

Appendix A

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

**WEDNESDAY, MARCH 4, 1998**

The 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.

202 Members present at the 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, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

203 Councillor Jakobek, seconded by Councillor Rae, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mr. Dean Ott, on Friday, January 30, 1998; and

**WHEREAS**, although Mr. Ott began his career in the scenery shop at the Sunshine Theatre in British Columbia, his career continued as Shop Supervisor at JV Theatre Productions to Stage Carpenter at Theatre Calgary, and Technical Director at Alberta Theatre Projects and Project Manager of F&D Scene Changes in Calgary; and

**WHEREAS** in 1990, Mr. Ott became the Production Manager at The Canadian Stage Company, was later appointed the Associate Producer and Director of Production, and in 1996 was appointed as General Manager of the Young People’s Theatre; and

**WHEREAS** Mr. Ott, in his selfless manner, mentored the careers of scores of theatre technicians, and his immense compassion and positive influence will be missed;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, an expression of sincere sympathy to Mrs. Ott and the Ott family, and that leave be granted to introduce this Resolution in accordance with the provisions of Section 27 of the Council Procedural By-law.”

Councillor Rae, seconded by Councillor Mihevc, moved that:

“**WHEREAS**, the Members of City Council are deeply saddened to learn of the sudden passing of Carle Falle on February 24, 1998; and

**WHEREAS** Carle was a dedicated member of the Board of Health AIDS Sub-Committee from 1994 to 1996; and

**WHEREAS** his work with People Living With AIDS began in 1986 with the AIDS Committee of Toronto, where he formed one of the first Care Partners groups that became a prototype for supporting friends, partners and families of People Living with AIDS; and

**WHEREAS** Carle was born in Montreal in 1944, and moved to Toronto in 1966, when hired by Shell Canada where he worked for 27 years. An active and openly gay man, Carle, like many of us, got involved in building the gay community as a result of the Bath Raids in February, 1981; and

**WHEREAS** he decided to focus his activism on AIDS-related issues in the mid-eighties. He got involved at ACT which culminated in his holding several positions on the board and finally the Chair from 1993 to 1994;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of City Council, an expression of sincere sorrow to Carle’s mother Kathleen, and that leave be granted to introduce this Motion in accordance with the provisions of Section 27 of the Council Procedural By-law.”

Leave to introduce the foregoing Motions was granted and the Motions were carried unanimously.

Council rose and observed a moment of silence in memory of the late Messrs. Ott and Falle.

204 Councillor Cho, seconded by Councillor Lindsay Luby, moved that the Minutes of the Council Meeting held on the 2nd, 6th, 8th and 9th days of January, 1998, be confirmed in the form supplied to the Members, which was carried.

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

- 205 From the Commissioner of Community and Neighbourhood Services (February 16, 1998) reporting, as requested by the Community and Neighbourhood Services Committee, on the nomination of staff representatives to the Toronto District Health Council, and recommending that the Commissioner of Community and Neighbourhood Services and the Executive Director of Social Development be nominated as the City's staff representatives to the District Health Council.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 691.)

- 206 From the City Clerk (February 23, 1998) advising that the Striking Committee on February 23, 1998, recommended to Council that the Mayor of Toronto be requested to write to the Toronto District Health Council advising that:
- (i) City Council at its meeting held on January 2, 6, 8 and 9, 1998, appointed Councillor Joan King as the City's nominee as a Member of the City of Toronto Council on the Toronto District Health Council; and
  - (ii) City Council does not wish to nominate two candidates for this position.

The foregoing communication was considered with Clause No. 1 of Report No. 2 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 691.)

- 207 From the Chief Financial Officer and Treasurer (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on the feasibility of purchasing carbon monoxide detectors on a bulk basis, and advising that bulk purchase of carbon monoxide detectors can be accomplished using the normal competitive bidding process.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 810. )

- 208 From the Interim Functional Lead - Building (February 16, 1998) reporting, as requested by the Urban Environment and Development Committee, on a regulatory framework to improve the health and safety of occupants of existing buildings; and recommending that the Province of Ontario be requested to enact legislation, under the Ontario Building Code Act, to regulate minimum health and life safety matters in existing buildings.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 810.)

- 209 From the Fire Chief (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on a number of initiatives currently being undertaken by the Fire Department to promote the installation of carbon monoxide detectors.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 810.)

- 210 From the City Solicitor (February 25, 1998) submitting, as requested by the Urban Environment and Development Committee, a draft by-law requiring the installation of carbon monoxide detectors in residential units.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 810.)

- 211 From the Chief Administrative Officer (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on a public communication plan respecting carbon monoxide poisoning, the criteria for determining "needy" recipients of carbon monoxide detectors, and the potential number of such households; and submitting recommendations in this regard.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 810.)

- 212 From the Chair, Citizens for the Retention of the East Gardiner Expressway (C.R.E.G.E.) (February 23, 1998) expressing opposition to the dismantling of the eastern section of the Gardiner Expressway from the Don River to Leslie Street and submitting comments in this regard.

The foregoing communication was considered with Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 838.)

- 213 From the Commissioner of Development Services, York Civic Service Centre (February 25, 1998) providing additional information respecting Application No. OZ97-004 regarding a zoning by-law amendment and advising that a development agreement has been executed by the owner of the lands and a financial security to guarantee landscape works, as required by the agreement, has been deposited with the City.

The foregoing report was considered with Clause No. 5 of Report No. 2 of The York Community Council. (See Appendix "A", page 1557.)

- 214 From the President of Operations, Harbour Remediation & Transfer Inc. (HR&T) (February 18, 1998) regarding the biosolids demonstration project and seeking permission to commence testing of new scrubbers and other control equipment.

The foregoing communication was considered with Clause No. 1 of Report No. 2 of The Works and Utilities Committee. (See Appendix "A", page 913.)

- 215 From the City Solicitor (February 24, 1998) providing, as requested by City Council at its Special Meeting held on February 12, 1998, information and advice on:
- (a) the taxation provisions of the Education Act, and the City of Toronto's duties thereunder; and
  - (b) the potential for the City launching a legal challenge to the higher tax rates for school board purposes set by the Province for business properties located in the City of Toronto as compared to the tax rate set for business properties located in other municipalities.

The foregoing report was considered with Clause No. 16 of Report No. 3 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 1059.)

- 216 From the City Clerk (February 26, 1998) submitting, for information, a list of candidates who failed to file their Financial Statement or Financial Statement and Auditor's Report by February 2, 1998, as required under the Municipal Elections Act.

The foregoing report was noted and filed.

- 217 From the Interim Functional Lead, Transportation (February 25, 1998) providing, as requested by the Urban Environment and Development Committee, additional information regarding the F.G. Gardiner Expressway East Dismantling Project, i.e. rehabilitation costs, details of emergency repairs, and details and costs of potential at-grade modifications if the Expressway is not dismantled.

The foregoing report was considered with Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 838.)

- 218 From the following individuals in opposition to the F.G. Gardiner Expressway East Dismantling Project:
- Mr. M. Comstock, Chair, St. Lawrence Neighbourhood Business Improvement Area (February 25, 1998);
  - Mr. D. Ophek, B.Sc., Toronto Bay Group (February 25, 1998);
  - Ms. S. Comstock, Toronto, Ontario (February 26, 1998);
  - Mr. William Dale, Toronto, Ontario (February 27, 1998); and
  - Mr. T. De Silva, Scarborough, Ontario (February 28, 1998).

The foregoing communications were considered with Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 838.)

- 219 From the City Clerk (February 27, 1998) submitting the recommendations of the Road Allowance Sub-Committee from its meeting held on February 27, 1998, with respect to vending on major arterial roads (former Metropolitan Toronto Roads).

The foregoing communication was considered with Clause No. 3 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 860.)

- 220 From Mr. A. Eskandari, Toronto, Ontario (March 1, 1998) submitting comments regarding the allocation of vending sites and suggesting that all vendors at all locations be treated in the same manner; and enclosing a letter signed by two individuals in support of Mr. Eskandari remaining at his current vending location.

The foregoing communication was considered with Clause No. 3 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 860.)

- 221 From Councillor O. Chow, Children's Advocate (February 25, 1998) reporting, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, on an outline of the draft terms of reference for the Children's Action Committee, and recommending that the terms of reference for the Children's Action Committee be approved.

The foregoing communication was considered with Clause No. 2 of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 1601.)

- 222 From the City Clerk (February 26, 1998) advising that the Board of Health on February 23, 1998, endorsed the Striking Committee's nomination of Councillor Joan King as City Council's representative to the Toronto District Health Council; further advising that the Board also forwarded the name of Councillor Michael Prue as the Board's candidate, in the event that the Toronto District Health Council required additional nominations; and indicating that the Board may reconsider forwarding the name of a second candidate once the structure and citizen representation on the Board of Health had been finalized.

The foregoing communication was considered with Clause No. 1 of Report No. 2 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 691.)

- 223 Ms. K. Shinn, Chair, The Safe Sewage Committee (February 26, 1998) providing information regarding the new Sludge Application Regulations (SARS).

The foregoing communication was considered with Clause No. 1 of Report No. 2 of The Works and Utilities Committee. (See Appendix "A", page 913.)

- 224 From Mr. R. Gold, Toronto (February 15, 1998) expressing opposition to the requests for refund made by the organizers of the Beaches Jazz Festival.

The foregoing communication was considered with Clause No. 26 of Report No. 2 of The Toronto Community Council. (See Appendix "A", page 1372.)

- 225 From Mr. D. Underhill, et al (February 16, 1998) expressing support for the approval of a curb cut for 53 Walmer Road.

The foregoing communication was considered with Clause No. 45 of Report No. 2 of The Toronto Community Council. (See Appendix "A", page 1420.)

- 226 From A.A. Kurtesi, Toronto (February 19, 1998) commenting on the proposed Official Plan Amendment and Zoning By-law pertaining to 1101 Dupont Street.

The foregoing communication was considered with Clause No. 2 of Report No. 2 of The Toronto Community Council. (See Appendix "A", page 1306.)

- 227 From Mr. N. T. Macos, Barrister and Solicitor (February 18, 1998) on behalf of 1227803 Ontario Limited, providing additional information regarding his client's application for curb lane vending zone privileges on Cherry Street, 44.5 metres south of Commissioners Street.

The foregoing communication was considered with Clause No. 6 of Report No. 2 of The Toronto Community Council. (See Appendix "A" page 1336.)

- 228 From the City Clerk (February 16, 1998) submitting the recommendation of the Urban Environment and Development Committee that Councillor Pam McConnell be appointed as the representative of the Urban Environment and Development Committee to the Task Force on an Access and Equity Plan, Race Relations, Disability and Human Rights.

The foregoing communication was considered with Clause No. 6 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 1684.)

- 229 From Mr. N. Loberg, Vice President, Corporate Affairs, Consumers Gas (March 3, 1998) addressed to Councillor Joe Pantalone, submitting comments regarding the proposal to regulate carbon monoxide detectors.

The foregoing communication was considered with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee. (See Appendix "A", page 810.)

- 230 From the City Clerk (March 2, 1998) submitting further recommendations from the Works and Utilities Committee regarding the extension of Contract No. 50130 for the provision of bulk lift garbage and recycling collection services for the Toronto and York Community Council areas.

The foregoing communication was considered with Clause No. 3 of Report No. 2 of The Works and Utilities Committee. (See Appendix "A", page 923.)

- 231 From the City Solicitor (March 3, 1998) reporting, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, on several proposed amendments to the Council Procedural By-law, including amendments respecting the functions of Community Councils.

The foregoing report was considered with Clause No. 2 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 1648.)

- 232 Confidential report from the City Solicitor (March 3, 1998) regarding waste management facilities proposed for the Dufferin Transfer Station Site.

The foregoing report was considered with Clause No. 5 of Report No. 2 of The Works and Utilities Committee. (See Appendix "A", page 940.)

- 233 From Miss J. Beecroft, President, The Rousseau Project (March 2, 1998) submitting background material regarding the Rousseau Project; its efforts to preserve the 8 South Kingsway (High Park) Site; and asking City Council for its fullest support in saving the site of the City's founding, and to consider long-range planning for the future of the site as a millennium project.

The foregoing communication was considered with Clause No. 53 of Report No. 2 of The Toronto Community Council. (See Appendix "A", page 1476.)

- 234 From the following individuals submitting comments regarding the Toronto 2008 Olympic Bid:
- Mr. B. Grace, B & G Casting Associates (February 26, 1998); and
  - Ms. L. Corbett, Executive Director, Toronto Environmental Alliance (March 3, 1998).

The foregoing communications were considered with Clause No. 1 of Report No. 3 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 948.)

- 235 From the Commissioner of Works and Emergency Services (March 2, 1998) providing additional information with respect to the beneficial use of biosolids and odour containment and termination of incineration at the Main Treatment Plant.

The foregoing report was considered with Clause No. 1 of Report No. 2 of The Works and Utilities Committee. (See Appendix "A", page 913.)



- 236 From the Chief Administrative Officer (March 3, 1998) responding, as requested by the Strategic Policies and Priorities Committee, to motions and submissions regarding the Toronto 2008 Olympic Bid and submitting additional recommendations with regard thereto.

The foregoing report was considered with Clause No. 1 of Report No. 3 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 948.)

- 237 From the Commissioner of Corporate Services (February 27, 1998) reporting, as requested by the Budget Committee, on the merits of leasing versus purchasing desktop hardware.

The foregoing report was considered with Clause No. 10 of Report No. 3 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 1027.)

- 238 Confidential report from the Commissioner of Corporate Services (February 27, 1998) as requested by the Corporate Services Committee, regarding 110 Lombard Street.

The foregoing report was considered with Clause No. 5 of Report No. 2 of The Corporate Services Committee. (See Appendix "A", page 751.)

At this point in the proceedings, the City Clerk advised that there were no petitions.

- 239 At this point in the proceedings, the City Clerk reported that the following enquiry, dated February 23, 1998, from Councillor Michael Walker, addressed to Mayor Lastman, had been made in accordance with Section 55 of the Council Procedural By-law:

"Are you now or have you ever been in discussions with Maple Leaf Gardens concerning the City's interest in the Union Station lands?"

With whom were you in discussion with? What was the nature of the discussions? When did the discussions commence? Were any City staff involved in any of these discussions?

Since you have not been to City Council for approval on this issue, under what legal authority have you been acting?"

The City Clerk further reported that an answer to the foregoing enquiry had been received from Mayor Lastman and had been circulated to all Members of Council.

At this point in the proceedings, Councillor Walker, with the permission of Council, proposed that Council defer consideration of the foregoing enquiry and answer until later in the meeting.

Council concurred in the foregoing proposal.

Council deferred further consideration of the foregoing enquiry and answer until later in the meeting. (See Minute No. 292.)

240 Councillor Bossons presented the following Reports for consideration by Council:

Report No. 2 of The Community and Neighbourhood Services Committee,  
Report No. 2 of The Corporate Services Committee,  
Report No. 2 of The Emergency and Protective Services Committee,  
Report No. 2 of The Urban Environment and Development Committee,  
Report No. 2 of The Works and Utilities Committee,  
Report No. 3 of The Strategic Policies and Priorities Committee,  
Report No. 2 of The East York Community Council,  
Report No. 2 of The Etobicoke Community Council,  
Report No. 2 of The North York Community Council,  
Report No. 2 of The Scarborough Community Council,  
Report No. 2 of The Toronto Community Council,  
Report No. 2 of The York Community Council,  
Report No. 3 of The Board of Health,  
Report No. 2 of The Special Committee to Review the Final Report  
of the Toronto Transition Team, and  
Report No. 2 of The Striking Committee,

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

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

Report No 4 of The Board of Health, and  
Report No. 3 of The Special Committee to Review the Final Report  
of the Toronto Transition Team,

and moved, seconded by Councillor Bussin, that the provisions of Section 44 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 present having voted in the affirmative.

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 Adams declared his interest in Clause No. 8 of Report No. 2 of The Toronto Community Council, headed "Maintenance of a Wooden Fence - 745 Markham Street (Midtown)", insofar as it pertains to Part (4) of the Recommendation of the Toronto

Community Council, in that he and his wife own a house on a corner property for which they have an encroachment agreement for a fence on municipal property.

Councillor Balkissoon declared his interest in Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed "Contract No. T-27-98: Don Mills Road Bridge Over CN Rail and Don River, South of Overlea Boulevard--Structure Rehabilitation"; in Item (d), headed "Bell Canada Telephone Booth Advertising", embodied in Clause No. 15 of said Report, headed "Other Items Considered by Committee"; in Item (i), headed "Agreement with Bell Canada with respect to Commercial Advertising on Telephone Booths", embodied in Clause No. 10 of Report No. 2 of The East York Community Council, headed "Other Items Considered by the Community Council"; in Item (w), headed "Bell Canada Telephone Booth Advertising", embodied in Clause No. 14 of Report No. 2 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council"; and in Item (z), headed "Bell Canada Telephone Booth Advertising", embodied in Clause No. 7 of Report No. 2 of The York Community Council, headed "Other Items Considered by the Community Council", in that he is on a leave of absence from Bell Canada.

Councillor Giansante declared his interest in Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed "Contract No. T-27-98: Don Mills Road Bridge Over CN Rail and Don River, South of Overlea Boulevard--Structure Rehabilitation"; in Item (d), headed "Bell Canada Telephone Booth Advertising", embodied in Clause No. 15 of said Report, headed "Other Items Considered by Committee"; in Item (i), headed "Agreement with Bell Canada with respect to Commercial Advertising on Telephone Booths", embodied in Clause No. 10 of Report No. 2 of The East York Community Council, headed "Other Items Considered by the Community Council"; in Item (w), headed "Bell Canada Telephone Booth Advertising", embodied in Clause No. 14 of Report No. 2 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council"; and in Item (z), headed "Bell Canada Telephone Booth Advertising", embodied in Clause No. 7 of Report No. 2 of The York Community Council, headed "Other Items Considered by the Community Council", in that his wife is an employee of Bell Canada.

Councillor Flint declared her interest in Clause No. 7 of Report No. 2 of The Community and Neighbourhood Services Committee, headed "Amendment to Licence Agreement - St. Andrew-by-the-Lake Church (Centre Island)", in that her husband is employed by the Incorporated Synod of the Diocese of Toronto.

Mayor Lastman declared his interest in Clause No. 6 of Report No. 2 of The Corporate Services Committee, headed "410 Queens Quay West and Permanent Office Accommodation for Harbourfront Corporation (1990) in an Addition to York Quay Centre (Ward 24 - Downtown)", in that his wife owns a condominium unit in close proximity to 410 Queens Quay West.

Councillor Mammoliti declared his interest in Item (a), entitled "Briefing on Housing Issues", and in Item (d), entitled "Metropolitan Toronto Housing Authority", embodied in Clause No. 8 of Report No. 2 of The Community and Neighbourhood Services Committee, headed "Other Items Considered by the Committee", in that he is technically employed by the Metropolitan Toronto Housing Authority.

Councillor Minnan-Wong declared his interest in Clause No. 2 of Report No. 2 of The Community and Neighbourhood Services Committee, headed "Immigration Legislative Review", in that he is a practising lawyer whose practice includes immigration law.

Councillor Pantalone declared his interest in Clause No. 4 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Seniors Property Tax Credit", in that his father has been a recipient of the \$100.00 Seniors Property Tax Credit.

Councillor Shiner declared his interest in Item (h), entitled "Preliminary Report for Official Plan and Zoning By-law Amendment No. 197025 to Permit the Conversion of the 10 Storey Industrial Building at 720 King Street West to Commercial, Light Industrial and Live/Work Units (Trinity/Niagara)," embodied in foregoing Clause No. 61 of Report No. 2 of The Toronto Community Council, headed "Other Items Considered by the Community Council", in that his family owns property in the area.

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. 2 of The Community and Neighbourhood Services Committee (with the exception of Clauses Nos. 1, 2, 3, 4 and 5), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Corporate Services Committee (with the exception of Clauses Nos. 1, 3, 4, 5, 6, 8, 9, 10, 11 and 15), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Emergency and Protective Services Committee (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Urban Environment and Development Committee (with the exception of Clauses Nos. 1, 2, 3, 4, 13, 14 and 15), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Works and Utilities Committee (with the exception of Clauses Nos. 1, 2, 3 and 5), without amendment, it was carried.

Upon the question of the adoption of Report No. 3 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 1, 2, 3, 4, 5, 7, 9, 10, 14, 15 and 16), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The East York Community Council (with the exception of Clauses Nos. 2 and 10), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Etobicoke Community Council (with the exception of Clauses Nos. 6, 7 and 12), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The North York Community Council (with the exception of Clauses Nos. 1, 3, 10 and 30), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Scarborough Community Council (with the exception of Clause No. 16), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Toronto Community Council (with the exception of Clauses Nos. 1, 11, 21, 24, 46, 47 and 53), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The York Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 3 of The Board of Health (with the exception of Clause No. 2), without amendment, it was carried.

Upon the question of the adoption of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, it was held in its entirety.

Upon the question of the adoption of Report No. 2 of The Striking Committee (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, it was held in its entirety.

Upon the question of the adoption of Report No. 4 of The Board of Health, consisting of one Clause only, without amendment, it was carried.

- 241 **Clause No. 9 of Report No. 2 of The Corporate Services Committee, headed “Expropriation of Property Interests, Sheppard Subway, Yonge, Bayview and Bessarion Stations”.**  
(See Appendix “A”, page 769.)

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

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

- 242 **Clause No. 10 of Report No. 2 of The Corporate Services Committee, headed “Expropriation of Land, Sheppard Subway, Dr. Samir Barsoum, 573 Sheppard Avenue East”.**

(See Appendix “A”, page 774.)

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

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

- 243 **Clause No. 15 of Report No. 2 of The Corporate Services Committee, headed “Parkland Dedication Requirement, 800 Sheppard Avenue East, Permit No. B-97-04797, File No. 97-036-02 FA57 (North York Spadina - Ward 8)”.**

(See Appendix “A”, page 787.)

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

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

- 244 At this point in the proceedings, Councillor Walker, with the permission of Council, requested the City Clerk to include a location map in any Clauses of the Reports of the Standing Committees and Community Councils pertaining to the installation of traffic control signals, if available.

The City Clerk concurred in the foregoing request.

- 245 **Clause No. 24 of Report No. 2 of The Toronto Community Council, headed “Property Assessment”.**

(See Appendix “A”, page 1365.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Miller, in amendment, moved that the foregoing Clause be received.

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

- 246 **Clause No. 53 of Report No. 2 of The Toronto Community Council, headed “Ontario Municipal Board Hearing - 8 South Kingsway (High Park)”.**

(See Appendix “A”, page 1476.)

Council also had before it, during consideration of the foregoing Clause, a communication (March 2, 1998) from Miss J. Beecroft, President, The Rousseau Project, submitting

background material regarding the Rousseau Project; its efforts to preserve the 8 South Kingsway (High Park) Site; and asking City Council for its fullest support in saving the site of the City's founding, and to consider long-range planning for the future of the site as a millennium project.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Miller, seconded by Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

‘**WHEREAS** the Toronto Community Council has recommended, inter alia, that Site Plan Approval Application No. 396100 and Application No. 096178 for consent under the former City of Toronto Municipal Code, Chapter 276, Ravines, Article I, for a proposed Gas Bar, Car Wash and Retail Store to be located at 8 South Kingsway, be refused and that the City Solicitor be authorized to attend the Ontario Municipal Board hearing set for March 17, 1998, in opposition to the Committee of Adjustment Decision; and

**WHEREAS** the solicitor for the applicant, Petro Canada, has delivered a revised site plan to the City Solicitor under cover of letter dated March 2, 1998, as a possible alternative plan to be presented by Petro Canada at the March 17, 1998 hearing; and

**WHEREAS** City Council has not had adequate opportunity to consider the revised site plan;

**NOW THEREFORE BE IT RESOLVED THAT:**

(1) the recommendations of the Toronto Community Council be amended by the addition of the following recommendation:

“(6) in the event Petro Canada requests the Ontario Municipal Board to consider, at the hearing set for March 17, 1998, the revised site plan delivered to the City Solicitor on March 2, 1998, and any associated variances, the City Solicitor advise the Board that the matter should be deferred to allow City Council adequate opportunity to consider the revised site plan and associated variances;” and

(2) the recommendations of the Toronto Community Council, as contained in Clause No. 53 of Report No. 2, be adopted, as so amended.’ ”

Upon the question of the adoption of the foregoing motion by Councillor Miller, seconded by Councillor Korwin-Kuczynski, it was carried.

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

At this point in the proceedings, Councillor Moscoe, with the permission of Council, moved that Council vary the order of its proceedings to consider the following Clauses, prior to the 6:30 p.m. recess today:

- (a) Clause No. 5 of Report No. 2 of The Works and Utilities Committee, headed “Waste Management Facilities Proposed for Dufferin Transfer Station Site”;
- (b) Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee, headed “Installation of Carbon Monoxide Detectors”; and
- (c) Clause No. 3 of Report No. 2 of The Urban Environment and Development Committee, headed “Vending on Major Arterial Roads (Former Metro Roads)”;

which was carried.

At this point in the proceedings, Councillor Miller, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 2 of Report No. 2 of The Community and Neighbourhood Services Committee, headed “Immigration Legislative Review”, prior to the 12:30 p.m. recess today, which was carried.

- 247 At this point in the proceedings, Councillor Johnston, seconded by Councillor Faubert, moved that Council vary the order of its proceedings to now consider the following Notice of Motion 11(g) 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 present having voted in the affirmative:

**Moved by: Councillor Johnston**

**Seconded by: Councillor Faubert**

“**WHEREAS** at its meeting on February 25, 1998, the Board of Directors of the Hummingbird Centre for the Performing Arts received, with regret, a letter of resignation from Mr. Shan Chandrasekar, a community representative on the Board; and

**WHEREAS** Council has previously invited the Board to exercise its special skill and knowledge in requesting the Board to bring forward, for Council's consideration a proposed nomination and election process, as contemplated in the Business Plan, for the future appointment of Board members; and

**WHEREAS** the Nominating Sub-Committee of the Board is in the midst of preparing such nomination and election process; and

**WHEREAS** during such preparation the Nominating Sub-Committee has identified candidates with the prerequisite skills; and



**WHEREAS** Mr. Fred Sorkin meets the nominating criteria established by City Council (i.e., he is over 18 years of age, resides in the City of Toronto, and is a Canadian citizen), is next in line to be recommended for appointment and is the Founder, President and Chief Executive Officer of Hummingbird Communications Limited; and

**WHEREAS** it is a matter of urgency that the vacancy be filled; and

**WHEREAS** it could take several months to fill this vacancy through Council's Nominating Committee process;

**NOW THEREFORE BE IT RESOLVED THAT** the provisions of the appointment policies and procedures of citizen appointees to City of Toronto Agencies, Boards and Commissions, as embodied in Clause No. 9 of Report No. 6 of The Management Committee, headed 'Appointment Policies and Procedures for Citizen Appointees to Metropolitan Toronto Agencies, Boards and Commissions', adopted, as amended, by Metropolitan Council on February 14 and 15, 1990, be waived, in order to give effect to the recommendations embodied in this Notice of Motion;

**AND BE IT FURTHER RESOLVED THAT** Council appoint Mr. Fred Sorkin as a community representative on the Board of Directors of the Hummingbird Centre for the Performing Arts to replace Mr. Shan Chandrasekar for the remainder of the term to expire on October 9, 1999, or until his successor is appointed;

**AND BE IT FURTHER RESOLVED THAT** Council extend its appreciation to Mr. Chandrasekar for his contribution to the City during his term of office on the Board of Directors of the Hummingbird Centre for the Performing Arts."

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

At this point in the proceedings, Councillor Layton, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee, headed "F.G. Gardiner Expressway East Dismantling Project", at 3:30 p.m. today, which was carried. (See Minute No. 256)

248 **Clause No. 2 of Report No. 2 of The Community and Neighbourhood Services Committee, headed "Immigration Legislative Review".**  
(See Appendix "A", page 696.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Kinahan, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (2) of the Community and Neighbourhood Services Committee the words "City of Toronto cease operating the services and programs provided to refugee

claimants”, and inserting in lieu thereof the words “the Commissioner of Community and Neighbourhood Services be requested to report back to the Committee at its first meeting in 1999”, so that such recommendation shall now read as follows:

- “(2) that Council set a time frame of no later than the end of 1998 by which time the Federal Government will be required to provide the \$75.00 per person per night subsidy, and if this time frame is not met the Commissioner of Community and Neighbourhood Services be requested to report back to the Committee at its first meeting in 1999;”.

