

Appendix A

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

WEDNESDAY, JUNE 3, 1998

City Council met at 9:37 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.

933 At the request of Council, the City Clerk called the roll at 9:38 a.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Balkissoon, Berger, Chong, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Holyday, Jakobek, Kelly, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Walker - 35.

934 Members present at the morning session of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, 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, Walker - 54.

935 Councillors Layton and Chow, seconded by Mayor Lastman, moved that:

“WHEREAS, Dan Leckie, who served with distinction as Toronto City Councillor and Toronto School Board Trustee, passed away on May 29, 1998.

Serving as a Toronto School Trustee from 1972 to 1978, Dan chaired the Board of Education in 1977. He initiated movement at the School Board to

better serve Toronto's diverse communities with parent councils, heritage language programmes, and English as a second language initiatives, including holding classes in downtown factories. He introduced multi-culturalism and de-streaming to give children from low-income families a better chance, and he made vocational schools co-ed.

In these years, Dan also began his long association with the Toronto Board of Health, bringing to fruition such ground-breaking initiatives as the Health Advocacy Unit, the Healthy City Programme and Toronto's AIDS Defence Plan. As senior policy staff to former Mayor John Sewell and Councillor Jack Layton for many years, Dan was known to many City Hall staff for the respect which he always showed for their work, and by Councillors for his keen intellect and broad innovative vision.

Dan returned to elected public service in 1994 as City Councillor for Ward 5. At the City, Dan provided true leadership in developing many widely celebrated health and environmental initiatives, especially surrounding climate change and cancer prevention.

Dan was the catalyst for numerous innovative programmes which continue to be emulated and celebrated today: the Healthy City Programme, the Toronto Atmospheric Fund, the Food Policy Council, the Toronto Bay Initiative, the Better Buildings Partnership, the Bring Back the Don Task Force. Dan chaired the Toronto City Cycling Committee and the Gardiner-Lakeshore Task Force.

Dan was keenly motivated to work for environmental change worldwide. He pursued that task with enthusiasm in the last months of his life through the International Council on Local Environmental Initiatives, where he was a policy expert on the crisis of global climate change. He made presentations at the United Nations summit at Kyoto, Japan and traveled to the Philippines and Britain to develop energy efficiency programmes and solar energy projects.

AND WHEREAS Councillor Leckie served his constituents with energy and commitment second to none; and was a model of respectful and dignified collegiality throughout his public career;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council join with the many Torontonians in our many communities as we extend sincere condolences to Dan's family, to his mother Helen, his beloved wife Niki, and his children Patrick, Tina, Bram and Luke, his brothers Jim and Steve and his sisters Judy and June;

AND BE IT FURTHER RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, this expression of sincere sympathy to the members of the Leckie family;

AND BE IT FURTHER RESOLVED THAT Council extend its regular lunch recess until the hour of 2:45 p.m. in order to permit Members of Council to attend a special ceremony at Harbourfront today which has been organized by friends and family to celebrate his life.”

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

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

- 936 At this point in the proceedings, Mayor Lastman, with the permission of Council, invited Members of Council to view the promotional video on the “Nissan Challenge”, a fundraising event in support of the Homes for the Aged, which will be held on Sunday, June 14, 1998.

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

- 937 From the Committee Administrator, Committee on the Status of Women (May 25, 1998) advising that the Committee on the Status of Women at its meeting held on May 25, 1998, concurred in the recommendations embodied in the report dated May 11, 1998, from the Commissioner of Community and Neighbourhood Services, entitled “Analysis of Impacts of Ontario Works Regulations”.

The foregoing communication was considered with Clause No. 1 of Report No. 5 of The Community and Neighbourhood Services Committee. (See Appendix “A”, page 4959.)

- 938 From Councillor I. Bossons, Midtown (May 25, 1998) requesting additional reports, and a detailed financial analysis of all materials provided, regarding the John Street Roundhouse.

The foregoing communication was considered with Clause No. 1 of Report No. 7 of The Corporate Services Committee. (See Appendix “A”, page 4991.)

- 939 From the Chair, The Society of Heritage Associates (May 28, 1998) regarding the John Street Roundhouse and requesting that the matter be referred back to the Corporate Services Committee, with a direction that a full review be undertaken by the Heritage Toronto Board.

The foregoing communication was considered with Clause No. 1 of Report No. 7 of The Corporate Services Committee. (See Appendix “A”, page 4991.)

- 940 From the City Clerk (May 27, 1998) advising that the Budget Committee concurred in the recommendations of the Corporate Services Committee, embodied in the Committee Transmittal dated May 25, 1998, regarding 76 Wychwood Avenue - Wychwood House.

The foregoing communication was considered with Clause No. 38 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 5150.)

- 941 From the City Solicitor (May 28, 1998) regarding the conversion of rental housing to condominium and responding to the request of the Urban Environment and Development Committee for suggestions on how the City, at the expense of the applicant, can provide notice to tenants of applications to convert rental housing to condominium units.

The foregoing report was considered with Clause No. 4 of Report No. 7 of The Urban Environment and Development Committee. (See Appendix "A", page 5263.)

- 942 From the Medical Officer of Health (May 28, 1998) regarding the Corporate Smog Alert Response Plan, providing details of the implementation plan for 1998 and submitting recommendations in this regard.

The foregoing report was considered with Clause No. 1 of Report No. 8 of The Board of Health. (See Appendix "A", page 6039.)

- 943 Confidential report (June 3, 1998) from the Commissioner of Urban Planning and Development regarding the proposed sign by-law to prohibit advertising signs on certain former Provincial highways.

The foregoing confidential report was considered with Clause No. 2 of Report No. 7 of The Urban Environment and Development Committee. (See Appendix "A", page 5217.)

- 944 From Mr. Raymond L. Kennedy, Old Time Trains (May 31, 1998) regarding the John Street Roundhouse and requesting that the matter be referred back to the Corporate Services Committee, with a direction that a full review be undertaken by the Heritage Toronto Board.

The foregoing communication was considered with Clause No. 1 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 4991.)

- 945 From Mr. John L. Males, Willowdale, Ontario (June 1, 1998) regarding the John Street Roundhouse and requesting that consideration of the matter be deferred for one month in order to allow for the review of an applicant's submission.

The foregoing communication was considered with Clause No. 1 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 4991.)

- 946 From Mr. Bill Graham, M.P., Toronto Centre - Rosedale (May 28, 1998) in support of the resolution adopted by the Corporate Services Committee urging the amendment of municipal pension plans to include same-sex benefits pending the Federal government's position on the Ontario Court of Appeal decision.

The foregoing communication was considered with Clause No. 7 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 5007.)

- 947 From the City Clerk (May 28, 1998) regarding the proposed sale of Lot 198, Registered Plan M-109 (Ward 9 - North York Centre South), Woburn Avenue, advising that the North York Community Council is requesting that the matter be referred back to the North York Community Council for further consideration, and submitting recommendations relating to real estate matters under \$500,000.00 and matters related to the potential sale of any property.

The foregoing communication was considered with Clause No. 28 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 5117.)

- 948 From the City Clerk (May 29, 1998) advising that the Toronto Community Council endorses the recommendation of the Corporate Services Committee, contained in Clause No. 41 of Report No. 7 of The Corporate Services Committee, respecting the Proposed Licence Agreement - Prince Edward Viaduct Parkette (Midtown).

The foregoing communication was considered with Clause No. 41 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 5158.)

- 949 From the Commissioner of Community and Neighbourhood Services (May 28, 1998) reporting, as requested by the Community and Neighbourhood Services Committee, on how the City of Toronto would be able to continue providing specific benefits to social assistance clients who are no longer eligible for assistance, or will no longer receive certain benefits as a result of the new Ontario Works Act regulations introduced by the Province.

The foregoing report was considered with Clause No. 1 of Report No. 5 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 4959.)

- 950 From the Commissioner of Urban Planning and Development Services (June 1, 1998) submitting, as requested by the Urban Environment and Development Committee, an outline of the work that is being done to address off-street parking and loading facilities for motor coaches and recommending that the Commissioner of Urban Planning and Development Services be directed to examine the appropriateness of a requirement for off-street motor coach parking and loading facilities for new hotels within the Central Area, in consultation with appropriate Departments and Agencies.

The foregoing report was considered with Clause No. 3 of Report No. 7 of The Urban Environment and Development Committee. (See Appendix "A", page 5232.)

- 951 From the Interim Functional Lead, Transportation (June 1, 1998) submitting, as requested by the Urban Environment and Development Committee, a report on the feasibility of Parking Control Officers enforcing the City's idling by-law as it applies to motor coaches.

The foregoing report was considered with Clause No. 3 of Report No. 7 of The Urban Environment and Development Committee. (See Appendix "A", page 5232.)

- 952 From the Chair, Habitat Restoration Committee, Task Force to Bring Back the Don (May 28, 1998) regarding the proposed Don River channel restoration work at the Don Valley Parkway and Lawrence Avenue East and submitting recommendations in this regard.

The foregoing communication was considered with Clause No. 8 of Report No. 7 of The Urban Environment and Development Committee. (See Appendix "A", page 5294.)

- 953 From the Chief Financial Officer and Treasurer (June 1, 1998) requesting that the name of the reserve fund referred to in Clause No. 11 of Report No. 9 of The Strategic and Policies Committee regarding the procurement of replacement subway cars be modified from "Toronto Transit Commission's Capital Project Reserve Fund" to "TTC Capital Subsidy Reserve Fund".

The foregoing report was considered with Clause No. 11 of Report No. 9 of The Strategic Policies and Priorities Committee. (See Appendix "A", page 5451.)

- 954 From Mr. Simon Arieli, Toronto, Ontario (undated) submitting comments regarding the rezoning for the Shell car wash, situated at Bayview and Sheppard Avenues.

The foregoing communication was considered with Clause No. 3 of Report No. 6 of The North York Community Council. (See Appendix "A", page 5544.)

- 955 From the Interim Functional Lead, Transportation (June 1, 1998) regarding the installation of pedestrian crossovers on Coxwell Avenue, between Gerrard Street East and Robbins Avenue and on Queen Street East at Brookmount Road, and submitting, as requested by the Toronto Community Council, a report comparing the operational safety impact of pedestrian crossovers versus traffic control signals at these locations.

The foregoing report was considered with Clauses Nos. 10 and 11 of Report No. 6 of The Toronto Community Council. (See Appendix "A", pages 5759 and 5763.)

- 956 From the President, The South Rosedale Ratepayers' Association (June 2, 1998) regarding Park Drive Ravine, Ontario Municipal Board Decision, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 and 15 Beaumont Road (Midtown), requesting City Council to continue to oppose the request for another hearing at the Ontario Municipal Board of the dismissed appeals to Zoning By-law No. 1997-0369.

The foregoing communication was considered with Clause No. 28 of Report No. 6 of The Toronto Community Council. (See Appendix "A", page 5849.)

- 957 Confidential report (May 14, 1998) from the Toronto Community Council Solicitor regarding Dellcrest Children's Centre, 182 Dowling Avenue.

The foregoing confidential report was considered with Clause No. 44 of Report No. 6 of The Toronto Community Council. (See Appendix "A", page 5951.)

- 958 Confidential communication (undated) regarding a property matter.

The foregoing confidential communication was considered with Clause No. 4 of Report No. 7 of The Corporate Services Committee. (See Appendix "A", page 5003.)

- 959 Council was advised that there were no petitions or enquiries and that Councillors Berardinetti and Kelly would be absent from this Council Meeting.

- 960 At this point in the proceedings, and with the permission of Council, Councillor Ootes moved that Council vary the order of its proceedings to now consider Bill No. 274, and, seconded by Councillor Rae, moved that leave be granted to introduce:

"Bill No. 274 To amend further Council Procedural By-law No. 23-1998, being a by-law 'To govern the proceedings of the Council and the Committees thereof'.",

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. 276-1998 To amend further Council Procedural By-law No. 23-1998, being a By-law 'To Govern the Proceedings of the Council and the Committees thereof'.",

it was carried, without dissent.

- 961 Councillor Duguid presented the following Reports for consideration by Council:

Report No. 6 of The Corporate Services Committee,
Report No. 5 of The Community and Neighbourhood Services Committee,
Report No. 7 of The Corporate Services Committee,
Report No. 5 of The Emergency and Protective Services Committee,
Report No. 7 of The Urban Environment and Development Committee,
Report No. 5 of The Works and Utilities Committee,
Report No. 9 of The Strategic Policies and Priorities Committee,
Report No. 8 of The East York Community Council,

Report No. 6 of The Etobicoke Community Council,
Report No. 6 of The North York Community Council,
Report No. 5 of The Scarborough Community Council,
Report No. 6 of The Toronto Community Council,
Report No. 6 of The York Community Council, and
Report No. 8 of The Board of Health,

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

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 Altobello declared his interest in Item (e), entitled "Preliminary Evaluation Report Official Plan Amendment Application P97024, Zoning By-law Amendment Application Z97042, Paul Viaros, 381-383 Birchmount Road, Birchmount Park Employment District; Ward 13 - Scarborough Bluffs," embodied in Clause No. 15 of Report No. 5 of The Scarborough Community Council, headed "Other Items Considered by the Community Council", in that his family owns a business on the same street.

Councillor Cho declared his interest in Clause No. 2 of Report No. 5 of The Community and Neighbourhood Services Committee, headed "Impact of Education Funding Changes - Children's Services" and in Clause No. 6 of Report No. 7 of The Urban Environment and Development Committee, headed "School Board Contributions and the Development Industry", in that he is a teacher on leave of absence from the Toronto District School Board.

Councillor Feldman declared his interest in Clause No. 4 of Report No. 5 of The Scarborough Community Council, headed "Request for a Restriction of Northbound Traffic from the Milner Properties Site to Murison Boulevard, Ward 18 - Scarborough Malvern", in that he is the owner of the subject property; and in Clause No. 9 of Report No. 9 of The Strategic Policies and Priorities Committee, headed "Acquisition of Former Landfill Site Owned by the Ministry of Transportation - Ward 16 - Scarborough Highland Creek", in that he owns a property in the immediate vicinity of the property in question.

Councillor Gardner declared his interest in Clause No. 13 of Report No. 7 of The Corporate Services Committee, headed "Office Administration and Expenses of Members of Council", in that a member of his office staff is a relative.

Mayor Lastman declared his interest in Clauses Nos. 1 and 31 of Report No. 7 of The Corporate Services Committee, headed "John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)" and "Acquisition of Property Interests Sheppard Subway - Bayview Station Owner: Verdiroc Holdings Limited, Daniels Financial Corporation and John Henry Daniels in Trust", respectively, and in Clause No. 1 of Report No. 7 of The Urban Environment and Development Committee, headed "Sheppard Subway Bayview Station Commuter Parking; and Removal of Trees from the Bayview Avenue Right-of-Way

Between Sheppard Avenue East and Mallingham Court”, in that the applicant’s solicitor is a partner at the same law firm as his son.

Mayor Lastman further declared his interest in Item (m), entitled “Proposals Report - Development Concept for the Downsview Area Secondary Plan - North York Spadina,” contained in Clause No. 28 of Report No. 6 of The North York Community Council, headed “Other Items Considered by the Community Council”, insofar as it pertains to:

- (1) the City-owned lands at the southeast corner of the William R. Allen Road and Sheppard Avenue West, in that his younger son lives in the area; and
- (2) Block “H,” in that the applicant’s solicitor is a partner at the same law firm as his older son, who is not a real estate lawyer and does not personally act on these files.

Councillor Li Preti declared his interest in Item (m), entitled “Proposals Report - Development Concept for the Downsview Area Secondary Plan - North York Spadina,” embodied in Clause No. 28 of Report No. 6 of The North York Community Council, headed “Other Items Considered by the Community Council”, insofar as it pertains to the City-owned lands at the southeast corner of Sheppard Avenue West and the William R. Allen Road, in that he owns a property in the vicinity.

Councillor Shiner declared his interest in Clause No. 13 of Report No. 7 of The Corporate Services Committee, headed “Office Administration and Expenses of Members of Council”, in that a member of his office staff is a relative; and in Clause No. 25 of Report No. 6 of The North York Community Council, headed “Letter of Understanding - Public Access to Duncan Mill Greenbelt During Bayview Glen Day Camp Hours of Operation”, in that his son attends a school in the immediate 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. 6 of The Corporate Services Committee, consisting of one Clause only, without amendment, it was held in its entirety.

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

Upon the question of the adoption of Report No. 7 of The Corporate Services Committee (with the exception of Clauses Nos. 1, 2, 3, 4, 7, 10, 11, 12, 13, 14, 28, 30, 31, 34, 38 and 46), without amendment, it was carried.

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

Upon the question of the adoption of Report No. 7 of The Urban Environment and Development Committee (with the exception of Clauses Nos. 1, 3, 5, 6, 7 and 8), without amendment, it was carried.

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

Upon the question of the adoption of Report No. 9 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 5, 6, 7, 10 and 11), without amendment, it was carried.

Upon the question of the adoption of Report No. 8 of The East York Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 6 of The Etobicoke Community Council, (with the exception of Clauses Nos. 5, 16 and 17), without amendment, it was carried.

Upon the question of the adoption of Report No. 6 of The North York Community Council (with the exception of Clauses Nos. 2 and 28), without amendment, it was carried.

Upon the question of the adoption of Report No. 5 of The Scarborough Community Council (with the exception of Clauses Nos. 6, 12 and 13), without amendment, it was carried.

Upon the question of the adoption of Report No. 6 of The Toronto Community Council, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 6 of The York Community Council (with the exception of Clause No. 8), without amendment, it was carried.

Upon the question of the adoption of Report No. 8 of The Board of Health, consisting of one Clause only, without amendment, it was held in its entirety.

962 At this point in the proceedings, Councillor Moscoe, with the permission of Council, moved that Council adopt the following recommendation:

“It is recommended that the City Clerk be requested to include recorded votes in the reports of the Community Councils.”

Upon the question of the adoption of the foregoing motion by Councillor Moscoe, without amendment, it was carried.

At this point in the proceedings, and with the permission of Council, Councillor Johnston moved that Council vary the order of its proceedings to consider Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed "City of Toronto Administrative Professional Supervisory Association, Incorporated (COTAPSAI)", at 4:30 p.m. today, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Augimeri, Bossons, Brown, Bussin, Cho, Disero, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Walker - 38.

Nays: Councillors: Ashton, Balkissoon, Berger, Chong, Davis, Duguid, Faubert, Flint, Gardner, King, Ootes, Saundercook, Shiner - 13.

Decided in the affirmative by a majority of 25. (See Minute No. 980)

At this point in the proceedings, and with the permission of Council, Councillor O'Brien moved that Council vary the order of its proceedings to consider all matters remaining on the Order Paper of a confidential nature at 8:00 p.m., and, at that time, that Council reconvene in Committee Room "A" and resolve itself into Committee of the Whole to consider such matters, in accordance with the provisions of the Municipal Act, which was carried.

Councillor Moscoe, with the permission of Council, requested that the following confidential matters not be considered by Council at its in-camera meeting until approximately 9:00 p.m.:

- Clause No. 1 of Report No. 7 of The Urban Environment and Development Committee, headed "Sheppard Subway Bayview Station Commuter Parking; and Removal of Trees from the Bayview Avenue Right-of-Way Between Sheppard Avenue East and Mallingham Court"; and
- Clause No. 31 of Report No. 7 of The Corporate Services Committee, headed "Acquisition of Property Interests, Sheppard Subway - Bayview Station, Owner: Verdiroc Holdings Limited, Daniels Financial Corporation and John Henry Daniels in Trust".

Council concurred in the foregoing request.

963 At this point in the proceedings, and with the permission of Council, Mayor Lastman introduced the students of Earlsdale Public School, Toronto, present at this meeting.

964 **Clause No. 5 of Report No. 6 of The Etobicoke Community Council, headed “Traffic Assessment of Edgemoor Road”.**
(See Appendix “A”, page 5497.)

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.

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

965 **Clause No. 6 of Report No. 5 of The Scarborough Community Council, headed “Preliminary Evaluation Report, Official Plan Amendment Application SP98005, Zoning By-Law Amendment Application SZ98012, John Delic, South Side of Lawrence Avenue East, Ward 14 - Scarborough Wexford”.**
(See Appendix “A”, page 5638.)

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 49.

Nays: Nil.

Decided in the affirmative, without dissent.

966 **Clause No. 8 of Report No. 6 of The York Community Council, headed “Other Items Considered by the Community Council”.**
(See Appendix “A”, page 6024.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Mihevc, in amendment, moved that the foregoing Clause be received as information, subject to striking out and referring Item (k), entitled “Request for All-Way Stop Control at Glenholme Avenue and Earlsdale Avenue - Ward 28, York-Eglinton”, back to the York Community Council for further consideration.

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

At this point in the proceedings, and with the permission of Council, Councillor Moeser moved that, in accordance with the request of Scarborough Community Council, Council vary the order of its proceedings to consider Clause No. 13 of Report No. 5 of The Scarborough Community Council, headed "Morningside Heights Land Use Study and Related Development Applications", at 10:00 a.m. today, the vote upon which was taken as follows:

Yeas Mayor: Lastman.
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, O'Brien, Ootes, Pantalone, Rae, Sgro, Shaw, Shiner, Silva - 32.

Nays: Councillors: Bossons, Brown, Bussin, Faubert, Johnston, Jones, Korwin-Kuczynski, Minnan-Wong, Moscoe, Sinclair, Tzekas - 11.

Decided in the affirmative by a majority of 21.

