the Planning Act, the local municipalities held such meetings, with the result that one public meeting could be held for related official plan, zoning and subdivision applications; and

WHEREAS City Council is currently obliged to hold public meetings relating to subdivision applications but, on an interim basis, has delegated to Community Councils and the Urban Environment and Development Committee the responsibility of holding the public meetings regarding official plan and zoning matters; and

WHEREAS it would be most efficient if committees of Council were delegated the authority to hold public meetings regarding subdivision applications; and

WHEREAS, prior to January 1, 1998, local municipalities within the Metropolitan Toronto boundaries also held public meetings regarding community improvement plans, pursuant to s. 28 of the Planning Act; and

WHEREAS City Council is currently obliged to hold such meetings; and

WHEREAS it would be most efficient if the responsibility for holding such meetings were delegated to committees of Council;

NOW THEREFORE BE IT RESOLVED THAT each Community Council is delegated the authority to hold any public meeting regarding plans of subdivision and community improvement plans as required by ss. 28 and 51 of the Planning Act, R.S.O. 1991, c. P.13 and O. Reg. 196/96, in respect of land within the part of the urban area it represents and that the Urban Environment and Development Committee is delegated the authority to hold such meetings in respect of land that is within the geographic area represented by more than one Community Council;

AND BE IT FURTHER RESOLVED THAT this delegation is an interim measure, to be reconsidered once the Special Committee chaired by Councillor Miller has reported to Council regarding Community Councils and Council's Procedure By-law."

Councillor Miller moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 49.

Nay: Councillor: Minnan-Wong - 1.

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

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

167 At this point in the proceedings, Deputy Mayor Ootes called upon Notice of Motion 11(i) appearing on the Order Paper, as follows:

Moved by: Councillor Berger

Seconded by: Councillor Sgro

“**WHEREAS** subsection 93(a) of the Council Procedural By-law delegates to Community Councils the power and authority to hold public meetings required for Official Plan Amendment and zoning amendment applications (sections 17 and 34 respectively of the Planning Act); and

WHEREAS subsection 51(20) of the Planning Act and subsection 4(1) of Regulation 196/96 also require that public meetings be held in respect of subdivision applications; and

WHEREAS on January 21, 1998, the North York Community Council received a staff report and directed that a statutory public meeting be held at a future meeting of the North York Community Council in respect of application UDSB-1232 in Ward 6 - North York Humber;

NOW THEREFORE BE IT RESOLVED THAT City Council delegate the power and authority to hold a public meeting pursuant to subsection 51(20) of the Planning Act in respect of application UDSB-1232 in Ward 6 - North York Humber, to the North York Community Council.”

Councillor Sgro moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 51.

Nay: Councillor: Moeser - 1.

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

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

- 168 At this point in the proceedings, Deputy Mayor Ootes called upon Notice of Motion 11(j) appearing on the Order Paper, as follows:

Moved by: Councillor Feldman

Seconded by: Councillor Fotinos

“**WHEREAS** residents of the City of Toronto are extremely frustrated with increased traffic violations on arterial roads and residential streets; and

WHEREAS traffic violations, such as failure to obey speed limits, stop signs, turn restriction signs and traffic signals puts pedestrians, motorists, children, students and the elderly at unnecessary physical risk; and

WHEREAS parking violations create traffic congestion both in residential areas and commercial areas; and

WHEREAS more than 100 fatalities occur as a result of traffic violations every year; and

WHEREAS artificial traffic calming barriers frustrate the residents in the immediate vicinity where they are placed; and

WHEREAS the Toronto Police Service should concentrate its efforts mainly on crime prevention, investigations and citizen protection, rather than minor traffic violations;

NOW THEREFORE BE IT RESOLVED THAT the Chair of the Toronto Police Services Board, in consultation with the Interim City Solicitor and appropriate City staff, be requested to submit a report to the Emergency and Protective Services Committee for its meeting to be held on March 24, 1998, for subsequent report thereon to City Council for its meeting to be held on April 15, 1998, on the feasibility of creating a City-run, unarmed constabulary to issue citations for all traffic violations, including traffic signal, stop sign, no turn restrictions, parking and speeding infractions, such report to address:

- (1) the possibility of enforcement without the necessity for stopping vehicles;
- (2) a timetable for the implementation of this initiative; and
- (3) the feasibility of self-financing of enforcement and preventive initiatives through revenues collected from citations issued.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Emergency and Protective Services Committee.

Council concurred in the foregoing proposal.

169 Deputy Mayor Ootes called upon Notice of Motion 11(k) appearing on the Order Paper, as follows:

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

“WHEREAS the Council of the former City of Toronto opposed the Plan of Subdivision to create six new residential lots at 225-7 Ellis Avenue; and

WHEREAS the Ontario Municipal Board approved the Subdivision in 1996 and indicated that it would subsequently consider the matter of the appropriate height limit for an addition to the existing house at 225 Ellis Avenue; and

WHEREAS the owner of the lands is now proposing to replace the existing house with a new, 1486 square metre house with a height in excess of 12.75 metres in lieu of the Swansea height limit of nine metres; and

WHEREAS the hearing to consider the height for the replacement house is now scheduled for February 16, 1998 and outside legal counsel has been authorized to oppose the height increase; and

WHEREAS the location of the proposed replacement house is about 45 metres from the Grenadier Pond, on a site with serious view and environmental constraints; and

WHEREAS the owner has proposed a settlement that would reduce the number of subdivision lots if the City supports his replacement house proposal; and

WHEREAS a community meeting is scheduled for January 29, 1998, to discuss the latest proposal;

NOW THEREFORE BE IT RESOLVED THAT the Acting Executive Commissioner UDS be authorized to report, if required, directly to Council on February 4, 1998, if it is appropriate to recommend any changes to Council's existing authority in this matter.”

Councillor Miller moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Walker - 49.

Nay: Councillor: Minnan-Wong - 1.

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

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

Council also had before it, a report (February 3, 1998) from the Commissioner of Urban Development Services, recommending that planning staff be requested to appear at the February 16, 1998 OMB hearing to give evidence in opposition to the 12.75 metre height of the replacement house proposed for 225 Ellis Avenue and the City Solicitor advise the OMB that Council would support a replacement house at 225 Ellis Avenue with a height as close as possible to the 9.7 metre height of the existing building and with appropriate landscaping between the house and Grenadier Pond. (See Attachment No. 1)

Upon the question of the adoption of the foregoing report dated January 3, 1998, from the Commissioner of Urban Development Services, without amendment, Councillor Korwin-Kuczynski, in amendment, moved that the report be adopted, subject to deleting from Recommendation No. (2) the words "as close as possible to" and inserting in lieu thereof the word "within", so that the recommendations embodied in such report shall now read as follows:

"It is recommended that:

- (1) the planning staff be requested to appear at the February 16, 1998 OMB Hearing to give evidence in opposition to the 12.75 metre height of the replacement house proposed for 225 Ellis Avenue; and
- (2) the City Solicitor advise the OMB that Council would support a replacement house at 225 Ellis Avenue with a height within the 9.7 metre height of the existing building and with appropriate landscaping between the house and Grenadier Pond."