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

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

- 249 **Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee, headed “Installation of Carbon Monoxide Detectors”.**  
(See Appendix “A”, page 810.)

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

- (i) from the Chief Financial Officer and Treasurer (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on the feasibility of purchasing carbon monoxide detectors on a bulk basis, and advising that bulk purchase of carbon monoxide detectors can be accomplished using the normal competitive bidding process;
- (ii) from the Interim Functional Lead - Building (February 16, 1998) reporting, as requested by the Urban Environment and Development Committee, on a regulatory framework to improve the health and safety of occupants of existing buildings and recommending that the Province of Ontario be requested to enact legislation, under the Ontario Building Code Act to regulate minimum health and life safety matters in existing buildings;
- (iii) from the Fire Chief (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on a number of initiatives currently being undertaken by the Fire Department to promote the installation of carbon monoxide detectors;
- (iv) from the City Solicitor (February 25, 1998) submitting, as requested by the Urban Environment and Development Committee, a draft by-law requiring the installation of carbon monoxide detectors in residential units;

- (v) from the Chief Administrative Officer (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on a public communication plan respecting carbon monoxide poisoning, the criteria for determining “needy” recipients of carbon monoxide detectors, and the potential number of such households; and submitting recommendations in this regard; and
- (vi) from Mr. N. Loberg, Vice President, Corporate Affairs, Consumers Gas (March 3, 1998) addressed to Councillor Joe Pantalone, submitting comments regarding the proposal to regulate carbon monoxide detectors.

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 adding thereto the following:

“It is further recommended that the City bulk purchase a minimum of 15,000 carbon monoxide detectors by competitive tender to be sold to the public on a cost-recovery basis through:

- (1) Environment Days;
- (2) fire halls;
- (3) libraries;
- (4) community centres;
- (5) ambulance stations; and
- (6) other municipal facilities.”

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

“It is further recommended that:

- (1) the joint report dated February 16, 1998, from the Interim Functional Lead (Building) and the Commissioner of Planning and Urban Development Services, embodying the following recommendation, be adopted:

‘It is recommended that the Province of Ontario be requested to enact legislation, under the Ontario Building Code Act to regulate minimum health and life safety matters in existing buildings.’;

- (2) the report dated February 25, 1998, from the City Solicitor, embodying the following recommendation, be adopted, subject to amending the effective date in Bill No. 57 from June 1, 1998, to November 1, 1998:

‘It is recommended that authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached.’; and

- (3) the joint report dated February 25, 1998, from the Chief Administrative Officer, the Commissioner of Works and Emergency Services and the Commissioner of Planning and Urban Development Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the draft “Communications Plan: Carbon Monoxide Detector Public Awareness Campaign”, attached as Appendix A to this report, be approved in principle;
  - (2) the cost for phase one of the Communications Plan in the amount of \$6,000.00 be reduced, if possible, through corporate sponsorship, with the balance to be provided for in the Urban Environment and Development 1998 Operating Budget;
  - (3) the cost for phase two of the Communications Plan in the amount of \$95,000.00, be supported through corporate sponsorship where possible;
  - (4) the Fire Services, in consultation with Corporate Communications, determine which items included in phase two of the Communications Plan and not supported through sponsorships can be accommodated within its 1998 Operating Budget;
  - (5) the information respecting “needy” recipients and the number of such households be received for information;
  - (6) the appropriate City of Toronto officials review the feasibility of purchasing carbon monoxide detectors in bulk, to offer for sale to all residents of the City of Toronto, with potential for a low monthly payment plan; and
  - (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”
- (c) Councillor Ashton, in amendment, moved that the foregoing motion (a) by Councillor Moscoe be referred to the Office of the Mayor for report thereon to the next regular meeting of City Council to be held on Thursday, April 16, 1998, through the Urban Environment and Development Committee.
- (d) Councillor Giansante, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the City Solicitor be requested to submit a report to the Urban Environment and Development Committee on whether or not the City can be held liable for selling the carbon monoxide detectors.”

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

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

Upon the question of the adoption of the foregoing motion (b) by Councillor Pantalone, 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 joint report dated February 16, 1998, from the Interim Functional Lead (Building) and the Commissioner of Planning and Urban Development Services, embodying the following recommendation, be adopted:

“It is recommended that the Province of Ontario be requested to enact legislation, under the Ontario Building Code Act to regulate minimum health and life safety matters in existing buildings.”;

- (b) the report dated February 25, 1998, from the City Solicitor, embodying the following recommendation, be adopted, subject to amending the effective date in Bill No. 57 from June 1, 1998, to November 1, 1998:

“It is recommended that authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached.”;

- (c) the joint report dated February 25, 1998, from the Chief Administrative Officer, the Commissioner of Works and Emergency Services and the Commissioner of Planning and Urban Development Services, embodying the following recommendations, be adopted:

“It is recommended that:

- (1) the draft Communications Plan: Carbon Monoxide Detector Public Awareness Campaign', attached as Appendix A to this report, be approved in principle;
  - (2) the cost for phase one of the Communications Plan in the amount of \$6,000.00 be reduced, if possible, through corporate sponsorship, with the balance to be provided for in the Urban Environment and Development 1998 Operating Budget;
  - (3) the cost for phase two of the Communications Plan in the amount of \$95,000.00, be supported through corporate sponsorship where possible;
  - (4) the Fire Services, in consultation with Corporate Communications, determine which items included in phase two of the Communications Plan and not supported through sponsorships can be accommodated within its 1998 Operating Budget;
  - (5) the information respecting 'needy' recipients and the number of such households be received for information;
  - (6) the appropriate City of Toronto officials review the feasibility of purchasing carbon monoxide detectors in bulk, to offer for sale to all residents of the City of Toronto, with potential for a low monthly payment plan; and
  - (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (d) the City Solicitor be requested to submit a report to the Urban Environment and Development Committee on whether or not the City can be held liable for selling the carbon monoxide detectors; and
- (e) the following motion be referred to the Office of the Mayor for report thereon to the next regular meeting of City Council to be held on Thursday, April 16, 1998, through the Urban Environment and Development Committee:

Moved by Councillor Moscoe:

“It is further recommended that the City bulk purchase a minimum of 15,000 carbon monoxide detectors by competitive tender to be sold to the public on a cost-recovery basis through:

- (1) Environment Days;
- (2) fire halls;
- (3) libraries;
- (4) community centres;
- (5) ambulance stations; and
- (6) other municipal facilities.” ’ ”,

it was carried.

250 **Clause No. 3 of Report No. 2 of The Urban Environment and Development Committee, headed “Vending on Major Arterial Roads (Former Metro Roads)”.**  
(See Appendix “A”, page 860.)

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

- (i) from the City Clerk (February 27, 1998) submitting the recommendations of the Road Allowance Sub-Committee from its meeting held on February 27, 1998, with respect to vending on major arterial roads (former Metropolitan Toronto Roads); and
- (ii) from A. Eskandari, Toronto, Ontario (March 1, 1998) submitting comments regarding the allocation of vending sites and suggesting that all vendors at all locations be treated in the same manner.

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 adding thereto the following:

“It is further recommended that:

- (1) the recommendations of the Road Allowance Sub-Committee embodied in the communication dated February 27, 1998, from the City Clerk, be adopted; and
  - (2) pending the submission of the report requested from the Interim Lead for Transportation, the fee for a vending permit related to the lottery be increased from \$1,500.00 to \$2,000.00, rather than \$1,500.00 to \$3,000.00 as proposed by the former Metropolitan Council for 1998.”
- (b) Councillor Balkissoon, in amendment, moved that:
    - (1) the foregoing Clause be struck out and referred back to the Urban Environment and Development Committee for further consideration in the

total perspective of all of the by-laws from the former area municipalities;  
and

- (2) the Urban Environment and Development Committee be requested to report back on one by-law for the City of Toronto and the selection of all locations in the City.”
- (c) Councillor Walker, in amendment, moved that Part (2) of the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto the following:

“and that the present policies of the municipalities be extended on a year-to-year basis until the Road Allowance Sub-Committee reports back to the Urban Environment and Development Committee, at which time deputations should be heard”.

- (d) Councillor Jakobek, in amendment, moved that the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto the following:

“It is further recommended that:

- (1) the Road Allowance Sub-Committee be requested to report back to the Urban Environment and Development Committee no later than September 1998;
- (2) all existing licences in the former area municipalities be continued on a month-to-month basis until such time as the new City-wide policy is in place, except those locations where there have been difficulties;
- (3) the Interim Functional Lead for Transportation be requested to submit a report to the Urban Environment and Development Committee, through the Road Allowance Sub-Committee, on those locations where difficulties have been identified; and
- (4) Councillors Balkissoon, Rae and Kelly be added to the membership of the Road Allowance Sub-Committee.”
- (e) Councillor Rae, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Interim Functional Lead for Transportation be requested, in addition to assigning enforcement staff as requested by the Committee, to consult with staff of 52 Division of the Toronto Police Service to determine which locations and new locations are unsafe and should not be added to the City of Toronto’s vending inventory.”



- (f) Councillor Giansante, in amendment, moved that the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto the following:

“It is further recommended that:

- (1) if a vendor does not get an assigned location on the first lottery, a mechanism be established to provide for a second lottery; and
- (2) the Road Allowance Sub-Committee be requested to address the issue of vending locations and permits for other types of vendors, i.e. flowers, tee-shirts, and comforters, and submit a report to the Urban Environment and Development Committee outlining recommendations to deal with these problems.”

At this point in the proceedings, Councillor Moscoe, with the permission of Council, withdrew Part (2) of his foregoing motion (a), viz.:

“It is further recommended that:

- (2) pending the submission of the report requested from the Interim Lead for Transportation, the fee for a vending permit related to the lottery be increased from \$1,500.00 to \$2,000.00, rather than \$1,500.00 to \$3,000.00 as proposed by the former Metropolitan Council for 1998.”

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

“It is further recommended that:

- (1) the Road Allowance Sub-Committee be requested to meet with its counterpart equivalents in the six Community Council areas and report to the Urban Environment and Development Committee, in a timely fashion, on a comprehensive City-wide approach; and
- (2) all motions, with the exception of the motion by Councillor Jakobek, and any amendments thereto, be referred to the expanded Road Allowance Sub-Committee as approved by Council.”

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

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

“It is further recommended that:

- (1) the following motion be referred to the Road Allowance Sub-Committee:

‘It is further recommended that any future policy include vendors on private lands who would not be paying the appropriate taxes for vending, and that these spots be included in the lottery.’; and

- (2) Councillor Mammoliti be added to the membership of the Road Allowance Sub-Committee.”

Councillor Mammoliti, having spoken to the matter for a period of five minutes, Councillor Berardinetti, seconded by Councillor Altobello, 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.

- (i) Councillor Feldman, in amendment, moved that the foregoing motion (b) by Councillor Balkissoon be amended to provide that the Road Allowance Sub-Committee also be requested to give consideration to the problem of vendors who successfully control multiple locations and establishing rules where vendors are only allowed one location rather than multiple locations.
- (j) Councillor Lindsay Luby, in amendment, moved that the foregoing motion (b) by Councillor Balkissoon be amended to provide that the Road Allowance Sub-Committee also be requested to review the safety issue, particularly along busy arterial roads, such as Eglinton Avenue; and that Eglinton Avenue West, between Scarlett Road and Highway 427, be part of the regulated area.
- (k) Councillor Berardinetti, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that Councillor Berardinetti be added to the membership of the Road Allowance Sub-Committee.”
- (l) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that Councillor Layton be added to the membership of the Road Allowance Sub-Committee.”
- (m) Councillor Chong, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that, pending the submission of the report requested from the Interim Functional Lead for Transportation, the fee for a vending permit related

to the lottery be increased from \$1,500.00 to \$2,000.00, rather than the \$1,500.00 to \$3,000.00 proposed for 1998 by the former Metropolitan Council.”

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 254.)

Mayor Lastman resumed the Chair.

- 251 At this point in the proceedings, Mayor Lastman, with the permission of Council, introduced Major General Roger Sheaffe (Mr. Martin Silva) and members of the Friends of Fort York, who presented the Mayor with a commission as Colonel of the Fort York Militia and commissioned each member of Council as a Captain of the Militia for their Ward, during the upcoming Fort York Festival to be held on May 16 and 17, 1998.

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

Council concurred in the foregoing proposal.

Council recessed at 12:25 p.m.

**2:13 P.M.**

Council reconvened.

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

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

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

- 253 At this point in the proceedings, Councillor Disero, with the permission of Council, introduced the students of City School, Davenport Ward, present at this meeting.

- 254 Council resumed its consideration of Clause No. 3 of Report No. 2 of The Urban Environment and Development Committee, headed “Vending on Major Arterial Roads (Former Metro Roads)”. (See also Minute No. 250)

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

“It is further recommended that Councillor Fotinos be added to the membership of the Road Allowance Sub-Committee.”

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 274.)

- 255 **Clause No. 1 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Toronto 2008 - The Olympic Bid”.**  
(See Appendix “A”, page 948.)

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

- (i) from the following individuals submitting comments regarding the Toronto 2008 Olympic Bid:
- Mr. B. Grace, B & G Casting Associates (February 26, 1998); and
  - Ms. L. Corbett, Executive Director, Toronto Environmental Alliance (March 3, 1998); and
- (ii) from the Chief Administrative Officer (March 3, 1998) responding, as requested by the Strategic Policies and Priorities Committee, to motions and submissions regarding the Toronto 2008 Olympic Bid and submitting additional recommendations with regard thereto.

Council also had before it, during consideration of the foregoing Clause, communications from the following individuals submitting comments regarding the Toronto 2008 Olympic Bid:

- (i) from Mr. Erkki Pukonen, President and Chief Financial Officer, City of Toronto Economic Development Corporation (March 3, 1998); and
- (ii) from Mr. Tony O’Donohue (March 3, 1998).

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

- (a) Councillor Walker, in amendment, moved that:

“**WHEREAS** the mandate of this Council and the Mayor is to protect this new City against the adverse effects of reassessment, downloading, amalgamation and redevelopment; and

**WHEREAS** the additional burdens of a bid for the Summer Olympic Games in the year 2008 will exacerbate those effects already being evidenced;

**WHEREAS** the social and economic effects of reassessment and downloading may render the municipality unable to meet the commitments it makes;

**NOW THEREFORE BE IT RESOLVED THAT** City Council endorse, in principle, the bid for the 2008 Summer Olympic Games upon acceptance and implementation of the following conditions:

- (1) that the 1992 Rent Control Act, Landlord and Tenant Act, and the Rental Housing Protection Act, be reinstated at least for the City of Toronto and preferably for the whole Province until at least the year 2010;
- (2) that the Federal and Provincial governments suspend all privatizations of co-operative apartments and units and other forms of social housing within the Greater Toronto Area until at least the year 2010; and
- (3) that, given the potential for extreme instability in assessment because of redevelopment related to the Olympic Games, Provincial legislation confer upon the City of Toronto a system of Unit Assessment (U.A.) to remain in effect until at least the year 2010; and
- (4) that Community Councils be given clearly defined powers and responsibility for all planning, with the exception of the Official Plan, and that no decision of a Community Council may be overridden except by a two-thirds majority.”

Mayor Lastman resumed the Chair.

At this point in the proceedings, Councillor Shiner, rising on a point of order, requested the Mayor to rule on whether the fourth condition embodied in the Operative Paragraph of the foregoing motion (a) by Councillor Walker was in order.

Mayor Lastman, having regard to the nature of the fourth condition embodied in the Operative Paragraph of the foregoing motion (a) by Councillor Walker, ruled such condition 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: Augimeri, Balkissoon, Berardinetti, Berger, Brown, Chong, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sinclair, Tzekas - 37.

Nays: Councillors: Bossons, Bussin, Jones, Layton, Walker - 5.

Decided in the affirmative by a majority of 32.

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

Mayor Lastman resumed the Chair.

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

“It is further recommended that the actions and principles embodied in the report dated March 3, 1998, from the Chief Administrative Officer, be adopted by City Council, viz.:

‘That the 2008 Toronto Olympic Bid Corporation (BIDCO) develop a financial strategy during the next six months which is realistic and attainable and which does not impact negatively on the tax rate, and that this strategy be available for public consultation. Furthermore, that the City and BIDCO enter into discussions on the development of suitable financial accountability mechanisms between them and provide Council with accountability options to ensure protection for taxpayers and the City.

That City Council and the Olympic Bid Corporation agree to develop and commit to a set of “Olympic Principles” which would update the Olympic Commitment approved during the previous Bid. That the Olympic Principles would be developed during the next six months and be subject to broad public consultation. These principles should embody the following:

- (1) The Olympic Bid process will include a full and open public debate and provide a variety of consultation processes to ensure wide public participation and input into the bid.
- (2) The Olympic Bid process will be fully and widely advertised and make available materials to assist the public participation process.

- (3) The Olympic Bid process will seek opportunities to dialogue with individuals and groups who have contributions to make that will assist in addressing social, equity, environmental and financial issues.
- (4) The Olympic Bid process will undertake to address all issues and requirements related with the Paralympics which are associated with the Games and normally held immediately following.
- (5) The Olympic Bid process will seek to be inclusive of all the people of Toronto.

That the Olympic Bid Corporation enter discussions with the Toronto Transit Commission on ways and means of increasing public transit use during the Games and minimizing vehicular traffic. These discussions to be extended to include consultation with the Gardiner Lakeshore Task Force to achieve a transportation plan to support the Olympic requirements. A report on these consultations to be available within the next nine months.

That the Olympic Bid work with all stakeholders in the housing and construction industry during the next six months to develop options to ensure that the opportunities for long term affordable housing are maximized from the accommodation to be built for the Games. That particular attention be paid to ensure that all accommodation is constructed to the highest environmental standards possible.

That the Bid Corporation work with social planning agencies and City staff to determine the best method to develop a full social impact assessment process for the Games and that this be prepared within the next six months.

That the Bid Corporation work with these same agencies and consider the opportunity and viability of establishing a social investment fund from the Games. Such fund to be provided within the context of a financially responsible Games.’ ”

- (c) Councillor Johnston, 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 providing more detail on improvements which will be made to present facilities for persons with disabilities, such report to be prepared in conjunction with organizers of the Paralympics which would follow the games.”

- (d) Councillor Bussin, seconded by Councillor Altobello, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the following motion be referred to the Toronto Transit Commission for consideration and report thereon to the Strategic Policies and Priorities Committee:

‘It is recommended that a light rail system along the Lake Shore East Transportation Corridor be included in the infrastructure planning and budget for the 2008 Olympic Bid for consideration and approval by City Council.’ ”

- (e) Councillor Berardinetti, in amendment, moved that all motions submitted by Members of Council in regard to the Olympic Bid, with the exception of the foregoing motion (b) by Councillor Pantalone and the foregoing motion (d) by Councillor Bussin, be referred to the Chief Administrative Officer, with a request that the concerns raised therein be addressed in future reports in this regard.

- (f) Councillor Davis, 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 investigate with the Board of Trade the issue of the City’s participation in Toronto 2000 as a means of showcasing the City of Toronto as part of the Olympic bid process.”

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

“It is further recommended that BIDCO be requested to include in its due diligence process, an arms-length financial check for each stage of the process to obtain the 2008 Olympics.”

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

“It is further recommended that City Council’s final support of the Olympic bid be contingent, in part, upon the provision of satisfactory guarantees by other levels of government, the private sector or otherwise, for the City’s liability under Section 40 of the Olympic Charter.”

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

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

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

“It is further recommended that the report dated March 3, 1998, from the Chief Administrative Officer, headed ‘Toronto 2008 - The Olympic Bid -



Supplementary Report', embodying the following recommendation, be adopted:

'It is recommended that Council direct staff to receive and act upon the motions of Councillors Ashton, Holyday and Layton; and the written submissions of Maureen Orton, John Sewell and Michael Shapcott, as set out and discussed in this report and to assess the questions and issues raised therein, and other issues that may arise, at all phases in the development of the bid, and to include such assessments in periodic reports to Council over the next 15 months.'"; and

- (2) all motions moved by Members of Council in this regard, save and except the foregoing motion (b) by Councillor Pantalone and Part (1) of this motion be referred to the Chief Administrative Officer.

Upon the question of the adoption of Part (2) of the foregoing motion (i) by Councillor Shiner, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Fillion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 42.

Nays: Councillors: Augimeri, Bossons, Chong, Flint, Johnston, Kinahan, Layton, Mihevc, Miller, Moscoe, O'Brien, Rae, Walker - 13.

Decided in the affirmative by a majority of 29.

Upon the question of the adoption of the foregoing motion (b) by Councillor Pantalone, viz.:

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

'It is further recommended that the actions and principles embodied in the report dated March 3, 1998, from the Chief Administrative Officer, be adopted by City Council, viz.:

“That the 2008 Toronto Olympic Bid Corporation (BIDCO) develop a financial strategy during the next six months which is realistic and attainable and which does not impact negatively on the tax rate, and that this strategy be available for public consultation. Furthermore, that the City and BIDCO enter into discussions on the development

of suitable financial accountability mechanisms between them and provide Council with accountability options to ensure protection for taxpayers and the City.

That City Council and the Olympic Bid Corporation agree to develop and commit to a set of 'Olympic Principles' which would update the Olympic Commitment approved during the previous Bid. That the Olympic Principles would be developed during the next six months and be subject to broad public consultation. These principles should embody the following:

- (1) The Olympic Bid process will include a full and open public debate and provide a variety of consultation processes to ensure wide public participation and input into the bid.
- (2) The Olympic Bid process will be fully and widely advertised and make available materials to assist the public participation process.
- (3) The Olympic Bid process will seek opportunities to dialogue with individuals and groups who have contributions to make that will assist in addressing social, equity, environmental and financial issues.
- (4) The Olympic Bid process will undertake to address all issues and requirements related with the Paralympics which are associated with the Games and normally held immediately following.
- (5) The Olympic Bid process will seek to be inclusive of all the people of Toronto.

That the Olympic Bid Corporation enter discussions with the Toronto Transit Commission on ways and means of increasing public transit use during the Games and minimizing vehicular traffic. These discussions to be extended to include consultation with the Gardiner Lakeshore Task Force to achieve a transportation plan to support the Olympic requirements. A report on these consultations to be available within the next nine months.

That the Olympic Bid work with all stakeholders in the housing and construction industry during the next six months to develop options to ensure that the opportunities for long term affordable housing are maximized from the accommodation to be built for the Games. That

particular attention be paid to ensure that all accommodation is constructed to the highest environmental standards possible.

That the Bid Corporation work with social planning agencies and City staff to determine the best method to develop a full social impact assessment process for the Games and that this be prepared within the next six months.

That the Bid Corporation work with these same agencies and consider the opportunity and viability of establishing a social investment fund from the Games. Such fund to be provided within the context of a financially responsible Games.” ’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, 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 - 54.

Nay: Councillor: Walker - 1.

Decided in the affirmative by a majority of 53.

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

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

‘It is further recommended that the report dated March 3, 1998, from the Chief Administrative Officer, headed ‘Toronto 2008 - The Olympic Bid - Supplementary Report’, embodying the following recommendation, be adopted:

“It is recommended that Council direct staff to receive and act upon the motions by Councillors Ashton, Holyday and Layton; and the written submissions of Maureen Orton, John Sewell and Michael Shapcott, as set out and discussed in this report and to assess the questions and issues raised therein, and other issues that may arise, at all phases in the development of the bid, and to include such

assessments in periodic reports to Council over the next 15 months.” ’ ’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, 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 - 54.

Nay: Councillor: Walker - 1.

Decided in the affirmative by a majority of 53.

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 March 3, 1998, from the Chief Administrative Officer, headed “Toronto 2008 - The Olympic Bid - Supplementary Report”, embodying the following recommendation, be adopted:

“It is recommended that Council direct staff to receive and act upon the motions of Councillors Ashton, Holyday and Layton; and the written submissions of Maureen Orton, John Sewell and Michael Shapcott, as set out and discussed in this report and to assess the questions and issues raised therein, and other issues that may arise, at all phases in the development of the bid, and to include such assessments in periodic reports to Council over the next 15 months.”;

- (2) the actions and principles embodied in the aforementioned report dated March 3, 1998, from the Chief Administrative Officer, be adopted by City Council, viz.:

“That the 2008 Toronto Olympic Bid Corporation (BIDCO) develop a financial strategy during the next six months which is realistic and attainable and which does not impact negatively on the tax rate, and that this strategy be available for public consultation. Furthermore,

that the City and BIDCO enter into discussions on the development of suitable financial accountability mechanisms between them and provide Council with accountability options to ensure protection for taxpayers and the City.

That City Council and the Olympic Bid Corporation agree to develop and commit to a set of "Olympic Principles" which would update the Olympic Commitment approved during the previous Bid. That the Olympic Principles would be developed during the next six months and be subject to broad public consultation. These principles should embody the following:

- (1) The Olympic Bid process will include a full and open public debate and provide a variety of consultation processes to ensure wide public participation and input into the bid.
- (2) The Olympic Bid process will be fully and widely advertised and make available materials to assist the public participation process.
- (3) The Olympic Bid process will seek opportunities to dialogue with individuals and groups who have contributions to make that will assist in addressing social, equity, environmental and financial issues.
- (4) The Olympic Bid process will undertake to address all issues and requirements related with the Paralympics which are associated with the Games and normally held immediately following.
- (5) The Olympic Bid process will seek to be inclusive of all the people of Toronto.

That the Olympic Bid Corporation enter discussions with the Toronto Transit Commission on ways and means of increasing public transit use during the Games and minimizing vehicular traffic. These discussions to be extended to include consultation with the Gardiner Lakeshore Task Force to achieve a transportation plan to support the Olympic requirements. A report on these consultations to be available within the next nine months.

That the Olympic Bid work with all stakeholders in the housing and construction industry during the next six months to develop options to ensure that the opportunities for long term affordable housing are maximized from the accommodation to be built for the Games. That

particular attention be paid to ensure that all accommodation is constructed to the highest environmental standards possible.

That the Bid Corporation work with social planning agencies and City staff to determine the best method to develop a full social impact assessment process for the Games and that this be prepared within the next six months.

That the Bid Corporation work with these same agencies and consider the opportunity and viability of establishing a social investment fund from the Games. Such fund to be provided within the context of a financially responsible Games.”; and

- (3) the following motions be referred to the Chief Administrative Officer:

Moved by Councillor Berardinetti:

“It is further recommended that all motions submitted by Members of Council in regard to the Olympic Bid with the exception of Motion (2) by Councillor Pantalone, and Motion (5) by Councillor Bussin, be referred to the Chief Administrative Officer, with a request that the concerns raised therein be addressed in future reports in this regard.”

Moved by Councillor Bussin, seconded by Councillor Altobello:

“It is further recommended that the following motion be referred to the Toronto Transit Commission for consideration and report thereon to the Strategic Policies and Priorities Committee:

‘It is recommended that a light rail system along the Lake Shore East Transportation Corridor be included in the infrastructure planning and budget for the 2008 Olympic Bid for consideration and approval by City Council.’ ”

Moved by Councillor Davis:

“It is further recommended that the Chief Administrative Officer be requested to investigate with the Board of Trade the issue of the City’s participation in Toronto 2000 as a means of showcasing the City of Toronto as part of the Olympic bid process.”

Moved by Councillor Johnston:

“It is further recommended that the Chief Administrative Officer be requested to submit a report providing more detail on improvements which will be made to present facilities for persons with disabilities, such report to be prepared in conjunction with organizers of the Paralympics which would follow the games.”

Moved by Councillor Layton:

“It is further recommended that BIDCO be requested to include in its due diligence process, an arms-length financial check for each stage of the process to obtain the 2008 Olympics.”

Moved by Councillor Miller:

“It is further recommended that City Council’s final support of the Olympic bid be contingent, in part, upon the provision of satisfactory guarantees by other levels of government, the private sector or otherwise, for the City’s liability under Section 40 of the Olympic Charter.”

Moved by Councillor Walker:

“**WHEREAS** the mandate of this Council and the Mayor is to protect this new City against the adverse effects of reassessment, downloading, amalgamation and redevelopment; and

**WHEREAS** the additional burdens of a bid for the Summer Olympic Games in the year 2008 will exacerbate those effects already being evidenced; and

**WHEREAS** the social and economic effects of reassessment and downloading may render the municipality unable to meet the commitments it makes;

**NOW THEREFORE BE IT RESOLVED THAT** City Council endorse, in principle, the bid for the 2008 Summer Olympic Games upon acceptance and implementation of the following conditions:

- that the 1992 Rent Control Act, Landlord and Tenant Act, and the Rental Housing Protection Act, be reinstated at least for the City of Toronto and preferably for the whole Province until at least the year 2010;

- that the Federal and Provincial governments suspend all privatizations of co-operative apartments and units and other forms of social housing within the Greater Toronto Area until at least the year 2010; and
- that, given the potential for extreme instability in assessment because of redevelopment related to the Olympic Games, Provincial legislation confer upon the City of Toronto a system of Unit Assessment (U.A.) to remain in effect until at least the year 2010.” ’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, 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 - 54.