967 **Clause No. 13 of Report No. 5 of The Scarborough Community Council, headed "Morningside Heights Land Use Study and Related Development Applications".**
(See Appendix "A", page 5664.)

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

- (a) Councillor Ashton, in amendment, moved that the foregoing Clause be struck out and referred back to the Scarborough Community Council for further consideration.
- (b) Councillor Moscoe, in amendment, moved that the foregoing motion (a) by Councillor Ashton be amended by adding thereto the words "with requests that:
 - (1) the City Clerk and the Commissioner of Urban Planning and Development Services develop a protocol for the processing of planning matters and submit a joint report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team; and
 - (2) the City Clerk submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on a possible amendment to the Procedural By-law which would permit a Member of Council to put a motion to defer or refer a matter prior to the questioning of staff."

- (c) Councillor Faubert, in amendment, moved that the foregoing Clause be struck out and referred to the Urban Environment and Development Committee.

At this point in the proceedings, Councillor Mahood, rising on a point of order, requested that Council stand down consideration of the foregoing Clause until later in the meeting, having regard that the matter was not properly before Council.

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

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

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Berger, Disero, Duguid, Faubert, Feldman, Gardner, Giansante,, Jakobek, Johnston, King, Lindsay Luby, Li Preti, McConnell, Mihevc, Ootes, Pantalone, Prue, Saundercook, Shiner, Silva, Walker - 25.

Nays: Councillors: Altobello, Bossons, Bussin, Cho, Flint, Holyday, Mahood, Nunziata, Shaw - 9.

Decided in the affirmative by a majority of 16.

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

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

Yeas: Mayor: Lastman.
Councillors: Altobello, Bossons, Bussin, Cho, Disero, Duguid, Faubert, Feldman, Gardner, Giansante, Holyday, Johnston, Kinahan, King, Lindsay Luby, Li Preti, Mahood, McConnell, Moscoe, Nunziata, Ootes, Prue, Saundercook, Silva, Walker - 26.

Nays: Councillors: Ashton, Balkissoon, Berger, Flint, Moeser, Pantalone, Shaw, Shiner - 8.

Decided in the affirmative by a majority of 18.

Having regard to the foregoing decision of Council, the foregoing motion (a) by Councillor Ashton was not put to a vote.

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

At this point in the proceedings, Councillor Shaw, with the permission of Council, moved that Council vary the order of its proceedings to now consider Clause No. 12 of Report No. 5 of The Scarborough Community Council, headed "Planning Applications on Ontario Hydro Lands, Funding for Community Participation at the Ontario Municipal Board", the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berger, Brown, Cho, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Kinahan, King, Lindsay Luby, Li Preti, Mahood, McConnell, Moscoe, Nunziata, Ootes, Pantalone, Prue, Saundercook, Shaw, Silva - 26.

Nays: Councillors: Bossons, Faubert, Walker - 3.

Decided in the affirmative by a majority of 23.

968 **Clause No. 12 of Report No. 5 of The Scarborough Community Council, headed "Planning Applications on Ontario Hydro Lands, Funding for Community Participation at the Ontario Municipal Board".**
(See Appendix "A", page 5662.)

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

- (a) Councillor Kinahan, in amendment, moved that the foregoing Clause be struck out and referred to the next meeting of the Urban Environment and Development Committee for further consideration; and the Commissioner of Urban Planning and Development Services be requested to submit a report to the Committee, for consideration therewith, on an appropriate City-wide policy for funding community participation at the Ontario Municipal Board.
- (b) Councillor Faubert, in amendment, moved that the foregoing Clause be struck out and referred to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Urban Planning and Development Services, with a request that they develop a policy, including criteria and guidelines, for funding for community participation at the Ontario Municipal Board and submit a joint report thereon to the Urban Environment and Development Committee.
- (c) Councillor Shaw, in amendment, moved that the foregoing motion (a) by Councillor Kinahan be amended to provide that consideration of the foregoing Clause not be referred, and that the portion thereof pertaining to the City-wide policy be referred to the Urban Environment and Development Committee for consideration.
- (d) Councillor Saundercook, in amendment, moved that the foregoing motion (a) by Councillor Kinahan be amended to provide that the Chair of the Urban Environment

and Development Committee be requested to call a Special Meeting to consider this matter, if necessary.

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

Yeas: Councillors: Augimeri, Bossons, Brown, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Layton Lindsay Luby, McConnell, Mihevc, Moeser, Nunziata, Ootes, Prue, Saundercook, Shiner, Sinclair, Walker - 25.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berger, Cho, Gardner, Li Preti, Mahood, Moscoe, Pantalone, Shaw - 11.

Decided in the affirmative by a majority of 14.

Having regard to the foregoing decision of Council, the foregoing motions (a), (c) and (d), by Councillors Kinahan, Shaw and Saundercook, respectively, were not put to a vote. (See also Minutes Nos. 1071 and 1086.)

969 **Clause No. 2 of Report No. 5 of The Community and Neighbourhood Services Committee, headed "Impact of Education Funding Changes - Children's Services".** (See Appendix "A", page 4979.)

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 thereto the following:

"It is further recommended that the Commissioner of Community and Neighbourhood Services and the Commissioner of Economic Development, Culture and Tourism be requested to include in the joint report requested by the Community and Neighbourhood Services Committee, the impact of the School Board cuts on settlement services for new immigrants."

(b) Councillor Jakobek, 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 School Tax Sub-Committee, the membership of which is Councillors Bussin, Jakobek and McConnell, with Councillor McConnell as Chair, on the status of negotiations in this regard."

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

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

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

- 970 **Clause No. 1 of Report No. 7 of The Corporate Services Committee, headed “John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)”.**
(See Appendix “A”, page 4991.)

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

- (i) (May 25, 1998) from Councillor I. Bossons, Midtown, requesting additional reports, and a detailed financial analysis of all materials provided, regarding the John Street Roundhouse;
- (ii) (May 28, 1998) from the Chair, The Society of Heritage Associates, regarding the John Street Roundhouse and requesting that the matter be referred back to the Corporate Services Committee, with a direction that a full review be undertaken by the Heritage Toronto Board;
- (iii) (May 31, 1998) from Mr. Raymond L. Kennedy, Old Time Trains, regarding the John Street Roundhouse and requesting that the matter be referred back to the Corporate Services Committee, with a direction that a full review be undertaken by the Heritage Toronto Board; and
- (iv) (June 1, 1998) from Mr. John L. Males, Willowdale, Ontario, regarding the John Street Roundhouse and requesting that consideration of the matter be deferred for one month in order to allow for the review of an applicant’s submission.

Council also had before it, during consideration of the foregoing Clause, a report (June 3, 1998) from the Commissioner of Corporate Services, responding to the questions set out in the communication dated May 25, 1998, from Councillor Bossons, Midtown.

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

- (a) Councillor Bossons, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee, and that Council adopt the following recommendations:

“It is recommended that:

- (1) Council establish a new review committee for the purpose of considering Expressions of Interest for future uses of the John Street Roundhouse;

-
- (2) such Expressions of Interest conform to the conditions settled in the June 1, 1994, 'Agreement Regarding the John Street Roundhouse Complex', signed by the Provincial Facilitator, Mr. Dale Martin, and Mr. John O. Maxwell, on behalf of the Metro Toronto Convention Centre, and Ms. J. Beecroft, Chair, Society of Heritage Associates, on behalf of the volunteer sector;
 - (3) Expressions of Interest be drawn up in close co-operation with Heritage Toronto, in order to ensure appropriate historical preservation;
 - (4) Expressions of Interest contain preliminary business plans as well as a clear definition of the acreage that is to be dedicated to non-railway-museum commercial purposes; and
 - (5) the City Solicitor be requested to submit a report to the Corporate Services Committee on the definition of 'operating rail museum' used in the 1994 'Dale Martin Report'."

At this point in the proceedings, Councillor Bossons, with the permission of Council, moved that Council defer consideration of the foregoing Clause until 2:45 p.m. today, the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Bossons, Brown, Bussin, Chong, Duguid, Feldman, Fillion, Flint, Giansante, Holyday, Jones, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 29.

Nay: Councillor: Berger - 1.

Decided in the affirmative by a majority of 28.

Council deferred further consideration of the foregoing Clause until 2:45 p.m. (See Minute No. 978.)

971 **Clause No. 7 of Report No. 7 of The Corporate Services Committee, headed "Decision of the Court of Appeal for Ontario Respecting Same-Sex Survivor Pension Benefits".** (See Appendix "A", page 5007.)

Council also had before it, during consideration of the foregoing Clause, a communication (May 28, 1998) from Mr. Bill Graham, M.P., Toronto Centre - Rosedale, in support of the resolution adopted by the Corporate Services Committee urging the amendment of municipal pension plans to include same-sex benefits pending the Federal government's position on the Ontario Court of Appeal decision.

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

Yeas: Councillors: Ashton, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Jones, Kinahan, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 35.

Nays: Councillors: Holyday, Minnan-Wong - 2.

Decided in the affirmative by a majority of 33.

Mayor Lastman resumed the Chair.

- 972 At this point in the proceedings, and with the permission of Council, Mayor Lastman called upon Councillor King, Chair of the Taxiwatch Committee, to address Council regarding the Taxiwatch Program and the Driver of the Year award.

Councillor King addressed the Council in regard to the Taxiwatch Program; introduced the recipients of the Driver of the Year award, Mr. Amanullah Hossein-Zadeh and Mr. Ashraf Hassan; the first runner-up, Mr. Abdusalam Younis; and the Dispatcher of the Year, Mr. Bill Walsh; briefly outlined the emergency situations in which Messrs. Hossein-Zadeh, Hassan, Younis and Walsh had been involved; and commended them for their heroic actions and their contribution to the quality of life of the citizens of the City of Toronto.

Mayor Lastman invited Mr. Charles Archibald, Chair, Metropolitan Licensing Commission, to the podium, and, together with Mr. Archibald, on behalf of the Council, presented the awards to Messrs. Hossein-Zadeh, Hassan, Younis and Walsh.

Councillor King extended an invitation to the Mayor and Members of Council to attend Taxiwatch's Drivers' Appreciation Night which will be held on Monday, June 8, 1998.

Council recessed at 12:30 p.m.

2:59 P.M.

Council reconvened.

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

- 973 At the request of Council, the City Clerk called the Roll at 3:00 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 41.

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

Mayor: Lastman.

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

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

975 **Clause No. 17 of Report No. 6 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council".**

(See Appendix "A", page 5524.)

Upon the question of the receipt for information of the foregoing Clause, save and except Item (a), entitled "Etobicoke Community Care Access Centre", without amendment, it was carried. (See also Minute No. 1100.)

976 **Clause No. 11 of Report No. 9 of The Strategic Policies and Priorities Committee, headed "Toronto Transit Commission - Procurement of Replacement Subway Cars".**

(See Appendix "A", page 5451.)

Council also had before it, during consideration of the foregoing Clause, a communication (June 1, 1998) from the Chief Financial Officer and Treasurer requesting that the name of the reserve fund referred to in Clause No. 11 of Report No. 9 of The Strategic and Policies Committee regarding the procurement of replacement subway cars be modified from "Toronto Transit Commission's Capital Project Reserve Fund" to "TTC Capital Subsidy Reserve Fund".

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by deleting from the recommendation of the Budget Committee the words "Toronto Transit Commission's Capital Reserve Fund" and inserting in lieu thereof the words "TTC Capital Subsidy Reserve Fund", so that such recommendation shall now read as follows:

"The Budget Committee on May 26, 1998, recommended to the Strategic Policies and Priorities Committee, and Council, the adoption of the recommendations embodied in the communication (May 21, 1998) addressed to the City Clerk from the Toronto Transit Commission and the report (May 25, 1998) from the Chief Financial Officer and Treasurer, subject to

financing the 1998 requirement from the TTC Capital Subsidy Reserve Fund.”

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

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

977 At this point in the proceedings, Councillor Faubert, with the permission of Council, withdrew the following Notice of Motion 11(g):

Moved by: Councillor Faubert

Seconded by: Councillor Moeser

“**WHEREAS** there is a potential for a number of requests from communities for funding by the City of Toronto for financial assistance to support their appeal(s) to the Ontario Municipal Board, as well as to other Agencies, Boards, and Commissions, Provincial bodies and the Courts; and

WHEREAS the City of Toronto has yet to develop terms of reference for the application and justification for awarding such grants; and

WHEREAS the awarding of such public monies must be done under a series of criteria with due regard for public accountability for the dispersal of such funds;

NOW THEREFORE BE IT RESOLVED THAT Council refer this matter to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Urban Planning and Development Services, to develop a policy containing criteria and guidelines for such grants and report this policy back to Council through the Strategic Policies and Priorities Committee.”

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

978 Council resumed its consideration of Clause No. 1 of Report No. 7 of The Corporate Services Committee, headed “John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)”. (See also Minute No. 970.)

(b) Councillor Prue, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration; and the Commissioner of Corporate Services be requested to continue negotiations with the two leading proponents in order to obtain additional information and submit a further report to Council for its meeting to be held on October 1, 1998, through the Corporate Services Committee, once more substantive information is available.

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

Yeas: Councillors: Altobello, Ashton, Bossons, Brown, Bussin, Cho, Faubert, Filion, Giansante, Holyday, Jones, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Moscoe, Nunziata, Prue, Walker - 20.

Nays: Councillors: Augimeri, Berger, Chong, Davis, Disero, Feldman, Flint, Johnston, Kinahan, King, Lindsay Luby, Ootes, Mihevc, Rae, Saundercook, Silva, Sinclair - 18.

Decided in the affirmative by a majority of 2.

Having regard to the foregoing decision of Council, the foregoing motion (a) by Councillor Bossons, was not put to a vote.

979 **Clause No. 12 of Report No. 7 of The Corporate Services Committee, headed "Interim Report on a Registry of Lobbyists and Related Matters".**
(See Appendix "A", page 5025.)

Council also had before it, during consideration of the foregoing Clause, a report (June 2, 1998) from the Chief Administrative Officer, commenting, as requested by the Corporate Services Committee, on the amendment made by the Committee to the Interim Report on a Registry of Lobbyists and Related Matters, and submitting recommendations with respect thereto.

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

(a) Councillor Adams, in amendment, moved that the foregoing Clause be amended:

(1) to provide that Recommendation No. (2) embodied in the report dated May 7, 1998, from the Chief Administrative Officer, shall now read as follows:

“(2) the Chief Administrative Officer, together with the City Solicitor and the City Clerk, establish Code of Conduct/Conflict of Interest provisions for elected officials which are more clear and specific than those currently provided across several pieces of legislation;” and

(2) by adding thereto the following:

“It is further recommended that the joint report requested of the Chief Administrative Officer, the City Solicitor and the City Clerk, also address the experience at the Federal government level with its Registry of Lobbyists and disclosure.”

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

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Corporate Services Committee on the registration of lobbyists dealing with either politicians or City staff.”

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

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

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

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon,, Bossons, Brown, Bussin, Cho, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 40.

Nay: Councillor: Flint - 1.

Decided in the affirmative by a majority of 39.

980 **Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed “City of Toronto Administrative Professional Supervisory Association, Incorporated (COTAPSAI)”.**

(See Appendix “A”, page 5001.)

Council also had before it, during consideration of the foregoing Clause, a communication (May 27, 1998) from the Presidents of the City of Toronto Administrative, Professional Supervisory Association, Incorporated (COTAPSAI), the Metropolitan Toronto Management Association (MTMA), the Scarborough Exempt Employees Association (SEEA), the City of York Management Association (CYMA), the Etobicoke Professional Administrative Management Employees Association (EPAMEA), the East York Administrative and Supervisory Association (EYASA), and the North York Management Association (NYMA), requesting that City Council not adopt the recommendations of the Corporate Services Committee; and recommending that:

- (1) the City reaffirm COTAPSAI’s bargaining agent status to cover all non-union employees across the unified City of Toronto; and

- (2) the Executive Director of Human Resources be directed to negotiate with COTAPSAI the terms and conditions of employment for all non-union staff.

Councillor Johnston, having questioned for a period of five minutes, Councillor Walker, seconded by Councillor Mihevc, moved that subsection 25(5) of the Council Procedural By-law be waived and that Councillor Johnston be granted a further period of five minutes in order to permit the conclusion of her questions, which was carried, more than two-thirds of Members present having voted in the affirmative.

At this point in the proceedings, Councillor Gardner, with the permission of Council, moved that at 8:00 p.m. Council reconvene in Committee Room "A"; that Council resolve itself into Committee of the Whole and then recess to meet privately to consider the foregoing Clause, in accordance with the provisions of the Municipal Act, which was carried.

At this point in the proceedings, Councillor Fotinos moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 6:00 p.m. recess; and that, in accordance with Section 24 of the Council Procedural By-law, Councillor Johnston be granted a further period of five minutes in order to permit the conclusion of her remarks, which was carried, more than two-thirds of Members present having voted in the affirmative.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 984.)

Council recessed at 6:10 p.m.

8:10 P.M.

Council reconvened in Committee Room "A".

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

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

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 48.

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

The Committee of the Whole recessed at 8:11 p.m. to meet privately to consider Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed "City of Toronto Administrative Professional Supervisory Association, Incorporated (COTAPSAI)", in accordance with the provisions of the Municipal Act.

9:26 P.M.

Committee of the Whole reconvened in the Council Chamber.

Committee of the Whole rose.

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

982 At the request of Council, the City Clerk called the Roll at 9:27 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Berger, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva - 42.

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

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 51.

At this point in the proceedings, Councillor Moscoe, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, in order to consider the following:

- (1) Clause No. 1 of Report No. 7 of The Urban Environment and Development Committee, headed "Sheppard Subway Bayview Station Commuter Parking; and Removal of Trees from the Bayview Avenue Right-of-Way Between Sheppard Avenue East and Mallingham Court";
- (2) Clause No. 31 of Report No. 7 of The Corporate Services Committee, headed "Acquisition of Property Interests, Sheppard Subway - Bayview Station,

Owner: Verdiroc Holdings Limited, Daniels Financial Corporation and John Henry Daniels in Trust”;

- (3) All Clauses embodied in Report No. 6 of The Toronto Community Council; and
- (4) Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed “City of Toronto Administrative Professional Supervisory Association, Incorporated (COTAPSAI)”;

the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Augimeri, Brown, Cho, Chong, Disero, Faubert, Feldman, Filion, Fotinos, Gardner, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, - 36.

Nays: Councillors: Altobello, Berger, Bossons, Bussin, Davis, Flint, Giansante, Jones, Kinahan, Mammoliti, Miller - 11.

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

- 984 Council resumed its consideration of Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed “City of Toronto Administrative Professional Supervisory Association, Incorporated (COTAPSAI)”. (See also Minute No. 980.)

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

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

- (a) Councillor Johnston, in amendment, moved that:
 - (1) consideration of the foregoing Clause be deferred to the next meeting of City Council and the Chief Administrative Officer, together with appropriate City officials, be instructed to meet, without prejudice, with representatives of COTAPSAI, as newly constituted, and report thereon to the next meeting of Council;
 - (2) the City reaffirm COTAPSAI’s bargaining agent status to cover all non-union employees across the unified City of Toronto;

- (3) the Executive Director of Human Resources be directed to negotiate with COTAPSAI the terms and conditions of employment for all non-union staff; and
- (4) COTAPSAI, its members and other affected management staff be advised that the City will be seeking a totally new agreement based on the best practices available from the seven former municipalities, as appropriate.

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

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Duguid, Faubert, Filion, Gardner, Holyday, Johnston, Jones, Kinahan, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Silva, Walker - 21.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Berger, Brown, Cho, Chong, Davis, Disero, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Ootes, O'Brien, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 28.

Decided in the negative by a majority of 7.

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

"It is further recommended that the Chief Administrative Officer be instructed to consult fully and openly with COTAPSAI and other affected management staff on proposed changes to all policies currently covered by the terms and conditions of the consolidated Memorandum of Agreement."

- (c) Councillor Pantalone, in amendment, moved 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) Council confirm the principle of voluntary negotiations with middle management staff as a means to achieving an agreement; and
- (2) the Chief Administrative Officer and other appropriate officials be authorized to negotiate with COTAPSAI as an organization representing the City's non-union staff to reach a Memorandum of Understanding."

- (d) Councillor McConnell, in amendment, moved that the foregoing motion (b) by Councillor O'Brien be amended by deleting the word "consult" and inserting in lieu thereof the word "negotiate".
- (e) Councillor Moscoe, in amendment, moved that all motions put forward by Members of Council in this regard be referred to staff for discussions with representatives of middle management toward a framework for an understanding and report thereon to Council, through the Corporate Services Committee.

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

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Disero, Duguid, Filion, Johnston, Jones, Kinahan, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 21.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Berger, Brown, Cho, Chong, Davis, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 28.

Decided in the negative by a majority of 7.

Upon the question of the adoption of Parts (2), (3) and (4) of the foregoing motion (a) by Councillor Johnston, viz.:

"that:

- (2) the City reaffirm COTAPSAI's bargaining agent status to cover all non-union employees across the unified City of Toronto;
- (3) the Executive Director of Human Resources be directed to negotiate with COTAPSAI the terms and conditions of employment for all non-union staff; and
- (4) COTAPSAI, its members and other affected management staff be advised that the City will be seeking a totally new agreement based on the best practices available from the seven former municipalities, as appropriate."

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Disero, Duguid, Jakobek, Johnston, Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 21.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Berger, Brown, Cho, Chong, Davis, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Kinahan, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 28.

Decided in the negative by a majority of 7.