Upon the question of the adoption of the foregoing motion by Councillor Korwin-Kuczynski, it was carried.

Upon the question of the adoption of the foregoing report, as amended, it was carried.

170 Deputy Mayor Ootes called upon Notice of Motion 11(l) appearing on the Order Paper, as follows:

Moved by: Councillor Adams

Seconded by: Councillor Bossons

“**WHEREAS** the Ontario Heritage Act and the City of Toronto Act, 1997, require that City Council consider and indicate its decision on an application to demolish a building designated under the Ontario Heritage Act within 90 days of the receipt of a completed application; and

WHEREAS the owner of the Masonic Temple building at 888 Yonge Street has now advised the City than an application to demolish under section 34 of the Ontario Heritage Act was made to City Council by letter dated November 21, 1997; and

WHEREAS the owner, in interpreting section 34 of the Ontario Heritage Act, addressed the letter to ‘Mayor Hall and Members of Council, Attention: City Clerk’ and faxed and couriered the letter to the Mayor’s Office and the Council Members’ offices; and

WHEREAS the application was apparently never forwarded to staff of the City Clerk’s Department and the Toronto Historical Board, who were unaware of the application until advised by the owner; and

WHEREAS the 90-day period for consideration of the application will expire on February 19, 1998, making it necessary that Council consider this matter at its meeting of February 4, 1998, or be deemed to have consented to the application; and

WHEREAS refusal of the application by City Council would operate to delay the issuance of a demolition permit for 180 days or until the owner obtains a building permit whichever is longer;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council consider the attached report dated January 27, 1998, from the Managing Director of the Toronto Historical Board; and
- (2) City Council adopt the report of the Managing Director recommending refusal of the application made under section 34 of the Ontario Heritage Act by the owner of the property at 888 Yonge Street, and requesting the City Clerk to provide notice of its decision to the owner and the Ontario Heritage Foundation as required by the Ontario Heritage Act.”

(See Attachment No. 2)

Councillor Adams moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Sgro, Shiner, Sinclair, Walker - 45.

Nay: Councillor: Saundercook - 1.

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

Council also had before it, during consideration of the foregoing Motion, a communication (January 30, 1998) from the President, Toronto Region Architectural Conservancy, expressing opposition to the demolition order regarding the property at 888 Yonge Street, otherwise known as the Masonic Hall, noting that the building is of historic interest and designated by the City under the Ontario Heritage Act.

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Faubert, Feldman, Filion, Flint, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Sgro, Walker - 40.

Nays: Councillors: Davis, Duguid, Giansante, Kelly, Saundercook, Sinclair - 6.

Decided in the affirmative by a majority of 34.

Council, in adopting the foregoing Motion, without amendment, adopted the report dated January 27, 1998, from the Managing Director, Toronto Historical Board, entitled "Demolition Application Under Section 34 of the Ontario Heritage Act - 888 Yonge Street (Masonic Hall)", embodying the following recommendations:

“It is recommended that:

- (1) City Council adopt the report of the Managing Director recommending refusal of the application made under Section 34 of the Ontario Heritage Act by the owner of the property at 888 Yonge Street; and
- (2) the City Clerk provide notice of Council’s decision to the owner and the Ontario Heritage Foundation as required by the Ontario Heritage Act.”

171 At this point in the proceedings, and with the permission of Council, Councillor Layton, seconded by Councillor Pantalone, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Layton

Seconded by: Councillor Pantalone

“**WHEREAS** there is presently an application before the Ontario Energy Board by Union Gas Limited and Centra Gas Ontario Inc. for approval of the transfer of rentals, sales and servicing of natural gas appliance equipment, including hot water tanks, to an affiliate of these companies; and

WHEREAS such affiliate is not and would not be regulated by the Province of Ontario and the application, if successful, will likely result in substantial increases in water heater rental rates; and

WHEREAS it appears that the application requires approval by the Board unless certain restricted criteria are not met and Pollution Probe, a participant at the hearing before the Board, has appealed to Cabinet requesting that an Order-in-Council be issued to expand the scope of the hearing to take into account the broader public interest; and

WHEREAS it appears that The Consumers Gas Company Ltd. (‘Consumers Gas’) has also just brought application to take the same course of action to transfer its merchandising sales, servicing and rentals to an unregulated affiliate and it is desirable that, in any such application for approval affecting residents within the City of Toronto, the broader public interest be considered;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Minister of Energy, Science and Technology, the Minister of Consumer and Corporate Relations and the Premier of the Province of Ontario be advised of:

- (a) the City of Toronto's support for the position taken by Pollution Probe on its petition to Cabinet, namely that the Ontario Energy Board be required to take into account the broader public interest in any application, including any future application affecting the residents of the City of Toronto, for the transfer of merchandising rentals, sales and servicing to unregulated companies; and
 - (b) the opposition of the City of Toronto to the potential substantial increases in the rental, sale and servicing of natural gas appliance equipment as a result of deregulation by the gas companies; and
- (2) the position of the City of Toronto, by adoption of this Notice of Motion, be filed with the Ontario Energy Board prior to the resumption of the hearing on the application by Union Gas Limited and Centra Gas Ontario Inc., scheduled for February 16, 1998; and
 - (3) the City Solicitor be authorized to take any interim steps required on the application made by Consumers Gas in order to reserve the City of Toronto's rights to intervene or comment as may be required by the Board's rules and to file comments consistent with the above-noted position and, further that, if on examination of the Consumers Gas application, any further position or intervention is required in the opinion of the Chief Administrative Officer, the Chief Administrative Officer report back to Council through the appropriate Standing Committee at the earliest opportunity.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Sinclair, Walker - 42.

Nays: Councillors: Davis, Faubert, Kelly, O'Brien- 4.

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

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

172 At this point in the proceedings, Deputy Mayor Ootes called upon Notice of Motion 11(m) appearing on the Order Paper, as follows:

Moved by: Councillor Adams

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** amendments to Schedule A, Individual Boards of Management of the City of Toronto Municipal Code require Council approval and a By-law amendment; and

WHEREAS appointments to Boards of Management of Bloor by the Park, Bloorcourt Village, Bloor West Village, Bloor Yorkville, Corso Italia, Danforth by the Valley, Eglinton Way, Forest Hill Village, Greektown on the Danforth, Harbord Street, Junction Gardens, Old Cabbagetown and Roncesvalles Village Business Improvement Areas require Council approval; and

WHEREAS the next Council meeting will not be held until March 4, 1998; and

WHEREAS the Boards of Management cannot meet until membership is approved;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) in accordance with the elections held at the Business Improvement Area Annual General Meetings, amend Schedule A, Individual Boards of Management, of the (Old Toronto) Municipal Code Chapter 20, Business Improvement Areas as set out in the attached Schedule A. These changes are specific to number of Members and Members Needed for Quorum and are highlighted by ‘Changes From and To’;
- (2) appoint the nominees listed in the attached Appendix to the Boards of Management for Bloor by the Park, Bloorcourt Village, Bloor West Village, Bloor Yorkville, Corso Italia, Danforth by the Valley, Eglinton Way, Forest Hill Village, Greektown on the Danforth, Harbord Street, Junction Gardens, Old Cabbagetown and Roncesvalles Village Business Improvement Areas. The term of office is to expire on November 30, 2000, or as soon thereafter as successors are appointed. Each of the named nominees meets the requirements of Section 220 of the Municipal Act, as amended by Bill 106; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.”