Nay: Councillor: Walker - 1.

Decided in the affirmative by a majority of 53.

256 **Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee, headed “F. G. Gardiner Expressway East Dismantling Project”.**  
(See Appendix “A”, page 838.)

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

- (i) from the Chair, Citizens for the Retention of the East Gardiner Expressway (C.R.E.G.E.) (February 23, 1998) expressing opposition to the dismantling of the eastern section of the Gardiner Expressway from the Don River to Leslie Street and submitting comments in this regard;
- (ii) from the Interim Functional Lead, Transportation (February 25, 1998) providing, as requested by the Urban Environment and Development Committee, additional information regarding the F.G. Gardiner Expressway East Dismantling Project, i.e. rehabilitation costs, details of emergency repairs, and details and costs of potential at-grade modifications if the Expressway is not dismantled; and



(iii) from the following individuals in opposition to the F.G. Gardiner Expressway East Dismantling Project:

- Mr. M. Comstock, Chair, St. Lawrence Neighbourhood Business Improvement Area (February 25, 1998);
- Mr. D. Ophek, B.Sc., Toronto Bay Group (February 25, 1998);
- Ms. S. Comstock, Toronto, Ontario (February 26, 1998);
- Mr. William Dale, Toronto, Ontario (February 27, 1998); and
- Mr. T. De Silva, Scarborough, Ontario (February 28, 1998).

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Jakobek, in amendment, moved that consideration of the foregoing Clause be deferred to the next regular meeting of Council to be held on Thursday, April 16, 1998, such Clause to be considered at 4:00 p.m. on the first day of the meeting.

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

257 **Clause No. 47 of Report No. 2 of The Toronto Community Council, headed “Expropriation of the Private Lane which Extends Northerly from Humberside Avenue, between High Park and Pacific Avenue, for Public Lane Purposes (High Park)”.**

(See Appendix “A”, page 1429.)

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

258 **Clause No. 1 of Report No. 2 of The Striking Committee, headed “Appointment of Members of Council to Committees and Special Purpose Bodies”.**

(See Appendix “A”, page 1715.)

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

259 **Clause No. 9 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “High-Speed Network for the City of Toronto”.**

(See Appendix “A”, page 1018.)

Council also had before it, during consideration of the foregoing Clause, a report from the Chief Financial Officer and Treasurer (March 2, 1998) outlining the benefits to be achieved by implementing a high-speed fibre computer communications network in the City of Toronto.

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

- 260 **Clause No. 10 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Tax Manager 2000 - Purchase/Upgrade of Desktops”.**  
(See Appendix “A”, page 1027.)

Council had before it, during consideration of the foregoing Clause, a report (February 27, 1998) from the Commissioner of Corporate Services, as requested by the Budget Committee, on the merits of leasing versus purchasing desktop hardware.

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

- 261 **Clause No. 30 of Report No. 2 of The North York Community Council, headed “Industrial Zoning Review By-law Appeals - Application to the Ontario Municipal Board For Approval of North York By-laws 33091, 33092 and 33093 - Ward 6 - North York Humber and Ward 8 - North York Spadina”.**  
(See Appendix “A”, page 1226.)

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

- 262 At this point in the proceedings, Councillor Disero, with the permission of Council, moved that:

- (1) in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 6:30 p.m. recess, and that Council now recess; and
- (2) Council reconvene in Committee of the Whole in Committee Room “A” at 8:00 p.m., and then recess to meet privately to consider Clause No. 5 of Report No. 2 of The Works and Utilities Committee, headed “Waste Management Facilities Proposed for Dufferin Transfer Station Site”, in accordance with the provisions of the Municipal Act.

Councillor Giansante, in amendment, moved that Part (2) of the foregoing motion by Councillor Disero be amended to provide that Council also consider the following confidential matters appearing on the Order Paper for Council at its in-camera meeting:

- (i) Clause No. 4 of Report No. 2 of The Corporate Services Committee, headed “Approval to Extend a Contract with a Former Employee”; and
- (ii) Clause No. 5 of Report No. 2 of The Corporate Services Committee, headed “110 Lombard Street, Request for Occupation of City-Owned Property at Below Market Rates, Gilda’s Club Greater Toronto (Downtown Ward 24)”.

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

Upon the question of the adoption of Part (2) of the foregoing motion by Councillor Disero, as amended, it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion by Councillor Disero, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Brown, Davis, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Lindsay Luby, Moeser, Moscoe, Ootes, Prue, Silva, Tzekas - 23.

Nays: Councillors: Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Filion, Flint, Johnston, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Minnan-Wong, O'Brien, Pantalone, Rae, Shaw, Sinclair, Walker - 24.

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

263 At this point in the proceedings, Councillor Chong, with the permission of Council, moved that, in accordance with subsection 11(7) of the Council Procedural By-law, Council waive the requirement of the 6:30 p.m. recess, in order to consider Clause No. 1 of Report No. 2 of The Works and Utilities Committee, headed "Beneficial Use of Biosolids; Odour Containment and Termination of Incineration at Main Treatment Plant", the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Ashton, Augimeri, Bossons, Bussin, Chong, Chow, Disero, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Jones, Kinahan, King, Layton, Mammoliti, Mihevc, Minnan-Wong, Ootes, Pantalone, Rae, Saundercook, Shaw, Tzekas, Walker - 28.

Nays: Councillors: Altobello, Balkissoon, Berardinetti, Berger, Brown, Cho, Davis, Duguid, Feldman, Giansante, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Moeser, Moscoe, O'Brien, Prue, Sgro, Shiner, Sinclair - 22.

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

Council recessed at 6:29 p.m.

**8:12 P.M.**

Council reconvened in Committee Room "A".

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

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

Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 49.

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

The Committee of the Whole recessed at 8:15 p.m. to meet privately to consider the following confidential matters appearing on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (i) Clause No. 4 of Report No. 2 of the Corporate Services Committee, headed "Approval to Extend a Contract with a Former Employee";
- (ii) Clause No. 5 of Report No. 2 of The Corporate Services Committee, headed "110 Lombard Street, Request for Occupation of City-Owned Property at Below Market Rates, Gilda's Club Greater Toronto (Downtown Ward 24)"; and
- (iii) Clause No. 5 of Report No. 2 of The Works and Utilities Committee, headed "Waste Management Facilities Proposed for Dufferin Transfer Station Site".

**9:27 P.M.**

The Committee of the Whole reconvened in the Council Chamber.

The Committee of the Whole rose.

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

265 At the request of Council, the City Clerk called the Roll at 9:31 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King,

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

266 Members present at the second 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, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 52.

267 **Clause No. 4 of Report No. 2 of The Corporate Services Committee, headed "Approval to Extend a Contract with a Former Employee".**  
(See Appendix "A", page 751.)

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

Moved by Councillor O'Brien:

"It is recommended that the foregoing Clause be struck out and referred back to the Commissioner of Corporate Services for further consideration and report thereon to the Corporate Services Committee."

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

No additional motions were put.

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

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Davis, Disero, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Pantalone, Prue, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 37.

Nays: Councillors: Balkissoon, Chong, Chow, Flint, Gardner, Johnston, Kelly, Kinahan, King, Ootes, Rae, Sinclair - 12.

Decided in the affirmative by a majority of 25.

- 268 **Clause No. 5 of Report No. 2 of The Corporate Services Committee, headed “110 Lombard Street - Request for Occupation of City-Owned Property at Below Market Rates; Gilda's Club Greater Toronto (Downtown Ward 24)”.**  
(See Appendix “A”, page 571.)

Council also had before it, during consideration of the foregoing Clause, a confidential report (February 27, 1998) from the Commissioner of Corporate Services, as requested by the Corporate Services Committee, regarding 110 Lombard Street.

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

Moved by Councillor Ootes:

“It is recommended that the foregoing Clause be amended by striking out the recommendation of the Corporate Services Committee and inserting in lieu thereof the following:

‘It is recommended that:

- (1) the Clause be received; and
- (2) the Commissioner of Corporate Services be requested to explore the possibility of the purchase of this property by Gilda’s Club Greater Toronto and report thereon to the next meeting of the Corporate Services Committee, scheduled to be held on March 30, 1998.’ ”

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

No additional motions were put.

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

- 269 **Clause No. 5 of Report No. 2 of The Works and Utilities Committee, headed “Waste Management Facilities Proposed for Dufferin Transfer Station Site”.**  
(See Appendix “A”, page 940.)

Council also had before it, during consideration of the foregoing Clause, a confidential report (March 3, 1998) from the City Solicitor regarding waste management facilities proposed for the Dufferin Transfer Station Site.

Mayor Lastman reported that Council, in Committee of the Whole, received the aforementioned Clause and confidential report dated March 3, 1998, from the City Solicitor, and subsequently gave direction to staff, such direction to remain confidential in accordance with the provisions of the Municipal Act.

270 **Clause No. 1 of Report No. 2 of The Community and Neighbourhood Services Committee, headed “Appointments to the Toronto District Health Council”.**  
(See Appendix “A”, page 691.)

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

- (i) from the Commissioner of Community and Neighbourhood Services (February 16, 1998) reporting, as requested by the Community and Neighbourhood Services Committee, on the nomination of staff representatives to the Toronto District Health Council, and recommending that the Commissioner of Community and Neighbourhood Services and the Executive Director of Social Development be nominated as the City’s staff representatives to the District Health Council;
- (ii) from the City Clerk (February 23, 1998) advising that the Striking Committee on February 23, 1998, recommended to Council that the Mayor of Toronto be requested to write to the Toronto District Health Council advising that:
  - (1) City Council at its meeting held on January 2, 6, 8 and 9, 1998, appointed Councillor Joan King as the City’s nominee as a Member of the City of Toronto Council on the Toronto District Health Council; and
  - (2) City Council does not wish to nominate two candidates for this position; and
- (iii) from the City Clerk (February 26, 1998) advising that the Board of Health on February 23, 1998, endorsed the Striking Committee’s nomination of Councillor Joan King as City Council’s representative to the Toronto District Health Council; further advising that the Board also forwarded the name of Councillor Michael Prue as the Board’s candidate, in the event that the Toronto District Health Council required additional nominations; and indicating that the Board may reconsider forwarding the name of a second candidate once the structure and citizen representation on the Board of Health had been finalized.

Having regard that the foregoing Clause was submitted without recommendation, Councillor King moved that Council adopt the following recommendations:

“It is recommended that:

- (a) the report dated February 16, 1998, from the Commissioner, Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Ms. Shirley Hoy, Commissioner of Community and Neighbourhood Services and Mr. Eric Gam, Executive Director, Social Development, be nominated as Toronto’s staff representatives to the Toronto District Health Council; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’;

- (b) the recommendations of the Striking Committee embodied in the communication dated February 23, 1998, from the City Clerk, be adopted, viz.:

‘The Striking Committee on February 23, 1998, recommended to Council that the Mayor of Toronto be requested to write to the Toronto District Health Council advising that:

- (1) City Council at its meeting held on January 2, 6, 8 and 9, 1998, appointed Councillor Joan King as the City’s nominee as a Member of the City of Toronto Council on the Toronto District Health Council; and
- (2) City Council does not wish to nominate two candidates for this position.’; and

- (c) the recommendations of the Board of Health embodied in the communication dated February 26, 1998, from the City Clerk, be adopted, viz.:

‘In accordance with the Toronto District Health Council’s request for two Board of Health candidates for one position on the Council, the Board endorsed the Striking Committee’s nomination of Councillor Joan King as City Council’s representative as it felt she could also represent the Board of Health on the Council. However, the Board also forwarded the name of Councillor Michael Prue as the Board’s candidate in the event that the Toronto District Health Council required additional nominations.’ ”

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

- 271 **Clause No. 7 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Terms of Reference for the Task Force to Develop a Strategy for Issues of Concern to the Elderly”.**  
(See Appendix “A”, page 1695.)



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

“It is further recommended that the following Members of Council be appointed to the Task Force to Develop a Strategy on Issues of Concern to the Elderly:

Councillor Lorenzo Berardinetti, Scarborough City Centre,  
Councillor Ron Moeser, Scarborough Highland Creek,  
Councillor Elizabeth Brown, Rexdale-Thistletown,  
Councillor Michael Prue, East York,  
Councillor Joanne Flint, North York Centre South,  
Councillor Anne Johnston, North Toronto, as Chair, and  
Councillor Bill Saundercook, York-Humber.”

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

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

272 **Clause No. 2 Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Terms of Reference for Special Task Forces”.**  
(See Appendix “A”, page 1601.) (See also Minute No. 301.)

Council also had before it, during consideration of the foregoing Clause, a report (February 25, 1998) from Councillor Chow, Children’s Advocate, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, on an outline of the draft terms of reference for the Children’s Action Committee, and recommending that the terms of reference for the Children’s Action Committee be approved.

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 February 25, 1998, from Councillor Olivia Chow, Children’s Advocate, embodying the Terms of Reference for the Children’s Action Committee, be adopted; and the membership of the Children’s Action Committee be reaffirmed, subject to adding representation from the Healthy City Office to the Children’s Action Committee, so that the membership of the Children’s Action Committee shall be as follows:

Members of Council:

Olivia Chow;  
Pam McConnell;  
Bruce Sinclair;  
Joan King;

Brad Duguid;  
Sandra Bussin;  
Chris Korwin-Kuczynski;  
Irene Jones;  
John Filion;  
John Adams;  
Maria Augimeri;  
Ila Bossons;  
Bas Balkissoon;  
Sherene Shaw;  
Bill Saundercook; and  
Robert Davis.

Community Representatives:

Caroline Di Giovanni;  
Martha Friendly - University of Toronto Child Care Resource and Research Unit;  
Fiona Nelson;  
Peter Clutterbuck - Community Social Planning Council of Toronto;  
Cheryl MacDonald - Toronto Coalition for Better Child Care;  
Spyros Volonakis - Child Care Advisory Committee;  
Angela Ottolino - Toronto Association of Family Resource Programmes;  
Colin Hughes/Jane Mercer - Campaign 2000;  
Anna Vicente - Family Service Association of Toronto;  
Catherine Moraes - Toronto Community Partners in Child Nutrition;  
Annie Kidder - People for Education;  
Judi Codd/Shelley Laskin - Toronto District School Board;  
Christine Nunziata - Toronto Catholic School Board;  
Cynthia Brown - The United Way of Greater Toronto;  
Rod MacRae - Toronto Food Policy Council;  
David Rew - Boys and Girls Club of Greater Toronto;  
Jacqueline Latter - Ontario Education Alliance; and  
Representative, Healthy City Office.

Staff Support:

Dr. Jack Lee - Public Health;  
Gary Stoner - Parks and Recreation;  
Ken Settington - Libraries;  
Nancy Matthews - Social Development and Management Services; and  
Marna Ramsden - Children's Services.”

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.

- 273 **Clause No. 6 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Terms of Reference for the City of Toronto Task Force on Community Access and Equity”.**  
(See Appendix “A”, page 1684.)

Council also had before it, during consideration of the foregoing Clause, a communication (February 6, 1998) from the City Clerk submitting the recommendation of the Urban Environment and Development Committee that Councillor Pam McConnell be appointed as the representative of the Urban Environment and Development Committee to the Task Force on an Access and Equity Plan, Race Relations, Disability and Human Rights.

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

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

“It is further recommended that Anti-Semitism be included in the Proposed Terms of Reference for the City of Toronto Task Force on Community Access and Equity embodied in the report dated February 24, 1998, from Councillor Joe Mihevc, Chair, City of Toronto Task Force on Community Access and Equity, as one of the issues which require attention.”

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

“It is further recommended that the recommendation of the Urban Environment and Development Committee embodied in the communication dated February 16, 1998, from the City Clerk, be adopted, viz.:

‘The Urban Environment and Development Committee on February 9, 1998, recommended to the Special Committee to Review the Final Report of the Toronto Transition Team that Councillor Pam McConnell be appointed as the representative of the Urban Environment and Development Committee to the Task Force on an Access and Equity Action Plan, Race Relations, Disability and Human Rights.’ ”

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

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

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

- 274 Council resumed its consideration of Clause No. 3 of Report No. 2 of The Urban Environment and Development Committee, headed "Vending on Major Arterial Roads (Former Metro Roads)". (See also Minute No. 254.)

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

"that Part (2) of the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto the following:

'and that the present policy of the municipalities be extended on a year-to-year basis until the Road Allowance Sub-Committee reports back to the Urban Environment and Development Committee, at which time deputations should be heard.' "

At this point in the proceedings, Councillor Jakobek, with the permission of Council, withdrew the words " , except those locations where there have been difficulties;" from Part (2) of his foregoing motion (d), so that Part (2) of such motion shall now read as follows:

"that the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto the following:

'It is further recommended that:

- (2) all existing licences in the former area municipalities be continued on a month-to-month basis until such time as the new City-wide policy is in place;' "

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

"that the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto the following:

'It is further recommended that:

- (1) the Road Allowance Committee be requested to report back to the Urban Environment and Development Committee no later than September 1998;
- (2) all existing licences in the former area municipalities be continued on a month-to-month basis until such time as the new City-wide policy is in place; and

- (3) the Interim Functional Lead for Transportation be requested to submit a report to the Urban Environment and Development Committee, through the Road Allowance Sub-Committee, on those locations where difficulties have been identified.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, Ootes, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 47.

Nays: Councillors: Ashton, Jones, Miller, O'Brien, Pantalone - 5.

Decided in the affirmative by a majority of 42.

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

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

‘It is further recommended that Councillor Fotinos be added to the membership of the Road Allowance Sub-Committee.’ ”

At this point in the proceedings, Councillor Jakobek, with the permission of Council, requested that he be granted the leave of Council to amend Part (4) of his foregoing motion (d) to include the names of Councillors Berardinetti, Layton and Mammoliti, as proposed in Part (2) of the foregoing motion (h) by Councillor Mammoliti, and the foregoing motions (k) and (l) by Councillors Berardinetti and Layton, respectively, and that the vote be taken thereon.

Council concurred in the foregoing request.

Upon the question of the adoption of Part (4) of the foregoing motion (d) by Councillor Jakobek, as amended, viz.:

“that the foregoing motion (b) by Councillor Balkissoon be amended by adding thereto to the following:

‘It is further recommended that Councillors Balkissoon, Berardinetti, Kelly, Layton, Mammoliti and Rae be added to the membership of the Road Allowance Sub-Committee.’ ”,

it was carried.

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

“that the foregoing motion (b) by Councillor Balkissoon be amended to provide that the Road Allowance Sub-Committee also be requested to give consideration to the problem of vendors who successfully control multiple locations and establishing rules where vendors are only allowed one location rather than multiple locations.”,

it was carried.

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

“that the foregoing motion (b) by Councillor Balkissoon be amended to provide that the Road Allowance Sub-Committee also be requested to review the safety issue, particularly along busy arterial roads, such as Eglinton Avenue; and that Eglinton Avenue West, between Scarlett Road and Highway 427, be part of the regulated area.”,

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, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 51.

Nay: Councillor: Fotinos - 1.

Decided in the affirmative by a majority of 50.

Upon the question of the adoption of Part (1) of the foregoing motion (b) by Councillor Balkissoon, as amended, viz.:

“that:

- (1) the foregoing Clause be struck out and referred back to the Urban Environment and Development Committee for further consideration in the

total perspective of all of the by-laws from the former area municipalities, and that Council also adopt the following recommendations:

'It is recommended that:

- (1) the following Members of Council be added to the membership of the Road Allowance Sub-Committee:

Councillor Balkissoon,  
Councillor Berardinetti,  
Councillor Kelly,  
Councillor Layton,  
Councillor Mammoliti, and  
Councillor Rae;

- (2) the Road Allowance Sub-Committee be requested to:
  - (a) give consideration to the problem of vendors who successfully control multiple locations and establishing rules where vendors are only allowed one location rather than multiple locations;
  - (b) review the safety issue, particularly along busy arterial roads, such as Eglinton Avenue; and that Eglinton Avenue West, between Scarlett Road and Highway 427, be part of the regulated area; and
  - (c) report back to the Urban Environment and Development Committee, no later than September 1998, on one by-law for the City of Toronto and the selection of all locations in the City;
- (3) all existing licences in the former area municipalities be continued on a month-to-month basis until such time as the new City-wide policy is in place;
- (4) the Interim Functional Lead for Transportation be requested to submit a report to the Urban Environment and Development Committee, through the Road Allowance Sub-Committee, on those locations where difficulties have been identified; and
- (5) the following motions be referred to the Road Allowance Sub-Committee:

Moved by Councillor Chong:

'It is further recommended that, pending the submission of the report requested from the Interim Functional Lead for Transportation, the fee for a vending permit related to the lottery be increased from \$1,500.00 to \$2,000.00, rather than the \$1,500.00 to \$3,000.00 proposed for 1998 by the former Metropolitan Council.'

Moved by Councillor Giansante:

'It is further recommended that:

- (1) if a vendor does not get an assigned location on the first lottery, a mechanism be established to provide for a second lottery; and
- (2) the Road Allowance Sub-Committee be requested to address the issue of vending locations and permits for other types of vendors, i.e. flowers, tee-shirts, and comforters, and submit a report to the Urban Environment and Development Committee outlining recommendations to deal with these problems.'

Moved by Councillor Mammoliti:

'It is further recommended that any future policy include vendors on private lands who would not be paying the appropriate taxes for vending, and that these spots be included in the lottery.'

Moved by Councillor Moscoe:

'It is further recommended that the recommendations of the Road Allowance Sub-Committee embodied in the communication dated February 27, 1998, from the City Clerk, be adopted.'

Moved by Councillor Pantalone:

'It is further recommended that the Road Allowance Sub-Committee be requested to meet with its counterpart equivalents in the six Community Council areas and report to the Urban Environment and Development Committee, in a timely fashion, on a comprehensive City-wide approach.'

Moved by Councillor Rae:



‘It is further recommended that the Interim Functional Lead for Transportation be requested, in addition to assigning enforcement staff as requested by the Committee, to consult with staff of 52 Division of the Toronto Police Service to determine which locations and new locations are unsafe and should not be added to the City of Toronto’s vending inventory.’ ”,

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, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 47.

Nays: Councillors: Brown, Jones, Kelly, Miller, Pantalone - 5.

Decided in the affirmative by a majority of 42.

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

“(2) the Urban Environment and Development Committee be requested to report back on one by-law for the City of Toronto and the selection of all locations in the City.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 45.

Nays: Councillors: Berger, Bossons, Bussin, Filion, Flint, Jones, Miller - 7.

Decided in the affirmative by a majority of 38.

- 275 **Clause No. 13 of Report No. 2 of The Urban Environment and Development Committee, headed “Appointments to Board of Management of the Toronto Zoo”.**  
(See Appendix “A”, page 888.)

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

- 276 At this point in the proceedings, Councillor Filion, seconded by Councillor Jones, moved that Council vary the order of its proceedings to now consider the following Notice of Motion 11(e) appearing on the Order Paper, 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 present having voted in the affirmative:

**Moved by: Councillor Filion**

**Seconded by: Councillor Jones**

**“WHEREAS** the City of Toronto Department of Public Health has been successful in its application to the Ministry of Health to receive five-year funding to support the implementation of a Heart Health Program for a total amount of \$2,973,931.00; and

**WHEREAS** the City of Toronto Department of Public Health has been successful in its application to the Ministry of Health to receive 6 months’ funding to operate the project called ‘Provincial Food Service Program’ for a total amount of \$108,750.00; and

**WHEREAS** the City is required to enter into an Agreement with the Ministry of Health respecting the Heart Health Program and the Food Service Program; and

**WHEREAS** the Ministry of Health will not flow funds to the City until the Agreements have been signed; and

**WHEREAS** the Ministry of Health has stated there will be no carry-over of funds for the initial January - March 1998 funding period; and

**WHEREAS** Council authority is required before the Agreements can be signed by the City’s authorized signing authorities;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City to enter into an Agreement with the Ministry of Health for the Heart Health Program and the Food Services Program.”

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

- 277 **Clause No. 1 of Report No. 2 of The Emergency and Protective Services Committee, headed “Emergency Planning Committee and Emergency By-law for the City of Toronto”.**

(See Appendix “A”, page 804.)

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

“It is further recommended that the Toronto District Heating Corporation be added to the list of agencies, boards, commissions, corporations and organizations embodied in Bill No. 44, under Part (2), entitled ‘Composition of the Committee.’ ”

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 Clause, as amended, it was carried.

- 278 **Clause No. 4 of Report No. 2 of The Community and Neighbourhood Services Committee, headed “Restructuring of the Supportive Housing Program, Homes for the Aged Division”.**

(See Appendix “A”, page 715.)

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

“It is further recommended that a copy of the Clause be forwarded to the Municipal Grants Review Committee for information.”

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 Clause, as amended, it was carried.

- 279 **Clause No. 8 of Report No. 2 of The Corporate Services Committee, headed “Proposed Closure and Sale of Dalkeith Drive and One-Foot Reserve (North York Centre South - Ward 9)”.**

(See Appendix “A”, page 766.)

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

- 280 **Clause No. 12 Report No. 2 of The Etobicoke Community Council, headed “D. Sud & Sons, Westway Plaza, 1735 Kipling Avenue - File No. Z-2246”.**

(See Appendix “A”, page 1132.)

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

“It is further recommended that, in the event that there is an agreement reached by the area residents with regard to outstanding issues, this matter be forwarded to a future meeting of the Etobicoke Community Council for further consideration.”

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

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

- 281 **Clause No. 7 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Fire Vehicle Standardization - 1998 Interim Capital Budget”.**  
(See Appendix “A”, page 1012.)

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

- 282 **Clause No. 10 of Report No. 2 of The East York Community Council, headed “Other Items Considered by the Community Council”.**  
(See Appendix “A”, page 1096.)

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

- 283 **Clause No. 10 of Report No. 2 of The North York Community Council, headed “100 Percent Smoke-Free Work Places and Food Courts - By-law to Amend City of North York By-law No. 32931, as amended”.**  
(See Appendix “A”, page 1198.)

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

- 284 **Clause No. 16 of Report No. 2 of The Scarborough Community Council, headed “Removal of Litter and Debris, 375 Danforth Road - Scarborough Bluffs”.**  
(See Appendix “A”, page 1273.)

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

- 285 **Clause No. 1 of Report No. 2 of The Toronto Community Council, headed “Stopping Up, Closing and Conveyancing - Portions of Public Highways Adjoining the Eaton Centre (Downtown)”.**  
(See Appendix “A”, page 1293.)

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

- 286 **Clause No. 6 of Report No. 2 of The Etobicoke Community Council, headed “Appeal of Committee of Adjustment Decisions”.**  
(See Appendix “A”, page 1118.)

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

- 287 **Clause No. 7 of Report No. 2 of The Etobicoke Community Council, headed “Street Naming - South Side of Queen Elizabeth Way West of Park Lawn Road”.**  
(See Appendix “A”, page 1125.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be struck out and referred back to the Etobicoke Community Council for further consideration and the hearing of deputations.

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

- 288 **Clause No. 1 of Report No. 2 of The North York Community Council, headed “Official Plan and Zoning Amendment Application OZ-88-40 - R.G. Thwaites - 15 Cameron Avenue, Ward 10, North York Centre”.** (See Appendix “A”, page 1154)

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

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

- 289 Councillor Rae, seconded by Councillor Ootes, moved that leave be granted to introduce:

“Bill No. 112                      To confirm the first portion of the proceedings of the Council at its meeting held on the 4th day of March, 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. 42-1998                      To confirm the first portion of the proceedings of the Council at its meeting held on the 4th day of March, 1998.”,

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, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 53.

Nays: Nil.

Decided in the affirmative, without dissent.

Councillor Mihevc, seconded by Councillor Adams, moved that Council now recess and reconvene at 9:30 a.m., on Thursday, March 5, 1998, 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, Feldman, Fillion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 49.

Nays: Councillors: Giansante, Li Preti, Moeser, O'Brien - 4.

Decided in the affirmative by a majority of 45.

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

**THURSDAY, MARCH 5, 1998, 9:44 A.M.**

Council reconvened.

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

290 At the request of Council, the City Clerk called the Roll at 9:45 a.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, Feldman, Flint, Fotinos,

Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 50.