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

“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) Council confirm the principle of voluntary negotiations with middle management staff as a means to achieving an agreement; and
- (2) the Chief Administrative Officer and other appropriate officials be authorized to negotiate with COTAPSAI as an organization representing the City’s non-union staff to reach a Memorandum of Understanding.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Disero, Duguid, Johnston, Jones, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 22.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Berger, Brown, Cho, Chong, Davis, Feldman Fillion, Flint, Gardner, Giansante, Holyday, Jakobek, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 27.

Decided in the negative by a majority of 5.

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

“that the foregoing motion (b) by Councillor O'Brien be amended be deleting the word ‘consult’ and inserting in lieu thereof the word ‘negotiate’.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Duguid, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Rae, Silva, Walker - 21.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Berger, Bossons, Brown, Cho, Chong, Davis, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 28.

Decided in the negative by a majority of 7.

Upon the question of the adoption of the foregoing motion (b) by Councillor O'Brien, without amendment, viz.:

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

‘It is further recommended that the Chief Administrative Officer be instructed to consult fully and openly with COTAPSAI and other affected management staff on proposed changes to all policies currently covered by the terms and conditions of the consolidated Memorandum of Agreement.’
”

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 45.

Nays: Councillors: Moscoe, Nunziata, Prue - 3.

Decided in the affirmative by a majority of 42.

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

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Berger, Bossons, Brown, Cho, Chong, Davis, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 28.

Nays: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Duguid, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 21.

Decided in the affirmative by a majority of 7.

- 985 **Clause No. 1 of Report No. 6 of The Toronto Community Council, headed "Extension of Interim Control By-law Respecting Properties Abutting the Nordheimer Ravine (Midtown)".**
(See Appendix "A", page 5741.)

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

- 986 **Clause No. 2 of Report No. 6 of The Toronto Community Council, headed "Sidewalk/Boulevard Vending Appeal - Roehampton Avenue, West Side, 6.5 Metres East of Yonge Street (North Toronto)".**
(See Appendix "A", page 5744.)

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

- 987 **Clause No. 3 of Report No. 6 of The Toronto Community Council, headed "Victoria Street, West Side, Between Dundas Street East and Gould Street - Prohibition of Stopping at Anytime (Downtown)".**
(See Appendix "A", page 5747.)

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

- 988 **Clause No. 4 of Report No. 6 of The Toronto Community Council, headed "Boulton Avenue, Between Queen Street East and Dundas Street East - Installation of Speed Humps (Don River)".**
(See Appendix "A", page 5748.)

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

- 989 **Clause No. 5 of Report No. 6 of The Toronto Community Council, headed “Vine Avenue, South Side, from Jackson Place to a Point 54.9 Metres East - Amendment to Parking Regulations (High Park)”.**
(See Appendix “A”, page 5752.)

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

- 990 **Clause No. 6 of Report No. 6 of The Toronto Community Council, headed “Cherry Street, West Side, from Polson Street to a Point 50 Metres South - Amendment to Parking Regulations (Don River)”.**
(See Appendix “A”, page 5753.)

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

- 991 **Clause No. 7 of Report No. 6 of The Toronto Community Council, headed “Strathearn Boulevard from Spadina Road to Glenayr Road and Vesta Drive from Strathearn Boulevard to Millbank Avenue - Changes to Parking Regulations (Midtown)”.**
(See Appendix “A”, page 5754.)

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

- 992 **Clause No. 8 of Report No. 6 of The Toronto Community Council, headed “Glenholme Avenue, from Rosemount Avenue to the First Public Lane South of St. Clair Avenue West - Implementation of a One-Way Northbound Traffic Operation (Davenport)”.**
(See Appendix “A”, page 5756.)

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

- 993 **Clause No. 9 of Report No. 6 of The Toronto Community Council, headed “McCaul Street, East Side, from Elm Street to a Point 43.0 Metres North - Provision of Additional Parking Meters (Downtown)”.**
(See Appendix “A”, page 5757.)

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

- 994 **Clause No. 11 of Report No. 6 of The Toronto Community Council, headed “Installation of Pedestrian Crossing Device - Queen Street East and Brookmount Road (East Toronto)”.**
(See Appendix “A”, page 5763.)

Council also had before it, during consideration of the foregoing Clause, a report (June 1, 1998) from the Interim Functional Lead, Transportation, responding to a request from Toronto Community Council to report directly to City Council on traffic control signals versus pedestrian crossovers as they relate to safety issues and whether traffic control signals or pedestrian crossovers are more appropriate at two specific locations.

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

- 995 **Clause No. 12 of Report No. 6 of The Toronto Community Council, headed “Wanda Road and Dorval Road - Installation of Stop Sign (Davenport)”.**
(See Appendix “A”, page 5766.)

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

- 996 **Clause No. 13 of Report No. 6 of The Toronto Community Council, headed “Provision of On-Street Loading Zone for Disabled Persons - 85 Grenville Street (Downtown)”.**
(See Appendix “A”, page 5767.)

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

- 997 **Clause No. 14 of Report No. 6 of The Toronto Community Council, headed “Installation of Speed Bumps in Public Laneways (East Toronto)”.**
(See Appendix “A”, page 5768.)

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

- 998 **Clause No. 15 of Report No. 6 of The Toronto Community Council, headed “Installation/Removal of On-Street Disabled Persons Parking Spaces (Trinity-Niagara, Davenport)”.**
(See Appendix “A”, page 5771.)

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

- 999 **Clause No. 16 of Report No. 6 of The Toronto Community Council, headed “Davenport Road, from Bedford Road to Dupont Street and Bedford Road, from Davenport Road to Dupont Street - Adjustment of Parking Meter Maximum Time Limit (Midtown)”.**
(See Appendix “A”, page 5772.)

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

- 1000 **Clause No. 17 of Report No. 6 of The Toronto Community Council, headed “Intersection of Rockwell and Rosethorn Avenues -Implementation of All-Way ‘Stop’ Sign Control (Davenport)”.**
(See Appendix “A”, page 5774.)

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

- 1001 **Clause No. 18 of Report No. 6 of The Toronto Community Council, headed “Kilbarry Road, South Side, Vicinity of 419 Russell Hill Road - Introduction of a Parking Prohibited at Anytime Area (Midtown)”.**
(See Appendix “A”, page 5776.)

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

- 1002 **Clause No. 19 of Report No. 6 of The Toronto Community Council, headed “Request to Restrict Traffic Speeds - Lakeview Avenue, Harrison Street, from Ossington Avenue to Dovercourt Road (Trinity-Niagara)”.**
(See Appendix “A”, page 5777.)

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

- 1003 **Clause No. 20 of Report No. 6 of The Toronto Community Council, headed “Request for Additional On-Street Parking - Grace Street and Manning Avenue (Trinity-Niagara)”.**
(See Appendix “A”, page 5779.)

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

- 1004 **Clause No. 21 of Report No. 6 of The Toronto Community Council, headed “Hertle Avenue from Dundas Street East to Highfield Road - Implementation of a 40 Kilometre per Hour Maximum Speed Limit (East Toronto)”.**
(See Appendix “A”, page 5780.)

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

- 1005 **Clause No. 22 of Report No. 6 of The Toronto Community Council, headed “Parking Prohibition on Huron Street Between Harbord Street and Classic Avenue (Downtown)”.**
(See Appendix “A”, page 5781.)

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

- 1006 **Clause No. 23 of Report No. 6 of The Toronto Community Council, headed “Partial Closing of Portion of Gerrard Street West (Downtown)”**.
(See Appendix “A”, page 5782.)

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

- 1007 **Clause No. 25 of Report No. 6 of The Toronto Community Council, headed “Refusal Report - Official Plan and Zoning By-law Amendments and Site Plan Approval - 14 Prince Arthur Avenue (Midtown)”**.
(See Appendix “A”, page 5785.)

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

- 1008 **Clause No. 26 of Report No. 6 of The Toronto Community Council, headed “Urban Design Task Force - Railway Lands Central and West (Downtown)”**.
(See Appendix “A”, page 5800.)

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

- 1009 **Clause No. 29 of Report No. 6 of The Toronto Community Council, headed “Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code (North Toronto, Midtown, Downtown)”**.
(See Appendix “A”, page 5853.)

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

- 1010 **Clause No. 30 of Report No. 6 of The Toronto Community Council, headed “Application for Consent - Chapter 276, Article I, Ravines, of the former City of Toronto Municipal Code - 14 Riverside Crescent (High Park)”**.
(See Appendix “A”, page 5903.)

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

- 1011 **Clause No. 31 of Report No. 6 of The Toronto Community Council, headed “Application for Consent Under Chapter 276, Article I, Ravines, of the former City of Toronto Municipal Code - 2 Riverside Crescent (High Park)”**.
(See Appendix “A”, page 5910.)

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

- 1012 **Clause No. 32 of Report No. 6 of The Toronto Community Council, headed “Temporary Street Closure - Church Street, Alexander Street, Maitland Street and Wellesley Street East - Gay and Lesbian Pride Day (Downtown)”.**
(See Appendix “A”, page 5917.)

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

- 1013 **Clause No. 33 of Report No. 6 of The Toronto Community Council, headed “Naming of Proposed Public Street - 44 Norwood Terrace - Littleyork Road (East Toronto)”.**
(See Appendix “A”, page 5919.)

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

- 1014 **Clause No. 34 of Report No. 6 of The Toronto Community Council, headed “Danforth Avenue By-Pass Bicycle Route - Broadview Avenue to Woodbine Avenue, and Jones Avenue Bicycle Lanes - Danforth Avenue to Queen Street East (Don River and East Toronto)”.**
(See Appendix “A”, page 5923.)

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

- 1015 **Clause No. 35 of Report No. 6 of The Toronto Community Council, headed “Interim Appointments to the Committee of Management of Applegrove Community Complex”.**
(See Appendix “A”, page 5938.)

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

- 1016 **Clause No. 36 of Report No. 6 of The Toronto Community Council, headed “Interim Appointments to University Settlement Recreation Centre”.**
(See Appendix “A”, page 5939.)

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

- 1017 **Clause No. 37 of Report No. 6 of The Toronto Community Council, headed “Interim Appointments to the Eastview Neighbourhood Community Centre”.**
(See Appendix “A”, page 5940.)

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

- 1018 **Clause No. 38 of Report No. 6 of The Toronto Community Council, headed “Naming of New Park - East of Main Development (East Toronto)”.**
(See Appendix “A”, page 5941.)

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

- 1019 **Clause No. 39 of Report No. 6 of The Toronto Community Council, headed “Lay-out and Dedication of Public Lane Purposes -North-South Portion of the Lane System South of Danforth Avenue, East of Luttrell Avenue (East Toronto)”.**
(See Appendix “A”, page 5941.)

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

- 1020 **Clause No. 40 of Report No. 6 of The Toronto Community Council, headed “Licensed Boulevard Cafe Fences (Trinity-Niagara)”.**
(See Appendix “A”, page 5943.)

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

- 1021 **Clause No. 41 of Report No. 6 of The Toronto Community Council, headed “Dogs Off-Leash in Vermont Square Park (Midtown)”.**
(See Appendix “A”, page 5944.)

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

- 1022 **Clause No. 43 of Report No. 6 of The Toronto Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**
(See Appendix “A”, page 5948.)

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

- 1023 **Clause No. 44 of Report No. 6 of The Toronto Community Council, headed “Dellcrest Children’s Centre - 182 Dowling Avenue (High Park)”.**
(See Appendix “A”, page 5951.)

Council also had before it, during consideration of the foregoing Clause, a confidential report (May 14, 1998) from the Toronto Community Council Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act.

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

- 1024 **Clause No. 45 of Report No. 6 of The Toronto Community Council, headed “Commercial Boulevard Parking Appeal - Gladstone Avenue Flankage of 1137 Dupont Street (Davenport)”.**
(See Appendix “A”, page 5952.)

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

- 1025 **Clause No. 46 of Report No. 6 of The Toronto Community Council, headed “Driveway Widening Appeal - 263 Manor Road East (North Toronto)”.**
(See Appendix “A”, page 5956.)

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

- 1026 **Clause No. 47 of Report No. 6 of The Toronto Community Council, headed “Adjustment to Traffic Calming on Euclid Avenue and Clinton Street, both from College Street to Bloor Street West (Palmerston Area Traffic Calming) (Trinity-Niagara)”.**
(See Appendix “A”, page 5958.)

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

- (i) (May 29, 1998) from Mr. Glenn D. Manning, Toronto, Ontario, submitting comments in opposition to the present traffic calming islands on Euclid Avenue and to the proposed removal of same to accommodate the installation of speed humps; and expressing concern that input was not sought from the residents on Euclid Avenue; and
- (i) (May 26, 1998) from Mr. David Siebert, Toronto, Ontario, requesting that the traffic calming islands on Euclid Avenue not be removed.

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

- 1027 **Clause No. 48 of Report No. 6 of The Toronto Community Council, headed “Tree Removal - 271 Forest Hill Road (Midtown)”.**
(See Appendix “A”, page 5969.)

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

- 1028 **Clause No. 49 of Report No. 6 of The Toronto Community Council, headed “Tree Removal - 451 Clendenan Avenue (High Park)”.**

(See Appendix "A", page 5971.)

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

- 1029 **Clause No. 50 of Report No. 6 of The Toronto Community Council, headed "Tree Removal - 204 Douglas Drive (Midtown)".**

(See Appendix "A", page 5972.)

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

- 1030 **Clause No. 51 of Report No. 6 of The Toronto Community Council, headed "Commercial Boulevard Parking - Osler Avenue Flankage of 2 Cariboo Avenue (Davenport)".**

(See Appendix "A", page 5973.)

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

- 1031 **Clause No. 52 of Report No. 6 of The Toronto Community Council, headed "Commercial Boulevard Parking - 10 Cariboo Avenue (Davenport)".**

(See Appendix "A", page 5978.)

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

- 1032 **Clause No. 53 of Report No. 6 of The Toronto Community Council, headed "Commercial Boulevard Parking - 25 Cariboo Avenue (Davenport)".**

(See Appendix "A", page 5983.)

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

- 1033 **Clause No. 54 of Report No. 6 of The Toronto Community Council, headed "Cancellation of Boulevard Marketing - 1251 St. Clair Avenue West and Denial of Boulevard Marketing - 1253 St. Clair Avenue West (Davenport)".**

(See Appendix "A", page 5987.)

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

- 1034 **Clause No. 55 of Report No. 6 of The Toronto Community Council, headed "Residential Boulevard Parking - 71 Westlake Avenue (Convenience Address for 2408 Danforth Avenue) (East Toronto)".**

(See Appendix "A", page 5990.)

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

- 1035 **Clause No. 56 of Report No. 6 of The Toronto Community Council, headed "Driveway Widening Appeal - 47 Cranbrooke Avenue (North Toronto)".**

(See Appendix "A", page 5993.)

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

- 1036 **Clause No. 57 of Report No. 6 of The Toronto Community Council, headed "Front Yard Parking - 223 Waverley Road (East Toronto)".**

(See Appendix "A", page 5995.)

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

- 1037 **Clause No. 58 of Report No. 6 of The Toronto Community Council, headed "Alex Wilson Community Garden - 552 and 556 Richmond Street West (Downtown)".**

(See Appendix "A", page 5997.)

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

- 1038 **Clause No. 59 of Report No. 6 of The Toronto Community Council, headed "Curb Realignment at the South-West Corner of Spring Road and Parkside Drive (High Park)".**

(See Appendix "A", page 5999.)

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

- 1039 **Clause No. 60 of Report No. 6 of The Toronto Community Council, headed "Other Items Considered by the Community Council".**

(See Appendix "A", page 6002.)

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

- 1040 **Clause No. 42 of Report No. 6 of The Toronto Community Council, headed "Use of Nathan Phillips Square -Philippine Independence Day - Friday, June 12, 1998".**

(See Appendix "A", page 5946.)

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

“It is further recommended that City Council, for liquor licensing purposes, declare the celebration of the 100th Anniversary of Philippine Independence Day to be held on Nathan Phillips Square on Friday, June 12, 1998, to be an event of municipal significance, and indicate that it has no objection to it taking place.”

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

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

- 1041 **Clause No. 24 of Report No. 6 of The Toronto Community Council, headed “McCormack Street - Request for All-Way ‘Stop’ Sign at Maybank Avenue; and a ‘No Heavy Trucks’ Prohibition 7:00 p.m. to 7:00 a.m. (Davenport)”.**
(See Appendix “A”, page 5783.)

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

“It is recommended that the foregoing Clause be struck out and referred back to the Toronto Community Council for further consideration.”

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

- 1042 **Clause No. 27 of Report No. 6 of The Toronto Community Council, headed “Revised Application - Site Plan Approval and Ravine Control By-law - 8 South Kingsway (High Park)”.**
(See Appendix “A”, page 5816.)

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

- (i) (June 2, 1998) from the Commissioner of Urban Planning and Development Services, submitting amendments to the recommendations and conditions of the 8 South Kingsway revised Site Plan and Ravine report embodied in the Clause;
- (ii) (June 3, 1998) from the City Solicitor, submitting recommendations for a potential settlement of the Ontario Municipal Board hearing scheduled for June 15, 1998, regarding the applications by Petro-Canada to establish a gas bar, retail store and car washing establishment at 8 South Kingsway; and

- (ii) (May 26, 1998) addressed to the President, Petro-Canada, from Mr. Murray E. Blankstein.

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

“It is recommended that:

- (1) the report dated June 2, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Further Report to my May 14, 1998 report regarding Revised Site Plan Application No. 396100 and Application No. 096178 for Ravine approval, to permit a Gas Bar, Car Wash and Retail Store at 8 South Kingsway (High Park)’, embodying the following recommendations, be adopted:

‘That City Council amend Clause No. 27 of Report No. 6 of the Toronto Community Council by:

- (i) Replacing Recommendation 1. (a) of the report of the Commissioner of Urban Planning and Development Services, dated May 14, 1998 with the following:

“1. (a) That the owner shall provide and maintain the landscaping on-site substantially in accordance with Preliminary Plot Plan, dated January 28, 1998, and Landscape Plan, dated February 11, 1998, both red lined by the applicant on June 2, 1998, both prepared by Petro-Canada, and date stamped as received on March 20, 1998, all on file with the Commissioner of Urban Planning and Development Services;”;

- (ii) Replacing Recommendation 1. (b) of the report of the Commissioner of Urban Planning and Development Services, dated May 14, 1998, with the following:

“1. (b) that the owner shall replace the one existing 43 centimetre elm tree to be removed from the site with 16 Freeman maple and 10 White spruce trees, and the shrub planting of 246 Dwarf silverleaf dogwood, 41 Anderson spreading yew, and 12 Broadleaf snowberry;”;

- (iii) Replacing Recommendation 3. of the report of the Commissioner of Urban Planning and Development Services, dated May 14, 1998, with the following:

- “3. That City Council approve the plans and drawings submitted with this application for 8 South Kingsway, namely the Preliminary Plot Plan, dated January 28, 1998, Site Services Plan, dated March 2, 1998, Grading Plan, dated February 13, 1998, Landscape Plan, dated February 11, 1998, all red lined by the applicant on June 2, 1998, and Car Wash Floor Plan, dated March 18, 1998, Retail Store Floor Plan (undated), Exterior Elevations, dated February 3, 1998, and Roof Plan and Details, dated February 3, 1998 all date stamped as received March 20, 1998, all prepared by Petro-Canada, all as on file with the Commissioner of Urban Planning and Development Services;”;
- (iv) Replacing Recommendation 4. (G) (16) of the report of the Commissioner of Urban Planning and Development Services, dated May 14, 1998, with the following:
- “4.(G) (16) the owner shall ensure an archaeologist is present on site during any excavation to evaluate any potential impacts on the archaeological/cultural resources;”;
and
- (v) Adding a new condition 4.(I) (24) to the report of the Commissioner of Urban Planning and Development Services, dated May 14, 1998, as follows:
- “4.(I) (24) the owner enter into an agreement with the Toronto and Region Conservation Authority with respect to the public acquisition of the valleylands to the satisfaction of both parties.” ’;
- (2) the report dated June 3, 1998, from the City Solicitor, entitled ‘8 South Kingsway - OMB Hearing - Clause 27 of Report No. 6 of The Toronto Community Council (High Park - Ward 19)’, embodying the following recommendations, be adopted:
- ‘It is recommended that the City Solicitor be authorized to advise the Ontario Municipal Board that the City of Toronto consents to:
- (a) the approval of Application Nos. 396100 and 096178, in respect of a *gas bar, retail store and car washing establishment* at 8 South Kingsway, as identified in the reports of the Commissioner of Urban Planning and Development Services dated May 14, 1998, and June 2, 1998, and
- (b) the approval of the associated minor variances,

upon the terms and conditions set out in the Minutes of Settlement (attached as Appendix "A" to the report of the City Solicitor dated June 3, 1998) between Petro-Canada and the Swansea Area Ratepayers Group and Ripley Area Residents Group Ltd.'; and

- (3) 'WHEREAS Petro Canada, the Swansea Area Ratepayers Group and the Ripley Area Residents Group Ltd. have reached a settlement respecting 8 South Kingsway; and

WHEREAS it is still of the utmost importance that 8 South Kingsway, being the site of the first European settlement in Toronto, come into public ownership;

NOW THEREFORE BE IT RESOLVED THAT Petro Canada be urged, in the strongest possible terms, prior to any redevelopment of the 8 South Kingsway site, to actively investigate and pursue a land exchange agreement with the City of Toronto and the Toronto and Region Conservation Authority of the 8 South Kingsway site and the site currently under discussion between Petro Canada and City staff.' "

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

- 1043 **Clause No. 1 of Report No. 7 of The Urban Environment and Development Committee, headed "Sheppard Subway Bayview Station Commuter Parking; and Removal of Trees from the Bayview Avenue Right-of-Way Between Sheppard Avenue East and Mallingham Court".**
(See Appendix "A", page 5203.)