Councillor Adams moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero,

Duguid, Faubert, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Sinclair, Walker - 46.

Nays: Nil.

Decided in the affirmative, without dissent.

Council also had before it, during consideration of the foregoing Motion, the following:

- (i) Schedule A, entitled "Business Improvement Areas, Individual Boards of Management", setting out required amendments to various by-laws; and
- (ii) an Appendix, listing nominees and their addresses, for appointment to the Boards of Management for the following Business Improvement Areas: Bloor by the Park, Bloorcourt Village, Bloor West Village, Bloor Yorkville, Corso Italia, Danforth by the Valley, Eglinton Way, Forest Hill Village, Greektown on the Danforth, Harbord Street, Junction Gardens, Old Cabbagetown, and Roncesvalles Village.

(A copy of each of the aforementioned Schedule A and Appendix is on file in the office of the City Clerk.)

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Jones, in amendment, moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

"AND BE IT FURTHER RESOLVED THAT the Commissioner of Planning and Urban Development Services be requested to submit a report to the Urban Environment and Development Committee on appointments to other Business Improvement Areas Boards of Management in the former Area Municipalities."

Upon the question of the adoption of the foregoing Motion by Councillor Jones, it was carried.

Upon the question of the adoption of the foregoing Motion, as amended, it was carried.

- 173 At this point in the proceedings, and with the permission of Council, Councillor Chong, seconded by Councillor Ootes, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion, moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Chong:

Moved by: Councillor Chong

Seconded by: Councillor Ootes

“**WHEREAS** the GTA Mayors and Regional Chairs Committee at the January 16, 1998 meeting made the decision to allow more members from the City of Toronto to sit on the Committee; and

WHEREAS the Mayors of the former municipalities, and Councillor David Shiner, who often attended the meetings, have been part of the GTA Mayors Committee since it was started, and are very aware of all the issues; and

WHEREAS the City has to advise the GTA Mayors Committee of our members by Friday, February 5, 1998;

NOW THEREFORE BE IT RESOLVED THAT, since the GTA Mayors Committee will be replaced by the GTSB, likely by September, the members representing the City of Toronto at the GTA Mayors and Regional Chairs Committee, along with Mayor Lastman, until that time, will be:

Councillor Frank Faubert
Councillor Doug Holyday
Councillor Frances Nunziata
Councillor Case Ootes
Councillor Michael Prue
Councillor David Shiner.”,

the vote upon which was taken as follows:

Yes: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 43.

Nays: Councillors: Disero, Fotinos, Jakobek, Johnston, Moeser - 5.

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

Upon the question of the adoption of the foregoing Motion, without amendment:

(a) Councillor Rae, in amendment, moved that the foregoing Motion be amended by adding the name “Councillor Jack Layton” to the list of members representing the City of Toronto at the GTA Mayors and Regional Chairs Committee.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing motion (a) by Councillor Rae, ruled such motion out of order.

Councillor Johnston challenged the ruling of Deputy Mayor Ootes.

Upon the question, "Shall the ruling of Deputy Mayor Ootes be upheld?", the vote was taken as follows:

Yeas: Councillors: Chong, Faubert, Flint, Fotinos, Holyday, Kelly, Ootes, Prue, Shiner, Sinclair - 10.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Filion, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Rae, Saundercook, Sgro, Silva, Walker - 38.

Decided in the negative by a majority of 28.

(b) Councillor Chong, in amendment, moved that the foregoing Motion be referred to the Office of the Mayor.

(c) Councillor Johnston, in amendment, moved that the foregoing Motion be amended as follows:

(1) one Member of Council who is a representative from the area of the former Borough of East York be deleted as a member of the GTA Mayors and Regional Chairs Committee, and be instead appointed as an alternate; and

(2) a Member of Council who is a representative from the area of the former City of Toronto be appointed as a Member of the GTA Mayors and Regional Chairs Committee.

Upon the question of the adoption of the foregoing motion (b) by Councillor Chong, the vote was taken as follows:

Yeas: Councillors: Cho, Chong, Disero, Feldman, Flint, Jakobek, Kelly, Lindsay Luby, Moeser, Ootes - 10.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Chow, Davis, Duguid, Faubert, Filion, Fotinos, Giansante, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata,

O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 37.

Decided in the negative by a majority of 27.

Upon the question of the adoption of the foregoing motion (a) by Councillor Rae, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Disero, Duguid, Fillion, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 36.

Nays: Councillors: Davis, Faubert, Feldman, Flint, Giansante, Kelly, King, Lindsay Luby, Moeser, Ootes, Shiner - 11

Decided in the affirmative by a majority of 25.

Having regard to the foregoing decision of Council, the foregoing motion (c) by Councillor Johnston was not put to a vote.

Upon the question of the adoption of the foregoing motion as amended, it was carried.

- 174 At this point in the proceedings, and with the permission of Council, Councillor Davis, seconded by Councillor Balkissoon, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Davis

Seconded by: Councillor Balkissoon

“**WHEREAS** the City of Toronto Council affirms and is committed to the belief that the racial and cultural diversity of its communities is a source of economic, social and cultural enrichment, and strength. Toronto Council’s endorsement and support demonstrates its commitment to recognizing and respecting the place of ethnographically diverse communities in our municipality; and

WHEREAS Black History Month provides an opportunity for the contributions of people of African descent in Canada to be showcased and shared. Members of the black community have made significant contributions in many areas, such as education, medicine, art, culture, public service, finance, politics, human rights and anti-racism; and

WHEREAS it is the aim of Toronto Council to eliminate racial discrimination in every form and to strive for racial equality for all its residents. Throughout North America, February is celebrated as Black History Month by a wide variety of institutions and levels of government;

NOW THEREFORE BE IT RESOLVED THAT on behalf of the Members of Council and the residents of the City of Toronto, we are pleased to proclaim February 1998 as 'Black History Month' . ”,

the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 47.