291 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, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 53.

292 Council resumed its consideration of the following enquiry dated February 23, 1998, by Councillor Walker to Mayor Lastman (see also Minute No. 239):

“Are you now or have you ever been in discussions with Maple Leaf Gardens concerning the City’s interest in the Union Station lands?”

With whom were you in discussion with? What was the nature of the discussions? When did the discussions commence? Were any City staff involved in any of these discussions?

Since you have not been to City Council for approval on this issue, under what legal authority have you been acting?”

Council also had before it the following answer dated March 3, 1998, from Mayor Lastman, to the foregoing enquiry:

“In response to your enquiry dated February 23, 1998, I have had no discussions with officials of Maple Leaf Gardens with regard to the City’s interest in the Union Station lands.

Starting right after the election, I had discussions with Mr. Stavros, Mr. Tannenbaum and Mr. Slaight relating to Exhibition Place, and getting the Toronto Maple Leafs and Toronto Raptors into one facility. I had always made it known that having the two teams in one facility was my preference. In early February I was advised that Maple Leaf Gardens was holding discussions with the railways about Union Station. City staff are not and were not in discussions with Maple Leaf Gardens.

I have had separate discussions with the railways to explore the possibility of a satisfactory conclusion to the outstanding rent arbitrations and have requested staff to do likewise in order to report to Council at the earliest opportunity as to what options are available to bring closure to this long outstanding matter. The Municipal

Act allows me as Head of Council to request staff to initiate discussions and to report to Council.”

Councillor Ootes, seconded by Councillor Feldman, moved that the foregoing enquiry and answer thereto be received.

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

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Tzekas - 41.

Nays: Councillors: Augimeri, Jones, Mammoliti, Miller, O'Brien, Silva, Walker - 7.

Decided in the affirmative by a majority of 34.

At this point in the proceedings, Councillor Prue, with the permission of Council, moved that Council vary the order of its proceedings to now consider Clause No. 1 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Political Structure for East York”, which was carried.

293 **Clause No. 1 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Political Structure for East York”.**  
(See Appendix “A”, page 1642.)

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

- (a) Councillor Mihevc, in amendment, moved that Council defer consideration of the foregoing Clause until such time as Council has made a decision on the composition and size of Community Councils.
- (b) Councillor Kinahan, in amendment, moved that the foregoing motion (a) by Councillor Mihevc be amended by adding thereto the words “and, in the meantime, the Mayor be requested to attend the meetings of the East York Community Council”.

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

- (c) Councillor Jakobek, in amendment, moved that the foregoing motion (a) by Councillor Mihevc be amended by adding thereto the words “and that the Chief Administrative Officer be requested to report directly to Council for its next regular



meeting, in consultation with the City Clerk, on a process for this Council to follow to ensure public input on the electoral boundaries for the next Municipal election”.

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

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 (c) by Councillor Jakobek was in order, having regard that this matter will be considered by the Urban Environment and Development Committee.

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

- (d) Councillor Bossons, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (1) (iii) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words “such a by-election can be held in September, 1998”, and inserting in lieu thereof the following words:

“East York can be provided with a third Councillor and that such Councillor be the candidate who garnered the third highest number of votes in the November 1997 municipal election, and failing acceptance by such candidate, the position be offered to the candidate who received the fourth highest number of votes, and failing acceptance by such candidate, the City Clerk be requested to offer the position to other candidates in successive order until a candidate accepts the position.”

- (e) Councillor Feldman, in amendment, moved that the foregoing motion (a) by Councillor Mihevc be amended by adding thereto the following:

“and that the Chief Administrative Officer be requested to investigate the possibility of increasing the size of the East York Community Council to a five-member Council with the condition that the additional members not be Members of City Council, and the method of implementation, and report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team”.

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

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

“(iii) the Province of Ontario be advised of the City of Toronto’s decision to create a position for a third Councillor for East York (Ward 1) either by by-election or appointment;” and

- (2) adding to Recommendations Nos. (ii) and (iv) of the East York Community Council, after the word “by-election”, the words “or appointment”.
- (g) Councillor Cho, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (1)(iii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:
- “(iii) the present Councillors from the East York Community Council recommend two candidates; that these candidates appear before City Council and that City Council recommend one candidate for the third position who would be appointed for a term of office ending on December 31, 1998; in order to permit sufficient time for the Province of Ontario to pass the required legislation.”
- (h) Councillor Li Preti, 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 Council, through the Special Committee to Review the Final Report of the Toronto Transition Team, on the feasibility of appointing a second Deputy Mayor who would also serve as the third Member on East York Community Council.”
- (i) Councillor Shiner, in amendment, moved that the foregoing Clause be amended by striking out the recommendation 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:
- (1) the Mayor be the third member of Council on the East York Community Council;
  - (2) the Mayor be notified when his attendance is necessary; and
  - (3) the Chief Administrative Officer be requested to report on a mechanism to enable a designate to participate in the meetings of the East York Community Council.”
- (j) Councillor Sgro, 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, with a request that the Committee review other opportunities for a short- and long-term solution and report thereon to Council in June, 1998.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (1) of the foregoing motion (i) by Councillor Shiner, declared such Part redundant, viz.:

“(1) the Mayor be the third member of Council on the East York Community Council.”

Upon the question of the adoption of the foregoing motion (j) by Councillor Sgro, 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, with a request that the Committee review other opportunities for a short- and long-term solution and report thereon to Council in June, 1998.”,

the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Berger, Brown, Cho, Davis, Disero, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Moeser, O'Brien, Sgro, Shiner, Tzekas - 19.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Berardinetti, Bossons, Bussin, Chow, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jones, Kinahan, King, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 33.

Decided in the negative by a majority of 14.

Upon the question of the adoption of the foregoing motion (b) by Councillor Kinahan, viz.:

“that the foregoing motion (a) by Councillor Mihevc be amended by adding thereto the words ‘and, in the meantime, the Mayor be requested to attend the meetings of the East York Community Council’.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berger, Bossons, Brown, Cho, Davis, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Kinahan, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Pantalone, Rae, Sgro, Shiner, Silva, Sinclair, Tzekas - 27.

Nays: Mayor: Lastman.  
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bussin, Chow, Duguid, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Li Preti, Mahood,

Mammoliti, McConnell, Mihevc, Miller, Ootes, Nunziata, Prue, Saundercook, Shaw, Walker - 25.

Decided in the affirmative by a majority of 2.

Upon the question of the adoption of the foregoing motion (e) by Councillor Feldman, viz.:

“that the foregoing motion (a) by Councillor Mihevc be amended by adding thereto the words ‘and that the Chief Administrative Officer be requested to investigate the possibility of increasing the size of the East York Community Council to a five-member Council with the condition that the additional members not be Members of City Council, and the method of implementation, and report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team’.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Berger, Cho, Disero, Feldman, Filion, Giansante, Jakobek, Lindsay Luby, Moeser, Shiner, Sinclair - 12.

Nays: Mayor: Lastman.  
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chow, Davis, Duguid, Flint, Fotinos, Gardner, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 39.

Decided in the negative by a majority of 27.

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

“that Council defer consideration of this matter until such time as Council has made a decision on the composition and size of Community Councils and, in the meantime, the Mayor be requested to attend the meetings of the East York Community Council.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Davis, Disero, Feldman, Flint, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Moeser, O’Brien, Rae, Saundercook, Sgro, Shiner, Tzekas - 26.

Nays: Mayor: Lastman.

Councillors: Adams, Augimeri, Bossons, Bussin, Cho, Chow, Duguid, Filion, Fotinos, Gardner, Jones, King, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Shaw, Silva, Sinclair, Walker - 26.

Decided in the negative, there being an equality of votes.

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

“that the foregoing Clause be amended by:

- (1) striking out Recommendation No. (1)(iii) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following new Recommendation No. (1)(iii):
  - ‘(iii) the Province of Ontario be advised of the City of Toronto’s decision to create a position for a third Councillor for East York (Ward 1) either by by-election or appointment;’; and
- (2) adding to Recommendations Nos. (ii) and (iv) of the East York Community Council, after the word ‘by-election’, the words ‘or appointment’.

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Berardinetti, Bossons, Bussin, Chow, Duguid, Fotinos, Gardner, Jones, Kinahan, Mahood, Mammoliti, McConnell, Miller, Nunziata, Prue, Rae, Silva, Sinclair, Walker - 22.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berger, Brown, Cho, Davis, Disero, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Moeser, O’Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Tzekas - 30.

Decided in the negative by a majority of 8.

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

“that the foregoing Clause be amended by deleting from Recommendation No. (1) (iii) of the Special Committee to Review the Final Report of the Toronto Transition Team, the words ‘such a by-election can be held in September, 1998’, and inserting in lieu thereof the following words:

‘East York can be provided with a third Councillor and that such Councillor be the candidate who garnered the third highest number of votes in the November 1997 municipal election, and failing acceptance by such candidate, the position be offered to the candidate who received the fourth highest number of votes, and failing acceptance by such candidate, the City Clerk be requested to offer the position to other candidates in successive order until a candidate accepts the position.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Disero, Duguid, Jones, Shaw - 6.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chow, Davis, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 46.

Decided in the negative by a majority of 40.

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

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

‘(iii) that the present Councillors from the East York Community Council recommend two candidates; that these candidates appear before City Council and that City Council recommend one candidate for the third position who would be appointed for a term of office ending on December 31, 1998; in order to provide sufficient time for the Province of Ontario to pass the required legislation.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillor: Cho - 2.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski,

Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 50.

Decided in the negative by a majority of 48.

Upon the question of the adoption of Parts (2) and (3) of the foregoing motion (i) by Councillor Shiner, viz.:

“that the foregoing Clause be amended by striking out the recommendation 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:

- (2) the Mayor be notified when his attendance is necessary; and
- (3) the Chief Administrative Officer be requested to report on a mechanism to enable a designate to participate in the meetings of the East York Community Council.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Berardinetti, Brown, Cho, Davis, Disero, Feldman, Flint, Giansante, Holyday, Jakobek, Lindsay Luby, Moeser, O'Brien, Sgro, Shaw, Shiner, Tzekas - 18.

Nays: Mayor: Lastman.  
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Chow, Duguid, Filion, Fotinos, Gardner, Jones, Kelly, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 33.

Decided in the negative by a majority of 15.

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

“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 Council, through the Special Committee to Review the Final Report of the Toronto Transition Team, on the feasibility of appointing

a second Deputy Mayor who would also serve as the third Member on East York Community Council.' ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Brown, Cho, Davis, Disero, Feldman, Flint, Giansante, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Moeser, Saundercook, Sgro, Shaw, Shiner, Tzekas - 24.

Nays: Mayor: Lastman.  
Councillors: Augimeri, Berger, Bossons, Bussin, Chow, Duguid, Filion, Fotinos, Gardner, Jakobek, Jones, Kinahan, King, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Silva, Sinclair, Walker - 28.

Decided in the negative by a majority of 4.

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

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chow, Duguid, Filion, Fotinos, Gardner, Jones, King, Mahood, Mammoliti, McConnell, Miller, Nunziata, Ootes, Pantalone, Prue, Shaw, Silva, Sinclair, Walker - 26.

Nays: Councillors: Altobello, Ashton, Balkissoon, Brown, Cho, Davis, Disero, Feldman, Flint, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Moeser, O'Brien, Rae, Saundercook, Sgro, Shiner, Tzekas - 26.

Decided in the negative, there being an equality of votes.

Mayor Lastman resumed the Chair.

- 294 **Clause No. 3 of Report No. 2 of The Community and Neighbourhood Services Committee, headed “A Social Development Strategy for the City of Toronto”.**  
(See Appendix “A”, page 708.)

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

- 295 **Clause No. 5 of Report No. 2 of The Community and Neighbourhood Services Committee, headed “General Welfare Assistance Regulation Changes”.**  
(See Appendix “A”, page 722.)



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

“It is further recommended that the Minister of Community and Social Services be requested to provide City Council with clear estimates of the number of children who will be requiring day care and of the Minister’s understanding of the phasing-in of the program under the Ontario Works Act.”

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

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

Council recessed at 12:30 p.m.

**2:13 P.M.**

Council reconvened.

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

296 Members present at the first afternoon 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, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 53.

297 At this point in the proceedings, Councillor King, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion 11(n) 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 present having voted in the affirmative:

**Moved by: Councillor King**

**Seconded by: Councillor Jakobek**

**“WHEREAS** smog is responsible for 180 premature deaths in the City of Toronto each year, and that emergency hospital admissions for respiratory problems in infants increase by 15 percent as the result of smog episodes; and

**WHEREAS** at least 50 percent of Toronto’s smog pollution is imported on prevailing winds from as far away as the Midwest United States; and

**WHEREAS** the US Environmental Protection Agency has proposed State Implementation Plans to reduce the transport of smog causing pollutants from 22 heavily polluting States; and

**WHEREAS** four of these States that would be required to reduce their smog causing emissions (Ohio, Indiana, Michigan and Illinois) are directly upwind of Toronto; and

**WHEREAS** State Implementation Plans to reduce smog causing emissions from these four States would have a direct and positive impact on Toronto’s smog problem;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct that the Mayor of Toronto write to the US EPA in support of their call for State Implementation Plans to mitigate the transport of smog pollutants;

**AND BE IT FURTHER RESOLVED THAT** the Mayor assure that this correspondence is delivered to the EPA by no later than March 9, 1998;

**AND BE IT FURTHER RESOLVED THAT** the Mayor send a copy of this letter (cc) to the Provincial Minister of the Environment, the Federal Minister, the Toronto Environmental Alliance, and Mayors of other GTA municipalities;

**AND BE IT FURTHER RESOLVED THAT** the Mayor immediately contact the Mayors of the GTA municipalities urging them to write a similar letter of support.”

Council also had before it a submission from Councillor King, entitled “Proposed New Smog Rules from the US Environmental Protection Agency”.

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

298 **Clause No. 1 of Report No. 2 of The Corporate Services Committee, headed “Interim Purchasing By-law”.**  
(See Appendix “A”, page 736.)

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

- (a) Councillor Shiner, in amendment, moved that the foregoing Clause be amended to provide that quotations and tender calls over \$1.0 million shall be reported to the appropriate Standing Committee of Council and/or Community Council, and subsequently submitted to Council for approval.
- (b) Councillor Bossons, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration and the Chief Financial Officer and Treasurer be requested to submit a further report to the Committee outlining different scenarios for quotations and tenders to be considered by Standing Committees.

Deputy Mayor Ootes designated Councillor King to take the Chair for the next part of the meeting, and vacated the Chair.

- (c) Councillor Kinahan, in amendment, moved that the foregoing Clause be amended by adding to the revised Part (3) of the Section headed "Report/Awarding" embodied in the report dated February 3, 1998, from the Chief Financial Officer and Treasurer, as outlined in Recommendation No. (1) of the Corporate Services Committee, the words "under Other Items Considered by the Committee", after the phrase "and to Council for information".
- (d) Councillor Giansante, in amendment, moved that the foregoing motion (b) by Councillor Bossons be amended to provide that the Chair of the Corporate Services Committee be present at all tender openings and that the recommendations of the Bid Committee be submitted to Council for approval, through the appropriate Standing Committee or Community Council.
- (e) Councillor O'Brien, in amendment, moved that the foregoing Clause be amended by adding thereto the following:  
  
"It is further recommended that the Bid Committee be requested to submit a report to Council, through the Corporate Services Committee, by the end of 1998, on how the Bid Committee has been operating."
- (f) Councillor Moeser, 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 authorized to process quotations and tender calls during the four-week break in August, making exception for the \$1.0 million cap for awards, and be requested to report thereon as quickly as possible thereafter."
- (g) Councillor Miller, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (3) of the Corporate Services Committee the words "within two months", so that such recommendation shall now read as follows:

“(3) that the Chief Administrative Officer be requested to develop a City-wide fair wage policy, such policy to include a mechanism for enforcement, within two months.”

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

Yeas: Councillors: Chong, Filion, Gardner, Giansante, Holyday, Jones, Kinahan, Korwin-Kuczynski, Nunziata, Shiner, Tzekas - 11.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Brown, Cho, Davis, Duguid, Feldman, Flint, Fotinos, Jakobek, Kelly, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, O'Brien, Ootes, Prue, Rae, Saundercook, Sinclair, Walker - 28.

Decided in the negative by a majority of 17.

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

Yeas: Councillors: Altobello, Bossons, Cho, Feldman, Fotinos, Giansante, Jakobek, Lindsay Luby, Miller, Moeser, Nunziata, Shiner - 12.

Nays: Councillors: Adams, Ashton, Augimeri, Brown, Chong, Davis, Disero, Duguid, Filion, Flint, Gardner, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Mahood, Mammoliti, Mihevc, O'Brien, Ootes, Prue, Rae, Saundercook, Sinclair, Tzekas, Walker - 28.

Decided in the negative by a majority of 16.

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

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

Yeas: Councillors: Bossons, Cho, Kelly, King, Moeser, Shiner - 6.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Nunziata, O'Brien, Ootes, Prue, Rae, Sinclair, Walker - 33.

Decided in the negative by a majority of 27.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Miller, Moeser, Nunziata, O'Brien, Prue, Shiner, Tzekas - 30.

Nays: Councillors: Ashton, Brown, Chong, Duguid, Gardner, Kelly, Kinahan, McConnell, Mihevc, Ootes, Rae, Sinclair, Walker - 13.

Decided in the affirmative by a majority of 17.

At this point in the proceedings, Acting Chair King, having regard to the foregoing decision of Council, declared the foregoing motion (c) by Councillor Kinahan, redundant.

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 Clause, as amended, viz.:

“that the foregoing Clause be amended:

(1) to provide that quotations and tender calls over \$1.0 million shall be reported to the appropriate Standing Committee of Council and/or Community Council, and subsequently submitted to Council for approval;

(2) by adding to Recommendation No. (3) of the Corporate Services Committee the words ‘within two months’, so that such recommendation shall now read as follows:

‘(3) that the Chief Administrative Officer be requested to develop a City-wide fair wage policy, such policy to include a mechanism for enforcement, within two months.’; and

(3) by adding thereto the following:

‘It is further recommended that the Bid Committee be requested to submit a report to Council, through the Corporate Services Committee, by the end of 1998, on how the Bid Committee has been operating.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Jones, Kinahan, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Prue, Rae, Shiner, Sinclair, Tzekas, Walker - 38.

Nays: Councillors: Ashton, Giansante, Kelly - 3.

Decided in the affirmative by a majority of 35.

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

- 299 **Clause No. 14 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Canada Day and Celebrate Toronto Street Festival".**  
(See Appendix "A", page 1042.)

At this point in the proceedings, and with the permission of Council, the Interim Lead, Toronto Special Events Office, gave a presentation to the Council on the proposed Canada Day and Celebrate Toronto Street Festival.

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

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

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

"It is further recommended that the City funding required be referred to the Budget Committee to determine whether there are any like monies or expenditures that can be redirected to finance the Canada Day and Celebrate Toronto Festival and report thereon to Council."

Mayor Lastman resumed the Chair.

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

"It is further recommended that the Interim Functional Lead for Special Events be requested to establish a consultation process with the adjacent residential neighbourhoods on Yonge Street and, in particular, the residential neighbourhoods on Yonge Street, between St. Clair Avenue and Yonge Boulevard/Glen Echo Road."

- (c) Councillor Holyday, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (1) of the Strategic Policies and Priorities Committee, the words “and that funds in the amount of \$395,000.00 be included in the 1998 Operating Budget for Special Events”, and inserting in lieu thereof the words “approval be given for an expenditure of up to \$395,000.00, provided that matching corporate funds are donated on a two for one basis, and that the event be scaled accordingly”.
- (d) Councillor Bossons, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the Interim Functional Lead for Special Events be requested to investigate the possibility of having all of the church bells in the new City of Toronto ringing at a convenient hour on Canada Day, and report thereon to Council, through the Strategic Policies and Priorities Committee.”
- (e) Councillor Nunziata, seconded by Councillor Jakobek, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that:
- ‘**WHEREAS** the Canada Day celebrations traditionally held in the former municipalities that now constitute the new City of Toronto are important events that strengthen their respective local communities; and
- WHEREAS** Canada Day celebrations held in the downtown core are not easily accessible to many constituents in other areas of the City;
- NOW THEREFORE BE IT RESOLVED THAT**, prior to staff implementing any changes to the Canada Day budget allocations for the former municipalities that now make up the City of Toronto, particularly if they involve reductions in financial support, such changes be brought forward to Council for review and comment.’ ”
- (f) Councillor O’Brien, in amendment, moved that the foregoing motion (a) by Councillor Jakobek be amended by adding thereto the words “and that no money be taken from or grant be reduced to Tourism Toronto”.

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

Yeas: Councillors: Bossons, Davis, Disero, Flint, Giansante, Holyday, King, Lindsay Luby, Mihevc, Nunziata, O’Brien, Prue, Tzekas, Walker - 14.

Nays: Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Duguid, Feldman, Filion, Gardner, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Ootes, Pantalone, Rae, Saundercook, Shaw, Silva, Sinclair - 31.

Decided in the negative by a majority of 17.

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

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

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

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chow, Davis, Disero, Duguid, Filion, Gardner, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, McConnell, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas, Walker - 40.

Nays: Councillors: Berger, Cho, Chong, Feldman, Flint, Giansante, Lindsay Luby, Mammoliti - 8.

Decided in the affirmative by a majority of 32.

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

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Davis, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Moeser, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 36.

Nays: Councillors: Adams, Berger, Chow, Disero, Duguid, Jakobek, Kinahan, Mahood, Mammoliti, Mihevc, Nunziata, Tzekas - 12.

Decided in the affirmative by a majority of 24.



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

Yeas: Councillors: Ashton, Balkissoon, Berardinetti, Brown, Cho, Chong, Chow, Davis, Disero, Giansante, Jakobek, King, Lindsay Luby, McConnell, Moeser, Nunziata, O'Brien, Ootes, Sinclair, Walker - 20.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Bussin, Duguid, Feldman, Fillion, Flint, Gardner, Holyday, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, Mihevc, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Tzekas - 28.

Decided in the negative by a majority of 8.

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) “**WHEREAS** the Canada Day celebrations traditionally held in the former municipalities that now constitute the new City of Toronto are important events that strengthen their respective local communities; and

**WHEREAS** Canada Day celebrations held in the downtown core are not easily accessible to many constituents in other areas of the City;

**NOW THEREFORE BE IT RESOLVED THAT**, prior to staff implementing any changes to the Canada Day budget allocations for the former municipalities that now make up the City of Toronto, particularly if they involve reductions in financial support, such changes be brought forward to Council for review and comment.”; and

- (2) the Interim Functional Lead for Special Events be requested to:
  - (a) establish a consultation process with the adjacent residential neighbourhoods on Yonge Street and, in particular, the residential neighbourhoods on Yonge Street between St. Clair Avenue and Yonge Boulevard/Glen Echo Road; and
  - (b) investigate the possibility of having all of the church bells in the new City of Toronto ringing at a convenient hour on

Canada Day, and report thereon to Council, through the Strategic Policies and Priorities Committee.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
 Councillors: Adams, Berardinetti, Berger, Brown, Cho, Chow, Duguid, Feldman, Filion, Gardner, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Sinclair, Tzekas - 27.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Chong, Davis, Disero, Flint, Giansante, Holyday, Jakobek, Jones, King, McConnell, Mihevc, Moeser, O'Brien, Silva, Walker - 21.

Decided in the affirmative by a majority of 6.

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

300 At this point in the proceedings, Councillor Gardner, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion 11(s) 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 the following Motion:

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Gardner**

“**WHEREAS** the Police Services Board recommended for inclusion in the 1998 Interim Capital Budget a Replacement Radio Communications Dispatch Switch; and

**WHEREAS** this item was referred back for further information regarding compatibility with Fire and Ambulance communications projects; and

**WHEREAS** the dispatch switches are only produced at certain times of the year and there is a need to order same immediately; and

**WHEREAS** the Chief Administrative Officer and Chief Financial Officer and Treasurer have reviewed the additional information and recommend the approval of the project;

**NOW THEREFORE BE IT RESOLVED THAT** approval be given to proceed with this project.”,

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, O'Brien, Ootes, Prue, Rae, Shaw, Silva, Sinclair, Tzekas, Walker - 35.

Nays: Councillors: Chow, McConnell - 2.

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 joint report dated March 5, 1998, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, recommending that the acquisition of the Replacement Radio Communications Dispatch Switch, as requested by the Police Services Board, be approved. (See Attachment No. 1.)

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 310.)

At this point in the proceedings, Councillor Chow, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 2 of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Terms of Reference for Special Task Forces", be re-opened for further consideration, which was carried, there being more than two-thirds of Members present having voted in the affirmative.

301 **Clause No. 2 of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Terms of Reference for Special Task Forces".** (See Appendix "A", page 1601; see also Minute No. 272.)

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

"It is further recommended that:

- (1) the following citizens be appointed to the Environmental Task Force:
  - Dr. Rosalie Bertel, President, International Institute of Public Health;
  - Dr. David Bell, York University, former Dean, Faculty of Environmental Studies and Director, York Centre for Sustainable Technology Development;

- Ms. Lois Corbett, Toronto Environmental Alliance, and President, Toronto Atmospheric Fund;
  - Dr. Wayne Roberts, Author and Co-Chair, Coalition for a Green Recovery;
  - Mr. Fraser Wilson, Businessman;
  - Mr. Brian Denny, P. Eng., Toronto and Region Conservation Authority; and
  - Ms. Suzanne Barrett, Waterfront Regeneration Trust;
- (2) Ms. Ann Layton, Vice-President, Public Affairs and Communications, CP Hotels, be appointed to the Environmental Task Force as Special Advisor; and
- (3) the Environmental Task Force be authorized to appoint additional members as it deems appropriate.”

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 further amended, it was carried.

At this point in the proceedings, Councillor Pantalone, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 2 of The Works and Utilities Committee, headed “Beneficial Use of Biosolids; Odour Containment and Termination of Incineration at Main Treatment Plant”, at 8:00 p.m., which was carried. (See Minute No. 309.)

At this point in the proceedings, Deputy Mayor Ootes advised the Council that Councillor Adams had proposed that Council vary the order of its proceedings to consider Clauses Nos. 2, 3 and 16 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Process to Develop Property Tax Implementation Plan”, “Reassessment and Tax Policy Information and Communications Plan” and “Business Education Tax Rate - Communications Plan”, respectively, at the evening session of today’s portion of this meeting.

Council concurred in the foregoing proposal. (See Minute No. 307.)

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 6:19 p.m.

**8:14 P.M.**

Council reconvened.

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

- 302 At the request of Council, the City Clerk called the Roll at 8:15 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jones, Kelly, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Tzekas - 35.

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

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 48.

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

- 304 **Clause No. 21 of Report No. 2 of The Toronto Community Council, headed "Tree Removal - 41 Hillholm Road (Midtown)".**  
(See Appendix "A", page 1360.)

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

- (i) (March 3, 1998) from Mr. Steven Stark, Toronto, Ontario, requesting Council to refer this matter back to staff to discuss alternatives that would allow the crabapple tree to be replaced with a mature tree, with staff to report back to the Toronto Community Council; and attaching a communication dated March 3, 1998, from the City Arborist, addressed to homeowners, outlining the policy and cost for the removal of crabapple trees on City street allowances; and

- (ii) (undated) excerpt from subsection 5.2 of the Municipal Code respecting the City's policy on the removal of crabapple trees on City property, submitted by Councillor Adams.

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

“It is recommended that City Council issue a permit for tree removal, conditional on the applicant agreeing to plant a replacement tree on the property to the satisfaction of the Director of Development and Support; and the City Arborist be requested to communicate with the objectors about the 1988 policy of removal of healthy crabapple trees on City property.”

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 Clause, as amended, it was carried.

- 305 **Clause No. 3 of Report No. 2 of The North York Community Council, headed “Official Plan and Zoning Amendment Application and Subdivision Application UDOZ-97-34 & UDSB-1232 - Romeo DiBattista - 665 Trethewey Drive - Ward 6 - North York Humber”.**

(See Appendix “A”, page 1180.)

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

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

- 306 **Clause No. 6 of Report No. 2 of The Corporate Services Committee, headed “410 Queens Quay West and Permanent Office Accommodation for Harbourfront Corporation (1990) in an Addition to York Quay Centre (Ward 24 - Downtown)”.**

(See Appendix “A”, page 758.)