Council also had before it, during consideration of the foregoing Clause, a joint confidential report (June 2, 1998) from the Chief Administrative Officer and the Commissioner of Urban Planning and Development Services, such report to remain confidential in accordance with the provisions of the Municipal Act.

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

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

Councillor Flint requested that her opposition to the foregoing Clause be noted in the Minutes of this meeting.

- 1044 **Clause No. 31 of Report No. 7 of The Corporate Services Committee, headed "Acquisition of Property Interests, Sheppard Subway - Bayview Station,**

Owner: Verdiroc Holdings Limited, Daniels Financial Corporation and John Henry Daniels in Trust”.

(See Appendix “A”, page 5131.)

Council also had before it, during consideration of the foregoing Clause, a joint confidential report (June 2, 1998) from the Chief Administrative Officer and the Commissioner of Urban Planning and Development Services, such report to remain confidential in accordance with the provisions of the Municipal Act.

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

1045 Councillor Jakobek, seconded by Councillor Mihevc, moved that leave be granted to introduce:

“Bill No. 355 To confirm the first portion of the proceedings of the Council at its Meeting held on the 3rd day of June, 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. 277-1998 To confirm the first portion of the proceedings of the Council at its Meeting held on the 3rd day of June, 1998.”,

the vote upon which was as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 46.

Nay: Councillor: Johnston - 1.

Decided in the affirmative by a majority of 45.

Council recessed at 10:59 p.m., to reconvene at 9:30 a.m. on Thursday, June 4, 1998.

THURSDAY, JUNE 4, 1998, 9:42 A.M.

Council reconvened.

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

- 1046 At the request of Council, the City Clerk called the Roll at 9:43 a.m., those Members present at the call of the Roll being:

Councillors: Adams, Altobello, Ashton, Balkissoon, Bossons, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Walker - 39.

- 1047 Members present at the morning session of the second day of this meeting:

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

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

- 1048 Councillor Moeser presented the following Report for the consideration of Council:

Report No. 7 of The Special Committee to Review the Final Report
of the Toronto Transition Team,

and moved, seconded by Councillor Moscoe, that the provisions of Section 44 of the Council Procedural By-law be waived in connection with the foregoing Report and that Council now give consideration to such Report, which was carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes requested Members of Council to indicate whether they had an interest in the Clauses embodied in the foregoing Report, together with the nature of the interest.

There were no declarations of interest.

Upon the question of the adoption of Report No. 7 of The Special Committee to Review the Final Report of the Toronto Transition Team, without amendment, it was held in its entirety.

- 1049 **Clause No. 46 of Report No. 7 of The Corporate Services Committee, headed “Other Items Considered by the Committee”.**
(See Appendix “A”, page 5174.)

Upon the question of the receipt for information of the foregoing Clause, save and except Item (e), entitled “Status of 15 Beaumont Road (Park Drive Ravine)”, without amendment, it was carried. (See also Minute No. 1090.)

- 1050 **Clause No. 38 of Report No. 7 of The Corporate Services Committee, headed “Wychwood Carhouse Demolition”.**
(See Appendix “A”, page 5150.)

Council also had before it, during consideration of the foregoing Clause, a communication (May 27, 1998) from the City Clerk advising that the Budget Committee concurred in the recommendations of the Corporate Services Committee, embodied in the Committee Transmittal dated May 25, 1998, regarding 76 Wychwood Avenue - Wychwood House.

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 Commissioner of Corporate Services be requested to advise the following Ward Councillors when the transfer of title of 76 Wychwood Avenue from the Toronto Transit Commission to the City of Toronto is completed:

Councillors Adams and Bossons	-	Midtown;
Councillors Disero and Fotinos	-	Davenport; and
Councillors Davis and Mihevc	-	York-Eglinton.”

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.

- 1051 At this point in the proceedings, Councillor Bossons, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed “City of Toronto Administrative Professional Supervisory Association, Incorporated (COTAPSAI)”, be re-opened for further consideration, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Bossons, Bussin, Cho, Disero, Fotinos, Jones, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 18.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berger, Chong, Davis, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Jakobek, King, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, Moeser, Ootes, O'Brien, Shiner, Sinclair - 23.

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

- 1052 **Clause No. 8 of Report No. 7 of The Urban Environment and Development Committee, headed "Contract No. T-34-98: Don Valley Parkway at Lawrence Avenue East - Don River Channel Restoration".**
(See Appendix "A", page 5294.)

Council also had before it, during consideration of the foregoing Clause, a communication (May 28, 1998) from the Chair, Habitat Restoration Committee, Task Force to Bring Back the Don, regarding the proposed Don River channel restoration work at the Don Valley Parkway and Lawrence Avenue East and submitting recommendations in this regard.

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

"It is further recommended that the recommendations of the Task Force to Bring Back the Don embodied in the communication dated May 28, 1998, from the Chair, Habitat Restoration Committee, Task Force to Bring Back the Don, be adopted, viz.:

- '(a) that the contract specify that all plant material be inspected by a certified ecologist prior to planting, and include a right to refuse non-native species or other inappropriate substitutions;
- (b) that since the upland willow and sanddune willow species currently included in the plant list are difficult to source, the Department consider replacing these species with heartleafed willow and shining willow. Also, balsam poplar would be an ideal addition to the existing plant list; and
- (c) that the Department consider sourcing plant material through the Toronto and Region Conservation Authority's nursery.' "

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

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

- 1053 **Clause No. 3 of Report No. 7 of The Urban Environment and Development Committee, headed "Designation of Loading Areas and On-Street Parking Spaces in Downtown Toronto for Use by Motor Coaches".**

(See Appendix "A", page 5232.)

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

- (i) (June 1, 1998) from the Commissioner of Urban Planning and Development Services submitting, as requested by the Urban Environment and Development Committee, an outline of the work that is being done to address off-street parking and loading facilities for motor coaches and recommending that the Commissioner of Urban Planning and Development Services be directed to examine the appropriateness of a requirement for off-street motor coach parking and loading facilities for new hotels within the Central Area, in consultation with appropriate Departments and Agencies; and
- (ii) (June 1, 1998) from the Interim Functional Lead, Transportation submitting, as requested by the Urban Environment and Development Committee, a report on the feasibility of Parking Control Officers enforcing the City's idling by-law as it applies to motor coaches.

Council also had before it, during consideration of the foregoing Clause, a communication (June 2, 1998) from the President, Metropolitan Toronto Coach Terminal Inc., submitting comments, as requested by the Urban Environment and Development Committee, on the cost of commercially parking a bus off-street in the City of Toronto.

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

"It is further recommended that the report dated June 1, 1998, from the Commissioner of Urban Planning and Development Services, entitled 'Off-Street Parking and Loading Facilities for Motor Coaches (Ward - Citywide)', embodying the following recommendation, be adopted:

'It is recommended that the Commissioner of Urban Planning and Development Services examine the appropriateness of a requirement for off-street motor coach parking and loading facilities for new hotels within the central area, in consultation with appropriate Departments and Agencies.' "

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

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

1054 **Clause No. 28 of Report No. 6 of The North York Community Council, headed "Other Items Considered by the Community Council".**

(See Appendix "A", page 5603.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, insofar as it pertains to Item (w), entitled "Pay Parking - Residential Areas - All North York Community Wards", Councillor Shiner, in amendment, moved that, notwithstanding subsection 128(5) of the Council Procedural By-law:

- (1) Item (w) be amended by deleting the words "concurrent with" and substituting in lieu thereof the word "endorsed"; and
- (2) the foregoing Clause be amended by adding thereto the following:

"It is further recommended that, in presenting resolutions to Council for adoption, the City Clerk use the words 'endorse' or 'support', instead of the word 'concur'."

Upon the question of the adoption of the foregoing motion by Councillor Shiner, it was carried, more than two-thirds of the Members present having voted in the affirmative.

Upon the question of the receipt for information of the foregoing Clause, insofar as it pertains to Item (w), as amended, it was carried. (See also Minute No. 1073.)

- 1055 **Clause No. 34 of Report No. 7 of The Corporate Services Committee, headed "F.G. Gardiner Expressway East Dismantling Project, Request for Authority to Acquire Property, Wards: Don River; East Toronto".**
(See Appendix "A", page 5142.)

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

"It is recommended that the foregoing Clause be adopted, subject to the offers of acquisition being conditional on Council proceeding with the F.G. Gardiner Expressway East Dismantling Project, and to the lands in question being deemed to be required, at that time."

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.

- 1056 At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, introduced the Grades 3, 4 and 5 students from Richard W. Scott School, present at this meeting.

- 1057 **Clause No. 1 of Report No. 7 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Approval of Design Concept, Budget and Work Schedule for Phase One Renovations to Toronto City Hall".**

(See Appendix "A", page 6057.)

At this point in the proceedings, and with the permission of Council, Mr. Bruce Kuwabara of Kuwabara, Payne, McKenna, Blumberg Architects, gave a presentation to the Council in regard to the proposed renovation design.

Councillor Pantalone, having questioned for a period of five minutes, Councillor Korwin-Kuczynski, seconded by Councillor Jakobek, moved that subsection 25(5) of the Council Procedural By-law be waived and that Councillor Pantalone be granted a further period of five minutes in order to permit the conclusion of his questions, which was carried, more than two-thirds of Members present having voted in the affirmative.

Having regard that the foregoing Clause was submitted without recommendation:

(a) Councillor Jakobek moved that Council adopt the following recommendations:

"It is recommended that the Project Architect be requested to:

- (1) investigate the cost of moving the wall in the City Hall Council Chamber back, in order to:
 - (a) allow for two rows of Councillors' seats; and
 - (b) maintain, as close as possible, the size of the Councillors' desks in the City Hall Council Chamber to the size of the desks currently in use in the Metro Hall Council Chamber;
- (2) review the issue of accommodation for the Press, including the possibility of the installation of glass partitions and a second level to provide a total of 20 to 24 seats; and the permanent office space for the Press on the first floor be completed in Phase 1;
- (3) incorporate, in his reconsideration of this project, a projection screen which is not fixed and which can be hidden when not in use, so that the Corporate logo can be seen prominently on the back wall;
- (4) ensure that a light is installed on the microphone on the Councillors' desks in the Council Chamber to indicate when the microphone is 'live'; and
- (5) re-examine the second floor layout to ensure more equity in office space."

(b) Councillor Pantalone moved that Council adopt the following recommendations:

"It is recommended that the Commissioner of Corporate Services, together with the appropriate staff, be requested, as soon as possible, to:

- (1) develop plans to 'humanize' the outside roof area surrounding the Council Chamber, especially the area to the north of the proposed links to the East and West Towers; and
 - (2) develop plans for the Civic Centre, such plans to be submitted, as soon as possible, to Council, through the Special Committee to Review the Final Report of the Toronto Transition Team."
- (c) Councillor Silva moved that Council adopt the following recommendation:
- "It is recommended that the Commissioner of Corporate Services be requested to consider aesthetic lighting for the Council Chamber, the second and main floors, as well as additional sound barriers for the offices facing Nathan Phillips Square."
- (d) Councillor Mammoliti moved that Council adopt the following recommendations:
- "It is recommended that:
- (1) the lottery be conducted at the next regular meeting of City Council; and
 - (2) Members of Council be given the opportunity to select their own ballot."
- (e) Councillor Moscoe moved that Council adopt the following recommendations:
- "It is recommended that:
- (1) all motions pertaining to the issue of accommodation for the media be referred to the Mayor's Office for discussion with the media and recommendation back to Council through the Sub-Committee for the Relocation of All Members of Council to City Hall, and the Special Committee to Review the Final Report of the Toronto Transition Team; and
 - (2) plans for the additional podium floor to house new Committee rooms, media offices and other needed facilities be moved forward to Phase 1 from Phase 2 and the Commissioner of Corporate Services be requested to report thereon, through the Mayor's Office, to the Budget Committee."
- (f) Councillor Faubert moved that Council adopt the following recommendations:
- "It is recommended that:
- (1) a lottery take place at Council on June 4, 1998;

- (2) Members of Council be permitted to negotiate an office trade with another Member of Council and that such trades take place within one week of the lottery for offices; and
 - (3) a count-down clock be installed in the Council Chamber in City Hall in a location that is visible to all Members of Council.”
- (g) Councillor Saundercook moved that Council adopt the following recommendation:
- “It is recommended that the secondary concerns regarding changes to the renovation plan be addressed in a regular and timely fashion, so that all Members of Council can have input and be involved.”
- (h) Councillor Shiner moved that Council adopt the following recommendations:
- “It is recommended that:
- (1) the space on the second floor currently proposed for the staff of the City Clerk be relocated to the first floor;
 - (2) the space on the second floor currently proposed for the support staff for the Mayor, as shown on the sketch in a separate area away from the Office of the Mayor, be relocated to the first floor below the Mayor’s office, and an interior connecting staircase be incorporated into the layout; and the space made available on the second floor, as a result of this change, be used for additional Committee Rooms of various sizes; and
 - (3) in the event that Recommendation No. (2) fails, the space on the second floor currently proposed for the support staff for the Mayor be reduced to the same size as the space allocated to the support staff for the Councillors, thereby reducing the space from 2,650 square feet to 1,700 square feet, and the remaining 950 square feet of space be used for additional meeting rooms for Councillors.”

Councillor Shiner, having spoken to the matter for a period of five minutes, Councillor Kinahan, seconded by Councillor Saundercook, moved that Section 24 of the Council Procedural By-law be waived and that Councillor Shiner 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.

Mayor Lastman resumed the Chair.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1059.)

1058 At this point in the proceedings, and with the permission of Council, Mayor Lastman proclaimed June, 1998, as "Beit Halochem Month" in the City of Toronto, and introduced the following representatives of Beit Halochem Canada, an organization providing aid to disabled veterans of Israel, present at this meeting:

- Ms. L. Ander, Volunteer Co-ordinator for "Group Visit"; and
- Mr. Z. Eisenberg, Spokesperson and Group Leader for visiting disabled veterans.

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

1059 Council resumed its consideration of Clause No. 1 of Report No. 7 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Approval of Design Concept, Budget and Work Schedule for Phase One Renovations to Toronto City Hall". (See also Minute No. 1057.)

(i) Councillor O'Brien moved that Council adopt the following recommendations:

"It is recommended that:

(1) the following items be added to the City Hall project:

- (a) sound-proofing of windows for offices overlooking Nathan Phillips Square, to ensure that the affected offices are useable; and
- (b) an escalator between the ground and second floors, to allow easy and proper access to the second floor; and

(2) the Budget Committee be requested to report to Council, through the Corporate Services Committee, on the source of funding over and above the budget of \$5.2 million previously approved by Council, to accommodate all of the additional items requested."

(j) Councillor Korwin-Kuczynski moved that Council adopt the following recommendations:

"It is recommended that:

(1) the recommendations of the Sub-Committee for the Relocation of All Members of Council to City Hall as embodied in the communication dated May 29, 1998, from the City Clerk, be adopted; and

(2) all motions by Members of Council, save and except those pertaining to the lottery and Part (2) of the foregoing motion (i) by Councillor O'Brien, be referred to the Project Architect for his comments and a determination on

whether minor changes can be made to accommodate the recommendations embodied therein.”

At this point in the proceedings, Councillor Davis moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude the debate on this Clause and that the vote in this regard be taken at 2:00 p.m., when Council reconvenes, which was carried, more than two-thirds of Members present having voted in the affirmative.

(k) Councillor Johnston moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Corporate Services be requested to review the feasibility of accomplishing the move to City Hall by the end of December 1998, without placing enormous strain on City staff, and submit a report thereon to the Sub-Committee for the Relocation of All Members of Council to City Hall.”

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

Council concurred in the foregoing proposal.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1062.)

Council recessed at 12:40 p.m.

2:09 P.M.

Council reconvened.

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

1060 At the request of Council, the City Clerk called the roll at 2:10 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Augimeri, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 40.

1061 Members present at the afternoon session of the second day of this meeting:

Mayor: Lastman.

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

1062 Council resumed its consideration of Clause No. 1 of Report No. 7 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Approval of Design Concept, Budget and Work Schedule for Phase One Renovations to Toronto City Hall". (See also Minutes Nos. 1057 and 1059.)

(l) Councillor Fotinos moved that Council adopt the following recommendations:

"It is recommended that:

- (1) the office of the Deputy Mayor be excluded from the office lottery and the Deputy Mayor's office be located next to the Office of the Mayor; and
- (2) Members of Council presently located in offices at City Hall be permitted to remain in their offices if they so choose, and those Members of Council who choose to remain in their City Hall office be excluded from the lottery."

(m) Councillor Flint moved that Council adopt the following recommendations:

"It is recommended that:

- (1) Councilor Berger's name not be included in the pool for seating in the Council Chamber, and, in recognition of his hearing disability, he be assigned a seat in the most opportune location within the Chamber prior to the lottery, and that such seat be removed from the lottery; and
- (2) if a Member of Council has any particular physical disability which would require that their vehicle be located to the entrance door to the building in the parking garage, such Member of Council be accommodated."

(n) Councillor Sinclair, in amendment, moved that Council adopt the following recommendation:

"It is recommended that the current parking allocation at City Hall be maintained."

(o) Councillor Moeser, in amendment, moved that Part (1) of the foregoing motion (j) by Councillor Korwin-Kuczynski be amended by adding thereto the words "subject

to amending Recommendation No. (2) of the Sub-Committee for the Relocation of All Members of Council to City Hall by adding thereto the words 'and that funding for Recommendation No. (3)(iii) be included within the \$5.2 million already approved by City Council', so that such recommendation shall now read as follows:

'(2) recommended to the Special Committee to Review the Final Report of the Toronto Transition Team the adoption of Recommendations Nos. (3)(i) and (3)(iii) embodied in the report (May 25, 1998) from the Commissioner of Corporate Services, and that funding for Recommendation No. (3)(iii) be included within the \$5.2 million already approved by City Council'."

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

Yeas: Mayor: Lastman.
Councillors: Altobello, Augimeri, Berger, Bossons, Brown, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Sinclair, Walker - 37.

Nays: Councillors: Adams, Bussin, Davis, Faubert, Johnston, Mihevc, Ootes, O'Brien, Saundercook, Tzekas - 10.

Decided in the affirmative by a majority of 27.

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

"that Council adopt the following recommendations:

'It is recommended that:

(1) the recommendations of the Sub-Committee for the Relocation of All Members of Council to City Hall as embodied in the communication dated May 29, 1998, from the City Clerk, be adopted, subject to amending Recommendation No. (2) of the Sub-Committee for the Relocation of All Members of Council to City Hall by adding thereto the words "and that funding for Recommendation No. (3)(iii) be included within the \$5.2 million already approved by City Council", so that such recommendation shall now read as follows:

"(2) recommended to the Special Committee to Review the Final Report of the Toronto Transition Team the adoption of

Recommendations Nos. (3)(i) and (3)(iii) embodied in the report (May 25, 1998) from the Commissioner of Corporate Services, and that funding for Recommendation No. (3)(iii) be included within the \$5.2 million already approved by City Council”; and

- (2) all motions by Members of Council, save and except those pertaining to the lottery and Part (2) of the foregoing motion (i) by Councillor O’Brien, be referred to the Project Architect for his comments and a determination on whether minor changes can be made to accommodate the recommendations embodied therein.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Ootes, O’Brien, Prue, Rae, Sgro, Sinclair, Tzekas, Walker - 37.

Nays: Councillors: Filion, Flint, Holyday, Minnan-Wong, Nunziata, Pantalone, Saundercook, Shiner, Silva - 9.

Decided in the affirmative by a majority of 28.

Mayor Lastman, having regard to the foregoing decision of Council, declared Part (1) of the foregoing motion (e) by Councillor Moscoe, redundant, viz.:

“that:

- (1) all motions pertaining to the issue of accommodation for the media be referred to the Mayor’s Office for discussion with the media and recommendation back to Council through the Sub-Committee for the Relocation of All Members of Council to City Hall, and the Special Committee to Review the Final Report of the Toronto Transition Team;”.

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

“that Council adopt the following recommendation:

‘It is recommended that:

- (1) the lottery be conducted at the next regular meeting of City Council;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Berger, Johnston, Mammoliti, Miller - 5.

Nays: Councillors: Altobello, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 42.

Decided in the negative by a majority of 37.

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

“that Council adopt the following recommendation:

‘It is recommended that:

- (2) Members of Council be given the opportunity to select their own ballot.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Berger, Brown, Bussin, Cho, Chong, Feldman, Filion, Flint, Giansante, Holyday, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Sgro, Shiner, Silva, Tzekas, Walker - 28.

Nays: Councillors: Augimeri, Bossons, Chow, Davis, Disero, Duguid, Faubert, Fotinos, Jakobek, Johnston, Jones, Kinahan, King, Moeser, Ootes, Pantalone, Prue, Rae, Saundercook, Sinclair - 20.

Decided in the affirmative by a majority of 8.

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

“that Council adopt the following recommendation:

‘It is recommended that:

- (1) a lottery take place at Council on June 4, 1998;’ ”,

it was carried.

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

“that Council adopt the following recommendation:

‘It is recommended that:

- (2) Members of Council be permitted to negotiate an office trade with another Member of Council and that such trades take place within one week of the lottery for offices;’ ”,

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (i) by Councillor O’Brien, viz.:

“that Council adopt the following recommendations:

‘It is recommended that:

- (2) the Budget Committee be requested to report to Council, through the Corporate Services Committee, on the source of funding over and above the budget of \$5.2 million previously approved by Council, to accommodate all of the additional items requested.’ ”,

it was carried.