Nays: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

175 At this point in the proceedings, and with the permission of Council, Councillor Berger, seconded by Councillor Mammoliti, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 27(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Berger

Seconded by: Councillor Mammoliti

“**WHEREAS** the Councils of the former municipalities amalgamated to form the City of Toronto authorized various officials to sign documents necessary to give effect to the matters approved by the Councils of such municipalities; and

WHEREAS it is necessary and appropriate that the Clerk and the Treasurer be authorized to sign such documents on behalf of the City of Toronto; and

WHEREAS the Council has enacted a by-law authorizing certain officials to sign in the place and stead of the Clerk where necessary to carry out the duties assigned by the Clerk; and

WHEREAS it is appropriate and necessary that certain officials be authorized to sign in the place and stead of the Chief Financial Officer and Treasurer where necessary to carry out the duties assigned by the Chief Financial Officer and Treasurer;

NOW THEREFORE BE IT RESOLVED THAT authority be granted for the introduction in Council of a bill in the form of the draft by-law attached as Appendix "A" authorizing the Clerk and the Chief Financial Officer and Treasurer to execute documents on behalf of the City of Toronto in respect of matters approved by the Councils of the former municipalities amalgamated to form the City of Toronto and to affix the corporate seal thereto and authorizing the officials named in the by-law to sign in the place and stead of the Chief Financial Officer and Treasurer where necessary to carry out the duties assigned by the Chief Financial Officer and Treasurer.”,

the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 45.

Nays: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

176 At this point in the proceedings, and with the permission of Council, Councillor Moscoe, seconded by Councillor Miller, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Moscoe

Seconded by: Councillor Miller

“**WHEREAS** the Royal Bank and the Bank of Montreal have announced that they intend to merge; and

WHEREAS similar mergers in the past have resulted in staff reduction levels of one-third; and

WHEREAS the merger could result in a loss of from 9,000 to 28,000 jobs; and

WHEREAS the merged bank would have more than 300 branches within Toronto, many of which could be closed; and

WHEREAS such a merger could have significant implications in Toronto;

NOW THEREFORE BE IT RESOLVED THAT the Economic Development Department, the Planning Department and the City Treasurer report to the Urban Environment and Development Committee on the full implications for Toronto of such a merger;

AND BE IT FURTHER RESOLVED THAT in the interim, the City of Toronto advise the Federal Government that the proposed merger of the Royal Bank and the Bank of Montreal is not in the interests of the people of Toronto;

AND BE IT FURTHER RESOLVED THAT the Treasurer report on the implications of the City transferring its banking business from the merged bank to other chartered Canadian banks.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Urban Environment and Development Committee.

Council concurred in the foregoing proposal.

177 At this point in the proceedings, and with the permission of Council, Councillor Moscoe, seconded by Councillor Disero, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Moscoe

Seconded by: Councillor Disero

“**WHEREAS** Police district and division boundaries are currently not aligned with political boundaries; and

WHEREAS with the advent of community policing, liaison among elected representatives, police and the community is increasingly important; and

WHEREAS some wards span as many as four Police divisions, making co-ordination of efforts among the community, its representatives and the Police extremely difficult; and

WHEREAS with the unification of the City under a single government, the old City boundaries have become less relevant;

NOW THEREFORE BE IT RESOLVED THAT the Emergency and Protective Services Committee review the prospect of aligning the Police districts and divisions to coincide with political boundaries within the City of Toronto to facilitate community policing and encouraging the elected representatives and the Police to work more closely together at the neighbourhood level;

AND BE IT FURTHER RESOLVED THAT, if this concept is supported, this request be forwarded to the Toronto Police Services Board with a strong recommendation from Council.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Emergency and Protective Services Committee.

Council concurred in the foregoing proposal.

- 178 At this point in the proceedings, and with the permission of Council, Councillor Shiner, seconded by Councillor Chow, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Shiner

Seconded by: Councillor Chow

“**WHEREAS** it is now an accepted fact that exposure to second hand smoke is a health risk; and

WHEREAS environment and air quality inside buildings and public places is negatively affected by second-hand smoke; and

WHEREAS the Cities of Toronto, North York, Etobicoke, Scarborough and York and the Borough of East York all have had conflicting by-laws encouraging smoke-free environments in restaurants;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council support a harmonized smoke-free by-law for the entire City which is protective of health;

AND BE IT FURTHER RESOLVED THAT this motion and the material from the Ontario Campaign for Action on Tobacco and the Ontario Medical Association's report entitled 'Second Hand Smoke and Indoor Air Quality', which is on file in the Clerk's Department, be referred to the Toronto Board of Health for their recommendations;

AND BE IT FURTHER RESOLVED THAT public hearings are held by the Board of Health to receive public input on the phasing-in of such a by-law."

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Interim Board of Health.

Council concurred in the foregoing proposal.

- 179 At this point in the proceedings, and with the permission of Council, Councillor Nunziata, seconded by Councillor Mihevc, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Nunziata

Seconded by: Councillor Mihevc

"WHEREAS the Government of Ontario eliminated Provincial funding for the Eglinton subway line, resulting in the cancellation of the Eglinton line; and

WHEREAS the Eglinton subway line is considered a critical component to economic development and revitalization in the former City of York; and

WHEREAS the Toronto Olympic Bid Committee will be seeking the support of the City of Toronto Council for the concept of a bid for the 2008 Olympics; and

WHEREAS the development of appropriate transportation infrastructure, such as the Eglinton subway line, to facilitate the transportation of athletes and visitors to different venues, and from Pearson International Airport, should be viewed as essential to any viable Olympic bid by the City of Toronto, the Provincial and Federal Governments; and

WHEREAS the construction of the Eglinton subway line would provide significant short- and long-term benefits to the Greater Toronto Area economy;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council affirm its support for the construction of the Eglinton Avenue subway line;

AND BE IT FURTHER RESOLVED THAT Council convey to The City of Toronto Olympic Bid Committee, the Province of Ontario and the Government of Canada, a request that, prior to submitting a bid from Toronto for the 2008 Olympics to the International Olympic Committee, that adequate funding support for

transportation infrastructure improvements such as the Eglinton subway line must be provided by all three levels of government.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Urban Environment and Development Committee.

Council concurred in the foregoing proposal.

180 At this point in the proceedings, and with the permission of Council, Councillor Nunziata, seconded by Councillor Fotinos, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Nunziata

Seconded by: Councillor Fotinos

“**WHEREAS** the municipality is responsible for licensing businesses in the City of Toronto; and

WHEREAS businesses are an integral part of their respective communities; and

WHEREAS the conduct and business practices of a local business can benefit, or conversely harm, their respective communities; and

WHEREAS establishments with a liquor licence can be more problematic than other businesses if their owners are irresponsible; and

WHEREAS currently, liquor licences are viewed as a ‘right’ and not a privilege, thereby limiting control over the conduct of irresponsible owners and their establishments; and

WHEREAS currently, the City of Toronto has no legislative mechanisms to prevent irresponsible owners from obtaining or renewing liquor licences;

NOW THEREFORE BE IT RESOLVED THAT Council request the Provincial Government to amend the Liquor Licence Act and any other appropriate related legislation to give municipalities greater control over the issuance of liquor licences; and that such amendments include, but not be limited to, the ability of the municipality to place appropriate and necessary restrictions on liquor licences and to hold public meetings prior to the granting of a liquor licence.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Emergency and Protective Services Committee.

Council concurred in the foregoing proposal.