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

- 307 **Clause No. 2 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Process to Develop Property Tax Implementation Plan”; Clause No. 3 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Reassessment and Tax Policy Information and Communications Plan”; and Clause No. 16 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Business Education Tax Rate - Communications Plan”.**  
(See Appendix “A”, pages 982, 987 and 1059.)

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

- (i) from the City Solicitor (February 24, 1998) providing, as requested by City Council at its Special Meeting held on February 12, 1998, information and advice on:
  - (a) the taxation provisions of the *Education Act*, and the City of Toronto’s duties thereunder; and
  - (b) the potential for the City launching a legal challenge to the higher tax rates for school board purposes set by the Province for business properties located in the City of Toronto as compared to the tax rate set for business properties located in other municipalities; and
- (ii) from the Chief Administrative Officer (March 2, 1998) outlining a co-operative communications strategy developed in partnership with the business community to address the Education Tax Levy.

Council also had before it, during consideration of the foregoing Clauses, the following communications from small business owners expressing opposition to the new property tax assessment and levy, submitted by Councillor Adams:

- (i) (March 4, 1998) from Mr. Bill Reynolds, Manager, Real Estate Services, The UCS Group, operating under the banner of La Maison de la Presse Internationale;
- (ii) (March 4, 1998) from Terry Ritcey Salon, and attaching a copy of a communication from the landlord, York Row Limited, indicating the proposed tax increase for 1998; and
- (iii) (undated) from Mr. Sidney Chelsky, Careful Consulting Services.

At this point in the proceedings, with the permission of Council, the Chief Financial Officer and Treasurer gave a presentation to the Council with respect to communications plans outlined in the foregoing Clauses.

Council deferred further consideration of the foregoing Clauses until later in the meeting. (See Minutes Nos. 334, 335 and 336.)

308 At this point in the proceedings, Councillor Pantalone 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 conclude consideration of the following matters:

- (a) Clause No. 2 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Process to Develop Property Tax Implementation Plan";
- (b) Clause No. 3 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Reassessment and Tax Policy Information and Communications Plan";
- (c) Clause No. 16 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Business Education Tax Rate - Communications Plan";
- (d) Clause No. 1 of Report No. 2 of The Works and Utilities Committee, headed "Beneficial Use of Biosolids; Odour Containment and Termination of Incineration at Main Treatment Plant"; and
- (e) Motion 11(s), moved by Councillor Jakobek, seconded by Councillor Gardner.

Councillor Chow, in amendment, moved that the foregoing motion by Councillor Pantalone be amended to include Clause No. 5 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "1998 Operating and Capital Budgets - Revised Meeting Schedule".

Councillor Moeser, in amendment, 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 conclude consideration of all matters remaining on the Order Paper.

Councillor O'Brien, in amendment, moved that the foregoing motion by Councillor Pantalone be amended to include Clause No. 3 of Report No. 2 of The Works and Utilities Committee, headed "Extension of Contract No. 50130 - Provision of Bulk Lift Garbage and Recycling Collection Services - Toronto and York Community Council Areas".

Councillor Kinahan, in amendment, moved that the foregoing motion by Councillor Pantalone be amended to include Clause No. 2 of Report No. 3 of The Board of Health, headed "Public Health Funding".

Councillor Giansante, in amendment, moved that the foregoing motion by Councillor Pantalone be amended to include Clause No. 3 of Report No. 2 of The Corporate Services Committee, headed "Honoraria for Councillors Appointed to Agencies, Boards and Commissions", and Clause No. 46 of Report No. 2 of The Toronto Community Council, headed "Preliminary Report - Official Plan and Zoning By-law Amendments and Site Plan Approval - 14 Prince Arthur Avenue (Midtown)".

Upon the question of the adoption of the foregoing motion by Councillor Pantalone, as amended by the foregoing motions by Councillors Chow, Kinahan, O'Brien and Giansante, the vote was taken as follows:



Yeas: Councillors: Adams, Augimeri, Berger, Chow, Disero, Feldman, Filion, Gardner, Giansante, Holyday, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Nunziata, O'Brien, Ootes, Pantalone, Rae, Sinclair - 20.

Nays: Councillors: Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Davis, Duguid, Flint, Jones, Kelly, Kinahan, Korwin-Kuczynski, McConnell, Moeser, Prue, Saundercook, Shiner, Silva, Walker - 20.

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

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

Yeas: Councillors: Adams, Augimeri, Berger, Chow, Disero, Duguid, Filion, Flint, Gardner, Holyday, Lindsay Luby, Li Preti, Mammoliti, Moeser, O'Brien, Rae, Saundercook, Silva - 18.

Nays: Councillors: Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Davis, Feldman, Giansante, Jones, Kelly, Kinahan, Korwin-Kuczynski, Mahood, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Prue, Shiner, Sinclair, Walker - 23.

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

- 309 **Clause No. 1 of Report No. 2 of The Works And Utilities Committee, headed "Beneficial Use of Biosolids; Odour Containment and Termination of Incineration at Main Treatment Plant".**  
(See Appendix "A", page 913.)

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

- (i) (February 18, 1998) from the President of Operations, Harbour Remediation & Transfer Inc., seeking permission to commence testing of new scrubbers and other control equipment;
- (ii) (February 25, 1998) from Ms. K. Shinn, Chair, The Safe Sewage Committee, providing information regarding the new Sludge Application Regulations (SARS); and
- (iii) (March 2, 1998) from the Commissioner of Works and Emergency Services providing additional information for consideration with the aforementioned matter,

given the timely need for pre-design testing and pilot evaluation prior to the warmer weather in April-May, 1998.

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

- (1) striking out and referring Recommendation No. (1) of the Works and Utilities Committee back to the Committee for further consideration and resubmission to the next regular meeting of Council to be held on Thursday, April 16, 1998, viz.:

“(1) incineration at the Main Treatment Plant be stopped no later than January 1, 1999, and that the Interim Functional Lead for Water/Wastewater Operations be requested to report to the next meeting of the Committee, scheduled to be held on March 25, 1998, on the feasibility of such date;” and

- (2) striking out Recommendation No. (2) of the Works and Utilities Committee and inserting in lieu thereof the following:

“(2) Harbour Remediation and Transfer Inc. be authorized to start testing immediately;”.

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.

- 310 Council resumed its consideration of the following Notice of Motion 11(s) (see Minute No. 300.):

**Moved by: Councillor Gardner**

**Seconded by: Councillor Jakobek**

“**WHEREAS** the Police Services Board recommended for inclusion in the 1998 Interim Capital Budget a Replacement Radio Communications Dispatch Switch; and

**WHEREAS** this item was referred back for further information regarding compatibility with Fire and Ambulance communications projects; and

**WHEREAS** the dispatch switches are only produced at certain times of the year and there is a need to order same immediately; and

**WHEREAS** the Chief Administrative Officer and Chief Financial Officer and Treasurer have reviewed the additional information and recommend the approval of the project;

**NOW THEREFORE BE IT RESOLVED THAT** approval be given to proceed with this project.”

At this point in the proceedings, Councillor Chow 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 conclude consideration of the foregoing Motion, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Balkissoon, Berger, Bossons, Bussin, Cho, Disero, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Lindsay Luby, Mammoliti, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Shaw, Silva, Sinclair, Walker - 27.

Nays: Councillors: Augimeri, Berardinetti, Brown, Chong, Chow, Davis, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Mahood, McConnell, Prue, Rae, Shiner - 16.

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

Council deferred further consideration of the foregoing Motion until later in the meeting. (See also Minute No. 316.)

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

“Bill No. 113 To confirm the second portion of the proceedings of the Council at its meeting held on the 5th day of March, 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. 43-1998 To confirm the second portion of the proceedings of the Council at its meeting held on the 5th day of March, 1998.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti,

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

Nay: Councillor: Gardner - 1.

Decided in the affirmative by a majority of 43.

Council recessed at 10:00 p.m., to reconvene at 9:30 a.m., on Friday, March 6, 1998.

**FRIDAY, MARCH 6, 1998, 9:44 A.M.**

Council reconvened.

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

- 312 At the request of Council, the City Clerk called the Roll at 9:50 a.m., those Members present at the call of the Roll being:

Councillors: Ashton, Balkissoon, Berger, Bossons, Chong, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Silva - 29.

- 313 Members present at the morning session of the third day of this meeting:

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Walker - 42.

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

- 314 **Clause No. 11 of Report No. 2 of The Corporate Services Committee, headed "Part of One-Foot Reserve Abutting Askin Street (closed) between Highway No. 401 and Bridgeland Avenue, North York".**  
(See Appendix "A", page 775.)

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

- 315 **Clause No. 2 of Report No. 3 of The Board of Health, headed “Public Health Funding”.**  
(See Appendix “A”, page 1583.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Kinahan, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendations Nos. (1) and (3) of the Board of Health to the Budget Committee for consideration during the budget process, viz.:

“The Board of Health recommends that:

- (1) the current investments in public health be maintained and any savings resulting from the amalgamation be reinvested back into public health to ensure that:
  - (a) the Provincial Mandatory Health Program and Services Guidelines are met; and
  - (b) local health needs are met, including emerging health needs; and
- (3) Council use as a guideline for future City budgets, the ‘two percent solution’, which is a proposal of the Citizens for Public Health that urges the new City of Toronto to allocate two percent of its total budget to public health programs.”

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

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

- 316 Council resumed its consideration of the following Notice of Motion 11(s) (see also Minute No. 310):

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Gardner**

“**WHEREAS** the Police Services Board recommended for inclusion in the 1998 Interim Capital Budget a Replacement Radio Communications Dispatch Switch; and

**WHEREAS** this item was referred back for further information regarding compatibility with Fire and Ambulance communications projects; and

**WHEREAS** the dispatch switches are only produced at certain times of the year and there is a need to order same immediately; and

**WHEREAS** the Chief Administrative Officer and Chief Financial Officer and Treasurer have reviewed the additional information and recommend the approval of the project;

**NOW THEREFORE BE IT RESOLVED THAT** approval be given to proceed with this project.”

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

- (a) Councillor Chow, in amendment, moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Police Services Board be requested to submit a report to the Budget Committee on detailed pricing and quotes on this project.”

- (b) Councillor Ashton, in amendment, moved that the foregoing Motion be amended by adding thereto the following Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Police Services Board be requested to submit a report to the Budget Committee on the legal content and form of the contractual arrangements with Motorola that could restrict the marketplace to a sole source.”

- (c) Councillor Davis, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended by adding thereto the words “and, if such information is not available, the Police Services Board be requested to provide a copy of the non-disclosure agreement to the Budget Committee”.

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

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

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

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

- 317 **Clauses Nos. 4 and 15 of Report No. 2 of The Urban Environment and Development Committee, headed “Request for Extension of Deadline for Three-Day Roving Charity Casinos” and “Other Items Considered by the Committee”, respectively.**  
(See Appendix “A”, pages 869 and 901.)

Council also had before it, during consideration of the foregoing Clauses, a communication dated March 4, 1998, from Mr. David S. Willmot, The Ontario Jockey Club, submitted by Councillor Sgro, responding to an article which appeared in the March 4, 1998, edition of the Toronto Star respecting a Charity Gaming Club at the Woodbine Racetrack.

Councillor Miller, rising on a point of order, requested Deputy Mayor Ootes to rule the foregoing Clause out of order, having regard that such Clause had not been reported to Council in the appropriate format.

Deputy Mayor Ootes ruled the foregoing Clause in order.

Councillor Miller 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: Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Davis, Disero, Duguid, Kelly, Kinahan, Korwin-Kuczynski, McConnell, Minnan-Wong, Ootes, Pantalone, Rae - 17.

Nays: Councillors: Berger, Chow, Feldman, Giansante, Jakobek, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Nunziata, Prue, Silva, Walker - 14.

Decided in the affirmative by a majority of 3.

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) in place of the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals established by The Urban Environment and Development Committee, a Sub-Committee on Gambling be formed to address the appropriate distribution of gambling revenues between the Province of Ontario and charities;
- (2) a campaign be developed against permanent charity gaming clubs and video lottery terminals being established in the City of Toronto; and the Sub-Committee on Gambling be requested to submit a report to the Urban Environment and Development Committee on continuing roving charity casinos;

- (3) the Provincial government provide immediately, a greater percentage of funds collected from gambling venues to be used to provide Gamblers Anonymous programs in the Province of Ontario; and
- (4) the Provincial government be requested to abide by the decision of the majority of the population of the City of Toronto who are against the establishment of permanent casinos and video lottery terminals.”

At this point in the proceedings, Councillor Pantalone, rising on a point of order, requested Deputy Mayor Ootes to rule on whether the foregoing motion (a) by Councillor Korwin-Kuczynski was in order, having regard that it relates to Item (e), entitled “Permanent Charity Gaming Clubs and Video Lottery Terminals”, as embodied in Clause No. 15 of Report No. 2 of The Urban Environment and Development Committee, headed “Other Items Considered by the Committee”, which is submitted to Council as information only.

Deputy Mayor Ootes ruled Part (4) of the foregoing motion (a) by Councillor Korwin-Kuczynski, out of order.

Councillor Korwin-Kuczynski 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: Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Davis, Disero, Duguid, Feldman, Giansante, Holyday, Kelly, Kinahan, Lindsay Luby, Mammoliti, Pantalone, Rae, Saundercook - 19.

Nays: Councillors: Berger, Korwin-Kuczynski, Mahood, McConnell, Miller, Nunziata, Prue, Shiner, Silva, Walker - 10.

Decided in the affirmative by a majority of 9.

At this point in the proceedings, Councillor Miller requested Deputy Mayor Ootes to rule on whether Item (e), entitled “Permanent Charity Gaming Clubs and Video Lottery Terminals”, as embodied in Clause No. 15 of Report No. 2 of The Urban Environment and Development Committee, headed “Other Items Considered by the Committee”, had been properly reported to Council, having regard that the establishment of a sub-committee requires the approval of Council.

Deputy Mayor Ootes ruled that such Clause had been properly reported to Council.

Councillor Miller 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: Ashton, Balkissoon, Berardinetti, Chong, Davis, Disero, Duguid, Kelly, Kinahan, Minnan-Wong, Ootes, Pantalone, Rae, Saundercook - 14.

Nays: Councillors: Berger, Bossons, Bussin, Feldman, Giansante, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Prue, Shiner, Silva, Walker - 17.

Decided in the negative by a majority of 3.

At this point in the proceedings, Councillor Korwin-Kuczynski moved that, notwithstanding subsection 128(5) of the Council Procedural By-law, Item (e), entitled "Permanent Charity Gaming Clubs and Video Lottery Terminals", as embodied in Clause No. 15 of Report No. 2 of The Urban Environment and Development Committee, headed "Other Items Considered by the Committee", be considered by Council together with the foregoing Clause; that the action of the Urban Environment and Development Committee embodied in such Clause be rescinded, and that his foregoing motion (a) be brought forward for consideration with both Clauses, viz.:

“(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) in place of the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals established by The Urban Environment and Development Committee, a Sub-Committee on Gambling be formed to address the appropriate distribution of gambling revenues between the Province of Ontario and charities;
- (2) a campaign be developed against permanent charity gaming clubs and video lottery terminals being established in the City of Toronto; and the Sub-Committee on Gambling be requested to submit a report to the Urban Environment and Development Committee on continuing roving charity casinos; and
- (3) the Provincial government provide immediately, a greater percentage of funds collected from gambling venues to be used to provide Gamblers Anonymous programs in the Province of Ontario.’ ”,

which was carried.

- (b) Councillor Walker, in amendment, moved that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

“It is further recommended that the results of the referendum against the establishment of casinos, charity gaming casinos, and video lottery terminals in Toronto, be endorsed by City Council and transmitted to the Provincial Government.”

- (c) Councillor Bussin, in amendment, moved that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

“It is further recommended that:

- (1) the City Solicitor be requested to:

(a) submit a report to the Urban Environment and Development Committee, through the Sub-Committee on Gambling, on the implications 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

(b) provide in such report a synopsis of all by-laws related to this matter; and

- (2) the Interim Functional Lead for Planning be requested to submit a report to The Urban Environment and Development Committee, through the Sub-Committee on Gambling, on the history and statistical data related to charity casinos that have existed in Toronto for a number of years.”

- (d) Councillor Nunziata, in amendment, moved that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

“It is further recommended that the Sub-Committee on Gambling be requested to hold public consultation meetings in all of the Civic Service Centres of the former Metropolitan Toronto municipalities.”

- (e) Councillor Pantalone, in amendment, moved that all motions pertaining to the issue of permanent gaming charity clubs be referred to the Sub-Committee on Permanent Gaming Charity Clubs and Video Lottery Terminals for consideration as part of its

public consultation process and report back thereon to Council, through the Urban Environment and Development Committee.”

At this point in the proceedings, Councillor Shiner, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Councillors: Berger, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Nunziata, Prue, Saundercook, Shiner, Walker - 17.

Nays: Councillors: Ashton, Balkissoon, Bossons, Brown, Bussin, Jones, Kinahan, Miller, Minnan-Wong, Ootes, Pantalone, Rae, Silva - 13.

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

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing motion (b) by Councillor Walker, ruled such motion out of order, viz.:

“that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

‘It is further recommended that the results of the referendum against the establishment of casinos, charity gaming casinos, and video lottery terminals in Toronto, be endorsed by City Council and transmitted to the Provincial Government.’ ”

Councillor Walker 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: Ashton, Berardinetti, Berger, Bossons, Brown, Chong, Disero, Duguid, Feldman, Holyday, Kelly, Kinahan, Mammoliti, Ootes, Pantalone, Saundercook - 16.

Nays: Councillors: Bussin, Chow, Giansante, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Prue, Rae, Shiner, Silva, Walker - 18.

Decided in the negative by a majority of 2.

Upon the question of the adoption of the foregoing motion (e) by Councillor Pantalone, viz.:

“that all motions pertaining to the issue of permanent gaming charity clubs be referred to the Sub-Committee on Permanent Gaming Charity Clubs and Video Lottery Terminals for consideration as part of its public consultation process and report back thereon to Council, through the Urban Environment and Development Committee.”,

the vote was taken as follows:

Yeas: Councillors: Ashton, Berardinetti, Berger, Brown, Chong, Feldman, Holyday, Kelly, Kinahan, Mammoliti, Ootes, Pantalone - 12.

Nays: Councillors: Bossons, Bussin, Chow, Disero, Duguid, Giansante, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Prue, Rae, Saundercook, Shiner, Silva, Walker - 22.

Decided in the negative by a majority of 10.

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

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

‘It is recommended that:

- (1) in place of the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals established by The Urban Environment and Development Committee, a Sub-Committee on Gambling be formed to address the appropriate distribution of gambling revenues between the Province of Ontario and charities;’ ”,

the vote was taken as follows:

Yeas: Councillors: Berger, Bossons, Brown, Bussin, Chow, Disero, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Prue, Rae, Silva, Walker - 20.

Nays: Councillors: Ashton, Berardinetti, Chong, Duguid, Feldman, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Ootes, Pantalone, Saundercook, Shiner - 13.

Decided in the affirmative by a majority of 7.

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

“that:

‘(2) a campaign be developed against permanent charity gaming clubs and video lottery terminals being established in the City of Toronto;’ ”,

the vote was taken as follows:

Yeas: Councillors: Berardinetti, Berger, Bussin, Cho, Chow, Feldman, Giansante, Jones, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Rae, Shiner, Silva, Walker - 20.

Nays: Councillors: Bossons, Brown, Chong, Disero, Duguid, Holyday, Jakobek, Kelly, Kinahan, Mammoliti, Ootes, Pantalone, Prue, Saundercook - 14.

Decided in the affirmative by a majority of 6.

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

“and the Sub-Committee on Gambling be requested to submit a report to the Urban Environment and Development Committee on continuing roving charity casinos.”,

the vote was taken as follows:

Yeas: Councillors: Berardinetti, Brown, Bussin, Chow, Duguid, Holyday, Kinahan, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Minnan-Wong, Ootes, Prue, Rae, Shiner, Walker - 17.

Nays: Councillors: Berger, Bossons, Cho, Disero, Feldman, Giansante, Jakobek, Jones, Lindsay Luby, Mahood, Miller, Nunziata, Pantalone, Silva - 14.

Decided in the affirmative by a majority of 3.

Upon the question of the adoption of Part (3) of the foregoing motion (a) by Councillor Korwin-Kuczynski, viz.:

“that:

‘(3) the Provincial government provide immediately, a greater percentage of funds collected from gambling venues to be used to provide Gamblers Anonymous programs in the Province of Ontario.’ ”,

it was carried.

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

“that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

‘It is further recommended that:

- (1) the City Solicitor be requested to:
  - (a) submit a report to the Urban Environment and Development Committee, through the Sub-Committee on Gambling, on the implications 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
  - (b) provide in such report a synopsis of all by-laws related to this matter; and
- (2) the Interim Functional Lead for Planning be requested to submit a report to the Urban Environment and Development Committee, through the Sub-Committee on Gambling, on the history and statistical data related to charity casinos that have existed in Toronto for a number of years.’ ”,

it was carried.

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

“that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

‘It is recommended that the Sub-Committee on Gambling be requested to hold public consultation meetings in all of the Civic Service Centres of the former Metropolitan Toronto municipalities.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Feldman, Giansante, Holyday, Jakobek, Jones, Kelly,

Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Nunziata, Ootes, Prue, Silva, Walker - 27.

Nays: Councillors: Duguid, McConnell, Minnan-Wong, Pantalone, Rae, Shiner - 6.

Decided in the affirmative by a majority of 21.

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

“that the foregoing motion (a) by Councillor Korwin-Kuczynski be amended by adding thereto the following:

‘It is further recommended that the results of the referendum against the establishment of casinos, charity gaming casinos, and video lottery terminals in Toronto, be endorsed by City Council and transmitted to the Provincial Government.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Prue, Rae, Saundercook Shiner, Silva, Walker - 31.

Nays: Councillors: Brown, Chong, Mammoliti, Pantalone - 4.

Decided in the affirmative by a majority of 27.

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

In summary, Council struck out the recommendations of the Urban Environment and Development Committee contained in Clause No. 4, rescinded the action of the Committee contained in Item (e), entitled “Permanent Charity Gaming Clubs and Video Lottery Terminals”, embodied in Clause No. 15, and inserted in lieu thereof the following:

“It is recommended that:

- (1) the results of the referendum against the establishment of casinos, charity gaming casinos, and video lottery terminals in Toronto, be endorsed by City Council and transmitted to the Provincial Government;
- (2) in place of the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals established by the Urban Environment and Development Committee, a Sub-Committee on Gambling be formed to

address the appropriate distribution of gambling revenues between the Province of Ontario and charities;

- (3) a campaign be developed against permanent charity gaming clubs and video lottery terminals being established in the City of Toronto; and the Sub-Committee on Gambling be requested to submit a report to the Urban Environment and Development Committee on continuing roving charity casinos;
- (4) the Provincial government provide immediately, a greater percentage of funds collected from gambling venues to be used to provide Gamblers Anonymous programs in the Province of Ontario;
- (5) the City Solicitor be requested to:
  - (a) submit a report to the Urban Environment and Development Committee, through the Sub-Committee on Gambling, on the implications 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
  - (b) provide in such report a synopsis of all by-laws related to this matter;
- (6) the Interim Functional Lead for Planning be requested to submit a report to the Urban Environment and Development Committee, through the Sub-Committee on Gambling, on the history and statistical data related to charity casinos that have existed in Toronto for a number of years; and
- (7) the Sub-Committee on Gambling be requested to hold public consultation meetings in all of the Civic Service Centres of the former Metropolitan Toronto municipalities.”

318 At this point in the proceedings, Councillor Berger, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion 11(p):

**Moved by:** Councillor Berger

**Seconded by:** Councillor Moscoe



“**WHEREAS**, the Parking Authority members will not be nominated for some time; and

**WHEREAS** the Authority has the responsibility to elect a president; and

**WHEREAS** it is important that the president reflect the policies of the City and be chosen by the new board;

**NOW THEREFORE BE IT RESOLVED THAT** the Parking Authority be requested to defer the appointment until the new board takes effect.”,

the vote upon which was taken as follows:

Yeas: Councillors: Balkissoon, Berger, Brown, Cho, Duguid, Feldman, Giansante, Holyday, Jones, Kelly, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Ootes, Shiner - 16.

Nays: Councillors: Adams, Chong, Chow, Disero, Jakobek, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Nunziata, Prue, Rae, Saundercook, Silva, Walker - 15.

Decided in the affirmative by a majority of 1.

At this point in the proceedings, Councillor Berger, with the permission of Council, 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 debate of the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Berger, Brown, Cho, Feldman, Giansante, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Ootes, Shiner - 12.

Nays: Councillors: Adams, Balkissoon, Chong, Chow, Davis, Disero, Duguid, Jakobek, Kelly, Kinahan, Mihevc, Miller, Nunziata, Prue, Rae, Saundercook, Silva, Walker - 18.

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

319 **Clause No. 1 of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Appointments to the Toronto Arts Council”.** (See Appendix “A”, page 1599.)

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

- 320 **Clause No. 3 of Report No. 2 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Other Items Considered by the Committee”.**  
(See Appendix “A”, page 1632.)

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

- 321 **Clause No. 3 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Accessibility of York Community Council to the Public”.**  
(See Appendix “A”, page 1676.)

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

- 322 **Clause No. 4 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Selected Issues Respecting Agencies, Boards and Commissions”.**  
(See Appendix “A”, page 1677.)

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

- 323 **Clause No. 5 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Terms of Reference for the Homeless Strategy Task Force”.**  
(See Appendix “A” page 1681.)

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

- 324 **Clause No. 8 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Draft Terms of Reference for the Task Force on Agencies, Boards and Commissions”.**  
(See Appendix “A” page 1700.)

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

- 325 **Clause No. 9 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Other Items Considered by the Committee”.**  
(See Appendix “A” page 1708.)

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

Deputy Mayor Ootes designated Councillor Chong to take the Chair for the next part of the meeting, and vacated the Chair.

- 326 **Clause No. 14 of Report No. 2 of The Urban Environment and Development Committee, headed “Improving Speed Limit Compliance on Major Arterial Roads - Status Report”.**  
(See Appendix “A”, page 889.)

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

“It is further recommended that the Province of Ontario be requested to provide funding from moving violations to support traffic enforcement initiatives in the City of Toronto.”

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

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

- 327 **Clause No. 2 of Report No. 2 of The Works and Utilities Committee, headed “1998 Environment Days”.**  
(See Appendix “A”, page 920.)

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

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

“It is further recommended that each Member of Council be permitted to hold Environment Days in their respective Ward if they so wish.”

- (b) Councillor Davis, in amendment, moved that the foregoing motion (a) by Councillor Shiner be amended by adding thereto the words “and that no more than 57 Environment Days be held”.

- (c) Councillor Brown, in amendment, moved that the foregoing Clause be struck out and referred back to the Works and Utilities Committee for further consideration, and that the Commissioner of Works and Emergency Services be requested to conduct a cost benefit analysis respecting this matter and submit a report thereon to the Works and Utilities Committee.

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

Yeas: Councillors: Balkissoon, Brown, Holyday, Mahood, Minnan-Wong, O'Brien, Saundercook, Shaw, Shiner, Silva - 10.

Nays: Councillors: Adams, Ashton, Berardinetti, Bossons, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Jakobek, Jones, Kelly, Korwin-Kuczynski, Mammoliti, Mihevc, Miller, Moeser, Nunziata, Ootes, Prue, Rae - 23.

Decided in the negative by a majority of 13.

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

Yeas: Councillors: Adams, Bossons, Cho, Chong, Davis, Mahood, Mammoliti, Moeser, Ootes, Prue, Rae, Saundercook, Shaw, Shiner - 14.

Nays: Councillors: Ashton, Balkissoon, Berardinetti, Brown, Bussin, Disero, Duguid, Feldman, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Mihevc, Miller, Minnan-Wong, Nunziata, Silva - 18.

Decided in the negative by a majority of 4.

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

Yeas: Councillors: Balkissoon, Bussin, Cho, Chong, Davis, Duguid, Mammoliti, O'Brien, Ootes, Rae, Saundercook, Shaw, Shiner, Silva - 14.

Nays: Councillors: Adams, Ashton, Berardinetti, Bossons, Brown, Disero, Feldman, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Prue - 19.

Decided in the negative by a majority of 5.

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Davis, Disero, Duguid, Feldman, Holyday, Jakobek, Jones, Kelly, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Silva - 28.

Nays: Councillors: Brown, Cho, Korwin-Kuczynski, Shiner - 4.

Decided in the affirmative by a majority of 24.

Council recessed at 12:30 p.m.

**2:15 P.M.**

Council reconvened.