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

“that Council adopt the following recommendation:

‘It is recommended that:

- (1) the office of the Deputy Mayor be excluded from the office lottery and the Deputy Mayor’s office be located next to the Office of the Mayor;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Berger, Chong, Chow, Davis, Duguid, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jones, Mahood, Ootes, Pantalone, Saundercook, Silva - 18.

Nays: Councillors: Adams, Altobello, Augimeri, Bossons, Brown, Bussin, Cho, Disero, Filion, Jakobek, Johnson, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser,

Moscoe, Nunziata, O'Brien, Prue, Rae, Sgro, Shiner, Sinclair, Tzekas, Walker - 30.

Decided in the negative by a majority of 12.

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

“that Council adopt the following recommendation:

‘It is recommended that:

- (2) Members of Council presently located in offices at City Hall be permitted to remain in their offices if they so choose, and those Members of Council who choose to remain in their City Hall office be excluded from the lottery.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Berger, Brown, Bussin, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Johnston, Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Prue, Rae, Sinclair, Tzekas, Walker - 27.

Nays: Mayor: Lastman.
Councillors: Bossons, Cho, Chong, Chow, Davis, Disero, Faubert, Jakobek, Kinahan, King, Mahood, Nunziata, Ootes, O'Brien, Pantalone, Saundercook, Sgro, Shiner, Silva - 20.

Decided in the affirmative by a majority of 7.

Upon the question of the adoption of the foregoing motion (n) by Councillor Sinclair, viz.:

“that Council adopt the following recommendation:

‘It is recommended that the current parking allocation at City Hall be maintained.’ ”,

it was carried.

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

“that Council adopt the following recommendations:

‘It is recommended that:

- (1) Councilor Berger’s name not be included in the pool for seating in the Council Chamber, and, in recognition of his hearing disability, he be assigned a seat in the most opportune location within the Chamber prior to the lottery, and that such seat be removed from the lottery;’ ”,

it was carried.

Part (2) of the foregoing motion (m) by Councillor Flint was not put to a vote, having regard that parking to accommodate persons with physical disabilities is provided in the parking garage.

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

“that the recommendations of the Sub-Committee for the Relocation of All Members of Council to City Hall as embodied in the communication dated May 29, 1998, from the City Clerk, be adopted, subject to:

- (a) amending Recommendation No. (2) of the Sub-Committee for the Relocation of All Members of Council to City Hall by adding thereto the words ‘and that funding for Recommendation No. (3)(iii) be included within the \$5.2 million already approved by City Council’, so that such recommendation shall now read as follows:

‘(2) recommended to the Special Committee to Review the Final Report of the Toronto Transition Team the adoption of Recommendations Nos. (3)(i) and (3)(iii) embodied in the report (May 25, 1998) from the Commissioner of Corporate Services, and that funding for Recommendation No. (3)(iii) be included within the \$5.2 million already approved by City Council’; and

- (b) adding thereto the following:

‘It is further recommended that:

- (1) a lottery take place at Council on June 4, 1998, and that Members of Council be given the opportunity to select their own ballot;
- (2) Members of Council presently located in offices at City Hall be permitted to remain in their offices if they so choose, and those Members of Council who choose to remain in their City Hall office be excluded from the lottery;

- (3) Councillor Berger's name not be included in the pool for seating in the Council Chamber, and, in recognition of his hearing disability, he be assigned a seat in the most opportune location within the Chamber prior to the lottery, and that such seat be removed from the lottery;
- (4) Members of Council be permitted to negotiate an office trade with another Member of Council and that such trades take place within one week of the lottery for offices;
- (5) those Members of Council who are interested in Office No. 35 be requested to submit their names to the City Clerk, and the City Clerk be requested to assign Office No. 35 by lottery;
- (6) the current parking allocation at City Hall be maintained;
- (7) the Budget Committee be requested to report to Council, through the Corporate Services Committee, on the source of funding over and above the budget of \$5.2 million previously approved by Council, to accommodate all of the additional items requested; and
- (8) the following motions be referred to the Project Architect for his comments and a determination on whether minor changes can be made to accommodate the recommendations embodied therein:

Moved by Councillor Faubert:

“It is recommended that a count-down clock be installed in the Council Chamber in City Hall in a location that is visible to all Members of Council.”

Moved by Councillor Jakobek:

“It is recommended that the Project Architect be requested to:

- (1) investigate the cost of moving the wall in the City Hall Council Chamber back, in order to:
 - (a) allow for two rows of Councillors' seats; and
 - (b) maintain, as close as possible, the size of the Councillors' desks in the City Hall Council Chamber to the size of the desks currently in use in the Metro Hall Council Chamber;

- (2) review the issue of accommodation for the Press, including the possibility of the installation of glass partitions and a second level to provide a total of 20 to 24 seats; and the permanent office space for the Press on the first floor be completed in Phase 1;
- (3) incorporate, in his reconsideration of this project, a projection screen which is not fixed and which can be hidden when not in use, so that the Corporate logo can be seen prominently on the back wall;
- (4) ensure that a light is installed on the microphone on the Councillors' desks in the Council Chamber to indicate when the microphone is 'live'; and
- (5) re-examine the second floor layout to ensure more equity in office space."

Moved by Councillor Johnston:

"It is recommended that the Commissioner of Corporate Services be requested to review the feasibility of accomplishing the move to City Hall by the end of December 1998, without placing enormous strain on City staff, and submit a report thereon to the Sub-Committee for the Relocation of All Members of Council to City Hall."

Moved by Councillor Moscoe:

"It is recommended that plans for the additional podium floor to house new Committee rooms, media offices and other needed facilities be moved forward to Phase 1 from Phase 2 and the Commissioner of Corporate Services be requested to report thereon, through the Mayor's Office, to the Budget Committee."

Moved by Councillor O'Brien:

"It is recommended that the following items be added to the City Hall project:

- (1) sound-proofing of windows for offices overlooking Nathan Phillips Square, to ensure that the affected offices are useable; and

- (2) an escalator between the ground and second floors, to allow easy and proper access to the second floor.”

Moved by Councillor Pantalone:

“It is recommended that the Commissioner of Corporate Services, together with the appropriate staff, be requested, as soon as possible, to:

- (1) develop plans to ‘humanize’ the outside roof area surrounding the Council Chamber, especially the area to the north of the proposed links to the East and West Towers; and
- (2) develop plans for the Civic Centre, such plans to be submitted, as soon as possible, to Council, through the Special Committee to Review the Final Report of the Toronto Transition Team.”

Moved by Councillor Saundercook:

“It is recommended that the secondary concerns regarding changes to the renovation plan be addressed in a regular and timely fashion, so that all Members of Council can have input and be involved.”

Moved by Councillor Shiner:

“It is recommended that:

- (1) the space on the second floor currently proposed for the staff of the City Clerk be relocated to the first floor;
- (2) the space on the second floor currently proposed for the support staff for the Mayor, as shown on the sketch in a separate area away from the Office of the Mayor, be relocated to the first floor below the Mayor’s office, and an interior connecting staircase be incorporated into the layout; and the space made available on the second floor, as a result of this change, be used for additional Committee Rooms of various sizes; and
- (3) in the event that Recommendation No. (2) fails, the space on the second floor currently proposed for the support staff for the Mayor be reduced to the same size as the space allocated to the support staff for the

Councillors, thereby reducing the space from 2,650 square feet to 1,700 square feet, and the remaining 950 square feet of space be used for additional meeting rooms for Councillors.”

Moved by Councillor Silva:

“It is recommended that the Commissioner of Corporate Services be requested to consider aesthetic lighting for the Council Chamber, the second and main floors, as well as additional sound barriers for the offices facing Nathan Phillips Square.” ’ ’ ,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chow, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnson, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, O’Brien, Pantalone, Prue, Rae, Sgro, Silva, Sinclair, Tzekas, Walker - 41.

Nays: Councillors: Davis, Disero, Holyday, Nunziata, Saundercook, Shiner - 6.

Decided in the affirmative by a majority of 35.

1063 At this point in the proceedings, Mayor Lastman, with the permission of Council, called Councillor Chow, the Children’s Advocate for the City of Toronto, and the children of the Orde Street Day Care Centre to the podium; accepted, on behalf of Council, the surveys which had been conducted by the Day Care Centre on the need for day care spaces in the City of Toronto, and invited Councillor Chow to address the Council.

1064 **Clause No. 13 of Report No. 7 of The Corporate Services Committee, headed “Office Administration and Expenses of Members of Council”.**
(See Appendix “A”, page 5037.)

Council also had before it, during consideration of the foregoing Clause, a copy of the Expense Claim Policy for staff of the City of Toronto.

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 striking out the recommendation of the Corporate Services Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Councillors have complete discretion on the expenditures within their individual global budgets, subject to the Members of Council being required to submit an annual report in a form prescribed by the Chief Financial Officer and Treasurer and a public audit by the City Auditor;
 - (2) all the specific rules outlined in the joint report dated May 12, 1998, from the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, save and except business travel, be referred back to the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the Chief Administrative Officer with a request that they bring such rules into conformity with the principle referred to in Recommendation No. (1), above; and
 - (3) responsibility for the payment of Councillors’ office expenses be transferred from City Clerk’s to the Finance Department.”
- (b) Councillor King, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that business travel in connection with the International Council for Local Environmental Issues (ICLEI) be added to the list of associations qualifying for funding from the Council Business Travel Budget listed in Appendix ‘A’ under Section (11)(A)(ii), entitled ‘Business Travel’.”

- (c) Councillor Holyday, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (2) and Part (1) of Recommendation No. (3) of the Corporate Services Committee.

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

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

“It is further recommended that the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer, and the Chief Administrative Officer be requested to submit a joint report to the Corporate Services Committee on senior staff expenses.”

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

“It is further recommended that the City Clerk be requested to submit, on a monthly basis, to Members of Council, an update of their respective office budgets.”

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1066.)

1065 At the request of Council, the City Clerk called the Roll at 3:19 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Disero, Duguid, Feldman, Fillion, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Miller, Minnan-Wong, Ootes, O'Brien, Pantalone, Prue, Rae, Saundercook, Shiner Silva, Sinclair - 35.

1066 Council resumed its consideration of Clause No. 13 of Report No. 7 of The Corporate Services Committee, headed "Office Administration and Expenses of Members of Council". (See also Minute No. 1064.)

(f) Councillor Mahood, in amendment, moved that the foregoing Clause be struck out and referred to the Audit Committee for further consideration, with a request that the Chief Financial Officer and Treasurer submit a report to the Audit Committee, for consideration therewith, outlining the expense policy for staff, and the Audit Committee be requested to report thereon to the next meeting of Council.

(g) Councillor Miller, in amendment, moved that the foregoing motion (e) by Councillor Mahood be amended to provide that the issue of an expense policy for staff be referred to the Corporate Services Committee.

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

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Fillion, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, O'Brien, Pantalone, Rae, Saundercook, Silva, Sinclair, Tzekas - 31.

Nays: Councillors: Brown, Chong, Flint, Fotinos, Holyday, Jakobek, King, Mahood, Minnan-Wong, Moscoe, Nunziata, Ootes, Prue, Walker - 14.

Decided in the affirmative by a majority of 17.

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

“that the foregoing Clause be struck out and referred to the Audit Committee for report thereon to the next meeting of Council, and the question of a policy for senior staff be referred to the Corporate Services Committee”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Brown, Disero, Fotinos, Holyday, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, Moscoe, Nunziata, Prue, Tzekas, Walker - 17.

Nays: Councillors: Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chong, Chow, Duguid, Feldman, Fillion, Flint, Giansante, Kinahan, King, Mammoliti, McConnell, Mihevc, Miller, Moeser, Ootes, O'Brien, Pantalone, Rae, Saundercook, Silva, Sinclair - 27.

Decided in the negative by a majority of 10.

(h) Councillor Kinahan, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (2) of the Corporate Services Committee the following organizations:

- International Union of Local Authorities (IULA); and
- World Association of Major Metropolis (WAMM).

Upon the question of the adoption of Parts (1) and (2) of the foregoing motion (a) by Councillor Moscoe, viz.:

“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) Councillors have complete discretion on the expenditures within their individual global budgets, subject to the Members of Council being required to submit an annual report in a form prescribed by the Chief Financial Officer and Treasurer and a public audit by the City Auditor; and
- (2) all the specific rules outlined in the joint report dated May 12, 1998, from the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, save and except business travel, be referred back to the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the Chief Administrative Officer with a request that they bring such rules into conformity with the principle referred to in Recommendation No. (1), above;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berger, Bussin, Cho, Chow, Disero, Filion, Fotinos, King, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Prue, Rae, Tzekas, Walker - 19.

Nays: Councillors: Altobello, Ashton, Bossons, Brown, Chong, Duguid, Feldman, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, Miller, Minnan-Wong, Nunziata, Ootes, O'Brien, Pantalone, Saundercook, Sgro, Sinclair - 25.

Decided in the negative by a majority of 6.

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

“that:

- (3) responsibility for the payment of Councillors' office expenses be transferred from City Clerk's to the Finance Department.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Berger, Bossons, Bussin, Cho, Chow, Disero, Feldman, Filion, Flint, Fotinos, Giansante, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Prue, Sgro, Silva, Tzekas, Walker - 29.

Nays: Councillors: Altobello, Ashton, Augimeri, Brown, Chong, Duguid, Holyday, Johnston, Kinahan, Miller, Ootes, O'Brien, Pantalone, Rae, Saundercook, Sinclair - 16.

Decided in the affirmative by a majority of 13.

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

“that the foregoing Clause be amended by striking out Recommendation No. (2) and Part (1) of Recommendation No. (3) of the Corporate Services Committee.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Brown, Chow, Disero, Flint, Fotinos, Giansante, Holyday, Jones, King, Lindsay Luby, Mahood, Minnan-Wong, Moscoe, Nunziata, Ootes, O'Brien, Prue, Sgro, Tzekas - 20.

Nays: Councillors: Adams, Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Duguid, Feldman, Fillion, Johnston, Kinahan, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Miller, Moeser, Pantalone, Rae, Saundercook, Silva, Sinclair, Walker - 25.

Decided in the negative by a majority of 5.

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

“that the foregoing Clause be amended by deleting from Recommendation No. (2) of the Corporate Services the following organizations:

- International Union of Local Authorities (IULA); and
- World Association of Major Metropolis (WAMM).”

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Brown, Chong, Fillion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Lindsay Luby, McConnell, Minnan-Wong, Nunziata, Ootes, O'Brien, Pantalone, Sgro - 20.

Nays: Councillors: Adams, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Fotinos, Korwin-Kuczynski, Mahood, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker - 25.

Decided in the negative by a majority of 5.

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

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

‘It is further recommended that business travel in connection with the International Council for Local Environmental Issues (ICLEI) be added to the list of associations qualifying for funding from the Council Business Travel Budget listed in Appendix “A” under Section (11)(A)(ii), entitled “Business Travel”.’ ”,

it was carried.

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

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

‘It is further recommended that the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer, and the Chief Administrative Officer be requested to submit a joint report to the Corporate Services Committee on senior staff expenses.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (e) by Councillor Korwin-Kuczynski, as amended, having regard to the foregoing decision of Council, viz.:

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

‘It is further recommended that the Chief Financial Officer and Treasurer be requested to submit, on a monthly basis, to Members of Council, an update of their respective office budgets.’ ”,

it was carried.

At this point in the proceedings, Councillor Moscoe requested that Members of Council now be permitted to present amendments pertaining to various components of the policy embodied in the foregoing Clause, or to request separate votes on adoption of the Clause.

Council concurred in the foregoing request.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Section 2(I) - Corporate Credit Cards, viz.:

“that corporate credit cards not be issued to City Councillors”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Flint, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Sgro, Silva, Walker - 32.

Nays: Councillors: Augimeri, Duguid, Filion, Fotinos, Giansante, Kinahan, Mammoliti, Moeser, Moscoe, Saundercook, Sinclair, Tzekas - 12.

Decided in the affirmative by a majority of 20.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the use of personal automobiles, without amendment, Councillor Moscoe, with the permission of Council, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that use of a personal automobile by Members of Council for City business be included as an expense under the Global Office Budget, such reimbursement to be for metrage only and to be subject to the same policy currently applied to City staff.”

Councillor King, in amendment, moved that the foregoing motion by Councillor Moscoe be amended by adding thereto the words “, and the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee on the personal income tax implications thereof for Members of Council”.

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

Upon the question of the adoption of the foregoing motion by Councillor Moscoe, as amended, viz.:

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

‘It is further recommended that use of a personal automobile by Members of Council for City business be included as an expense under the Global Office Budget, such reimbursement to be for metreage only and to be subject to the same policy currently applied to City staff, and the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee on the personal income tax implications thereof for Members of Council.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berger, Bussin, Cho, Chong, Disero, Filion, Fotinos, Johnston, Jones, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Sgro, Sinclair, Tzekas, Walker - 24.

Nays: Councillors: Altobello, Ashton, Bossons, Brown, Duguid, Flint, Holyday, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Nunziata, Ootes, O'Brien, Prue, Rae, Saundercook, Silva - 18.

Decided in the affirmative by a majority of 6.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to tickets for community and other events (limit of two (2) per event), without amendment, Councillor Mammoliti, with the permission of Council, in amendment, moved that the foregoing Clause be amended by deleting the words “(limit of two (2) per event)”.

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

Yeas: Councillors: Augimeri, Berger, Bussin, Cho, Disero, Filion, Flint, Fotinos, Jones, Mahood, Mammoliti, Mihevc, Moeser, Moscoe, Pantalone, Saundercook, Silva, Tzekas, Walker - 19.

Nays: Councillors: Adams, Altobello, Ashton, Bossons, Brown, Chong, Duguid, Giansante, Holyday, Johnston, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, McConnell, Miller, Minnan-Wong, Nunziata, Ootes, O'Brien, Prue, Rae, Sgro, Sinclair - 24.

Decided in the negative by a majority of 5.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Council Transportation, Councillor McConnell, with the permission of Council, in amendment, moved that the foregoing Clause be amended by deleting Part (a) of Section No. 15, headed "Council Transportation", viz.:

"(a) Council Members and their staff are generally responsible for getting to and from work at their own expense."

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

Yeas: Councillors: Adams, Berger, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Pantalone, Walker - 8.

Nays: Councillors: Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Disero, Duguid, Filion, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, O'Brien, Prue, Rae, Sgro, Silva, Sinclair, Tzekas - 31.

Decided in the negative by a majority of 23.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Business Meeting Expenses, without amendment, Councillor Filion, with the permission of Council, in amendment, moved that the foregoing Clause be amended by deleting Parts (b) and (c) under Section No. (9), "Business Meeting Expenses", viz.:

"Supporting documentation for luncheon and business meeting expenses must include the following:

- (b) the purpose of the meeting; and
- (c) the names of all those in attendance;"

Upon the question of the adoption of the foregoing motion by Councillor Filion, insofar as it pertains to Item (b), the vote was taken as follows:

Yeas: Councillors: Augimeri, Berger, Disero, Filion, Fotinos, Jakobek, Korwin-Kuczynski, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Tzekas - 13.

Nays: Councillors: Adams, Altobello, Ashton, Bossons, Brown, Bussin, Cho, Chong, Duguid, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Lindsay Luby, Mahood, Mihevc, Miller, Nunziata, Ootes, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 31.

Decided in the negative by a majority of 18.

Upon the question of the adoption of the foregoing motion by Councillor Filion, insofar as it pertains to Item (c), the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Brown, Disero, Duguid, Filion, Fotinos, Johnston, Korwin-Kuczynski, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Prue, Saundercook, Sgro, Silva, Sinclair, Tzekas - 20.

Nays: Councillors: Altobello, Augimeri, Berger, Bossons, Bussin, Cho, Chong, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Lindsay Luby, Mahood, Mihevc, Miller, Nunziata, Ootes, O'Brien, Pantalone, Rae, Walker - 24.

Decided in the negative by a majority of 4.

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) responsibility for the payment of Councillors’ office expenses be transferred from City Clerk’s to the Finance Department;
- (2) business travel in connection with the International Council for Local Environmental Issues (ICLEI) be added to the list of associations qualifying for funding from the Council Business Travel Budget listed in Appendix “A” under Section (11)(A)(ii), entitled “Business Travel”;
- (3) use of a personal automobile by Members of Council for City business be included as an expense under the Global Office Budget, such reimbursement to be for metrage only and to be subject to the same policy currently applied to City staff, and the Chief Financial Officer and Treasurer be requested to submit a report to the

Corporate Services Committee on the personal income tax implications thereof for Members of Council;

- (4) the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer, and the Chief Administrative Officer be requested to submit a joint report to the Corporate Services Committee on senior staff expenses; and
- (5) the Chief Financial Officer and Treasurer be requested to submit, on a monthly basis, to Members of Council, an update of their respective office budgets.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Jones, King, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker - 30.

Nays: Councillors: Brown, Bussin, Filion, Giansante, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Nunziata, O'Brien, Sgro - 14.

Decided in the affirmative by a majority of 16.

- 1067 **Clause No. 30 of Report No. 7 of The Corporate Services Committee, headed “Use of Former City of York Civic Service Centre, 2700 Eglinton Avenue West, for Learning Enrichment Foundation (Ward 27 - York Humber)”.**
(See Appendix “A”, page 5128.)