- 181 At this point in the proceedings, and with the permission of Council, Councillor Lindsay Luby, seconded by Councillor Feldman, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Feldman

“**WHEREAS** this weekend, Toronto athletes will join other young Canadians and athletes from around the world in Nagano, Japan, for the 1998 Winter Olympic Games. For the competitors, the Games represent the culmination of years of training to achieve their personal best. Torontonians and all Canadians will look on with admiration and pride as they make their way onto the Olympic stage; and

WHEREAS during the next two weeks, Canadian athletes will engage in the highest level of competition while participating in an international exchange of goodwill, understanding and friendship. These experiences will forever be etched in their memories;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council and the citizens of Toronto salute our Olympic hopefuls and wish them all much success in Nagano.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 47.

Nays: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried unanimously.

- 182 At this point in the proceedings, and with the permission of Council, Councillor Adams, seconded by Councillor King, moved that, in accordance with Section 27 of the Council

Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Adams

Seconded by: Councillor King

“**WHEREAS** the Ontario Ministry of Finance is mailing assessment notices to individual property taxpayers based on the new current value assessment system; and

WHEREAS the new assessed values are being released to Ontario municipalities; and

WHEREAS property taxpayers are expressing a desire to have tax impact data based upon the new assessed values made available as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT City Council create an Assessment and Tax Policy Task Force and appoint 7 Members of Council with support from the Chief Financial Officer and Treasurer, with a mandate to review impact studies, consult with taxpayers and bring recommendations with respect to tax policy issues and any related matters to the Strategic Policies and Priorities Committee through to Council.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Faubert, Flint, Fotinos, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, O’Brien, Ootes, Prue, Rae, Silva, Sinclair, Walker - 33.

Nays: Councillors: Berardinetti, Cho, Feldman, Fillion, Giansante, Jakobek, Kelly, Lindsay Luby, Mahood, Miller, Moeser, Pantalone, Saundercook - 13.

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

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Adams, in amendment, moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the following Members of Toronto City Council be appointed to the Tax Policy Task Force:

Councillor Adams
Councillor Augimeri
Councillor Balkissoon
Councillor Bossons
Councillor Davis
Councillor Flint
Councillor Kinahan
Councillor Nunziata
Councillor Ootes
Councillor Walker.”

Upon the question of the adoption of the foregoing motion by Councillor Adams, it was carried.

Upon the question of the adoption of the foregoing Motion, as amended, it was carried.

- 183 At this point in the proceedings, and with the permission of Council, Councillor Augimeri, seconded by Councillor Li Preti, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Augimeri

Seconded by: Councillor Li Preti

“**WHEREAS** the Government of Ontario has downloaded all capital costs for the Toronto Transit Commission to the City of Toronto; and

WHEREAS a subway link between York University and the Spadina subway line has long been a priority for the Black Creek and the York University communities;

WHEREAS The Toronto Olympic Bid Committee will be seeking the support of the City of Toronto Council for the concept of a bid for the 2008 Olympics; and

WHEREAS a prior Toronto bid included some Olympic events at York University and York University continues to be an important site for athletic events in the Greater Toronto Area (GTA). Adequate transportation infrastructure will be necessary to facilitate transportation of athletes and visitors to the University; and

WHEREAS the construction of the York University subway extension would be of significant short- and long-term benefits to the GTA in terms of jobs and the economy;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council convey to The Olympic Bid Committee, the Province of Ontario and the Government of Canada, a request that, prior to submitting a bid for Toronto for the 2008

Olympics to the International Olympic Committee, that adequate funding support for transportation infrastructure improvements must be provided by all three levels of government;

AND BE IT FURTHER RESOLVED THAT the Council also convey to The Olympic Bid Committee, the Province of Ontario and the Government of Canada, that the extension of the Spadina Subway to York University is a priority transportation improvement.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Urban Environment and Development Committee.

Council concurred in the foregoing proposal.

- 184 At this point in the proceedings, and with the permission of Council, Councillor Rae, seconded by Councillor Mihevc, moved that, in accordance with Section 27 of the Council Procedural By-law, subsections 28(1) and (2) of said By-law be waived to permit consideration of the following Notice of Motion:

Moved by: Councillor Rae

Seconded by: Councillor Mihevc

“**WHEREAS** in 1986 the Ontario government amended the Ontario Human Rights Code to include sexual orientation as a prohibited ground for discrimination; and

WHEREAS five out of seven of the former municipalities now constituting the City of Toronto extended same-sex benefits to their employees; and

WHEREAS studies conducted in 1994 confirmed that the majority of Canadians support extension of medical benefits to same-sex partners; and

WHEREAS the recent Angus Reid poll conducted in June 1996 has shown that over 55 percent of Canadians support the extension of benefits to same-sex partners; and

WHEREAS large workplaces both within the private and public sectors offer these benefits to their employees, including all three English-language daily newspapers, the Province of Ontario, the Toronto Dominion Bank, Bell Canada, the Canadian Broadcasting Corporation, Nova Corporation, Air Canada, Wellesley, Toronto and Women’s College Hospitals, and so on; and

WHEREAS the City of Toronto will not have to incur significant additional costs to extend same-sex spousal benefits to all employees; and

WHEREAS the Sims-Dwyer legal challenge of March 1994 against the former Municipality of Metropolitan Toronto found discrimination on the basis of sexual orientation; and

WHEREAS the Board of Inquiry, established under the Human Rights Code ('the Board') ruled on September 27, 1996, that the opposite sex definitions of 'spouse' and 'marital status' in the Code infringe Section 15 of the Charter Rights and Freedoms and are not saved by Section 1 thereof; and

WHEREAS the Board, in directing the former Municipality of Metropolitan Toronto to continue its policy on the provision of employment benefits to same-sex partners, set a precedent for the new City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council waive the Council Procedural By-law in order to deal with this matter at this meeting; and
- (2) City Council approve the extension of same-sex benefits to all City of Toronto employees.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Fillion, Fotinos, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 35.

Nays: Councillors: Ashton, Brown, Davis, Feldman, Flint, Holyday, Kelly, Lindsay Luby, Li Preti, Moeser, O'Brien, Ootes, Sgro - 13.

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

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Fillion, Flint, Fotinos, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 39.

Nays: Councillors: Davis, Holyday, O'Brien - 3.

Decided in the affirmative by a majority of 36.

- 185 At this point in the proceedings, and with the permission of Council, Councillor Fotinos, seconded by Councillor Silva, moved that, in accordance with Section 27 of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion:

Moved by: Councillor Fotinos

Seconded by: Councillor Silva

“WHEREAS staff are currently in the process of streamlining and rationalizing all street and curb lane vending by-laws; and

WHEREAS the merging of City and Metro By-laws has created loopholes which may contradict the purpose of some by-laws; and

WHEREAS in particular, current by-laws are clearly intended to establish some distance between vendors (i.e., 25 metres between licenced vendors selling similar products); and

WHEREAS the previous Municipality of Metropolitan Toronto regulated ice cream vending by allowing ice cream truck vendors to sell their products on a basis of one hour per stop and three hours per block;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding the one hour per stop and three hours per block by-law, where a curb lane permit has been issued on any City block, that no other vendor of a similar product be permitted to vend on that block without a permit;

AND BE IT FURTHER RESOLVED THAT this matter be referred to the appropriate Standing Committee and staff for a report thereon to Council for its meeting in April, 1998.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such motion be referred to the Urban Environment and Development Committee.