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

328 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:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Moeser, Nunizata, Ootes, Pantalone, Rae, Sgro, Shaw, Shiner, Silva, Sinclair - 34.

329 Members present for the afternoon session of the third day of this meeting:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 38.

330 At this point in the proceedings, Councillor Mihevc, seconded by Councillor Chow, with the permission of Council, moved that:

“**WHEREAS** the Members of City Council are saddened to learn of the passing of Ms. Nancy Pocock, on Thursday, March 5, 1998; and

**WHEREAS** Ms. Pocock had a long and distinguished career as a human rights, peace and refugee advocate; and

**WHEREAS** Ms. Pocock was a distinguished member of the Society of Friends (Quakers); and

**WHEREAS** Ms. Pocock won many national and international awards for her work;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of City Council, an expression of sincere sorrow to the family of Ms. Pocock.”

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 Ms. Pocock.

- 331 At this point in the proceedings, Councillor Jakobek, seconded by Councillor Lindsay Luby, with the permission of Council, requested the City Clerk to record in the Minutes of this meeting of Council, the sincere congratulations and best wishes of Council to Mayor Lastman on the occasion of his 65th birthday, which was carried.

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

- 332 **Clause No. 3 of Report No. 2 of The Works and Utilities Committee, headed "Extension of Contract No. 50130 - Provision of Bulk Lift Garbage and Recycling Collection Services - Toronto and York Community Council Areas".**  
(See Appendix "A" page 923.)

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

- (i) (March 2, 1998) from the City Clerk, forwarding the recommendations of the Works and Utilities Committee from its special meeting held on March 2, 1998, that:
  - (1) the recommendation of the Committee from its meeting on February 11, 1998, embodied in Clause No. 3 of Report No. 2 of The Works and Utilities Committee, be rescinded; and
  - (2) the Interim Functional Lead for Solid Waste Management be requested to negotiate with Canadian Waste Services Inc. a one-year extension of the contract for the provision of bulk lift garbage and recycling collection services for the Toronto and York Community Council areas, and submit a report thereon to the next meeting of the Committee, scheduled to be held on March 25, 1998; and
- (ii) (March 4, 1998) addressed to the Works and Utilities Committee from the Interim Functional Lead for Solid Waste Management, providing information on the history of damage to bulk lift containers in the Toronto Community Council area and submitting additional recommendations in regard thereto.

Councillor Walker, having questioned for a period of five minutes, Councillor Jones, seconded by Councillor McConnell, moved that subsection 25(5) of the Council Procedural By-law be waived and that Councillor Walker be granted a further period of five minutes in order to permit the conclusion of his questions, the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chow, Duguid, Jones, McConnell, Mihevc, Miller, Nunziata, Prue, Shaw, Sinclair, Tzekas, Walker - 18.

Nays: Councillors: Adams, Bossons, Bussin, Chong, Davis, Disero, Giansante, Holyday, Jakobek, Kelly, Kinahan, Ootes, Sgro, Shiner - 14.

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

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:

- (1) striking out the recommendation of the Works and Utilities Committee and inserting in lieu thereof the following recommendations of the Works and Utilities Committee embodied in the communication dated March 2, 1998, from the City Clerk:

“The Works and Utilities Committee recommends that:

- (1) the recommendation of the Committee from its meeting on February 11, 1998, embodied in Clause No. 3 of Report No. 2 of The Works and Utilities Committee, be rescinded; and
- (2) the Interim Functional Lead for Solid Waste Management be requested to negotiate with Canadian Waste Services Inc. a one-year extension of the contract for the provision of bulk lift garbage and recycling collection services for the Toronto and York Community Council areas, and submit a report thereon to the next meeting of the Committee, scheduled to be held on March 25, 1998.”; and

- (2) adding thereto the following:

“It is further recommended that the report dated March 4, 1998, from the Interim Functional Lead for Solid Waste Management, headed ‘Supplementary Report - Provision of Bulk Lift Waste Collection Services in Toronto and York Community Council Areas’, be received.”

(b) Councillor Shiner, 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 be requested to submit a report to the Works and Utilities Committee on other bulk lift contracts anticipated in the future.”

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

Yeas: Councillors: Augimeri, Berardinetti, Bussin, Chow, Disero, Duguid, Jakobek, Jones, Kinahan, McConnell, Mihevc, Miller, Nunziata, Prue, Rae, Sgro, Shaw, Tzekas, Walker - 19.

Nays: Councillors: Adams, Balkissoon, Bossons, Brown, Cho, Chong, Davis, Giansante, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Moeser, Ootes, Shiner, Sinclair - 16.

Decided in the affirmative by a majority of 3.

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

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

333 **Clause No. 3 of Report No. 2 of The Corporate Services Committee, headed "Honoraria for Councillors Appointed to Agencies, Boards and Commissions".**  
(See Appendix "A", page 748.)

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

- (a) Councillor Kinahan, in amendment, moved that the foregoing Clause be amended:
- (1) by deleting the word "additional" from Recommendation No. (1) of the Corporate Services Committee; and
  - (2) to provide that the application of this policy as it pertains to the Toronto and Region Conservation Authority be referred to the Commissioner of Corporate Services for report thereon to the Corporate Services Committee.
- (b) Councillor Balkissoon, in amendment, moved that the foregoing Clause be amended by inserting in Recommendation No. (1) of the Corporate Services Committee, after the word "honoraria", the words "expense allowances", so that such recommendation shall now read as follows:
- "(1) no additional honoraria, expense allowances, or stipends be provided for Members of Council who are appointed to act as Chairs or Members of Agencies, Boards or Commissions;"
- (c) Councillor Miller, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration, together with the foregoing motions (a) and (b) by Councillors Kinahan and Balkissoon, respectively.

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



- 334 Council resumed its consideration of Clause No. 2 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Process to Develop Property Tax Implementation Plan". (See also Minute No. 307.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Augimeri, 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 Assessment and Tax Policy Task Force, for its meeting scheduled to be held on March 23, 1998, outlining:

- (1) the criteria that was used in defining industrial and commercial properties; and
- (2) the feasibility of including an additional classification for small commercial businesses."

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

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

- 335 Council resumed its consideration of Clause No. 3 of Report No. 3 of the Strategic Policies and Priorities Committee, headed "Reassessment and Tax Policy Information and Communications Plan". (See also Minute No. 307.)

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

- (a) Councillor McConnell, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (3) of the Strategic Policies and Priorities Committee, the following new Recommendation No. (3)(iv):

"(iv) because many businesses and homeowners have found their tax assessment was based on faulty data; and because many businesses have found that their tax assessments were based on most lucrative use, rather than current use; and because even where the errors are obvious, there is no guarantee that the appeal will be completed before taxes are charged; and, because, some of the erroneous assessments would lead to taxes high enough to destroy the business in question, and force the homeowner to sell their home, Council request the Province of Ontario:

- (a) to defer the implementation of AVA until they have processed the appeals filed by the appeal deadline this year; and

- (b) to undertake an arms-length review of the quality and accuracy of the current reassessment in the City of Toronto.”
- (b) Councillor Davis, in amendment, moved that the foregoing Clause be amended by adding at the end of Recommendation No. (3) of the Strategic Policies and Priorities Committee, the words “and that the information be readable under Microsoft Access; include Property Class Code and Postal Codes, and each Member of Council receive a copy of the CD Rom version of the final assessment roll”.
- (c) Councillor Adams, in amendment, moved that the foregoing Clause be amended by:
  - (1) amending Recommendation No. (3) of the Strategic Policies and Priorities Committee by:
    - (a) inserting in Recommendation No. (3)(i), after the words “make public”, the words “and provide to the City of Toronto”, and adding at the end thereof the words “, the boundaries of the homogeneous neighbourhood areas within which it applies regression analysis and the database upon which its regression analysis and other calculations are based”;
    - (b) inserting in Recommendation No. (3)(ii), after the words “make public”, the words “and provide to the City of Toronto”;
    - (c) inserting in Recommendation No. (3)(iii), prior to the words “provide to the City of Toronto”, the words “make public and”, and adding thereto the words “, specifically including the comparability and interchangeability of the differing assessment methodologies used to determine the value of commercial buildings (e.g. the income method used to assess office towers versus the arms-length sales/regression analysis method used for strip retail)”;
  - (2) adding thereto the following:

“It is further recommended that City Council request the Province of Ontario to provide available assessment information necessary to determine assessments based on current value in current use.”

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

“that the foregoing Clause be amended by adding to Recommendation No. 3 of the Strategic Policies and Priorities Committee, the following new Recommendation No. (3)(iv):

- ‘(iv) because many businesses and homeowners have found their tax assessment was based on faulty data; and because many businesses have found that their tax assessments were based on most lucrative use, rather than current use; and because even where the errors are obvious, there is no guarantee that the appeal will be completed before taxes are charged; and, because, some of the erroneous assessments would lead to taxes high enough to destroy the business in question, and force the homeowner to sell their home, Council request the Province of Ontario:
- (a) to defer the implementation of AVA until they have processed the appeals filed by the appeal deadline this year;’  
”  
”

the vote was taken as follows:

Yeas: Councillors: Adams, Bossons, Bussin, Cho, Chow, Holyday, Jakobek, Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Ootes, Rae, Walker - 15.

Nays: Councillors: Ashton, Augimeri, Balkissoon, Brown, Chong, Davis, Duguid, Kelly, Kinahan, Lindsay Luby, Moeser, Prue, Shaw, Shiner, Sinclair, Tzekas - 16.

Decided in the negative by a majority of 1.

Upon the question of the adoption Part (iv)(b) of the foregoing motion (a) by Councillor McConnell, viz.:

“that the foregoing Clause be amended by adding to Recommendation No. 3 of the Strategic Policies and Priorities Committee, the following new Recommendation No. (3)(iv):

- ‘(iv) because many businesses and homeowners have found their tax assessment was based on faulty data; and because many businesses have found that their tax assessments were based on most lucrative use, rather than current use; and because even where the errors are obvious, there is no guarantee that the appeal will be completed before taxes are charged; and, because, some of the erroneous assessments would lead to taxes high enough to destroy the business in question, and force the homeowner to sell their home, Council request the Province of Ontario:

- (b) to undertake an arms-length review of the quality and accuracy of the current reassessment in the City of Toronto.’ ”,

it was carried.

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

Upon the question of the adoption of the foregoing motion (c) by Councillor Adams, 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 Recommendation No. (3) of the Strategic Policies and Priorities Committee by:
  - (a) inserting in Recommendation No. (3)(i), after the words ‘make public’, the words ‘and provide to the City of Toronto’, and adding at the end thereof the words ‘, the boundaries of the homogeneous neighbourhood areas within which it applies regression analysis and the database upon which its regression analysis and other calculations are based’;
  - (b) inserting in Recommendation No. (3)(ii), after the words ‘make public’, the words ‘and provide to the City of Toronto’;
  - (c) inserting in Recommendation No. (3)(iii), prior to the words ‘provide to the City of Toronto’, the words ‘make public and’, and adding thereto the words ‘, specifically including the comparability and interchangeability of the differing assessment methodologies used to determine the value of commercial buildings (e.g. the income method used to assess office towers versus the arms-length sales/regression analysis method used for strip retail)’;
  - (d) adding the following new Recommendation No. (3)(iv):
    - ‘(iv) because many businesses and homeowners have found their tax assessment was based on faulty data; and because many businesses have found that their tax assessments were based on most lucrative use, rather than current use; and because even where the errors are obvious, there is no guarantee that the appeal will be completed before taxes are charged; and, because, some of the erroneous assessments would lead to

taxes high enough to destroy the business in question, and force the homeowner to sell their home, Council request the Province of Ontario to undertake an arms-length review of the quality and accuracy of the current reassessment in the City of Toronto.’; and

- (e) adding at the end of Recommendation No. (3) of the Strategic Policies and Priorities Committee the words ‘and that the information be readable under Microsoft Access; include Property Class Code and Postal Codes, and each Member of Council receive a copy of the CD Rom version of the final assessment roll’;

so that Recommendation No. (3) of the Strategic Policies and Priorities Committee shall now read as follows:

‘The Strategic Policies and Priorities Committee recommends that:

- (3) the Property Assessment Division of the Ministry of Finance be requested to:
  - (i) make public and provide to the City of Toronto the valuation models used, neighbourhood by neighbourhood, to value residential properties in the City of Toronto, including any statistical regression equations that were used, the boundaries of the homogeneous neighbourhood areas within which it applies regression analysis and the database upon which its regression analysis and other calculations are based;
  - (ii) make public and provide to the City of Toronto the quality control studies that were used to evaluate the accuracy of these valuation models, including assessment-to-sale ratios, coefficients of variation and dispersion, and full listing of property characteristics for properties in the ratio studies (including addresses and roll number);
  - (iii) make public and provide to the City of Toronto, in as much detail as possible, information on the valuation models used to assess properties in the other property classes (multi-residential, commercial and industrial) along with results of accuracy tests used for these classes, specifically including the comparability and interchangeability of the differing assessment methodologies used to determine the value of commercial buildings (e.g. the income method used to assess office towers versus the arms-length sales/regression analysis method used for strip retail); and
  - (iv) because many businesses and homeowners have found their tax assessment was based on faulty data; and because many

businesses have found that their tax assessments were based on most lucrative use, rather than current use; and because even where the errors are obvious, there is no guarantee that the appeal will be completed before taxes are charged; and, because, some of the erroneous assessments would lead to taxes high enough to destroy the business in question, and force the homeowner to sell their home, Council request the Province of Ontario to undertake an arms-length review of the quality and accuracy of the current reassessment in the City of Toronto;

and that the information be readable under Microsoft Access; include Property Class Code and Postal Codes, and each Member of Council receive a copy of the CD-ROM version of the final assessment roll.'; and

- (2) adding thereto the following:

'It is further recommended that City Council request the Province of Ontario to provide available assessment information necessary to determine assessments based on current value in current use.' ”,

it was carried.

- 336 Council resumed its consideration of Clause No. 16 of Report No. 3 of the Strategic Policies and Priorities Committee, headed “Business Education Tax Rate - Communications Plan”. (See also Minute No. 307.)

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

- (a) Councillor Augimeri, in amendment, moved that the foregoing Clause be amended:

- (1) to provide that the communications strategy not be restricted to the Business Education Tax but also include all tax categories; and
- (2) by adding thereto the following:

“It is further recommended that the report dated March 2, 1998, from the Chief Administrative Officer, entitled ‘Business Education Tax Rate - Communications Strategy’, be adopted, subject to inserting in Recommendation No. (2), after the word ‘report’, the words ‘to the Assessment and Tax Policy Task Force’, so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) Council approve the communications strategy in partnership with the business community, under a 50/50 funding formula up to a maximum of \$200,000.00; and
  - (2) Council direct the Economic Development and Communications Departments to provide staff support to the final development and implementation of the campaign components with the business community and to have staff report to the Assessment and Tax Policy Task Force on those actions and outcomes.’ ”
- (b) Councillor Bossons, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the information requested by the Assessment and Tax Policy Task Force be made available to outside researchers under stringent conditions designed to prevent any access by commercial interests.”

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

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

Yeas: Councillors: Adams, Bossons, Brown, Bussin, Chow, Davis, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Miller, Ootes, Prue, Rae - 14.

Nays: Councillors: Ashton, Augimeri, Balkissoon, Cho, Chong, Duguid, Holyday, Jones, Kinahan, Lindsay Luby, Moeser, Shaw, Shiner, Silva, Sinclair, Tzekas - 16.

Decided in the negative by a majority of 2.

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

- 337 At this point in the proceedings, Councillor Adams, with the permission of Council, moved that, in accordance with subsection 11(5) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. adjournment, and that Council continue to meet until 4:30 p.m. today, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chong, Chow, Duguid, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Moeser, Nunziata, Ootes, Prue, Rae, Shaw, Silva, Walker - 27.

Nays: Councillors: Cho, Davis, Miller, Shiner, Sinclair, Tzekas - 6.

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

- 338 **Clause No. 46 of Report No. 2 of The Toronto Community Council, headed “Preliminary Report - Official Plan and Zoning By-law Amendments and Site Plan Approval - 14 Prince Arthur Avenue (Midtown)”.**  
(See Appendix “A”, page 1420.)

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

“It is further recommended that:

- (1) the City Solicitor and the Commissioner of Planning and Urban Development Services be instructed to attend the Ontario Municipal Board hearing on the Committee of Adjustment appeal scheduled for April 14, 1998, in respect of 14 Prince Arthur Avenue in opposition to such appeal, on the grounds that the application is not appropriately dealt with as a minor variance; and
- (2) the supplementary report dated February 17, 1998, from the Commissioner of Urban Development Services, as embodied in the foregoing Clause be adopted.”

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

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

- 339 **Clause No. 4 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Seniors Property Tax Credit”.**  
(See Appendix “A”, page 996.)

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

- (a) Councillor Davis, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (1) embodied in the report dated February 10, 1998, from the Chief Financial Officer and Treasurer, the words “and that such new program not provide benefits that are less than the benefits previously in existence”.
- (b) Councillor Walker, in amendment, moved that the foregoing motion (a) by Councillor Davis be referred to the Chief Financial Officer and Treasurer with a request that she submit a report thereon to the Assessment and Tax Policy Task Force as soon as possible.



- (c) Councillor Kinahan, in amendment, moved that the foregoing motion (b) by Councillor Walker be amended by adding thereto the words “, such report to address whether similar programs to those previously provided can be provided, whether or not an individual’s home assessment increases”.

Upon the question of the adoption of the foregoing motion (b) by Councillor Walker, as amended by the foregoing motion (c) by Councillor Kinahan, viz.:

“that the foregoing motion (a) by Councillor Davis be referred to the Chief Financial Officer and Treasurer with a request that she submit a report thereon to the Assessment and Tax Policy Task Force as soon as possible, such report to address whether similar programs to those previously provided can be provided, whether or not an individual’s home assessment increases.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Duguid, Jones, Kinahan, Korwin-Kuczynski, McConnell, Miller, Moeser, Nunziata, Ootes, Prue, Rae, Silva, Tzekas, Walker - 22.

Nays: Councillors: Balkissoon, Cho, Davis, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby - 8.

Decided in the affirmative by a majority of 14.

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 the following motion be referred to the Chief Financial Officer and Treasurer with a request that she submit a report thereon to the Assessment and Tax Policy Task Force as soon as possible, such report to address whether similar programs to those previously provided can be provided, whether or not an individual’s home assessment increases:

Moved by Councillor Davis:

“That the foregoing Clause be amended by adding to Recommendation No. (1) embodied in the report dated February 10, 1998, from the Chief Financial Officer and Treasurer, the words “and that such new program not provide benefits that are less than the benefits previously in existence”.’ ”,

it was carried.

- 340 **Clause No. 2 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Draft Discussion Paper on the Roles and Responsibilities of Community Councils”.**  
(See Appendix “A”, page 1648.)

Council also had before it, during consideration of the foregoing Clause, a report (March 3, 1998) from the City Solicitor, reporting, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, on proposed amendments to the Council Procedural By-law.

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

- 341 At this point in the proceedings, Councillor Adams, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion 11(x), and, seconded by Councillor Rae, 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 debate of this Motion at this meeting of Council, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Adams**

**Seconded by: Councillor Rae**

**“WHEREAS** on July 14, 1997, the former City of Toronto Council adopted Land Use Committee Report No. 10, Clause 7, respecting the Final Report on Interim Control By-Law 1997-0073, respecting 119R Glen Road, 107 Glen Road, 15 Beaumont Road and 12 May Street and in so doing required any new building or structure to be set back not less than 10.0 metres from the Ravine Impact Boundary for the Park Drive Ravine; and

**WHEREAS** the former City of Toronto Council also requested the Commissioner of Urban Development Services to report back on a process and timetable for developing ‘ravine Impact Boundaries’ for all ravine areas; and

**WHEREAS** the Vale of Avoca Ravine is a physical extension of the same landform as the Park Drive Ravine; and

**WHEREAS** new development is being proposed immediately adjacent to the Vale of Avoca Ravine; and

**WHEREAS**, in order to prohibit the erection of any building or structure within the 10 metre set back from the Vale of Avoca Ravine and in the Ravine itself, prior to the conclusion of the Study, it is necessary for Council to pass an Interim Control By-law; and

**WHEREAS** the Commissioner of Urban Planning and Development Services has submitted a report dated March 4, 1998 requesting that an Interim Control By-law be enacted;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) Council adopt the recommendations contained in the report from the Commissioner of Urban Planning and Development Services dated March 4, 1998, titled 'Interim Control By-law respecting the properties abutting the Vale of Avoca Ravine (Ward 23 - Midtown)'; and
- (2) Bill No. 111, being a by-law 'To effect interim control on certain lands within and abutting the Vale of Avoca Ravine', be adopted."

Council also had before it, during consideration of the foregoing Motion, a report from the Commissioner of Urban Planning and Development Services (March 4, 1998) respecting the properties abutting the Vale of Avoca Ravine, and submitting recommendations with respect thereto. (See Attachment No. 2.)

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

At this point in the proceedings, and with the permission of Council, Councillor Adams moved that leave be granted to introduce:

"Bill No. 111 To effect interim control on certain lands within and abutting the Vale of Avoca Ravine.",

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. 44-1998 To effect interim control on certain lands within and abutting the Vale of Avoca Ravine.",

it was carried.

Councillor Bossons declared her interest in the foregoing Notice of Motion and Bill, in that she owns property that may be deemed to be in the areas affected by the Interim Control By-law.

- 342 **Clause No. 5 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “1998 Operating and Capital Budgets - Revised Meeting Schedule”.**  
(See Appendix “A”, page 1000.)

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

- (a) Councillor Balkissoon, in amendment, moved that the foregoing Clause be amended to provide that the special Scarborough Community Council meeting to be held on Monday, March 23, 1998, to review the Capital Budget, be held at 7:00 p.m. instead of 6:00 p.m.
- (b) Councillor Miller, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the meetings of the Budget Committee which are scheduled to be held on March 9, 10, 11 and 12, 1998, be located in Committee Room ‘A’, at Metro Hall.”

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

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

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

- 343 At this point in the proceedings, Councillor Mihevc, with the permission of Council, moved that in accordance with subsection 11(5) of the Council Procedural By-law, Council waive the requirement of the 4:30 p.m. adjournment, and that Council continue to meet until 5:00 p.m., today, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Bossons, Brown, Cho, Chong, Chow, Duguid, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Nunziata, Ootes, Prue, Rae, Silva - 23.

Nays: Councillors: Berardinetti, Bussin, Jones, Miller, Moeser, Walker - 6.

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

- 344 **Clause No. 15 of Report No. 2 of the Strategic Policies and Priorities Committee, headed “Municipal Grants Review Committee”.**  
(See Appendix “A”, page 1051.)

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

- (a) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended to provide that recommendations for both the appeals process and the development of community grants be reported through the Community and Neighbourhoods Committee.
- (b) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that deputations respecting the Municipal Grants Review take place at the Municipal Grants Review Committee level for report thereon to the Strategic Policies and Priorities Committee and Council.”

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

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

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

- 345 **Clause No. 2 of Report No. 2 of The East York Community Council, headed “Enforcement Issues in Relation to the Parking Pad Located at 745 Sammon Avenue”.**  
(See Appendix “A”, page 1080.)

Council also had before it, during consideration of the foregoing Clause, a communication (February 25, 1998) from the Director of Transportation and Engineering, East York Civic Centre, providing additional information on enforcement issues relating to front yard parking at 745 Sammon Avenue.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Prue, in amendment, moved that consideration of the foregoing Clause be deferred to the next regular meeting of Council to be held on Thursday, April 16, 1998.

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

- 346 **Clause No. 11 of Report No. 2 of The Toronto Community Council, headed “Removal of City-owned Tree - 170 Gough Avenue (Don River)”.**  
(See Appendix “A”, page 1347.)

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

“It is further recommended that Council instruct staff to advise the neighbouring residents and Community Councils of the former area municipalities when reporting

on matters relating to properties which are adjacent to the boundaries of the former municipalities.”

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

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

347 Councillor Walker, seconded by Councillor McConnell, moved that leave be granted to introduce:

“Bill No. 42 To amend further By-law No. 92-93, a by-law ‘To regulate traffic on roads in the Borough of East York’, being a by-law of the former Borough of East York.”

“Bill No. 43 To amend further By-law No. 92-93, a by-law ‘To regulate traffic on roads in the Borough of East York’, being a by-law of the former Borough of East York.”

“Bill No. 44 To provide for the formulation and implementation of a plan for the provision of emergency services during emergencies affecting the City of Toronto”, as amended.

“Bill No. 45 To establish certain lands as a municipal highway.”

“Bill No. 46 To establish certain lands as a municipal highway.”

“Bill No. 47 To establish certain lands as a municipal highway.”

“Bill No. 48 To establish certain lands as a municipal highway.”

“Bill No. 49 To establish certain lands as a municipal highway.”

“Bill No. 50 To establish certain lands as a municipal highway.”

“Bill No. 51 To establish certain lands as a municipal highway.”

“Bill No. 52 To establish certain lands as a municipal highway.”

“Bill No. 53 To establish certain lands as a municipal highway.”

“Bill No. 54 To establish interim procedures and authority for the procurement of goods and services”, as amended.

- “Bill No. 56 To adopt Amendment No. 1003 of the Official Plan for the former City of Scarborough.”
- “Bill No. 55 To amend Scarborough Zoning By-law No. 24982 with respect to the Oakridge Employment District.”
- “Bill No. 57 To prescribe maintenance and occupancy standards for dwelling units with respect to carbon monoxide detectors”, as amended.
- “Bill No. 58 To amend further the former Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on Metropolitan Roads.”
- “Bill No. 59 A By-law to amend City of North York By-law 32931”, as amended.
- “Bill No. 60 To amend North York By-law No. 31001”, as amended.
- “Bill No. 61 To amend North York By-law No. 31001”, as amended.
- “Bill No. 62 A By-law to provide for the temporary closing to vehicular and pedestrian traffic on Harlandale Avenue for the purpose of construction of the Sheppard Subway, Harlandale Avenue emergency ventilation shaft.”
- “Bill No. 63 To amend North York By-law No. 31001”, as amended.
- “Bill No. 64 To amend North York By-law No. 31001”, as amended.
- “Bill No. 65 To amend North York By-law No. 31001”, as amended.
- “Bill No. 66 A By-law to amend City of North York By-law 30901”, as amended.
- “Bill No. 67 A By-law to amend City of North York By-law 30901”, as amended.
- “Bill No. 68 A By-law to amend City of North York By-law 30901”, as amended.
- “Bill No. 69 A By-law to amend City of North York By-law 30901”, as amended.
- “Bill No. 70 A By-law to designate certain lands on a registered plan not subject to Part Lot Control.”
- “Bill No. 71 A By-law to designate certain lands on a registered plan not subject to Part Lot Control .”

- “Bill No. 72 To authorize the levy against the lands in defined areas with respect to a portion of the capital costs for the development of a 40-space surface parking lot at 266, 268 and 272 Rhodes Avenue and 475, 481 and 487 Craven Road.”
- “Bill No. 73 To acquire all rights, title and interests in the private lane which extends northerly from Humberside Avenue, between High Park Avenue and Pacific Avenue, for public lane purposes.”
- “Bill No. 74 To authorize the execution and registration of a plan of survey for the acquisition of all rights, title and interests in the private lane which extends northerly from Humberside Avenue, between High Park Avenue and Pacific Avenue, for public lane purposes.”
- “Bill No. 75 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 1101 Dupont Street.”
- “Bill No. 76 To amend the General Zoning By-law No. 438-86 with respect to lands known as 1101 Dupont Street.”
- “Bill No. 77 To amend City of York By-law Number 3432-97, being a By-law ‘To prohibit the use of land, building and structures for the purpose of a Banquet Hall on the lands municipally known as 2007, 2009 and 2011 Lawrence Avenue West (Interim Control)’.”
- “Bill No. 78 To amend Borough of York By-law Number 3491-80, being a By-law ‘To provide for night-time parking of motor vehicles on Borough of York highways’.”
- “Bill No. 79 To amend City of York By-law Number 196-84, being a By-law ‘To Regulate Traffic on City of York Roads’.”
- “Bill No. 80 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads’.”
- “Bill No. 81 To designate the area consisting of the former City of York as a Community Improvement Area.”
- “Bill No. 82 To amend City of York By-law Number 1-83.”
- “Bill No. 85 To appoint, on an interim basis, Dr. Colin D’Cunha, Dr. Alwyn Egbert, Dr. Richard Gould, Dr. Bart Harvey, Dr. Ian Johnson, Dr. David McKeown, Dr. Elizabeth Rea, Dr. Rita Shahin and Dr. Barbara Yaffe, Associate Medical Officers of Health for the City of Toronto Health Unit.”