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 thereto the following:

“It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services, together with the Commissioner of Corporate Services, be requested to submit a joint report to the Corporate Services Committee on a policy specifically dealing with the issue of long-term leases for daycare space in municipally-owned property; and

- (2) the Commissioner of Corporate Services be requested to review the possibility of a long-term lease at this location for the Learning Enrichment Foundation and report thereon to the Corporate Services Committee.”

Councillor Chong, having spoken to the matter for a period of five minutes, Councillor Saundercook, seconded by Councillor Davis, moved that Section 24 of the Council Procedural By-law be waived and that Councillor Chong 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.

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

- (1) deleting Recommendation No. (1) of the Corporate Services Committee; and
- (2) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services continue to negotiate the lease with the Learning Enrichment Foundation and submit such lease for approval concurrently with the joint report on the possibility of long-term leases for day care centres in municipally-owned buildings.”

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

- (1) to provide that Council approve the request of the Silverthorn (LEF) Child Care Centre, subject to final negotiation of the lease in a form and content satisfactory to the Commissioner of Corporate Services and the City Solicitor; and
- (2) by adding thereto the following:

“It is further recommended that:

- (a) the Commissioner of Corporate Services be instructed to negotiate a lease with the Silverthorn Child Care Centre (LEF); and
- (b) the Commissioners of Community and Neighbourhood Services and Corporate Services be requested to submit a further report to the Corporate Services Committee on the remaining eight Child Care Centres that are threatened as a result of Provincial policy.”

- (d) Councillor Jakobek, 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 Corporate Services Committee and the Budget Committee, on corporate leasing requirements and a corporate leasing strategy, no later than the first week of September 1998.”

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

Upon the question of the adoption of the foregoing motion (b) by Councillor Chong, and, in the absence of Councillor Chong, moved by Councillor Saundercook, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Berger, Giansante, Holyday, Lindsay Luby, Saundercook - 6.

Nays: Councillors: Adams, Altobello, Augimeri, Bossons, Brown, Cho, Chow, Davis, Disero, Filion, Fotinos, Jakobek, Johnston, Jones, Kinahan, King, Mahood, Mammoliti, McConnell, Miller, Nunziata, Ootes, O'Brien, Pantalone, Prue, Sgro, Silva, Sinclair, Tzekas, Walker - 30.

Decided in the negative by a majority of 24.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Davis, it was carried.

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Mahood, Mammoliti, McConnell, Miller, Nunziata, Ootes, O'Brien, Pantalone, Prue, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 36.

Nay: Councillor: Lindsay Luby - 1.

Decided in the affirmative by a majority of 35.

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 (d) by Councillor Jakobek, was in order.

Deputy Mayor Ootes, having regard to the nature of the foregoing motion (d) by Councillor Jakobek, ruled such motion 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: Mayor: Lastman.
Councillors: Adams, Brown, Cho, Davis, Disero, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kinahan, King, Lindsay Luby, Mahood, Nunziata, Ootes, Saundercook, Sgro, Silva, Sinclair - 21.

Nays: Councillors: Altobello, Augimeri, Berger, Bossons, Bussin, Chow, Filion, Jones, Mammoliti, McConnell, Miller, O'Brien, Pantalone, Prue, Walker - 15.

Decided in the affirmative by a majority of 6.

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berger, Brown, Bussin, Cho, Chow, Davis, Disero, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Miller, Nunziata, Ootes, O'Brien, Pantalone, Prue, Saundercook, Sgro, Silva, Sinclair, Walker - 35.

Nay: Councillor: Bossons - 1.

Decided in the affirmative by a majority of 34.

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Miller, Nunziata, Ootes, O'Brien, Pantalone, Prue, Saundercook, Sgro, Silva, Sinclair, Walker - 36.

Nays: Nil.

Decided in the affirmative, without dissent.

- 1068 **Clause No. 1 of Report No. 6 of The Corporate Services Committee, headed “Expropriation of Property Interests, Sheppard Subway Project, Don Mills Station”.**
(See Appendix “A”, page 4987.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor O’Brien, in amendment, moved that consideration of the foregoing Clause be deferred to the next regular meeting of City Council to be held on July 8, 1998, in accordance with the request of the City Solicitor.

Upon the question of the adoption of the foregoing motion by Councillor O’Brien, it was carried.

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, moved that at 8:00 p.m., Council reconvene in Committee Room “A”, and then recess to meet privately to consider the following matters, in accordance with the provisions of the Municipal Act:

- (i) Clause No. 2 of Report No. 7 of The Corporate Services Committee, headed “Union Station Arbitration and Appeal”;
- (ii) Clause No. 4 of Report No. 7 of The Corporate Services Committee, headed “Property Matter Respecting a Possible Purchase in the City of Toronto”; and
- (iii) Clause No. 28 of Report No. 6 of the Toronto Community Council, headed “Park Drive Ravine, Ontario Municipal Board Decision, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 and 15 Beaumont Road (Midtown)”,

which was carried.

- 1069 At this point in the proceedings, and at the request of Council, the City Clerk requested Members of Council to indicate their attendance at the evening session of today’s meeting.

The following Members of Council indicated that they would be present at the evening session of today’s meeting:

Councillors: Altobello, Ashton, Augimeri, Berger, Bussin, Cho, Disero, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Nunziata, Ootes, Pantalone, Prue, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 29.

- 1070 At this point in the proceedings, Councillor Fotinos, with the permission of Council, made reference to the results of the lottery for Councillors’ offices in City Hall and moved that Council adopt the following recommendation:

“It is recommended that those Members of Council who are interested in Office No. 35 be requested to submit their names to the City Clerk, and the City Clerk be requested to assign Office No. 35 by lottery.”

Councillor Walker moved that Council adopt the following recommendation:

“It is recommended that Office No. 35 be given to Councillor Prue.”

Councillor Pantalone moved that consideration of this matter be deferred until 9:00 p.m. this evening.

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

Yeas: Councillors: Adams, Ashton, Gardner, Kinahan, Mammoliti, Pantalone, Prue, Sinclair, Tzekas - 9.

Nays: Councillors: Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Disero, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Nunziata, Ootes, O'Brien, Saundercook, Sgro, Silva, Walker - 26.

Decided in the negative by a majority of 17.

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

Yeas: Councillors: Adams, Altobello, Berger, Bossons, Bussin, Cho, Feldman, Filion, Fotinos, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Pantalone, Saundercook, Sgro, Silva, Tzekas - 22.

Nays: Councillors: Ashton, Augimeri, Brown, Disero, Flint, Gardner, Giansante, Holyday, McConnell, Moeser, Nunziata, Ootes, O'Brien, Prue, Sinclair, Walker - 16.

Decided in the affirmative by a majority of 6.

Having regard to the foregoing decision of Council, the foregoing motion by Councillor Walker was not put to a vote.

- 1071 At this point in the proceedings, Councillor Saundercook, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 12 of Report No. 5 of The Scarborough Community Council, headed “Planning Applications on Ontario Hydro Lands, Funding for Community Participation at the Ontario Municipal Board”, be re-opened for further consideration, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Brown, Bussin, Cho, Chow, Disero, Filion, Fotinos, Giansante, Jakobek, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Ootes, O'Brien, Pantalone, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 27.

Nays: Councillors: Bossons, Feldman, Flint, Gardner, Holyday, Jones, Kinahan, King, Lindsay Luby, Moeser, Nunziata, Prue - 12.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative. (See also Minutes Nos. 968 and 1086.)

- 1072 **Clause No. 10 of Report No. 7 of The Corporate Services Committee, headed "Protection of the City's Tax Base".**
(See Appendix "A", page 5014.)

Council also had before it, during consideration of the foregoing Clause, a report (June 2, 1998) from Chief Financial Officer and Treasurer, outlining the interim initiatives that will be taken by the City to protect its property tax base, and recommending that this report be received for information and a full report on this program be submitted to Council in the fall of 1998.

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

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

"It is further recommended that the report dated June 2, 1998, from the Chief Financial Officer and Treasurer, headed 'Interim Plan to Protect the City's Tax Base', be adopted."

- (b) Councillor Jakobek, in amendment, moved that the foregoing Clause be struck out and referred to the Budget Committee for further consideration.

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

- 1073 **Clause No. 28 of Report No. 6 of The North York Community Council, headed "Other Items Considered by the Community Council".**
(See Appendix "A", page 5603.)

Upon the question of the receipt for information of the foregoing Clause, insofar as it pertains to Item (p), entitled "Construction Noise By-law Violations - Investigations", without amendment, Councillor Filion, in amendment, moved that, notwithstanding

subsection 128(5) of the Council Procedural By-law, the following resolution by Councillor Filion embodied in Item (p), be endorsed by City Council:

“**WHEREAS** the City has a by-law which prohibits construction noise before 7:00 a.m., after 7:00 p.m. and on Sundays; and

WHEREAS Councillors have received numerous complaints about builders who do not adhere to these by-laws; and

WHEREAS early-morning, evening and weekend construction noise greatly diminishes residents’ rights to the peaceful enjoyment of their homes; and

WHEREAS our by-law enforcement section currently places the onus on residents to compile records, prepare evidence and testify in court in order to act against those breaking the by-law; and

WHEREAS such practices make sense in the case of barking dogs and other irregular noise but are clearly inappropriate in cases of repeated and predictable noise by-law violations from construction noise; and

NOW THEREFORE BE IT RESOLVED THAT inspectors be available to investigate construction sites for noise by-law violations prior to 7:00 a.m., after 7:00 p.m. and on Sundays where there are complaints of repeated violations which could be readily documented by staff;

AND BE IT FURTHER RESOLVED THAT the City Solicitor report back on what other measures, such as a bond which would be forfeited upon conviction for violation of a noise by-law, to discourage developers from blatantly ignoring city by-laws.”

Upon the question of the adoption of the foregoing motion by Councillor Filion, it was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the receipt for information of the foregoing Clause, insofar as it pertains to Item (p), as amended, it was carried. (See also Minutes Nos. 1054 and 1101.)

1074 At this point in the proceedings, Councillor Gardner moved that Council vary the order of its proceedings to now consider those items remaining on the Order Paper which would not require further debate, the vote upon which was taken as follows:

Yeas: Councillors: Augimeri, Berger, Bossons, Cho, Disero, Filion, Fotinos, Gardner, Holyday, Kinahan, King, Lindsay Luby, Mammoliti, Ootes, Sgro, Tzekas - 16.

Nays: Councillors: Altobello, Ashton, Bussin, Feldman, Giansante, Jones, Nunziata, O’Brien, Pantalone, Prue, Rae, Saundercook, Walker - 13.

Decided in the affirmative by a majority of 3.

Mayor Lastman resumed the Chair.

At this point in the proceedings, Mayor Lastman proposed that Council now recess and reconvene at 8:00 p.m. in Committee Room "A".

Council concurred in the foregoing proposal.

Council recessed at 6:02 p.m.

8:15 P.M.

Council reconvened in Committee Room "A".

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

1075 Members present at the first evening session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, 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, Silva, Sinclair, Tzekas, Walker - 47.

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

Committee of the Whole recessed at 8:16 p.m. to meet privately to consider the following matters, in accordance with the provisions of the Municipal Act:

- (i) Clause No. 2 of Report No. 7 of The Corporate Services Committee, headed "Union Station Arbitration and Appeal";
- (ii) Clause No. 4 of Report No. 7 of The Corporate Services Committee, headed "Property Matter Respecting a Possible Purchase in the City of Toronto"; and
- (iii) Clause No. 28 of Report No. 6 of the Toronto Community Council, headed "Park Drive Ravine, Ontario Municipal Board Decision, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 and 15 Beaumont Road (Midtown)".

9:45 P.M.

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

Committee of the Whole rose.

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

1076 Members present at the second evening session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, 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, Silva, Sinclair, Tzekas, Walker - 47.

1077 **Clause No. 4 of Report No. 7 of The Corporate Services Committee, headed "Property Matter Respecting a Possible Purchase in the City of Toronto".**

(See Appendix "A", page 5003.)

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

- (i) (June 2, 1998) confidential report from the Commissioner of Corporate Services; and
- (ii) (undated) confidential communication from Councillor Chris Korwin-Kuczynski, High Park.

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that Council at its in camera meeting had considered the foregoing Clause and had subsequently given direction to staff, such direction to remain confidential in accordance with the provisions of the Municipal Act.

1078 **Clause No. 2 of Report No. 7 of The Corporate Services Committee, headed "Union Station Arbitration and Appeal".**

(See Appendix "A", page 5000.)

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

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

1079 **Clause No. 28 of Report No. 6 of The Toronto Community Council, headed "Park Drive Ravine - Ontario Municipal Board Decision (Midtown)".**

(See Appendix "A", page 5849.)

Council also had before it, during consideration of the foregoing Clause, a communication (June 2, 1998) from the President, The South Rosedale Ratepayers' Association, regarding Park Drive Ravine, Ontario Municipal Board Decision, Dismissal of Two Appeals to Zoning By-law No. 1997-0369 and 15 Beaumont Road (Midtown), requesting City Council to

continue to oppose the request for another hearing at the Ontario Municipal Board of the dismissed appeals to Zoning By-law No. 1997-0369.

Council also had before it, during consideration of the foregoing Clause, a communication (May 26, 1998) from Sean and Katherine Shanahan, in support of Zoning By-law No. 1997-0369.

Mayor Lastman, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

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

At this point in the proceedings, Mayor Lastman, with the permission of Council, proposed that Council now recess and immediately reconvene in the Council Chamber.

Council concurred in the foregoing proposal.

Council recessed at 9:50 p.m.

9:55 P.M.

Council reconvened in the Council Chamber.

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

1080 At the request of Council, the City Clerk called the Roll at 9:56 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 43.

1081 Members present at the third evening session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser,

Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 44.

- 1082 At this point in the proceedings, Councillor Jakobek, with permission of Council, moved that Council vary the order of its proceedings to permit him to now introduce a Notice of Motion in regard to Caribana, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Cho, Chong, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, Lindsay Luby, Mahood, Mammoliti, Moeser, Nunziata, Prue, Saundercook, Tzekas - 23.

Nays: Mayor: Lastman.
Councillors: Augimeri, Bossons, Brown, Bussin, Chow, Filion, King, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, O'Brien, Pantalone, Rae, Sgro, Silva, Walker - 19.

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

- 1083 **Clause No. 2 of Report No. 5 of The Emergency and Protective Services Committee, headed "Collision Reporting Centres".**
(See Appendix "A", page 5190.)

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

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

"It is further recommended that:

WHEREAS Collision Reporting Centres (CRCs) were established to save the Police money and to provide better service to the public; and

WHEREAS CRCs have proven to be very lucrative for their private sector operator and his insurance industry partner; and

WHEREAS the City is in dire need of additional revenue to fund services like policing; and

WHEREAS the City wants to provide enhanced service to the public;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Chief Administrative Officer be requested to submit a report to the Emergency and Protective Services Committee for its meeting to be held on September 11, 1998, on the benefits and possible establishment of three

additional Collision Reporting Centres (CRCs) in the City of Toronto, such report to include the impact of existing CRCs on auto body shops in the City; and

- (2) the City Solicitor and the City Auditor also be requested to submit reports to the Emergency and Protective Services for its meeting to be held on September 11, 1998, on the question of liability for the City in light of the existing Collision Reporting Centre contracts.”

At this point in the proceedings, Councillor King, 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: Mayor: Lastman.
Councillors: Altobello, Augimeri, Cho, Chong, Disero, Feldman, Fotinos, Giansante, Jones, King, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Prue, Rae, Saundercook, Sgro - 20.

Nays: Councillors: Adams, Ashton, Bossons, Brown, Bussin, Chow, Flint, Gardner, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Mammoliti, Miller, Nunziata, Ootes, O'Brien Pantalone, Silva, Tzekas, Walker - 21.

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

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

“It is further recommended that Councillor Giansante be appointed as the Council representative on the Collision Reporting Centres Sub-Committee.”

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

Upon the question of the adoption of the foregoing motion (b) by Councillor Sgro, 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 Miller moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess in order to complete consideration of all matters remaining on the Order Paper for Council, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Cho, Chow, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Ootes, O'Brien, Pantalone, Rae, Saundercook, Silva, Tzekas - 33.

Nays: Councillors: Augimeri, Bossons, Brown, Bussin, Chong, Flint, Gardner, Moeser, Prue, Sgro, Walker - 11.

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

- 1084 At this point in the proceedings, Councillor Chong, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion and that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, be waived to permit consideration thereof:

Moved by: Councillor Chong

Seconded by: Councillor King

“**WHEREAS** both Councillors Jakobek and Adams have submitted conflicting opinions to Council on whether or not the Chief Financial Officer and Treasurer has properly carried out the instruction of Council not to release funding to the Caribbean Cultural Committee until the conditions set by Council are met; and

WHEREAS Council is entitled to information pertaining to the release of funds to the Caribbean Cultural Committee, particularly when there are conflicting opinions;

NOW THEREFORE BE IT RESOLVED THAT Council now give consideration to this matter.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, O'Brien, Pantalone, Prue, Saundercook, Silva, Tzekas, Walker - 38.

Nays: Councillors: Chow, Filion, Korwin-Kuczynski, Sgro - 4.

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

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

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

“AND BE IT FURTHER RESOLVED THAT the Budget Chair be removed from the Membership of the Caribana Festival Support Committee”.

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

“AND BE IT FURTHER RESOLVED THAT the Caribana Festival Support Committee and this City’s Chief Financial Officer and Treasurer be advised that no additional funds will be released until such time as a business plan, a marketing plan and a budget, as previously requested by Council, has been approved by Council.”

- (c) Councillor King, in amendment, moved that the foregoing Motion be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council endorse the actions of the Chief Financial Officer and Treasurer taken, so far, with respect to the grant to the Caribbean Cultural Committee.”

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

Mayor Lastman resumed the Chair.

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

Councillor Miller, rising on a point of order, requested Mayor Lastman to rule on whether the foregoing motion (b) by Councillor Jakobek, was in order.

Mayor Lastman, having regard to the nature of the foregoing motion (b) by Councillor Jakobek, ruled such motion in order.

Councillor Fotinos challenged the ruling of the Mayor.

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

Yeas: Councillors: Adams, Chong, Chow, Duguid, Flint, Giansante, Holyday, Jakobek, Jones, Mammoliti, Mihevc, Nunziata, O’Brien, Prue, Saundercook, Walker - 16.

Nays: Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Disero, Feldman, Filion, Fotinos, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Miller, Moeser, Ootes, Pantalone, Rae, Sgro, Silva, Tzekas - 27.

Decided in the negative by a majority of 11.

Having regard to the foregoing decision of Council, the foregoing motion (b) by Councillor Jakobek was deemed out of order.

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

“that the foregoing Motion be adopted, subject to adding thereto the following new Operative Paragraph:

‘AND BE IT FURTHER RESOLVED THAT Council endorse the actions of the Chief Financial Officer and Treasurer taken, so far, with respect to the grant to the Caribbean Cultural Committee.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Ootes, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Walker - 36.

Nays: Councillors: Flint, Holyday, Jakobek, Jones, Nunziata - 5.

Decided in the affirmative by a majority of 31.

1085 **Clause No. 1 of Report No. 5 of The Community and Neighbourhood Services Committee, headed “Analysis of Impacts of Ontario Works Regulations”.**
(See Appendix “A”, page 4959.)

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

- (i) (May 25, 1998) from the Committee Administrator, Committee on the Status of Women advising that the Committee on the Status of Women at its meeting held on May 25, 1998, concurred in the recommendations embodied in the report dated May 11, 1998, from the Commissioner of Community and Neighbourhood Services, entitled “Analysis of Impacts of Ontario Works Regulations; and

- (ii) (May 28, 1998) from the Commissioner of Community and Neighbourhood Services reporting, as requested by the Community and Neighbourhood Services Committee, on how the City of Toronto would be able to continue providing specific benefits to social assistance clients who are no longer eligible for assistance, or will no longer receive certain benefits as a result of the new Ontario Works Act regulations introduced by the Province.

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:

- (1) the City of Toronto continue to cover drug cards for working parents until such time as the Ministry of Health implements a drug plan for low income families as it has announced; and
- (2) the implementation of eliminating Supplementary Aid and Special Assistance be delayed and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee for its meeting to be held on July 16, 1998, on:
 - (a) responses from other regional municipalities; and
 - (b) clarification of the intentions of the Provincial government.”

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.

At this point in the proceedings, Councillor Tzekas, with the permission of Council, moved that Council vary the order of its proceedings to now consider Clause No. 12 of Report No. 5 of The Scarborough Community Council, headed “Planning Applications on Ontario Hydro Lands, Funding for Community Participation at the Ontario Municipal Board”, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Bussin, Chong, Chow, Disero, Duguid, Flint, Fotinos, Kinahan, King, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Mihevc, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Tzekas, Walker - 26.

Nays: Councillors: Augimeri, Feldman, Giansante, Holyday, Jones, Miller, Moeser, Silva - 8.

Decided in the affirmative by a majority of 18.

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

Council reconvened.

**FRIDAY, JUNE 5, 1998
12:00 MIDNIGHT**

- 1086 **Clause No. 12 of Report No. 5 of The Scarborough Community Council, headed “Planning Applications on Ontario Hydro Lands, Funding for Community Participation at the Ontario Municipal Board”.**
(See also Minutes Nos. 968 and 1071.)

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

- (a) Councillor Moeser, in amendment, moved that:
- (1) the foregoing Clause be struck out and referred to the Corporate Services Committee for further consideration; and
 - (2) the Commissioner of Urban Planning and Development Services be requested to submit a report to the next meeting of the Urban Environment and Development Committee on a policy for funding such requests.