Council concurred in the foregoing proposal.

- 186 Council resumed its consideration of Clause No. 3 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “City of Toronto Administrative Structure”. (See also Minute No. 158)

At this point in the proceedings, Councillor Moeser, with the permission of Council, withdrew his foregoing motion (f), viz.:

“that the foregoing Clause be struck out and referred back to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration.”

At this point the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (1) of the foregoing motion (e) by Councillor Kelly, ruled such part out of order, viz.:

“that the foregoing Clause be amended by:

- (1) striking out Recommendation No. (2) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:
 - ‘(2) that the title of the leads of the administrative structures be designated as “Executive Commissioners”.’ ”.

Upon the question of the adoption of the foregoing motion (c) by Councillor Johnston, viz.:

“that the foregoing Clause be amended by inserting the word ‘parks’ prior to the words ‘recreation and libraries’ in Recommendation (A) (1) (b) (ii) of the Special Committee to Review the Final Report of the Toronto Transition Team, so that ‘parks’ would be placed under the Community and Neighbourhood Services group.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Fotinos, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Rae, Shaw, Silva, Walker - 19.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Prue, Saundercook, Sgro, Shiner, Sinclair - 31.

Decided in the negative by a majority of 12.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Prue, viz.:

“that the foregoing Clause be amended by:

- (1) striking out the words 'recreation and' in Recommendation (A) (1) (b) (ii) of the Special Committee to Review the Final Report of the Toronto Transition Team and placing 'recreation' under the Economic Development, Culture and Tourism group;"

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shiner, Sinclair - 32.

Nays: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Fotinos, Johnston, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Pantalone, Rae, Shaw, Silva, Walker - 17.

Decided in the affirmative by a majority of 15.

Upon the question of the adoption of the foregoing motion (h) by Councillor Sinclair, viz.:

"that the foregoing Clause be amended to provide that libraries be assigned to the Community and Neighbourhood Services cluster."

the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Berger, Brown, Disero, Faubert, Filion, Flint, Moeser, Ootes, Saundercook, Shiner, Sinclair - 13.

Nays: Councillors: Adams, Altobello, Augimeri, Berardinetti, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Fotinos, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Walker - 36.

Decided in the negative by a majority of 23.

Upon the question of the adoption of the foregoing motion (j) by Councillor Bossons, and, in the absence of Councillor Bossons, moved by Councillor Shiner, viz.:

"that the foregoing Clause be amended to provide that the function 'tourism' be added under Economic Development, Culture and Tourism."

it was carried.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (1) of the foregoing motion (i) by Councillor Moscoe, redundant, viz.:

“that:

- (1) Part (1) of the foregoing motion (g) by Councillor Fotinos be amended to provide that ‘parks and recreation’ be moved to the Economic Development, Culture and Tourism service cluster;”.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (1) of the foregoing motion (g) by Councillor Fotinos, redundant, viz.:

“that the foregoing Clause be amended to provide that:

- (1) parks, arts and culture, and heritage also be assigned to the Community and Neighbourhood Services cluster and deleted from the Economic Development, Culture and Tourism cluster;”.

At this point in the proceedings, Councillor Fotinos, with the permission of Council, withdrew the balance of his foregoing motion (g), viz.:

“that the foregoing Clause be amended to provide that:

- (2) the issues of by-law enforcement, licensing, building permits and inspections, fire and ambulance be assigned to the Economic Development cluster, and the words “culture and tourism” be deleted from the name of the cluster;
- (3) roads and expressways be assigned to the Urban Planning and Development cluster, and the cluster be re-named “Urban Planning and Transportation”; and
- (4) the remaining divisions in the administrative structure be assigned as outlined in the 2nd Revised Appendix A.”

Upon the question of the adoption of Part (1) of the foregoing motion (b) by Councillor Miller, viz.:

“that:

- (1) Part (2) of the foregoing motion (a) by Councillor Prue be amended to provide that the Chief Administrative Officer be requested to submit reports in this regard to City Council, in August, 1998, November, 1998, and February, 1999, such reports to be submitted through the Special Committee

to Review the Final Report of the Toronto Transition Team and/or the Corporate Services Committee, as appropriate;”,

it was carried.

Upon the question of the adoption of Part (2)(a) of the foregoing motion (b) by Councillor Miller, viz.:

“that:

(2) the foregoing Clause be amended by:

(a) striking out the words ‘Strategic Policies and Priorities Committee’ in Recommendation No. (3) of the Special Committee to Review the Final Report of the Toronto Transition Team, and inserting in lieu thereof the words ‘Special Committee to Review the Final Report of the Toronto Transition Team’;”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Faubert, Fillion, Flint, Jones, Kelly, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Sinclair, Walker - 31.

Nays: Councillors: Altobello, Brown, Chong, Davis, Duguid, Feldman, Fotinos, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Mahood, O’Brien, Ootes, Saundercook, Sgro, Shaw, Shiner - 18.

Decided in the affirmative by a majority of 13.

Upon the question of the adoption of Part (2) of the foregoing motion (a) by Councillor Prue, as amended, viz.:

“that the foregoing Clause be amended by:

(2) adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to submit reports to City Council, in August, 1998, November, 1998, and February, 1999, on the linkages and improvements that may be made to the Corporate structure, such reports to be submitted through the Special Committee to Review the Final Report of the Toronto Transition Team and/or the Corporate Services Committee, as appropriate.”,

it was carried.

Upon the question of the adoption of the foregoing motion (d) by Councillor Pantalone, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Chief Administrative Officer be requested to give consideration to the matter of the titles used for positions below that of Commissioners and submit a report thereon, as soon as possible, to the Special Committee to Review the Final Report of the Toronto Transition Team, after determining what is commonly used in other municipalities.’ ”,

it was carried.

Upon the question of the adoption of Part (2)(b)(2) of the foregoing motion (b) by Councillor Miller, viz.:

“that:

(2) the foregoing Clause be amended by:

(b) adding thereto the following:

‘It is further recommended that:

(2) the Chief Administrative Officer, in consultation with appropriate staff, be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the staffing and administrative structure for the Community Councils.’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (i) by Councillor Moscoe, viz.:

“that:

(2) the foregoing Clause be amended to provide that the issue of the names for the service clusters be referred to the Special Committee to Review the Final Report of the Toronto Transition Team for further review and, in no instance should the word ‘strategic’ be used as part of such names.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Chong, Chow, Disero, Filion, Flint, Giansante, Jones, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Pantalone, Prue, Rae, Shiner, Silva, Sinclair, Walker - 32.