- “Bill No. 87 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 88 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 89 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 90 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 91 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 92 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 93 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 94 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 95 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 96 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 97 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 98 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 99 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No. 100 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “Bill No 101 Being a By-law to remove a Site Plan Control Area.”

- “Bill No. 102 To amend the former City of Toronto Municipal Code Ch. 20, Business Improvement Areas, to make changes to the size for certain Boards of Management.”
- “Bill No. 103 To name the public lane 17.2 metres south of Danforth Avenue between Craven Road and Rhodes Avenue ‘Azzarello Lane’.”
- “Bill No. 104 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, Schedule XXVI (Permit Parking), by adding a new Part XX respecting Manning Avenue.”
- “Bill No. 105 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Huron Street, Lloyd Avenue, McCaul Street, Merton Street, Prescott Avenue, Queen Street East, Richmond Street West, Rockwell Avenue, Silverthorne Avenue, St. Andrew Street, St. Leonard's Avenue, Weybourne Crescent.”
- “Bill No. 106 To amend former City of Toronto By-law No. 1997-0549 being ‘A-By-law To further amend By-law No. 602-89, being A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations, respecting the alteration of Hudson Drive by narrowing the pavement north of Heath Street East’.”
- “Bill No. 107 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street, Grace Street, Pelham Avenue, Riverdale Avenue and Salem Avenue.”
- “Bill No. 108 To name the proposed private lane 14.1 metres north of Queen Street East extending westerly from Kent Road ‘Dorothy Bullen Place’.”
- “Bill No. 109 To amend By-law No. 83-89 of the former City of Toronto authorizing the improvement and extension of the City's water works by the construction of certain works at various locations.”
- “Bill No. 110 To appoint Dr. Sheela Basrur as Medical Officer of Health for the City of Toronto Health Unit and to repeal By-law No. 16-1998 respecting the Acting Medical Officer of Health.”,

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. 45-1998 To amend further By-law No. 92-93, a by-law ‘To regulate traffic on roads in the Borough of East York’, being a by-law of the former Borough of East York.”
- “By-law No. 46-1998 To amend further By-law No. 92-93, a by-law ‘To regulate traffic on roads in the Borough of East York’, being a by-law of the former Borough of East York.”
- “By-law No. 47-1998 To provide for the formulation and implementation of a plan for the provision of emergency services during emergencies affecting the City of Toronto”, as amended.
- “By-law No. 48-1998 To establish certain lands as a municipal highway.”
- “By-law No. 49-1998 To establish certain lands as a municipal highway.”
- “By-law No. 50-1998 To establish certain lands as a municipal highway.”
- “By-law No. 51-1998 To establish certain lands as a municipal highway.”
- “By-law No. 52-1998 To establish certain lands as a municipal highway.”
- “By-law No. 53-1998 To establish certain lands as a municipal highway.”
- “By-law No. 54-1998 To establish certain lands as a municipal highway.”
- “By-law No. 55-1998 To establish certain lands as a municipal highway.”
- “By-law No. 56-1998 To establish certain lands as a municipal highway.”
- “By-law No. 57-1998 To establish interim procedures and authority for the procurement of goods and services”, as amended.
- “By-law No. 58-1998 To adopt Amendment No. 1003 of the Official Plan for the former City of Scarborough.”
- “By-law No. 59-1998 To amend Scarborough Zoning By-law No. 24982 with respect to the Oakridge Employment District.”
- “By-law No. 60-1998 To prescribe maintenance and occupancy standards for dwelling units with respect to carbon monoxide detectors”, as amended.

- “By-law No. 61-1998 To amend further the former Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on Metropolitan Roads.”
- “By-law No. 62-1998 A By-law to amend City of North York By-law 32931, as amended.”
- “By-law No. 63-1998 To amend North York By-law No. 31001, as amended.”
- “By-law No. 64-1998 To amend North York By-law No. 31001, as amended.”
- “By-law No. 65-1998 A By-law to provide for the temporary closing to vehicular and pedestrian traffic on Harlandale Avenue for the purpose of construction of the Sheppard Subway, Harlandale Avenue emergency ventilation shaft.”
- “By-law No. 66-1998 To amend North York By-law No. 31001, as amended.”
- “By-law No. 67-1998 To amend North York By-law No. 31001, as amended.”
- “By-law No. 68-1998 To amend North York By-law No. 31001, as amended.”
- “By-law No. 69-1998 A By-law to amend City of North York By-law 30901, as amended.”
- “By-law No. 70-1998 A By-law to amend City of North York By-law 30901, as amended.”
- “By-law No. 71-1998 A By-law to amend City of North York By-law 30901, as amended.”
- “By-law No. 72-1998 A By-law to amend City of North York By-law 30901, as amended.”
- “By-law No. 73-1998 A By-law to designate certain lands on a registered plan not subject to Part Lot Control.”
- “By-law No. 74-1998 A By-law to designate certain lands on a registered plan not subject to Part Lot Control.”
- “By-law No. 75-1998 To authorize the levy against the lands in defined areas with respect to a portion of the capital costs for the development of a 40-space surface parking lot at 266, 268 and 272 Rhodes Avenue and 475, 481 and 487 Craven Road.”

- “By-law No. 76-1998 To acquire all rights, title and interests in the private lane which extends northerly from Humberside Avenue, between High Park Avenue and Pacific Avenue, for public lane purposes.”
- “By-law No. 77-1998 To authorize the execution and registration of a plan of survey for the acquisition of all rights, title and interests in the private lane which extends northerly from Humberside Avenue, between High Park Avenue and Pacific Avenue, for public lane purposes.”
- “By-law No. 78-1998 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 1101 Dupont Street.”
- “By-law No. 79-1998 To amend the General Zoning By-law No. 438-86 with respect to lands known as 1101 Dupont Street.”
- “By-law No. 80-1998 To amend City of York By-law Number 3432-97, being a By-law ‘To prohibit the use of land, building and structures for the purpose of a Banquet Hall on the lands municipally known as 2007, 2009 and 2011 Lawrence Avenue West (Interim Control)’.”
- “By-law No. 81-1998 To amend Borough of York By-law Number 3491-80, being a By-law ‘To provide for night-time parking of motor vehicles on Borough of York highways’.”
- “By-law No. 82-1998 To amend City of York By-law Number 196-84, being a By-law ‘To Regulate Traffic on City of York Roads’.”
- “By-law No. 83-1998 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads’.”
- “By-law No. 84-1998 To designate the area consisting of the former City of York as a Community Improvement Area.”
- “By-law No. 85-1998 To amend City of York By-law Number 1-83.”
- “By-law No. 86-1998 To appoint, on an interim basis, Dr. Colin D’Cunha, Dr. Alwyn Egbert, Dr. Richard Gould, Dr. Bart Harvey, Dr. Ian Johnson, Dr. David McKeown, Dr. Elizabeth Rea, Dr. Rita Shahin and Dr. Barbara Yaffe, Associate Medical Officers of Health for the City of Toronto Health Unit.”

- “By-law No. 87-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 88-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 89-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 90-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 91-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 92-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 93-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 94-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 95-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 96-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 97-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 98-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 99-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No. 100-1998 To acquire certain interests in land for or in connection with the Rapid Transit Expansion Program (R.T.E.P.)”
- “By-law No 101-1998 Being a By-law to remove a Site Plan Control Area.”

- “By-law No. 102-1998 To amend the former City of Toronto Municipal Code Ch. 20, Business Improvement Areas, to make changes to the size for certain Boards of Management.”
- “By-law No. 103-1998 To name the public lane 17.2 metres south of Danforth Avenue between Craven Road and Rhodes Avenue ‘Azzarello Lane’.”
- “By-law No. 104-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, Schedule XXVI (Permit Parking), by adding a new Part XX respecting Manning Avenue.”
- “By-law No. 105-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Huron Street, Lloyd Avenue, McCaul Street, Merton Street, Prescott Avenue, Queen Street East, Richmond Street West, Rockwell Avenue, Silverthorne Avenue, St. Andrew Street, St. Leonard's Avenue, Weybourne Crescent.”
- “By-law No. 106-1998 To amend former City of Toronto By-law No. 1997-0549 being ‘A-By-law To further amend By-law No. 602-89, being A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations, respecting the alteration of Hudson Drive by narrowing the pavement north of Heath Street East’.”
- “By-law No. 107-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street, Grace Street, Pelham Avenue, Riverdale Avenue, Salem Avenue.”
- “By-law No. 108-1998 To name the proposed private lane 14.1 metres north of Queen Street East extending westerly from Kent Road ‘Dorothy Bullen Place’.”
- “By-law No. 109-1998 To amend By-law No. 83-89 of the former City of Toronto authorizing the improvement and extension of the City's water works by the construction of certain works at various locations.”
- “By-law No. 110-1998 To appoint Dr. Sheela Basrur as Medical Officer of Health for the City of Toronto Health Unit and to repeal By-law No. 16-1998 respecting the Acting Medical Officer of Health.”

it was carried.

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

“Bill No. 86 To amend further By-law No. 181-81 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.”,

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. 111-1998 To amend further By-law No. 181-81 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.”,

it was carried, without dissent.

348 Deputy Mayor Ootes called upon Notice of Motion 10 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 re-opened 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.”

Upon the question of the adoption of the first Operative Paragraph embodied in the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Bossons, Chong, Davis, Giansante, Holyday, Jones, Kinahan, Lindsay Luby, Nunziata, Ootes, Prue - 13.

Nays: Councillors: Adams, Augimeri, Brown, Bussin, Chow, Duguid, Jakobek, Korwin-Kuczynski, McConnell, Mihevc, Pantalone, Rae, Shiner, Silva, Tzekas, Walker - 16.

Decided in the negative by a majority of 3.

Councillor Cho declared his interest in the foregoing Notice of Motion, in that his wife is his Constituency Assistant.

349 Deputy Mayor Ootes called upon Notice of Motion 11(a) appearing on the Order Paper, as follows:

**Moved by: Councillor Walker**

**Seconded by: Councillor Adams**

**“WHEREAS**, there has been a great deal of speculation in the media regarding the possible purchase of the City of Toronto’s ‘Union Station lands’; and

**WHEREAS**, the Mayor’s office has not supplied City of Toronto Councillors with any details regarding any such proposal; and

**WHEREAS**, Councillor Michael Walker, by way of a letter dated February 18, 1998 (see attached) requested that the Mayor provide City Councillors with information regarding the proposed land deal; and

**WHEREAS**, the Mayor has still not provided the requested information; and

**WHEREAS** it is vital that the negotiations for any possible disposition of these lands be done openly in a public forum; and

**WHEREAS**, it is essential that the City of Toronto receive ‘fair market value’ for its lands, which are worth well in excess of \$100 million;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) City Council appoint a lead negotiator, who, along with City staff, negotiate the possible sale/lease of the Union Station lands with Maple Leaf Gardens;
- (2) City staff select three possible chief negotiators for final selection by City Council. In selecting the three possible negotiators, staff is to give consideration to those candidates with knowledge of these lands and with previous experience in negotiating their disposition to Maple Leaf Gardens;
- (3) City Council meet in special session to decide what instructions to give its negotiating team regarding any possible disposition of the lands; and
- (4) City Council continue to meet at regular intervals, in special session, to receive briefings from the City negotiators and to further instruct the negotiators.”

Councillor Walker moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, McConnell, Pantalone, Prue, Walker - 6.

Nays: Councillors: Augimeri, Balkissoon, Brown, Cho, Chong, Chow, Davis, Duguid, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mihevc, Nunziata, Ootes, Rae, Shaw, Shiner, Silva, Tzekas - 24.

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

Councillor Walker, gave notice of the foregoing Motion to permit consideration at the next regular meeting of City Council to be held on Thursday, April 16, 1998.

350 Deputy Mayor Ootes called upon Notice of Motion 11(b) appearing on the Order Paper, as follows:

**Moved by: Councillor McConnell**

**Seconded by: Councillor Layton**

“**WHEREAS** the *Expropriations Act* requires that City Council, as the approving authority under the *Act*, consider and render a decision on an Application to Expropriate within 90 days of the receipt of the report of an Inquiry Officer who has conducted an Inquiry Hearing with respect to a proposed expropriation; and

**WHEREAS** the report of the Inquiry Officer with respect to the expropriation by the City of Toronto of certain lands at the rear of Nos. 6 to 16 St. James Court for public lane purposes was received on January 5, 1998; and

**WHEREAS** it is therefore essential that City Council consider this matter at its meeting on March 4, 1998;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) City Council consider the attached report (February 23, 1998) from the City Solicitor; and
- (2) City Council approve the proposed expropriation for the reasons set out in the report and adopt the other recommendations of the City Solicitor.”

Council also had before it, during consideration of the foregoing Motion, a report dated February 23, 1998, from the City Solicitor recommending that City Council, as the Approving Authority under the Expropriations Act, consider the report of the Inquiry Office and decide whether to approve the application to expropriate the private lane for public lane purposes. (See Attachment No. 3.)

Councillor McConnell moved that Council now give consideration to the foregoing Motion, which was carried, 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.

351 Deputy Mayor Ootes called upon Notice of Motion 11(c) appearing on the Order Paper, as follows:

**Moved by: Councillor Silva**

**Seconded by: Councillor Balkissoon**

**“WHEREAS** anecdotal evidence indicates that Current Value Assessment will cause an inordinate shift of commercial realty taxes onto the retail strip sector; and

**WHEREAS** 200 percent to 300 percent tax increases will seriously compromise the ability of many retailers in this sector to stay in business; and

**WHEREAS** the Ministry of Finance may make regulations permitting the assessment of land at its current use and that this may mitigate the negative impact of Current Value Assessment on retail strips in the City; and

**WHEREAS** the City of Toronto has been given the authority by the Province of Ontario to create graduated tax rates for commercial realty taxes based on assessment values; and

**WHEREAS** preliminary evidence indicates that residential property taxes under Current Value Assessment will also experience wide swings and many residential taxpayers, particularly low-income or fixed income individuals will experience substantial hardship; and

**WHEREAS** the City of Toronto has been given the authority by the Province of Ontario to phase-in the tax changes for all property classes; and

**WHEREAS** the City of Toronto has been given the authority by the Province of Ontario to provide tax relief for low-income seniors and persons with disabilities; and

**WHEREAS** many charitable and non-profit organizations occupying commercial and industrial properties will now face substantial financial hardships due to Current Value Assessment and the City of Toronto has been given the authority by the Province of Ontario to allow for tax rebates to those organizations;

**NOW THEREFORE BE IT RESOLVED THAT** Council request City staff to investigate all of the options provided to the City by the Province to lessen the impact of the tax changes for the business and residential taxpayers.”

Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such Motion be referred to the Assessment and Tax Policy Task Force.

Council concurred in the foregoing proposal.

352 Deputy Mayor Ootes called upon Notice of Motion 11(d) appearing on the Order Paper, as follows::

**Moved by: Councillor Adams**

**Seconded by: Councillor Bossons**

“**WHEREAS** the Ontario Municipal Board (OMB) has set a hearing date of March 26, 1998, concerning an appeal of the Toronto Committee of Adjustment decision of September 9, 1997, regarding 81 Whitehall Road; and

**WHEREAS** in its decision of September 9, 1997, the Toronto Committee of Adjustment refused a variance request to maintain the use of the subject duplex at 81 Whitehall Road as a converted house containing three dwelling units, including the use of the basement as a dwelling unit contrary to the permitted use under the Zoning By-law in this area designated as R1S ; and

**WHEREAS** in giving reasons for refusal the Committee referred to a ruling of the Ontario Municipal Board (OMB) dated June 5, 1997, relating to an appeal of an earlier Committee decision for a similar use of another property on this street and in its Order ruled that the use was not permitted and ‘to permit the variance would be to deviate from the general intent and purpose of the by-law that this area should be comprised of one or two unit houses and, if that is to change, then it should be done through a re-zoning process and not by way of variance’; and

**WHEREAS** the Committee in reviewing the concerns expressed by the OMB, shared the concerns expressed by the residents, myself as Ward Councillor, and the Commissioner of Urban Development Services, and deemed the application could not be considered desirable or within the general intent and purpose of the City of Toronto Zoning By-law; and

**WHEREAS** given the date of the OMB hearing, March 26, 1998, sufficient time is not available for this matter to go to the appropriate Community Council;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and the Commissioner of Urban Development Services be directed to appear before the Ontario Municipal Board on March 26, 1998, to defend the City of Toronto

Committee of Adjustment decision of September 17, 1997, regarding 81 Whitehall Road.”

Council also had before it, during consideration of the foregoing Motion, a decision of the Committee of Adjustment dated September 17, 1997, respecting 81 Whitehall Road.

Councillor Adams moved that Council now give consideration to the foregoing Motion, which was carried, 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.

- 353 Deputy Mayor Ootes called upon Notice of Motion 11(e) appearing on the Order Paper, moved by Councillor Layton, seconded by Councillor Chow, and, in the absence of Councillor Layton, moved by Councillor Chow, seconded by Councillor Miller, as follows:

**Moved by: Councillor Chow**

**Seconded by: Councillor Miller**

“**WHEREAS** the Tenant Protection Act is expected to be proclaimed by the Provincial Government this spring, resulting in the repeal of the Rental Housing Protection Act and other related legislation; and

**WHEREAS** a significant number of affordable rental apartments may be subject to conversion to condominium and demolition as a result of the change in Provincial legislation; and

**WHEREAS** the rental housing vacancy rate in the new City of Toronto was only 0.8 percent as of October 1997, and that as a result of the cancellation of the social housing programs, virtually no new affordable rental housing is being built in the City; and

**WHEREAS** the number of underhoused or homeless persons in the City of Toronto is growing, and a substantial number of people are now at high risk of becoming homeless;

**NOW THEREFORE BE IT RESOLVED THAT** the work of the Urban Planning and Development Staff Team dealing with the development of a new condominium conversion policy and other measures to preserve the City’s scarce supply of rental housing be fast-tracked;

**AND BE IT FURTHER RESOLVED THAT** in the interim, all Community Councils strictly apply their existing condominium conversion and demolition

control policies/by-laws, where applicable, in order to minimize the loss of affordable rental housing units.”

Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such Motion be referred the Urban Environment and Development Committee.

Council concurred in the foregoing proposal.

354 Deputy Mayor Ootes called upon Notice of Motion 11(f) appearing on the Order Paper, as follows:

**Moved by:** Councillor Ootes

**Seconded by:** Councillor Mihevc

“**WHEREAS** the School Board is in the process of fighting 300 to 400 property tax appeals; and

**WHEREAS** the School Board has advised that they will not continue to pursue action to fight these appeals; and

**WHEREAS** there are significant dollars involved; and

**WHEREAS** it is in the best interest of the City to protect its tax base;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee for its meeting to be held on March 30, 1998, on how to protect the City’s tax base in this regard.”

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.

355 Deputy Mayor Ootes called upon Notice of Motion 11(h) appearing on the Order Paper, as follows:

**Moved by:** Councillor Duguid

**Seconded by:** Councillor Faubert

“**WHEREAS** the former City of Scarborough Council decided on September 16, 1997, to commit \$1 million to a Scholarship Fund for the University of Toronto at

Scarborough College under the Ontario Student Opportunity Trust Fund (OSOTF); and

**WHEREAS** the former City of Scarborough confirmed this decision on November 25, 1997; and

**WHEREAS** the \$1 million contribution to this Scholarship Fund has been matched by the University of Toronto at Scarborough, and is also to be matched by the Provincial Government in the same amount; and

**WHEREAS** the Provincial Government, represented by the Minister of Municipal Affairs and Housing, appears to be attempting to avoid contributing to the Scholarship Fund as per their obligations under the OSOTF by filing a Notice of Action with the Ontario Court (General Division); and

**WHEREAS** the Current provincial government has exacerbated the need for scholarship funds due to its neglect of post-secondary education in Ontario, where tuition fees have increased by 59.2 percent since 1995, the number of students dependent on OSAP has increased by 59 percent between 1991 and 1997, the post-secondary operating grants have been cut by the provincial government by \$400 million, and Ontario now ranks 10th out of 10 Provinces in Canada in per capita funding for universities; and

**WHEREAS** this Motion will not involve the expenditure of any funds by the Council of the City of Toronto, as this money has already been approved and expended by the former City of Scarborough;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto Council confirm the decision taken by the former City of Scarborough Council, which invested \$1 million in a Scholarship Fund for the University of Toronto at Scarborough;

**AND BE IT FURTHER RESOLVED THAT** the Minister of Municipal Affairs and Housing be advised of this resolution, and that the Province of Ontario be requested to immediately contribute its matching funds to the University of Toronto at Scarborough as per their obligations under the OSOTF program.”

Council also had before it, during consideration of the foregoing Motion, a communication dated March 4, 1998, from Councillor Brad Duguid, Scarborough - City Centre, advising that his foregoing Motion is intended to rectify an anomaly, and will not involve any financial obligation on the part of the City of Toronto.

Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such Motion, together with the communication dated March 4, 1998, from Councillor Brad



Duguid, Scarborough - City Centre, be referred to the Strategic Policies and Priorities Committee.

Council concurred in the foregoing proposal.

356 Deputy Mayor Ootes called upon Notice of Motion 11(i) appearing on the Order Paper, as follows:

**Moved by: Councillor Brown**

**Seconded by: Councillor Giansante**

**“WHEREAS** prior to January 1, 1998, the Councils of the local municipalities in Metropolitan Toronto were the approval authority for applications under the Rental Housing Protection Act within the Metropolitan Toronto boundaries and gave notice of and held the requisite public meetings with respect to such applications; and

**WHEREAS** City Council is currently obliged to hold public meetings relating to applications under the Rental Housing Protection Act but, on an interim basis, has delegated to Community Councils the responsibility of holding the public meetings under the Planning Act regarding Official Plan, zoning amendments, subdivision and community improvement plans; and

**WHEREAS** it would be most efficient if Committees of Council were delegated the authority to hold public meetings regarding Rental Housing Protection Act applications;

**NOW THEREFORE BE IT RESOLVED THAT** each Community Council is delegated the authority to give notice and hold any public meeting regarding applications under the Rental Housing Protection Act as required by Section 11 of that Act 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 Procedural By-law.”

Councillor Brown moved that Council now give consideration to the foregoing Motion, which was carried, 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.

- 357 Deputy Mayor Ootes called upon Notice of Motion 11(j) appearing on the Order Paper, moved by Mayor Lastman, seconded by Councillor Chong, and, in the absence of Mayor Lastman, moved by Councillor Ootes, as follows:

**Moved by: Councillor Ootes**

**Seconded by: Councillor Chong**

“**WHEREAS** the Hospital for Sick Children, the Toronto Police Service, the Community Unity Alliance and the Toronto Injury Coalition have launched the ‘Buckle Kids With Care’ campaign; and

**WHEREAS** motor vehicle collisions are the leading cause of injuries and death for Canadian children ages 1 to 4; and

**WHEREAS** 70 Canadian children under 5 years old die in motor vehicle collisions each year, another 4,000 are injured; and

**WHEREAS** although buckling up children is the law, only 20 percent of children are properly restrained; and

**WHEREAS** by working together we can reduce and avoid deaths and injuries of children by the proper use of car seats; and

**WHEREAS** everyone that uses a child seat has a responsibility to take the time to learn how to use it properly to protect their children;

**NOW THEREFORE BE IT RESOLVED THAT** City Council immediately request the Province of Ontario to double the fine of \$105.00 to \$210.00 for the failure to properly secure your children when operating a motor vehicle.”

Councillor Chong moved that Council now give consideration to the foregoing Motion, which was carried, 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.

- 358 Deputy Mayor Ootes called upon Notice of Motion 11(k) appearing on the Order Paper, moved by Councillor Fotinos, seconded by Councillor Disero, and, in the absence of Councillors Fotinos and Disero, moved by Councillor Korwin-Kuczynski, seconded by Councillor Brown, as follows:

**Moved by: Councillor Korwin-Kuczynski**

**Seconded by: Councillor Brown**

**“WHEREAS** parking is at a premium in many older residential neighbourhoods in the City of Toronto; and

**WHEREAS** it is not feasible and likely impossible to build enough parking garages to accommodate the ever increasing demand; and

**WHEREAS** even transit users own cars and require parking spaces for their respective vehicles; and

**WHEREAS** local streets are often used as freeways by motorists who persist in violating the speed limit;

**NOW THEREFORE BE IT RESOLVED** that the City implement the following parking regulations where possible and where desirable by the local community:

- (1) continue the practice of permit parking for residential streets where it currently exists (alternating sides every 15 days to permit street cleaning) and
- (2) that staff report on a plan that would allow for permit parking on the opposite side of the street, in designated, clearly delineated intervals spaced 30 meters apart (only for parking permit holders);

**AND BE IT FURTHER RESOLVED** that this matter be referred to the Urban Environment and Development Committee for a report back on to Council for May 13, 1998.”

At this point in the proceedings, Councillor Korwin-Kuczynski, with the permission of Council, withdrew the foregoing Motion.

359 Deputy Mayor Ootes called upon Notice of Motion 11(1) appearing on the Order Paper, moved by Councillor Fotinos, seconded by Councillor Disero, and, in the absence of Councillors Fotinos and Disero, moved by Councillor Korwin-Kuczynski, seconded by Councillor Brown, as follows:

**Moved by:** Councillor Korwin-Kuczynski

**Seconded by:** Councillor Brown

**“WHEREAS** the Toronto Police Service have identified a need to find a new location for 14 Division headquarters; and

**WHEREAS** the Police have short listed two potential sites for the new division headquarters; and

**WHEREAS** the former TTC Lansdowne garage is one of these two sites; and

**WHEREAS** the site is owned by the public (TTC/City); and

**WHEREAS** a police station at this site would be of great benefit to the Bloor/Lansdowne area;

**NOW THEREFORE BE IT RESOLVED THAT** the Toronto Police Services be requested to choose the Lansdowne garage site as the new location for 14 Division headquarters;

**AND BE IT FURTHER RESOLVED THAT** the Toronto Police Service be requested to abandon the other site.”

Councillor Korwin-Kuczynski moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Holyday, Jakobek, Korwin-Kuczynski, Ootes, Shiner - 6.

Nays: Councillors: Adams, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Giansante, Jones, Kelly, Kinahan, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Pantalone, Prue, Rae, Silva, Tzekas, Walker - 25.

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

Councillor Korwin-Kuczynski, with the permission of Council, gave notice of the foregoing Motion to permit consideration at the next regular meeting of City Council to be held on Thursday, April 16, 1998.

360 Deputy Mayor Ootes called upon Notice of Motion 11(m) appearing on the Order Paper, as follows:

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Korwin-Kuczynski**

“**WHEREAS** there has been an application before the Committee of Adjustment regarding 41 Lee Avenue to use the semi-detached house on the property as a converted house containing four dwelling units, including the use of the basement as two dwelling units containing a gross floor area of 78.9 square metres; and

**WHEREAS** the Committee of Adjustment, having received many objections from the community, refused this application at its hearing held on January 20, 1998; and

**WHEREAS** the applicant has appealed the Committee's decision, through their solicitors;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and the Commissioner of Urban Development Services be directed to appear at the Ontario Municipal Board Hearing to defend the Committee of Adjustment's decision."

Councillor Jakobek moved that Council now give consideration to the foregoing Motion, 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, without amendment, Councillor Augimeri, in amendment, moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

**"AND BE IT FURTHER RESOLVED THAT** the City Solicitor and the Commissioner of Planning and Urban Development be directed to develop a policy regarding the participation of City of Toronto staff at Ontario Municipal Board hearings and report thereon to the Urban Environment and Development Committee."

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

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

361 At this point in the proceedings, and with the permission of Council, Councillor Rae, seconded by Councillor Korwin-Kuczynski, 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, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Rae**

**Seconded by: Councillor Korwin-Kuczynski**

**"WHEREAS** at its meeting of October 7 and 8, 1996, the City Council for the former City of Toronto authorized the City Solicitor to report directly to City Council on the terms of the Three Party Agreement required by the site specific zoning by-law for the Avro Quay Limited portion of the Marine Terminal 27 lands; and

**WHEREAS** the amended By-law has just been settled upon and provided to the Ontario Municipal Board; and

**WHEREAS** the Board's Order cannot be issued until the necessary agreements have been authorized, executed and registered;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the report dated March 3, 1998, from the Toronto Community Council Solicitor, respecting the Marine Terminal 27 lands."