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

- (b) Councillor Ashton, in amendment, moved that Part (1) of the foregoing motion (a) by Councillor Moeser be amended by adding thereto the following:

“and the City Solicitor be instructed to request the Ontario Municipal Board to postpone the Board hearing pending the outcome of Council’s deliberations, and the President of the Bridlewood Community Association be invited to attend the Committee meeting to present the Association’s position and submit their request for endorsement”.

- (c) Councillor Kinahan, in amendment, moved that the foregoing Clause be struck out and referred to the Urban Environment and Development Committee for further consideration at its next meeting to be held on June 15, 1998, or a Special Meeting to be held at the call of the Chair; and the Commissioner of Urban Planning and

Development Services be requested to submit a report to the Urban Environment and Development Committee, for consideration therewith, on an appropriate City-wide policy for funding for community participation at the Ontario Municipal Board.

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, O'Brien, Pantalone, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 36.

Nays: Councillors: Bossons, Bussin, Filion, Mahood, Mammoliti, Prue - 6.

Decided in the affirmative by a majority of 30.

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

Yeas: Councillors: Bossons, Bussin, Chong, Feldman, Flint, Giansante, Holyday, Jones, Kinahan, King, Lindsay Luby, Miller, Moeser, Ootes, Saundercook - 15.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Chow, Davis, Disero, Duguid, Filion, Fotinos, Jakobek, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Mihevc, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Silva, Tzekas, Walker - 27.

Decided in the negative by a majority of 12.

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

Yeas; Councillors: Ashton, Bussin, Chong, Davis, Flint, Jones, Kinahan, King, Lindsay Luby, Miller, Ootes, Saundercook, Walker - 13.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Augimeri, Bossons, Brown, Chow, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Mihevc,

Moeser, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Silva,
Tzekas - 29.

Decided in the negative by a majority of 16.

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

“that:

- (2) the Commissioner of Urban Planning and Development Services be requested to submit a report to the next meeting of the Urban Environment and Development Committee on a policy for funding such requests.”,

it was carried.

- (d) Councillor Jones, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the Scarborough Community Council and inserting in lieu thereof the following:

“It is recommended that City Council authorize funding up to an amount of \$50,000.00 to retain, if necessary, legal counsel and expert witnesses to make representation on behalf of Scarborough Community Council and the resident associations at the Ontario Municipal Board.”

- (e) Councillor Mahood, in amendment, moved that the foregoing Clause be amended by inserting the words “subject to the Community Associations being requested to raise an equal amount”, after the words “development proposal,”, in Recommendation No. (1) of the Scarborough Community Council, so that such recommendation shall now read as follows:

“The Scarborough Community Council recommends that Council:

- (1) authorize a grant of \$50,000.00 from the Contingency Fund to the Community, in order that the Community may be a party to, and participate in, the Ontario Municipal Board Hearing and fully present its position regarding the Ontario Hydro development proposal, subject to the Community Associations being requested to raise an equal amount, and provided that:
 - (a) the Community incorporates prior to the Hearing for its participation at the Hearing; and
 - (b) such funding is used only for the purpose of retaining legal counsel and expert witnesses and other Hearing expenses;”.

At this point in the proceedings, Councillor Altobello, 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: Altobello, Augimeri, Bossons, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, Kinahan, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Moeser, Prue, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 29.

Nays: Councillors: Adams, Ashton, Brown, Chow, Davis, Holyday, Korwin-Kuczynski, Mihevc, Miller, Nunziata, Ootes, O'Brien, Pantalone - 13.

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

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

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

Yeas: Councillors: Altobello, Augimeri, Brown, Cho, Chong, Davis, Feldman, Flint, Giansante, Holyday, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Miller, Moeser, O'Brien, Ootes, Prue, Saundercook, Sgro, Silva, Walker - 24.

Nays: Councillors: Adams, Ashton, Bossons, Bussin, Chow, Disero, Duguid, Filion, Fotinos, Jakobek, Jones, Mammoliti, McConnell, Mihevc, Nunziata, Pantalone, Rae, Tzekas - 18.

Decided in the affirmative by a majority of 6.

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

“that the foregoing Clause be amended by:

- (1) inserting the words ‘subject to the Community Associations being requested to raise an equal amount’, after the words ‘development proposal’, in Recommendation No. (1) of the Scarborough Community Council, so that such recommendation shall now read as follows:

‘The Scarborough Community Council recommends that Council:

- (1) authorize a grant of \$50,000.00 from the Contingency Fund to the Community, in order that the Community may be a party to, and

participate in, the Ontario Municipal Board Hearing and fully present its position regarding the Ontario Hydro development proposal, subject to the Community Associations being requested to raise an equal amount, and provided that:

- (a) the Community incorporates prior to the Hearing for its participation at the Hearing; and
- (b) such funding is used only for the purpose of retaining legal counsel and expert witnesses and other Hearing expenses; and

(2) adding thereto the following:

‘It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the next meeting of the Urban Environment and Development Committee on a policy for funding such requests.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Jakobek, Kinahan, King, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Mihevc, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 31.

Nays: Councillors: Bossons, Bussin, Feldman, Giansante, Holyday, Jones, Lindsay Luby, Miller, Moeser, Nunziata, O’Brien - 11.

Decided in the affirmative by a majority of 20.

1087 **Clause No. 11 of Report No. 7 of The Corporate Services Committee, headed “Contract to Provide Banking Services for the City of Toronto”.**
(See Appendix “A”, page 5020.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Miller, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (2) embodied in the report dated May 11, 1998, from the Chief Financial Officer and Treasurer, the words “but that the Chief Financial Officer and Treasurer be required to report back to Council, through the Corporate Services Committee, on any significant matter, particularly those that involve staffing implications”, so that such recommendation shall now read as follows:

- “(2) the Chief Financial Officer and Treasurer be authorized to implement additional services with the Royal Bank or other financial institutions where

such services result in cost savings to the City, but that the Chief Financial Officer and Treasurer be required to report back to Council, through the Corporate Services Committee, on any significant matters, particularly those that involve staffing implications;”.

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

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

1088 **Clause No. 14 of Report No. 7 of The Corporate Services Committee, headed “Re-Employment Policy for Former Members of Council and Former Staff of Members of Council”.**

(See Appendix “A”, page 5063.)

Council also had before it, during consideration of the foregoing Clause, a communication (June 2, 1998) from the Executive Director of Human Resources advising, in response to the request of the Corporate Services Committee, that legal assistance is being sought in this matter relative to the individual situations as well as any Freedom of Information concerns and, due to the complexity and the need for additional information, a comprehensive response is not available at this time.

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

1089 **Clause No. 28 of Report No. 7 of The Corporate Services Committee, headed “Proposed Sale of Lot 198 - Woburn Avenue Registered Plan M-108 (Ward 9 - North York Centre South)”.**

(See Appendix “A”, page 5117.)

Council also had before it, during consideration of the foregoing Clause, a communication (May 28, 1998) from the City Clerk, regarding the proposed sale of Lot 198, Registered Plan M-109 (Ward 9 - North York Centre South), Woburn Avenue, advising that the North York Community Council is requesting that the matter be referred back to the North York Community Council for further consideration, and submitting recommendations relating to real estate matters under \$500,000.00 and matters related to the potential sale of any property.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Flint, in amendment, moved that the foregoing Clause be struck out and referred back to the North York Community Council for further consideration; and that Council adopt the following recommendations:

“It is recommended that:

- (1) Ward Councillors be notified of all real estate related requests in their Wards and be kept informed of all ongoing negotiations;
- (2) Ward Councillors be advised of the details prior to the final conclusion of any transactions and before any reports are signed or the matter is considered by the Corporate Services Committee/Council; and
- (3) the following motion be referred to the next meeting of the Corporate Services Committee to be held on June 22, 1998, for consideration with the report from the Commissioner of Corporate Services on the processing of real estate transactions:

Moved by Councillor Flint:

‘It is recommended that:

- (1) real estate matters under \$500,000.00, that are deemed by a Ward Councillor to be of special interest, be considered by the Corporate Services Committee and City Council at that Councillor’s request;
- (2) real estate matters under \$500,000.00, of local significance, be considered by the Community Council and City Council at a Councillor’s request;
- (3) matters related to the potential sale of any property be reported to the respective Community Council for comment before being considered by the Corporate Services Committee; and
- (4) the Council Procedural By-law be amended accordingly.’ ”

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

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

1090 **Clause No. 46 of Report No. 7 of The Corporate Services Committee, headed “Other Items considered by the Committee”.**

(See Appendix “A”, page 5174.) (See also Minute No. 1049.)

Upon the question of the receipt for information of the foregoing Clause, insofar as it pertains to Item (e), entitled “Status of 15 Beaumont Road (Park Drive Ravine)”, without amendment, it was carried.

1091 **Clause No. 3 of Report No. 5 of The Emergency and Protective Services Committee, headed "Seizing and Impounding of Vehicles used by Persons Charged with Prostitution Offence".**

(See Appendix "A", page 5195.)

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

- (a) Councillor Pantalone, in amendment, moved that the foregoing Clause be struck out and referred back to the Emergency and Protective Services Committee for further consideration at its meeting to be held on June 16, 1998, and report thereon to Council for its meeting to be held on July 8, 1998; and, further, that the Commissioner of Community and Neighbourhood Services and the Chief of Police submit comments thereon to the Emergency and Protective Services Committee for such meeting.
- (b) Councillor Kinahan, in amendment, moved that the foregoing motion (a) by Councillor Pantalone be amended by adding thereto the words "and the Chief of Police also examine whether vehicles could be seized and impounded now, without the need for any specific new legislation, and report thereon to the Emergency and Protective Services Committee for such meeting".

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

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

1092 **Clause No. 6 of Report No. 7 of The Urban Environment and Development Committee, headed "School Board Contributions and the Development Industry".**

(See Appendix "A", page 5285.)

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

1093 **Clause No. 7 of Report No. 7 of The Urban Environment and Development Committee, headed "Proposal to Commence Negotiations for a New Agreement with the Region of York Regarding Steeles Avenue".**

(See Appendix "A", page 5292.)

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

1094 **Clause No. 1 of Report No. 5 of The Works and Utilities Committee, headed "Status and Reconfirmation of Storm Water Group".**

(See Appendix "A", page 5355.)

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

“It is further recommended that:

- (1) Councillors Bossons and Mammoliti be appointed to the Storm Water Group, and the Striking Committee be advised accordingly; and
- (2) Mr. John Maletich be appointed as a citizen member to the Storm Water Group.”

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

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

- 1095 **Clause No. 5 of Report No. 9 of The Strategic Policies and Priorities Committee, headed “Terms of Reference - Harmonization of Services”.**
(See Appendix “A”, page 5420.)

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

- 1096 **Clause No. 7 of Report No. 9 of The Strategic Policies and Priorities Committee, headed “1998 Operating and Capital Budget - Parks and Recreation Program”.**
(See Appendix “A”, page 5429.)

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 Chief Administrative Officer be requested to submit a report to the Budget Committee on a policy governing the allocation of revenues from the disposition of City properties.”

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.

- 1097 **Clause No. 10 of Report No. 9 of The Strategic Policies and Priorities Committee, headed “Income Sharing Arrangement with the Toronto Parking Authority”.**
(See Appendix “A”, page 5444.)

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

1098 **Clause No. 16 of Report No. 6 of The Etobicoke Community Council, headed “Request for Exemption from Part-Lot Control - Laredo Construction Inc., 21, 24 Fleeceline Road - File No. Z-2152”.**

(See Appendix “A”, page 5521.)

Council also had before it, during consideration of the foregoing Clause, a communication (June 2, 1998) addressed to Councillor Elizabeth Brown, Chair, Etobicoke Community Council, from Mr. Paul J. Peterson, McCarthy Tetrault, Barristers and Solicitors, requesting, on behalf of the Toronto District School Board, that the developer provide payment or letter of credit without conditions, or that City Council defer approval of the current application.

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 the Etobicoke Community Council Solicitor and the Toronto School Board be requested to submit a report to the Etobicoke Community Council on the reasons why the contribution to the School Board was not received, as required under the Development Agreement, for Phase I of the project.”

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.

1099 **Clause No. 2 of Report No. 6 of The North York Community Council, headed “Official Plan and Zoning Amendment Application OZ-88-40 - R. G. Thwaites - 15 Cameron Avenue - North York Centre”.**

(See Appendix “A”, page 5535.)

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

“It is further recommended that, in the event of an Ontario Municipal Board appeal on this decision, the City not retain outside consultants.”

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

Yeas: Councillors: Adams, Altobello, Augimeri, Bossons, Bussin, Cho, Chow, Duguid, Filion, Flint, Giansante, Jones, King, Lindsay Luby, Mammoliti,

McConnell, Mihevc, Miller, Moeser, Ootes, Pantalone, Prue, Walker - 23.

Nays: Councillors: Ashton, Brown, Davis, Disero, Fotinos, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Mahood, Nunziata, O'Brien, Rae, Sgro - 14.

Decided in the affirmative by a majority of 9.

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

1100 **Clause No. 17 of Report No. 6 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council".**

(See Appendix "A", page 5524.) (See also Minute No. 975.)

Upon the question of the receipt for information of the foregoing Clause, insofar as it pertains to Item (a), entitled "Etobicoke Community Care Access Centre", without amendment, Councillor Giansante, in amendment, moved that, notwithstanding subsection 128(5) of the Council Procedural By-law, Item (a) be struck out and referred to the Corporate Services Committee for consideration.

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

Yeas: Councillors: Altobello, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Moeser, Nunziata, Ootes, Pantalone, Saundercook, Sgro, Walker - 26.

Nays: Councillors: Adams, Ashton, Augimeri, Chow, Jones, Kinahan, Mahood, Mammoliti, McConnell, Miller, O'Brien, Prue, Rae - 13.

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

1101 **Clause No. 28 of Report No. 6 of The North York Community Council, headed "Other Items Considered by the Community Council".**

(See Appendix "A", page 5603.) (See also Minutes Nos. 1054 and 1073.)

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

- 1102 **Clause No. 10 of Report No. 6 of The Toronto Community Council, headed “Installation of a Pedestrian Crossover - Coxwell Avenue between Robbins Avenue and Gerrard Street East (East Toronto)”.**
(See Appendix “A”, page 5759.)

Council also had before it, during consideration of the foregoing Clause, a report (June 1, 1998) from the Interim Functional Lead, Transportation, responding to a request from Toronto Community Council to report directly to City Council on traffic control signals versus pedestrian crossovers as they relate to safety issues and whether traffic control signals or pedestrian crossovers are more appropriate at two specific locations.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Ashton, in amendment, moved that the foregoing Clause be amended by striking out from the recommendation of the Toronto Community Council the words “subject to funds being provided over and above the funds already allocated in the 1998 Capital Budget for crosswalks in the Toronto Community Council area”, and inserting in lieu thereof the words “and that the matter of funding be referred to the Budget Committee for its consideration and identification of a funding source”, so that the recommendation of Toronto Community Council shall now read as follows:

“The Toronto Community Council recommends that a pedestrian crossover be installed at Coxwell Avenue between Robbins Avenue and Gerrard Street East, and that the matter of funding be referred to the Budget Committee for its consideration and identification of a funding source.”

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

Yeas: Councillors Altobello, Ashton, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro - 32.

Nays: Councillors: Augimeri, Mammoliti, Miller, Silva - 4.

Decided in the affirmative by a majority of 28.

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

- 1103 **Clause No. 1 of Report No. 8 of The Board of Health, headed “Corporate Smog Alert Response Plan - Status Report”.**
(See Appendix “A”, page 6039.)

Council also had before it, during consideration of the foregoing Clause, a report (May 28, 1998) from the Medical Officer of Health regarding the Corporate Smog Alert Response Plan, providing details of the implementation plan for 1998 and submitting recommendations in this regard.

Having regard that the foregoing Clause was submitted for the information of Council:

(a) Councillor Augimeri moved that Council adopt the following recommendations:

“It is recommended that prior to implementation of the notification procedure, the Medical Officer of Health be requested to:

- (1) develop a clear and concise document for informing City of Toronto employees and users of City of Toronto services about which activities they should avoid during a smog alert due to the increased negative health impacts, such document to be directed, in particular, to those most at risk during a smog alert, i.e. those suffering from asthma and/or emphysema; and
- (2) develop and implement a plan for informing the public, in particular those who are at risk during a smog alert, i.e. those with asthma and/or emphysema:
 - (a) that they may be at risk; and
 - (b) about activities which they should avoid, such as strenuous outdoor activities.”

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

“It is recommended that the report dated May 28, 1998, from the Medical Officer of Health, entitled ‘Corporate Smog Alert Response Plan - 1998 Implementation Plan’, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) City Council approve Phase 1 of the Corporate Smog Alert Response Plan, presented in this report, for implementation in 1998;
- (2) City Council receive the Phase 2 initiatives for information and that staff review and report back in further detail on these initiatives;
- (3) the corporate and divisional smog alert activities for 1999 and beyond be considered during the 1999 budget process; and

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

- (c) Councillor Jakobek moved that Council adopt the following recommendation:

“It is recommended that the Chief Administrative Officer be requested to submit a report to Council, through the appropriate Standing Committee, on any operational difficulties that may arise.”

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

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Augimeri, it was carried.

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

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

- 1104 **Clause No. 2 of Report No. 7 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Number of Citizens to be Appointed to the St. Lawrence Centre for the Performing Arts, Board of Management”.**
(See Appendix “A”, page 6084.)

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

- 1105 **Clause No. 3 of Report No. 7 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Qualifications for Appointees to the Licensing Tribunal”.**
(See Appendix “A”, page 6086.)

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

- 1106 **Clause No. 4 of Report No. 7 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 6091.)

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

1107 Deputy Mayor Ootes called upon Notice of Motion 10(a) appearing on the Order Paper, as follows:

Moved by: Councillor O'Brien

Seconded by: Councillor Brown

“BE IT RESOLVED THAT City Council request the Provincial Government to review the composition of the Canadian National Exhibition Association and the Board of Governors of Exhibition Place in concert with officials of the City of Toronto.”

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Motion be referred to the Urban Environment and Development Committee.

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

1108 Deputy Mayor Ootes called upon Notice of Motion 10(b) appearing on the Order Paper, as follows:

Moved by: Councillor Shiner

Seconded by: Councillor Flint

“BE IT RESOLVED THAT:

- (1) By-law No. 28-1998 be amended to increase the Toronto Parking Authority membership by four members;
- (2) the additional four members be Members of Council; and
- (3) the appointment of the additional four members to the Toronto Parking Authority be referred to the Striking Committee for consideration.”

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Pantalone, in amendment, moved that consideration of the foregoing Motion be deferred to the next regular meeting of City Council to be held on July 8, 1998.

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

1109 Deputy Mayor Ootes called upon Notice of Motion 11(a) appearing on the Order Paper, as follows:

Moved by: **Councillor Filion**

Seconded by: **Councillor Mihevc**

“**WHEREAS** City Council, by its adoption of Clause No. 2 of Report No. 3 of The Board of Health on March 4, 5 and 6, 1998 adopted the following Recommendation No. (2):

- ‘(2) That standardization of user fees for Environmental Health Services be implemented to the highest level’; and

WHEREAS it is necessary to address anomalies created by standardizing the Environmental Health Services fees to the highest levels; and

WHEREAS the Board of Health at its meeting on May 12, 1998 reconsidered its action taken on February 23, 1998 and recommended that Council reconsider this matter and adopt the report (May 4, 1998) from the Medical Officer of Health;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, that Recommendation No. (2) of Clause No. 2 of Report No. 3 of The Board of Health, headed ‘Public Health Funding’, be reopened for further consideration at the meeting of City Council to be held on June 3, 1998;

AND BE IT FURTHER RESOLVED THAT Council adopt the report (May 4, 1998) from the Medical Officer of Health recommending that:

- (1) the user fee schedule detailed in Appendix A of this report be adopted;
- (2) authority be granted to introduce the necessary Bill(s) in Council to give effect to Recommendation No. (1) of this report;
- (3) the Public Health Department be directed to develop and implement a communication strategy to notify the various users of these services of the user fee adjustment; and
- (4) the new fee structure come into effect on July 2, 1998.”

Council also had before it, during consideration of the foregoing Motion, a report dated May 4, 1998, from the Medical Officer of Health, headed “Standardization of User Fees - Environmental Health Services”. (See Attachment No. 1)

Councillor Filion 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 first Operative Paragraph embodied in the foregoing Motion, without amendment, it was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the second Operative Paragraph embodied in the foregoing Motion, without amendment, it was carried.

1110 Deputy Mayor Ootes called upon Notice of Motion 11(b) appearing on the Order Paper, as follows:

Moved by: Councillor Prue

Seconded by: Councillor Fotinos

“**WHEREAS** Mr. Mike Colle, M.P.P. for Oakwood, proposes to introduce the following Private Member’s Bill in the Provincial Legislature regarding the use of red-light cameras at high collision intersections:

‘**WHEREAS** there are over 55,000 motor vehicle collisions at intersections throughout Ontario every year; and

WHEREAS red-light cameras can dramatically assist in reducing the number of injuries and deaths resulting from red-light runners; and

WHEREAS the installation of red-light cameras at dangerous intersections has proven to be successful in Australia, Germany, Netherlands, Norway, Sweden, Switzerland, Singapore and the U.K.; and

WHEREAS there is a shortage of Police Officers; and

WHEREAS the collisions at these intersections are resulting in serious injury to pedestrians, cyclists and motorists; and

WHEREAS the Provincial government has endorsed the use of a similar camera system to collect tolls on Highway 407; and

WHEREAS Mayors and concerned citizens across Ontario have been seeking permission to utilize red-light cameras;

WE, the undersigned, petition the Legislature of Ontario as follows:

“That the Government of Ontario support the installation of red-light cameras at high collision intersections to monitor and prosecute motorists who run red lights.” ’; and

WHEREAS City Council at its meeting held on April 28, 1998, by its adoption of Clause No. 2 of Report No. 4A of The Urban Environment and Development

Committee, headed 'Monitoring of Red-Light Violations at Traffic Control Signals', again requested the Provincial government, among other things, to amend the Highway Traffic Act to permit the use of red-light cameras at major intersections throughout the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council endorse the Private Member's Bill by Mr. Mike Colle, M.P.P. for Oakwood, and the Province of Ontario be advised accordingly."