Nays: Councillors: Brown, Cho, Davis, Duguid, Faubert, Fotinos, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Nunziata, Ootes, Saundercook, Sgro, Shaw - 16.

Decided in the affirmative by a majority of 16.

Upon the question of the adoption of Part (2)(b)(1) of the foregoing motion (b) by Councillor Miller, viz.:

“that:

(2) the foregoing Clause be amended by:

(b) adding thereto the following:

‘It is further recommended that:

(1) the report dated February 2, 1998, from the Chief Administrative Officer, entitled “City of Toronto Administrative Structure”, including the 2nd revised Appendix A, revised Appendix B, and Appendix C, be adopted;’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (e) by Councillor Kelly, viz.:

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that the Chief Administrative Officer be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the title used for positions below that of Commissioners, and, in so doing, give consideration to recommending an appropriate title that recognizes the prestige and uniqueness of the title “Commissioner” used for most Department Heads in the former municipalities.’ ”,

it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, viz.:

“That the foregoing Clause be amended:

- (1) by amending the Recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team as follows:
 - (a) by striking out the words ‘recreation and’ in Recommendation (A) (1) (b) (ii) and placing ‘recreation’ under the Economic Development, Culture and Tourism group;
 - (b) by adding thereto a new Recommendation (iv) as follows:
 - ‘(iv) by adding “tourism” under the Economic Development, Culture and Tourism group.’; and
 - (c) by striking out the words ‘Strategic Policies and Priorities Committee’ in Recommendation No. (3) of the Special Committee to Review the Final Report of the Toronto Transition Team, and inserting in lieu thereof the words ‘Special Committee to Review the Final Report of the Toronto Transition Team’;
- (2) to provide that the issue of the names for the service clusters be referred to the Special Committee to Review the Final Report of the Toronto Transition Team for further review and, in no instance should the word ‘strategic’ be used as part of such names; and
- (3) by adding thereto the following:

‘It is further recommended that:

- (a) the report dated February 2, 1998, from the Chief Administrative Officer, entitled “City of Toronto Administrative Structure”, including the 2nd revised Appendix A, revised Appendix B, and Appendix C, be adopted, subject to amending such Appendices to provide that:
 - (i) “recreation” be placed under Economic Development, Culture and Tourism; and
 - (ii) “tourism” be placed under Economic Development, Culture and Tourism;

- (b) the Chief Administrative Officer be requested to submit reports to City Council, in August, 1998, November, 1998, and February, 1999, on the linkages and improvements that may be made to the Corporate structure, such reports to be submitted through the Special Committee to Review the Final Report of the Toronto Transition Team and/or the Corporate Services Committee, as appropriate;
- (c) the Chief Administrative Officer be requested to:
 - (i) give consideration to the matter of the titles used for positions below that of Commissioners after determining what is commonly used in other municipalities;
 - (ii) give consideration to recommending an appropriate title that recognizes the prestige and uniqueness of the title "Commissioner" used for most Department Heads in the former municipalities; and
 - (iii) submit a report thereon, as soon as possible, to the Special Committee to Review the Final Report of the Toronto Transition Team; and
- (d) the Chief Administrative Officer, in consultation with appropriate staff, be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the staffing and administrative structure for the Community Councils.’
”

it was carried.

187 Councillor Berardinetti, seconded by Councillor Sgro, moved that leave be granted to introduce:

“Bill No. 21 To amend further By-law No. 20-85, a by-law ‘Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area’, being a by-law of the former Municipality of Metropolitan Toronto.”

“Bill No. 22 To Govern Proceedings of the Council and the Committees thereof.”

“Bill No. 23 To appoint a Deputy Mayor.”

- “Bill No. 24 To appoint a Budget Chair.”
- “Bill No. 25 To amend Zoning By-law No. 12466 of the former City of Scarborough with respect to the L’Amoreaux Community.”
- “Bill No. 26 A By-law respecting the size of the Board of Health for the City of Toronto Health Unit and the term of office of Board members.”
- “Bill No. 27 A By-law respecting the ‘Toronto Parking Authority’.
- “Bill No. 28 To appoint and delineate certain duties and responsibilities of the City Solicitor for the City of Toronto.”
- “Bill No. 29 To appoint and delineate certain duties and responsibilities of the City Auditor for the City of Toronto.”
- “Bill No. 31 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dovercourt Road.”
- “Bill No. 32 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Millbank Avenue.”
- “Bill No. 33 To amend the former City of Toronto Municipal Code Ch. 315, Street Vending, to included the area on the east side of Walter Street, 5.2 metres north of Kingston Road (East Toronto) as a designated area for street vending permits.”
- “Bill No. 36 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for works and emergency services.”
- “Bill No. 37 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for planning and urban development.”
- “Bill No. 38 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for community and neighbourhood services.”
- “Bill No. 39 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for corporate services.”
- “Bill No. 30 To amend the former City of Toronto Municipal Code Ch. 20, Business Improvement Areas, to make changes to the size and quorum for certain Boards of Management and to make changes to ward names.”
- “Bill No. 35 To provide for the execution of documents on behalf of the City of Toronto.”,

which was carried.

Upon the question, "Shall these bills, prepared for this meeting of Council, be passed and hereby declared as By-laws?, as follows:

- | | |
|---------------------|--|
| "By-law No. 22-1998 | To amend further By-law No. 20-85, a by-law 'Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area', being a by-law of the former Municipality of Metropolitan Toronto." |
| "By-law No. 23-1998 | To Govern Proceedings of the Council and the Committees thereof." |
| "By-law No. 24-1998 | To appoint a Deputy Mayor." |
| "By-law No. 25-1998 | To appoint a Budget Chair." |
| "By-law No. 26-1998 | To amend Zoning By-law No. 12466 of the former City of Scarborough with respect to the L'Amoreaux Community." |
| "By-law No. 27-1998 | A By-law respecting the size of the Board of Health for the City of Toronto Health Unit and the term of office of Board members." |
| "By-law No. 28-1998 | A By-law respecting the 'Toronto Parking Authority'." |
| "By-law No. 29-1998 | To appoint and delineate certain duties and responsibilities of the City Solicitor for the City of Toronto." |
| "By-law No. 30-1998 | To appoint and delineate certain duties and responsibilities of the City Auditor for the City of Toronto." |
| "By-law No. 31-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dovercourt Road." |
| "By-law No. 32-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Millbank Avenue." |
| "By-law No. 33-1998 | To amend the former City of Toronto Municipal Code Ch. 315, Street Vending, to included the area on the east side of Walter Street, 5.2 metres north of Kingston Road (East Toronto) as a designated area for street vending permits." |

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- “By-law No. 34-1998 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for works and emergency services.”
- “By-law No. 35-1998 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for planning and urban development.”
- “By-law No. 36-1998 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for community and neighbourhood services.”
- “By-law No. 37-1998 To appoint and delineate certain duties and responsibilities of the Commissioner responsible for corporate services.”
- “By-law No. 38-1998 To amend the former City of Toronto Municipal Code Ch. 20, Business Improvement Areas, to make changes to the size and quorum for certain Boards of Management and to make changes to ward names.”
- “By-law No. 39-1998 To provide for the execution of documents on behalf of the City of Toronto.”,

it was carried.