Council also had before it, during consideration of the foregoing Motion, a report dated March 3, 1998, from the Toronto Community Council Solicitor, advising the Council of the former City of Toronto authorized the Acting City Solicitor to report directly to City Council on the terms of the Three Party Agreement required by Zoning By-law No. 1996-0483 which, as amended, is currently before the Ontario Municipal Board, and recommending that authority be granted for the execution of this agreement by the appropriate City officials. (See Attachment No. 4.)

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

- 362 At this point in the proceedings, and with the permission of Council, Councillor Bossons, seconded by Councillor Prue 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, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Bossons**

**Seconded by: Councillor Prue**

**“WHEREAS** the Toronto Historical Board has received a number of proposals from persons requesting to hold events at Fort York in 1998; and

**WHEREAS** these events are in keeping with the Board's strategic plan to raise the profile of the Fort, bring more visitors to the Fort, and increase revenues ;

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize the Toronto Historical Board to grant permission to these event holders providing that the event holders are required to enter into an agreement with the Toronto Historical Board containing the following terms and conditions:

- '(1) The event holder shall provide insurance in a form and amount satisfactory to the City of Toronto's Chief Financial Officer and Treasurer.
- (2) The event holder shall agree to indemnify the Toronto Historical Board and the City of Toronto with respect to all claims, costs or liabilities which the

Board or the City may suffer or incur arising from the granting of permission and the holding of the event.

- (3) The event holder shall agree to pay to the Toronto Historical Board the required rental fee, damage deposit, staffing and equipment costs approved by the Board's Managing Director.
- (4) The event holder shall agree to release the Toronto Historical Board and the City of Toronto from liability in the case that the event does not proceed due to any cause including court order which is beyond the control of the Board and the City of Toronto.
- (5) The event holder shall agree to comply with all applicable laws and City of Toronto By-laws, including the Noise By-law.
- (6) Such other terms and conditions as the City Solicitor, in consultation with the Managing Director may be required as necessary to protect the interests of the Board and the City.' "

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

363 At this point in the proceedings, and with the permission of Council, Councillor Augimeri, seconded by Councillor Miller, 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, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Augimeri**

**Seconded By: Councillor Miller**

**“WHEREAS** the Federal Government is in the process of negotiating the Multilateral Agreement on Investment (MAI) with the 29 member countries of the OECD, with the intention of having a signed agreement by September 1998; and

**WHEREAS** the citizens of the City of Toronto have had little access to information and informed debate on the Multilateral Agreement on Investment, and its implications at the federal, provincial and local levels; and

**WHEREAS** there are potential negative impacts of a Multilateral Agreement on Investment on the lives and livelihoods of the residents of the City of Toronto, especially small businesses; and

**WHEREAS** the draft of the MAI treaty further extends the provisions of the Free Trade Agreement and NAFTA in both the 'National Treatment' and 'Performance

Requirements' provisions, which will impact on the entire Municipal, University, School and Hospital sector, and specifically on the City of Toronto's ability to implement purchasing policies and practices that favour local Toronto based businesses and suppliers; and

**WHEREAS** the MAI treaty, as drafted, would stop municipalities from limiting the use of property by foreign companies, which could have the effect of restricting Council's right to set planning By-laws;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto urge the Government of Canada to consult widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils, before taking any further action on the Multilateral Agreement on Investment."

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 Strategic Policies and Priorities Committee.

Council concurred in the foregoing proposal. (See also Minute No. 369.)

364 At this point in the proceedings, Deputy Mayor Ootes, having regard for the action taken by Council with respect to Clause No. 4 of Report No. 2 of The Urban Environment and Development Committee, headed "Request for Extension of Deadline for Three-Day Roving Charity Casinos", and Item (e), headed "Permanent Charity Gaming Clubs and Video Lottery Terminals", as embodied in Clause No. 15 of Report No. 2 of The Urban Environment and Development Committee, headed "Other Items Considered by the Committee", declared the following Motion redundant:

**Moved by:** Councillor Bussin

**Seconded by:** Councillor McConnell

"**WHEREAS** the Urban Environment and Development Committee, on February 9, 1998, concurred with the recommendations embodied in the report dated February 6, 1998, from Councillor Joe Pantalone, Chair, Urban Environment and Development Committee, approving the Terms of Reference for the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals; and

**WHEREAS** Councillors Faubert, Li Preti, McConnell, Moeser, Moscoe, and Sgro were appointed as members of the aforementioned Sub-Committee;

**NOW THEREFORE BE IT RESOLVED THAT** Councillor Bussin also be appointed to the Sub-Committee on Permanent Charity Gaming Clubs and Video Lottery Terminals."



365 At this point in the proceedings, Councillor Augimeri, with the permission of Council withdrew the following Motion:

**Moved by: Councillor Augimeri**

**Seconded by: Councillor Adams**

“**WHEREAS** Council on February 4, 5 and 6, 1998, established the Assessment and Tax Policy Task Force; and

**WHEREAS** the Assessment and Tax Policy Task Force wishes to hear the concerns of residential, business and property taxpayers;

**NOW THEREFORE BE IT RESOLVED THAT** the Assessment and Tax Policy Task Force be authorized to attend meetings of the Community Councils to hear deputations from concerned residential, business and property taxpayers.”

366 At this point in the proceedings, and with the permission of Council, Councillor Korwin-Kuczynski, seconded by Councillor Miller, 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, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Korwin-Kuczynski**

**Seconded by: Councillor Miller**

“**WHEREAS**, in 1991, the Committee of Adjustment approval of 12 rooms and units for 14 Maynard Avenue in South Parkdale was appealed by the City but was adjourned; and

**WHEREAS** a subsequent rezoning application for this site was not supported by City Council; and

**WHEREAS** the last Committee of Adjustment application (1997) for 14 rooms was refused by the Committee and has been appealed to the Ontario Municipal Board; and

**WHEREAS** rooming houses have been prohibited in South Parkdale use since 1978; and

**WHEREAS** staff are in the process of developing a neighbourhood revitalization strategy for the area to address the need to encourage a balanced population mix; and

**WHEREAS** an Interim Control By-law is in place in South Parkdale until November 1998 that prohibits all residential uses except for a detached and semi-detached

house for the purpose of preventing the conversion of buildings to multiple uses while the City is putting new policies in place;

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize the City Solicitor and City officials to appear at the Ontario Municipal Board hearing for 14 Maynard Avenue on April 16, 1998, in support of the Committee of Adjustment refusal of the 1997 application.”

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

- 367 At this point in the proceedings, and with the permission of Council, Councillor Mihevc, seconded by Councillor Adams 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, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Mihevc

**Seconded by:** Councillor Adams

“**WHEREAS** the Province may be considering the issues of deposit/return in this year’s budget due in April; and

**WHEREAS** the City has a tremendous interest in this matter and would benefit from a move from disposable to refillable beverage containers; and

**WHEREAS** a workshop or day long conference on Earth Day would be an opportunity for highlighting the issues and advancing the City’s interests;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief Administrative Officer be given the authority to organize an event on Earth Day, April 22, 1998, or in Earth Week, to highlight the viability of deposit/return systems; and be requested to submit a report to the Works and Utilities Committee for its meeting to be held on March 25, 1998, on this proposal.”

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

- 368 Councillor McConnell, seconded by Councillor Mihevc, moved that leave be granted to introduce:

“Bill No. 83 To acquire all rights, title and interests in the private land located at the rear of premises Nos. 6 - 16 St. James Court for public lane purposes.”

“Bill No. 84 To authorize the execution and registration of a plan of survey for the acquisition of all rights, title and interests in the private land located at the rear of premises Nos. 6 - 16 St. James Court, for public lane purposes.”,

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.112-1998 To acquire all rights, title and interests in the private land located at the rear of premises Nos. 6 - 16 St. James Court for public lane purposes.”

“By-law No. 113-1998 To authorize the execution and registration of a plan of survey for the acquisition of all rights, title and interests in the private land located at the rear of premises Nos. 6 - 16 St. James Court, for public lane purposes.”,

it was carried.

369 At this point in the proceedings, Councillor Miller, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, the following Motion be re-opened for further consideration (See also Minute No. 363):

**Moved by: Councillor Augimeri**

**Seconded By: Councillor Miller**

“**WHEREAS** the Federal Government is in the process of negotiating the Multilateral Agreement on Investment (MAI) with the 29 member countries of the OECD, with the intention of having a signed agreement by September 1998; and

**WHEREAS** the citizens of the City of Toronto have had little access to information and informed debate on the Multilateral Agreement on Investment, and its implications at the federal, provincial and local levels; and

**WHEREAS** there are potential negative impacts of a Multilateral Agreement on Investment on the lives and livelihoods of the residents of the City of Toronto, especially small businesses; and

**WHEREAS** the draft of the MAI treaty further extends the provisions of the Free Trade Agreement and NAFTA in both the ‘National Treatment’ and ‘Performance Requirements’ provisions, which will impact on the entire Municipal, University, School and Hospital sector, and specifically on the City of Toronto’s ability to

implement purchasing policies and practices that favour local Toronto based businesses and suppliers; and

**WHEREAS** the MAI treaty, as drafted, would stop municipalities from limiting the use of property by foreign companies, which could have the effect of restricting Council's right to set planning By-laws;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto urge the Government of Canada to consult widely and in depth with the people of Canada, especially and including, the soliciting of detailed responses from municipal councils, before taking any further action on the Multilateral Agreement on Investment.”

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chow, Davis, Giansante, Holyday, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Ootes, Prue, Rae, Silva, Walker - 24.

Nays: Councillors: Balkissoon, Chong, Duguid, Kelly, Kinahan, Pantalone, Shiner, Tzekas - 8.

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 Kelly, in amendment, moved that the foregoing Motion be referred to the Strategic Policies and Priorities Committee.

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Brown, Cho, Chong, Davis, Duguid, Giansante, Jakobek, Kelly, Kinahan, Lindsay Luby, Moeser, Ootes, Shiner, Silva, Tzekas - 18.

Nays: Councillors: Augimeri, Bossons, Bussin, Chow, Holyday, Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Walker - 14.

Decided in the affirmative by a majority of 4.

- 370 At this point in the proceedings, and with the permission of Council, Councillor Rae gave notice of the following Motion to permit consideration at the next regular meeting of City Council to be held on Thursday, April 16, 1998:

**Moved by: Councillor Rae**

**Seconded by: Councillor Prue**

**“WHEREAS** City Council at its meeting held on March 4, 5, and 6, 1998, in its consideration of Clause No. 1 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed ‘Political Structure for East York’, took no action with respect to this Clause, having regard that a motion to adopt the Clause lost on a tie vote;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed ‘Political Structure for East York’, be reopened for further consideration at the meeting of City Council to be held on April 16, 1998.”

- 371 Councillor Rae, seconded by Councillor Korwin-Kuczynski, moved that leave be granted to introduce:

“Bill No. 114 To confirm the last portion of the proceedings of the Council at its Meeting held on the 4th, 5th and 6th days of March, 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. 114-1998 To confirm the last portion of the proceedings of the Council at its meeting held on the 4th, 5th and 6th days of March, 1998.”,

the vote upon which was as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chong, Chow, Duguid, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Ootes, Prue, Rae, Shaw, Shiner, Silva, Tzekas, Walker - 30.

Nays: Councillors: Davis, Kelly, Moeser, Pantalone - 4.

Decided in the affirmative by a majority of 26.

Council adjourned at 5:00 p.m.

**MEL LASTMAN,**  
Mayor

**NOVINA WONG,**  
City Clerk

**Attachment No. 1**

(Joint report dated March 5, 1998, from  
the Chief Administrative Officer and the Chief Financial Officer and Treasurer,  
entitled "Replacement Radio Communications Dispatch Switch -  
Police Services Board" - Minute No. 300)

Purpose:

To recommend the approval of the Radio Communication Switch as required by the Police Services Board in the 1998 Interim Capital Budget.

Funding Implications:

The project cost as initially submitted in the 1998 Interim Capital Budget is \$5 million.

Recommendation:

It is recommended that the acquisition of the Replacement Radio Communications Dispatch Switch as requested by the Police Services Board, be approved.

Discussion:

Attached are communications from the Fire Chief and the Commissioner of Ambulance Services with respect to the aforementioned item which was included in the 1998 Interim Capital Budget.

This item was referred back for a report on the compatibility of the Police acquisition with any future acquisitions or upgrade of communications equipment for Fire and Ambulance purposes.

A review of the attached communications indicates that the Budget Committee should proceed to approve the Police Services Board request.)

(A copy of the communications, referred to above, is on file in the office of the City Clerk.)

**Attachment No. 2**

(Report dated March 4, 1998, from  
the Commissioner of Urban Planning and Development Services,  
entitled "Interim Control By-law respecting the Properties  
Abutting the Vale of Avoca Ravine (Ward 23 - Midtown)" - Minute No. 341)

Purpose:

This report recommends that the Commissioner of Urban Planning and Development Services undertake a study of policies appropriate for the lands within and abutting the Vale of Avoca Ravine, pursuant to Section 38 of the Planning Act. The report also recommends that Council approve an Interim Control By-law for lands within the Vale of Avoca Ravine and within 10 metres of the limit of the ravine as shown on the attached map, and that this By-law be in force for a period of one year.

Financial Implications:

If outside consultants are required to assist staff of this Department, a further report would outline the funds needed.

Recommendations:

- (1) That the Commissioner of Urban Planning and Development Services, in consultation with the Commissioner of Economic Development, Culture and Tourism (Parks) be directed, pursuant to Section 38 of the Planning Act, to undertake a review of the land use policies appropriate for the lands within and abutting the boundary of the Vale of Avoca Ravine.
- (2) That, in connection with the review of the land use policies recommended above, Council pass an Interim Control By-law for lands within the Vale of Avoca Ravine and for portions of lands adjacent to the Vale of Avoca Ravine to prohibit the erection of buildings or structures in the ravine and within 10 metres of the limit of the ravine shown on the attached map, and that this By-law be in force for a period of one year.
- (3) That the authority be granted for the introduction of the necessary bill in Council to implement Recommendation 2 above.

Background:

In accordance with the recommendations of Clause 7 of Land Use Committee Report 10, adopted by the former City of Toronto Council on July 14, 1997, in respect to The Final Report on Interim Control By-law 1997-0073, respecting 119R Glen Road, 107 Glen Road, 15 Beaumont Road and 12 May Street, I was requested to report back on a process and timetable for developing "Ravine Impact Boundaries" for ravine areas. At the same time, the former City of Toronto Council adopted By-law 1997-0369 which applied to the lands known as the Park Drive Ravine and the lands immediately abutting this ravine.



The Vale of Avoca Ravine is the northerly extension of the same geographic landform running from its southerly boundary at the CPR bridge north to its norther terminus on the south side of the Mount Pleasant Cemetery. The ravine abuts approximately 64 privately owned residential properties.

I am proposing to continue this requested study by recommending the imposition of an Interim Control By-law on the first 10 metres of lands abutting the limits of the Vale of Avoca Ravine. Given the constraints of staff resources, i.e. the possible requirement for expert consultants, it may be necessary to have outside assistance for this study.

Council should be aware that there is a Committee of Adjustment application filed for severance and variances from the Zoning By-law to allow the development of a pair of semi-detached houses at 40 Summerhill Gardens. While the current proposal is marginally outside the designated ravine boundary, I believe that the construction of these houses could seriously impact the integrity of the ravine and should be subject to further study. This development proposal would be impacted by the imposition of an Interim Control By-law for the lands within 10 metres of the Vale of Avoca Ravine.

Comments:

I am recommending that an Interim Control By-law, applying to the lands within the first 10 metres abutting the Vale of Avoca Ravine and within the Vale of Avoca Ravine be enacted for a period of one year to prohibit all uses of the lands during this period.

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**Attachment No. 3**

(Report dated February 23, 1998, from the City Solicitor,  
entitled "Expropriation of the Lands at the Rear of 6 - 16 St. James Court  
for Public Land Purposes (Ward 25)" - Minute No. 350)

Purpose:

To request that City Council, as the Approving Authority under the *Expropriations Act*, consider the report of the Inquiry Office and decide whether to approve the application to expropriate the private lane described above for public lane purposes.

Funding Sources, Financial Implications and Impact Statement:

Funding for the payment of fair market value and damages claimed in connection with the expropriation of the private lane at this location is to be provided from Capital Account No. 296001-39270-7Feat-296701-A101.

Recommendations:

It is recommended that:

- (1) City Council consider the report of the Inquiry Officer attached as Schedule "A" to this report;
- (2) if City Council decides to approve the proposed expropriation, it do so for the following reasons:
  - (a) the expropriation of the lands is required for public lane purposes. It is believed that the safety and utility of the laneway will, after acquisition, be improved through the installation of paving, drainage and lighting;
  - (b) to ensure that the said lands are improved and adequately maintained and to ensure that traffic and parking on the said lands are properly regulated, the City wishes to acquire free and clear title to the lands for public lane purposes; and
  - (c) to provide continued access to the adjoining properties and to enable the establishment of a permit parking area;
- (3) City Council authorize, as recommended by the Inquiry Officer, the payment of costs to the parties to the inquiry in an amount not to exceed \$200 each as set out in Section 7(10) of the Expropriations Act;
- (4) the City Clerk be directed to cause the decision of City Council, and reasons, to be served upon the following:

- (a) Mr. Michael Monk, party to the inquiry;
- (b) Mr. Roman Rogulski and Ms. Genevieve Roy, party to the inquiry;
- (c) Mr. Douglas Hyatt and Ms. Kathryn Shaver, party to the inquiry;
- (d) Ms. Kathy Bates, party to the inquiry; and
- (e) the Chief Inquiry Officer, Ministry of the Attorney General, Crown Law Office - Civil Law, 8th floor - 720 Bay Street, Toronto, Ontario, M5G 2K1.

within 90 days after the date of the receipt of the report of the Inquiry Officer in accordance with the Expropriations Act; and

- (5) if City Council decides to approve the expropriation, it direct that:
  - (a) the Chief Financial Officer and Treasurer or designate and the City Clerk or designate be authorized and directed to execute a Certificate of Approval in the form prescribed in the Expropriations Act;
  - (b) leave be granted for the introduction of the necessary Bills in Council to give effect thereto;
  - (c) offers of compensation, in compliance with the requirements of the Expropriations Act, to the registered owners, and/or whomever may be entitled to be served, be approved up to the amount of the appraisal reports obtained by the Commissioner of Corporate Services, and that the appropriate City Officials be authorized to offer immediate payment of 100% of the offers of compensation and to settle the compensation claims within the limits of their authority and further be authorized to complete these transactions; prepare the necessary documents releasing the City from any claims arising from the expropriation of land; pay any interest charges or expenses incurred by the City; and pay any reasonable legal and appraisal fees associated therewith;
  - (d) the lands be placed under the jurisdiction of the Commissioner of Corporate Services until required for public lane purposes; and
  - (e) the appropriate City officials be authorized to take such action as may be necessary to complete these transactions and/or take possession of the lands involved, including the preparation and registration of the Expropriation Plan and service of the required documents such as Notice of Expropriation, Notice of Possession, Notice of Election, Without Prejudice Offers, Appraisal Reports, etc.

Council Reference/Background/History:

As appears from Clause 3, City Services Committee Report No. 3 embodied in Executive Committee Report No. 4, adopted at its meeting held on February 22 and 23, 1993, City Council authorized,

among other things, an application to City Council for approval of the expropriation of all rights, title and interests for public lane purposes of certain lands described as follows:

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of:

Schedule "A"

FIRSTLY:

Part of Township Lot 16 in Concession 1 From the Bay, in the original Township of York, designated as PART 15 on a plan of survey deposited in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64) as 63R-2150.

Saving and Excepting thereout and therefrom, PART 2 on a plan of survey deposited in the said Land Registry Office as 63R-3972.

SECONDLY :

Part of Township Lot 16 in Concession 1 From the Bay, in the original Township of York, designated as PART 16 on a plan of survey deposited in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64) as 63R-2150.

THIRDLY :

Part of Township Lot 16 in Concession 1 From the Bay, in the original Township of York, designated as PARTS 7, 8, 9, 10, 11 and 12 on a plan of survey deposited in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64) as 63R-2150;

Council also approved the following:

- (1) the service and publication of the Notice of such application required by the Expropriations Act;
- (2) the appropriate Officials to forward to the Chief Inquiry Officer, pursuant to the said Act, any requests for hearings that are received;
- (3) the Commissioner of City Property to obtain any appraisal reports required to comply with The Expropriations Act;
- (4) the appropriate City Officials to report further to Council as the occasion may require;
- (5) a by-law to dedicate the lands described in Schedule "A", hereinabove, including the parcel identified as Part 13 on Plan SYB595, for public lane purposes, as soon as the City obtains free and clear title to the required lands; and

- (6) the appropriate City officials to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that might be necessary.

Comments and/or Discussion and/or Justification:

Upon a review of the title search, it was discovered that portions of the lands to be expropriated had escheated to the Crown due to the dissolution of a corporate owner. As the City cannot expropriate from the Provincial Government, a request has been made to commence the process of negotiating for the acquisition of these lands. These lands are described as PARTS 15 and 16 on 63R-2150 set out as Firstly and Secondly in the aforementioned authority, and a 2/3 interest in PART 2 on Plan 63R-3972. The acquisition of the remaining 1/3 interest in PART 2 was authorized by Clause 3, ECR No. 15 adopted by Council for the Corporation of the City of Toronto on May 30 and 31, 1994.

The service and publication of the Notice of Application for Approval to Expropriate Land was duly effected and a request for an inquiry hearing was received from:

- (1) Mr. Michael Monk; and
- (2) Mr. Roman Rogulski and Ms. Genevieve Roy.

An Inquiry Officer was appointed and on November 27, 1997 an inquiry was held into the question of whether the proposed expropriation was fair, sound and reasonably necessary in the achievement of the objectives of the City. The report of the Inquiry Officer was received on January 5, 1998, a copy of which is attached as Schedule "A" to this report.

Mr. Monk's objection centred around whether he would be able to obtain permit parking on City-owned land to the north of the lands to be expropriated, and Mr. Rogulski and Ms. Roy shared in the concerns about the availability of parking as well as questions about the amount of compensation, the effect of the expropriation on their property assessment and taxes and the City's intentions to improve, maintain and secure the area.

After consideration of the evidence, the Inquiry Officer found that:

- (1) the Expropriating Authority is trying to establish permit parking;
- (2) in order to establish permit parking, the City must first acquire ownership of lands shown as PARTS 1 to 7 on draft expropriation plan SYB595 and then dedicate the lands for public lane purposes; and
- (3) permit parking established on a street-name basis is the preferred option in order to satisfy the parking demands of the owners of 6 to 16 St. James Court.

The Inquiry Officer concluded that:

- (4) the proposed taking of PARTS 1 - 7 on draft expropriation plan SYB595 is fair, sound and reasonably necessary in the achievement of the objectives of the Expropriating Authority; and
- (5) recommended that the City pay costs to the parties to the inquiry in an amount not to exceed \$200.00 each as set out in Section 7(10) of the Expropriations Act.

A sketch showing the lands proposed to be expropriated is attached as Schedule "B".

Conclusions:

City Council, as the Approving Authority under the Expropriations Act, must consider the report of the Inquiry Officer and decide whether to approve the application as requested, including the granting of costs.

Contact Name:

Edward A. Earle  
Legal Services  
Tel: 392-7226)

(A copy of Schedules "A" and "B", referred to in the foregoing report, is on file in the office of the City Clerk.)

**Attachment No. 4**

(Report dated March 3, 1998, from  
Ms. Sylvia N. Watson, Toronto Community Council Solicitor  
entitled, "Marine Terminal 27 - Authorization for  
Execution of Three Party Agreement (Downtown)" - Minute No. 361)

Purpose:

City Council for the former City of Toronto at its meeting of October 7 and 8, 1996, authorized the Acting City Solicitor to report directly to City Council on the terms of the Three Party Agreement required by Zoning By-law No. 1996-0483 which, as amended, is currently before the Ontario Municipal Board. The purpose of this report is to obtain authorization for the execution of this agreement by the appropriate City officials.

Funding Sources, Financial Implications and Impact Statement:

Not applicable.

Recommendations:

That Council approve the terms of the Three Party Agreement required by By-law No. 1996-0483, as amended, of the former City of Toronto and authorize the appropriate City officials to execute such agreement provided the Toronto Community Council Solicitor, in consultation with the Commissioner of Planning and Urban Development Services, is satisfied both as to its form and that it is substantially as described in her report of March 3, 1998, and further provided that such execution by the City shall not occur until City Council has authorized the execution of the associated Section 37 Agreement.

Council Reference/Background/History:

City Council for the former City of Toronto at its meeting of October 7 and 8, 1996, authorized the Acting City Solicitor to report directly to City Council on the terms of the Three Party Agreement required by Zoning By-law No. 1996-0483 which, as amended, is currently before the Ontario Municipal Board.

Comments and/or Discussion and/or Justification:

Further to the settlement discussions between City staff, Avro Quay Limited. ("Avro", being the owner of the 25 Queens Quay East Lands to which By-law No. 1996-0483 applies) and Redpath Industries Limited ("Redpath"), an amended By-law No. 1996-0483 has been sent to the Ontario Municipal Board in accordance with City Council's instructions of October 6 and 7, 1997. Accompanying the By-law was a request that the Board issue its decision on the by-law but withhold the order until such time as the required Three Party Agreement (which secures offsite noise mitigation on the Redpath Lands at 95 Queens Quay East) and the Section 37 Agreement have been

executed and registered as first charges against, in the case of the Three Party Agreement - the Avro and the Redpath Lands, and in the case of the Section 37 Agreement - the Avro Lands.

The Three Party Agreement has now been settled between City staff, Avro and Redpath. If the recommendation above is adopted by Council, the Toronto Community Council Solicitor will hold such agreement with execution by the City and registration to occur at such time as Avro and the City finalize the terms of the Section 37 Agreement and following receipt of the required authorization by City Council and necessary postponements (to ensure the Agreement shall be a first charge against the Avro Lands at 25 Queens Quay East and the Redpath Lands at 95 Queens Quay East).

Terms of the Three Party Agreement:

The Three Party Agreement negotiated by City staff and the other parties provides, among other matters, as follows:

- (1) Avro will pay to the City up to \$500,000.00 to be used to compensate Redpath for the implementation of the approved offsite acoustic attenuation measures (the "attenuation measures") on the Redpath Lands. If the costs of implementation exceed such amount, Redpath will pay such additional costs. If the costs are less, the City will return any excess funds to Avro.
- (2) Avro will carry out and complete the attenuation measures on their lands within six to nine months and have a noise and vibration consultant provide an opinion to the City as to their satisfactory completion. Thereafter Redpath will operate and maintain the attenuation measures.
- (3) The City Treasurer will reimburse Redpath from the money provided by Avro as the attenuation measures are installed and following the submission of confirmation of such expenditures.
- (4) The City shall diligently process approvals and permits which may be required for the implementation of the attenuation measures.
- (5) Avro shall not later than the submission of the first site plan application for the Avro Lands submit and obtain approval from the Commissioner of Works and Emergency Services of a noise impact and vibration statement ("the Statement") and Redpath shall be consulted in determining its acceptability. In addition Avro shall erect all buildings in accordance with the approved Statement and shall provide, maintain and operate any attenuation measures required by the Statement.
- (6) Avro must have a noise and vibration consultant provide an opinion to such Commissioner that the development has been designed and constructed in accordance with the approved Statement prior to any occupancy of any building on the Avro Lands.



- (7) Redpath will be informed by Avro of any site plan applications and Redpath will have an opportunity to comment on them to the City and on any application by Avro for building permits.
- (8) The Agreement will be registered (as a first charge) against the Avro and the Redpath Lands and future owners of such lands will be bound by the Agreement.
- (9) The Agreement will terminate only if and when the Section 37 Agreement (yet to be approved by Council) unwinds.

Conclusions:

The Commissioner of Planning and Urban Development and the Commissioner of Works and Emergency Services have been consulted in the completion of the Three Party Agreement and are satisfied with its terms.

Adoption of the recommendation in this report will leave only the Section 37 Agreement outstanding for the completion of the settlement of this matter between Avro, Redpath and the City and enables a degree of closure with Redpath in this matter. I understand from the School Boards that the necessary agreements have been entered into by Avro but are awaiting registration pending receipt of the necessary postponements.

We expect to be in a position shortly to report on the required Section 37 Agreement, the noise provisions of which have been substantially agreed upon by Redpath and Avro as part of Redpath agreeing to the terms of the Three Party Agreement, such provisions being to a considerable extent reflected in the Three Party Agreement.

Contact Name:

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