- 188 Councillor Li Preti moved that the absence of Councillor Kinahan from this meeting of Council be excused, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Sinclair, Walker - 40.

Nays: Councillors: Faubert, Kelly - 2.

Decided in the affirmative by a majority of 38.

Earlier in the meeting, the City Clerk advised that Councillor Kinahan would be absent from this Council meeting. (See Minute No. 99)

- 189 Councillor McConnell, seconded by Councillor Layton, moved that leave be granted to introduce:

“Bill No. 40 To confirm the last portion of the proceedings of the Council at its Meeting held on the 4th, 5th and 6th days of February, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 40-1998 To confirm the last portion of the proceedings of the Council at its meeting held on the 4th, 5th and 6th days of February, 1998.”,

the vote upon which was as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 40.

Nays: Nil.

Decided in the affirmative, without dissent.

Upon the question, “Shall Council now adjourn?”, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Giansante, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Moscoe, Nunziata, O’Brien, Ootes, Rae, Shaw, Silva, Sinclair, Walker - 36.

Nays: Nil.

Decided in the affirmative, without dissent.

Council adjourned at 1:05 a.m.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

Attachment No. 1

(Report dated February 3, 1998, from the Commissioner of Urban Development Services, entitled “City Planning Response to a Four-Storey Replacement House Proposal for 225 Ellis Avenue (High Park)”)

Purpose:

To describe the owner’s proposal for a very large house at 225 Ellis Avenue and recommend that Council oppose height variances before the Ontario Municipal Board (OMB) at a February 16, 1998 hearing.

Source of Funds:

Not applicable (existing authority for outside Counsel).

Recommendations:

It is recommended that:

- (1) planning staff be requested to appear at the February 16, 1998 OMB hearing to give evidence in opposition to the 12.75 metre height of the replacement house proposed for 225 Ellis Avenue; and
- (2) the City Solicitor advise the OMB that Council would support a replacement house at 225 Ellis Avenue with a height as close as possible to the 9.7 metre height of the existing building and with appropriate landscaping between the house and Grenadier Pond.

Background:

Council’s 1995 “non-approval” of a seven-lot subdivision at 227 Ellis Avenue, a site that overlooks Grenadier Pond and the west side of High Park, was appealed to the OMB, which subsequently approved a six-lot subdivision (five new houses). Council’s appeal of the OMB decision has not yet been decided by the Courts.

During the OMB hearing the applicant also submitted a proposal for the existing house at 225 Ellis Avenue, which he had subsequently acquired and which is located downslope from the Board-approved subdivision building sites, much closer to Grenadier Pond.

In its decision on the subdivision, the OMB also indicated that the height of the house proposed for the 225 Ellis Avenue site seemed excessive, but that the Board could deal with variances for that proposal, after other required Committee of Adjustment approvals were obtained. The Committee of Adjustment has adjourned these matters.

The proposal for the house, is now back before the Board in a hearing scheduled for February 16, 1998.

A public meeting called by the Ward Councillor to discuss the proposal raised many concerns.

Comments:

Planning staff had supported the original seven-lot subdivision with many conditions including foot prints for the new houses which were upslope from the shoreline, landscaping and environmental safeguards, and a height limit of 10 metres.

Planning staff also recommended (and Council adopted) new Official Plan policies to protect public views from High Park of the entire west shoreline of Grenadier Pond, including the lands at 225 and 227 Ellis Avenue.

I believe that the upslope development approved by the Board would meet these important new policies. However, the location of the proposed 225 Ellis Avenue house (so near the shoreline) together with its excessive height (17-18 metres facing the Pond) means that this proposal cannot comply with the new policies and should be opposed.

Contact Name:

Barry Brooks

Tel: (416) 392-0758, Fax: (416) 392-1330, E-Mail: bbrooks@city.toronto.on.ca.)

(A copy of the two location plans and the building sketch, which were attached to the foregoing report, is on file in the office of the City Clerk.)

Attachment No. 2

(Report dated January 27, 1998, from the Managing Director,
Toronto Historical Board, entitled "Demolition Application Under
Section 34 of the Ontario Heritage Act - 888 Yonge Street (Masonic Hall)")

Purpose:

This report recommends that the application to demolish the building historically known as the Masonic Hall, 888 Yonge Street, be refused.

Funding Sources, Financial Implications and Impact Statement:

Not applicable.

Recommendations:

It is recommended that:

- (1) City Council adopt the report of the Managing Director, Toronto Historical Board, recommending refusal of the application made under Section 34 of the Ontario Heritage Act by the owner of the property at 888 Yonge Street; and
- (2) the City Clerk provide notice of Council's decision to the owner and the Ontario Heritage Foundation as required by the Ontario Heritage Act.

Council Reference/Background/History:

The property known as 888 Yonge Street, the Masonic Hall, was included on the City's Inventory of Heritage Properties on March 15, 1975, and is designated under Part IV of the Ontario Heritage Act by By-law No. 1997-0668, passed by the former City of Toronto council on December 8, 1997.

On January 23, 1998 the Toronto Historical Board received a letter from McCarthy Tetrault, Barristers and Solicitors representing 888 Corporation, the owners of the property at 888 Yonge Street, advising us that on November 21, 1997 they had made an application to demolish the building. Both letters are attached for your information. In accordance with Section 34 of the Act, City Council shall consult with its Local Architectural Conservation Advisory Committee (LACAC) and respond to the applicant within 90 days of receipt of an application. In spite of not having acknowledged receipt of an application, the City Solicitor has determined that the 90 day response period began on November 21, 1997. Therefore, this report is being sent directly to City Council.

Comments and/or Discussion and/or Justification:

On January 22, 1998 we received a copy of an Amendment to Official Plan and Zoning Application No. 198001 from Urban Development Services. The applicant proposes to incorporate the two main facades of the historic building into the new 19-storey residential building; five levels of parking are proposed to be placed within the walls of the historic building.

Conclusions:

According to the applicant's letter of November 21, 1997, the initial proposal to retain the facades was unacceptable to city staff due to its proposed height. That letter states "In order to accommodate a building form that is more acceptable to city staff, our client must demolish the existing building." Heritage Toronto staff believe that the retention of the facades is one viable approach to preserving the heritage characteristics of the exterior of the building. The details of such a proposal need further exploration with the developer and Urban Development Services. We do not believe that agreeing to the demolition is appropriate. In the event this development does not proceed, it is imperative that this historic landmark be preserved for other future uses.

Contact Name and Telephone Number:

Mr. John Blumenson, Manager, Preservation Review, Historical Preservation Division,
Toronto Historical Board, Tel: 392-6827, ext. 242, Fax: 392-6834).

(A copy of the communications from McCarthy Tetrault, Barristers and Solicitors, referred to in the foregoing report, is on file in the office of the City Clerk.)