Councillor Prue 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, Councillor Prue, in amendment, moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

"AND BE IT FURTHER RESOLVED THAT the Mayor be requested to write to the Minister of Transportation outlining a pilot project for the City of Toronto pursuant to the pending legislation."

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 Motion, as amended, it was carried.

1111 Deputy Mayor Ootes called upon Notice of Motion 11(c) appearing on the Order Paper, as follows:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Ashton

"WHEREAS the Celebrate Toronto Street Festival is an important international event within the City of Toronto; and

WHEREAS the Celebrate Toronto Street Festival will bring Torontonians together in a spirit of celebration for the coming together of the new city; and

WHEREAS the Celebrate Toronto Street Festival requires a special occasion permit for a three day event on Yonge Street, from July 3rd to 5th under the Ontario Regulation 389/91 'Special Occasion Permit'; and

WHEREAS pursuant to the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event of municipal significance must be designated by the municipal council;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto deem the Celebrate Toronto Street Festival to be an event of municipal significance.”

Councillor Korwin-Kuczynski 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.

- 1112 Deputy Mayor Ootes called upon Notice of Motion 11(d) appearing on the Order Paper, as follows:

Moved by: Councillor Silva

Seconded by: Councillor Pantalone

“**WHEREAS** an application for 963 Bloor Street West was before the Committee of Adjustment on January 20, 1998, and was subsequently refused on February 18, 1998;

NOW THEREFORE BE IT RESOLVED THAT City Council instruct the City Solicitor to attend the Ontario Municipal Board hearing scheduled on June 23, 1998, in support of the Committee of Adjustment decision of February 18, 1998, and that the Commissioner of Urban Planning and Development Services be requested to assist, if necessary.”

Council also had before it, during consideration of the foregoing Motion, a communication dated January 14, 1998, from the Director and Deputy Chief Building Official, addressed to the Administrator and Secretary-Treasurer, Committee of Adjustment, respecting 963 Bloor Street West. (A copy of this communication is on file in the office of the City Clerk.)

Councillor Silva 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, Councillor Silva, in amendment, moved that the foregoing Motion be adopted and the communication dated January 14, 1998, from the Director and Deputy Chief Building Official be received, which was carried.

- 1113 Deputy Mayor Ootes called upon Notice of Motion 11(e) appearing on the Order Paper, moved by Councillor Layton, seconded by Councillor McConnell, and, in the absence of Councillor Layton, moved by Councillor McConnell, seconded by Councillor Chow, as follows:

Moved by: Councillor McConnell

Seconded by: Councillor Chow

“**WHEREAS** the Frankland Community Centre is celebrating the summer solstice with a dance at the Withrow Park Ice Rink on June 20, 1998; and

WHEREAS this event is much anticipated community event; and

WHEREAS the applicant is seeking a resolution from City Council declaring the event to be a community festival of municipal significance; and

WHEREAS this resolution is required by the Alcohol and Gaming Commission of Ontario to issue a special occasion permit;

NOW THEREFORE BE IT RESOLVED THAT City Council declare the Frankland Community Centre Summer Solstice Dance to be an event of municipal significance, and advise the Alcohol and Gaming Commission of the declaration, stating that there are no objections to the provision of a liquor licence for the event.”

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.

1114 Deputy Mayor Ootes called upon Notice of Motion 11(f) appearing on the Order Paper, as follows:

Moved by: Councillor Chow

Seconded by: Councillor Bussin

“**WHEREAS** the Art Gallery of Ontario is proposing to erect two non-illuminated projecting banner signs to advertise an upcoming exhibit; and

WHEREAS the duration of the exhibit is from June 10, 1998, to September 21, 1998; and

WHEREAS the proposed signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code and are the subject of a minor variance application;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report dated May 29, 1998, from the Commissioner of Urban Planning and Development Services, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report dated May 29, 1998, from the Commissioner of Urban Planning and Development Services, entitled "317 Dundas Street West, Application No. 998043: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by Carol's Flag & Banner Company, 5338 First Line, R.R.#1, Milton, Ontario, on behalf of the Art Gallery of Ontario, 317 Dundas Street West, Toronto, Ontario, M5T 1G4. (Downtown)". (See Attachment No. 2)

Councillor Chow 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.

Council subsequently adopted, without amendment, the report dated May 29 1998, from the Commissioner of Urban Planning and Development Services, entitled "317 Dundas Street West, Application No. 998043: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by Carol's Flag & Banner Company, 5338 First Line, R.R.#1, Milton, Ontario, on behalf of the Art Gallery of Ontario, 317 Dundas Street West, Toronto, Ontario, M5T 1G4. (Downtown)", embodying the following recommendations:

"It is recommended that:

- (1) City Council approve Application No. 998043 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two non-illuminated projecting signs on condition that the signs only be erected for the period between June and September of the 1998 calendar year; and
- (2) the applicant be advised, upon approval of Application No. 998043, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services."

1115 Deputy Mayor Ootes called upon Notice of Motion 11(h) appearing on the Order Paper, as follows:

Moved by: Councillor Adams

Seconded by: Councillor Ootes

"**WHEREAS** the Province of Ontario delayed providing the tax roll to the City of Toronto and all other municipalities in Ontario; and

WHEREAS there is added expense to the City of Toronto as a result of the Provincial delay; and

WHEREAS that added expense is \$5.0 million in funding to offset the loss in interest revenue resulting from the delay, as set out in the report (May 26, 1998) from the Chief Financial Officer and Treasurer;

NOW THEREFORE BE IT RESOLVED THAT as recommended by the Assessment and Tax Policy Task Force, the report (May 26, 1998) from the Chief Financial Officer and Treasurer be adopted.”

Council also had before it, during consideration of the foregoing Clause, a transmittal letter dated May 29, 1998, from the City Clerk, submitting the recommendations of the Assessment and Tax Policy Task Force related to the report dated May 26, 1998, from the Chief Financial Officer and Treasurer, entitled “Cost Related to the Delayed Return of the Assessment Roll”. (See Attachment No. 3)

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, Councillor Adams, in amendment, moved that:

- (1) the foregoing Motion be amended by striking out the Operative Paragraph and inserting in lieu thereof the following new Operative Paragraph:

“**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Province of Ontario to fund all costs related to the delayed return of the Assessment Rolls.”; and

- (2) the transmittal letter dated May 29, 1998, from the City Clerk, submitting the recommendations of the Assessment and Tax Policy Task Force related to the report dated May 26, 1998, from the Chief Financial Officer and Treasurer, entitled “Cost Related to the Delayed Return of the Assessment Roll”, be received.

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

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

1116 Deputy Mayor Ootes called upon Notice of Motion 11(i) appearing on the Order Paper, as follows:

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Johnston

“**WHEREAS** the Municipal Grants Review Committee on June 1, 1998, gave consideration to various 1998 grants programs, and appeals to such programs; and

WHEREAS, due to time constraints, a number of individual grants need to be expedited and receive approval by City Council on June 3, 1998;

NOW THEREFORE BE IT RESOLVED that the following allocations be approved:

Organization/Agency

- (1) Canada’s Walk of Fame \$25,000.00

Funds to be allocated from the \$200,000.00 Grants contingency fund.

- (2) Street Style/Leading Edge Fashion, Arts and Musical Festival \$50,000.00

Grant No. 8 under the Economic Development Partnership Program and Festivals and Special Events Program - 1998 Allocations, as recommended by the Commissioner of Economic Development, Culture and Tourism in his report dated May 21, 1998.

- (3) York Children’s Carnival Committee - Eglinton Junior Carnival Parade \$11,200.00

Grant No. 19 under the Economic Development Partnership Program and Festivals and Special Events Program - 1998 Allocations, as recommended by the Commissioner of Economic Development, Culture and Tourism in his report dated May 21, 1998; and further that, if any additional funding is recommended on a pro-rated basis during the Municipal Grant Review appeal process, the organization receive such funding.

- (4) Alliance of Portuguese Clubs and Associations of Ontario for the Portuguese Day Festivities, 1998 \$20,000.00

Funds to be allocated from the Recreation Grants Appeals Fund in the amount of \$6,977.00, and from the Grants contingency fund in the amount of \$13,023.00.

- (5) First Nations Day Committee \$2,000.00

Grant No. 162 under the Community Services Grants Program - 1998 Allocations; and that the funds be allocated from the \$200,000.00 Grants contingency fund.”

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

- (i) (June 2, 1998) from the Commissioner of Economic Development, Culture and Tourism, entitled “Release of Grant Funding under the Economic Development Partnership Program for The Short Film Festival” (see Attachment No. 4); and
- (ii) (June 2, 1998) from the Commissioner of Urban Planning and Development Services, entitled “Grant Advances: Graffiti Transformation Program”. (See Attachment No. 5)

Councillor Lindsay Luby 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, Councillor Lindsay Luby, in amendment, moved that the foregoing Motion be adopted, subject to adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT:

- (1) the report dated June 2, 1998, from the Commissioner of Economic Development, Culture and Tourism, entitled ‘Release of Grant Funding under the Economic Development Partnership Program for The Short Film Festival’, embodying the following recommendation, be adopted:

‘That due to time constraints, approval of the 1998 grant allocation, under the Economic Development Partnership Program for The Short Film Festival, in the amount of \$15,000.00, as recommended by the Commissioner of Economic Development, Culture and Tourism in his May 21, 1998 report to the Municipal Grants Review Committee (grant item number 9 in Appendix 3 of the report), be expedited.’; and

- (2) the report dated June 2, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Grant Advances: Graffiti Transformation Program’, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) authority be granted to issue advance cheques for the recommended amount to the Graffiti Transformation groups identified in the attached report. The amounts are shown in Appendix A; and
- (2) the appropriate City officials be authorized and directed to do what is necessary to give effect to Recommendation No. (1).’ ”.

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

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

1117 Deputy Mayor Ootes called upon Notice of Motion 11(j) appearing on the Order Paper, as follows:

Moved by: Councillor Prue

Seconded by: Councillor Ootes

“**WHEREAS** City Council at its meeting held on April 16, 1998, by its adoption, without amendment, 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’, requested the Provincial Government to fund the cost of the by-election to fill the third councillor position for Ward 1, East York, as a transition cost; and

WHEREAS the Minister of Municipal Affairs, in a communication dated May 5, 1998, has advised that the Province is not willing to fund the cost of the by-election but is willing to create the third councillor position for East York; and

WHEREAS the Minister has requested that the City confirm whether it is willing to pay for the by-election; and

WHEREAS in order for a by-election to be held for Ward 1, East York, in September, 1998, the required legislation must be enacted prior to June 25, 1998, which is the date the Legislative Assembly is scheduled to adjourn for this session; and

WHEREAS the City Clerk has submitted a report dated June 1, 1998, outlining the actions that should be taken by City Council in order to proceed with the by-election;

NOW THEREFORE BE IT RESOLVED THAT the report dated June 1, 1998, from the City Clerk, entitled ‘Proposals for By-Election in Ward 1- East York’, be considered by City Council at its meeting to be held on June 3, 1998, and that such report be adopted”.

Council also had before it, during consideration of the foregoing Motion, a report dated June 1, 1998, from the City Clerk, entitled "Proposals for By-Election in Ward 1- East York". (See Attachment No. 6)

Councillor Prue moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, King, Korwin-Kuczynski, Mahood, Mammoliti, McConnell, Mihevc, Miller, Ootes, Pantalone, Prue, Rae, Silva, Tzekas, Walker - 24.

Nays: Councillors: Altobello, Bussin, Disero, Giansante, Holyday, Jakobek, Jones, Kinahan, Lindsay Luby, Moeser, Nunziata, Sgro - 12.

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

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

Yeas: Councillors: Adams, Ashton, Augimeri, Bussin, Cho, Chong, Chow, Duguid, Filion, Flint, Jones, King, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Miller, Ootes, Pantalone, Prue, Rae, Silva, Walker - 23.

Nays: Councillors: Altobello, Brown, Davis, Disero, Giansante, Holyday, Jakobek, Kinahan, Lindsay Luby, Mahood, Moeser, Nunziata, Sgro, Tzekas - 14.

Decided in the affirmative by a majority of 9.

Council subsequently adopted, without amendment, the report dated June 1, 1998, from the City Clerk, entitled "Proposals for By-Election in Ward 1- East York", embodying the following recommendations:

"It is recommended that in the event Provincial legislation is enacted to create a third councillor position and permit a by-election in East York:

- (1) the City Clerk be authorized to bring forward the necessary by-law authorizing a by-election to fill the third councillor position;
- (2) the City Clerk be authorized to make all the necessary preparations for a poll level tabulated by-election;

- (3) the necessary funds be allocated from the Corporate Contingency Account to the City Clerk's budget for the cost of the by-election; and
- (4) the Honourable Minister Al Leach be advised of City Council's decision in this regard accordingly."

1118 Deputy Mayor Ootes called upon Notice of Motion 11(k) appearing on the Order Paper, as follows:

Moved by: Councillor Adams

Seconded by: Councillor Augimeri

“WHEREAS City Council, at its meeting held on May 13 and 14, 1998, adopted, as amended, a motion of Councillors Adams and Kinahan respecting the Tenant Protection Act, 1997, and among other things, referred the following Recommendations Nos. (3) and (4) of the Assessment and Tax Policy Task Force embodied in the communication dated May 12, 1998, from the City Clerk, to the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer for a joint report thereon to the Assessment and Tax Policy Task Force for its meeting to be held on May 26, 1998:

‘The Province of Ontario be requested:

- (3) not to impose a percentage threshold for automatic decreases in rent to flow through to tenants as a result of tax decreases; and
- (4) to provide in the regulations under the Tenant Protection Act, 1997 for the flow through of any municipal tax decrease applicable to the entire year, 1998, to the tenants of record on December 1, 1998, so that Landlords benefitting from property tax decreases in 1998 do not receive a windfall.’; and

WHEREAS the Assessment and Tax Policy Task Force on May 28, 1998, considered a joint report from the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer on this matter; and

WHEREAS the deadline for submission of the City's position to the Province was May 29, 1998, the Assessment and Tax Policy Task Force requested that its recommendations be delivered to the Ministry of Municipal Affairs and Housing with the advice that City Council would be considering them at its meeting on June 3, 1998;

THEREFORE BE IT RESOLVED THAT the recommendations of the Assessment and Tax Policy Task Force, set out in the communication (June 2, 1998)

from the City Clerk, be adopted and the Ministry of Municipal Affairs and Housing be advised of Council's action."

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

- (i) (June 2, 1998) from the City Clerk forwarding the recommendations of the Assessment and Tax Policy Task Force from its meeting held on May 28, 1998. (See Attachment No. 7); and
- (ii) (June 1, 1998) from the Commissioner of Community and Neighbourhood Services and the City Solicitor, entitled "Rules and Costs Associated with a Tenant's Application for Rent Reduction Due to a Tax Decrease under Section 143 of the Tenant Protection Act, 1997" (see Attachment No. 8).

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, Councillor Adams, in amendment, moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

"AND BE IT FURTHER RESOLVED THAT the joint report dated June 1, 1998, from the Commissioner of Community and Neighbourhood Services and the City Solicitor, entitled 'Rules and Costs Associated with a Tenant's Application for Rent Reduction Due to a Tax Decrease under Section 143 of the Tenant Protection Act, 1997', embodying the following recommendations, be adopted:

'It is recommended that:

- (1) Council request that the Minister of Municipal Affairs and Housing not impose an application fee on tenants who make an application for a rent reduction resulting from a tax decrease under section 143 of the Tenant Protection Act, 1997. These reductions are likely to be small and, therefore, the application fee may be a barrier to tenants wanting to obtain the rent reduction; and
- (2) Council request that the Minister of Municipal Affairs and Housing put in place a number of measures which will ensure that the application procedures for rent reductions resulting from tax decreases under section 143 of the Tenant Protection Act, 1997 are simple and efficient for both tenants and landlords, and that such measures include the following:

- (a) that the Tribunal's Rules allow the Tribunal to hold written and electronic hearings as permitted and as defined by the Statutory Powers Procedure Act; and
- (b) that the application form include notice that all tenants in the residential complex may file the application together if each tenant signs the application.' ”

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

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

Council, by its adoption of the foregoing Motion, as amended, also adopted the recommendations of the Assessment and Tax Policy Task Force embodied in the transmittal letter dated June 2, 1998, from the City Clerk, viz.:

“The Assessment and Tax Policy Task Force on May 28, 1998, recommended to City Council that:

- (1) the Minister of Municipal Affairs and Housing be requested to amend the Tenant Protection Act, 1997, and change the proposed regulations in the following manner:
 - (a) that the regulations explicitly give the City authority, at its own option, to provide notices to landlords and tenants of residential complexes containing less than seven units;
 - (b) that the threshold for tax decreases which would cause an automatic rent decrease be reduced from the proposed amount of 5 percent to 2 ½ percent;
 - (c) that the legislation limits liability for the City in the case of errors, at least to the same extent that the Tribunal and Province are protected;
 - (d) that the regulations include specific provisions which would allow the City to rescind or amend notices where an error has occurred;
 - (e) that the amounts which are to be included for the purposes of determining whether or not a decrease has occurred, are clearly set out;
 - (f) that for the purposes of these regulations, the definition of a residential complex be similar to the definition of ‘assessment portions’ as included in the Ministry of Finance assessment roll;

- (g) that reductions in municipal property tax resulting from successful assessment complaints or appeals, either be expressly excluded from the City's duty to issue notices, or that the City's duties in such cases be clearly set out;
 - (h) that the City be consulted prior to finalizing the notice for automatic rent reductions; and
 - (i) that the Landlord be legally required to post notice of all tax decreases and increases and that the notice be posted for not less than 120 days before the increase or decrease comes into effect;
- (2) in the case of assessment appeals and complaints, that the Province be requested to ensure that tenants are made aware of any appeals filed, and that, where a decision is made to reduce the assessment retroactively, both current and former tenants are able to recoup any amounts of rent which may be owing to them as a result of the tax decrease; and that Council also request that the Province ensure rents are retroactively adjusted;
 - (3) the Province be requested to make available technical assistance to the municipality in preparing the notices, as required; and
 - (4) the Province be requested to declare the current lawful rent to be the rent at the time of the last legal increase."

Council also received the communication dated June 1, 1998, addressed to Councillor Adams, from the President, Urban Intelligence Inc. (A copy of this communication is on file in the office of the City Clerk.)

1119 Deputy Mayor Ootes called upon Notice of Motion 11(l) appearing on the Order Paper, moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Saundercook, as follows:

Moved by: Councillor Saundercook

Seconded by: Councillor Ootes

"WHEREAS there has been a recent outbreak of child injuries in high rise residential buildings; and

WHEREAS the former City of North York has had a regulation in the Property Standards By-law for 22 years that required Landlords to install, in every window above the first floor, a safety device to prevent the window from opening more than four inches;

NOW THEREFORE BE IT RESOLVED THAT the Property Standards By-law be amended immediately to require property owners to install a safety device on every window above the first floor that only allows windows to open four inches;

AND BE IT FURTHER RESOLVED THAT a public information campaign be initiated to notify property owners of this and to occupants of these buildings about the hazards of letting children play near the windows and on the balconies”.

Council also had before it, during consideration of the foregoing Motion, a communication dated June 3, 1998, from the Director, Municipal Standards, as submitted by Councillor Ashton. (A copy of this communication is on file in the office of the City Clerk.)

Councillor Saundercook 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, Councillor McConnell, in amendment, moved that:

- (1) the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer be requested to submit a report to the next regular meeting of Council to be held on July 8, 1998, through the Corporate Services Committee, on the inspection team for high-rise buildings that was not reconstituted and whether or not it should be reconstituted through the budget process.”; and

- (2) the communication dated June 3, 1998, from the Director, Municipal Standards, as submitted by Councillor Ashton, be received.

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

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

- 1120 Deputy Mayor Ootes called upon Notice of Motion 11(m) appearing on the Order Paper moved by Councillor O’Brien, seconded by Councillor Ootes, and, in the absence of Councillor O’Brien, moved by Councillor Korwin-Kuczynski, seconded by Councillor Ootes, as follows:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Ootes

“WHEREAS Council at its meeting on January 6, 1998, enacted By-law No. 14-1998 providing interim authority for certain officials employed in the office of the Clerk to sign documents and affix the corporate seal on behalf of the City of Toronto; and

WHEREAS the officials were named in reference to positions in offices of the former municipalities amalgamated to form the new City of Toronto; and

WHEREAS such offices are now mostly vacant and directors have been appointed in the office of the City Clerk; and

WHEREAS it is expedient to repeal the former by-law and provide for new authority to sign documents and affix the corporate seal on behalf of the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT leave be granted for the introduction of a bill in Council in the form of the draft by-law attached as Appendix ‘A’, providing for the authority of new officials and other named persons employed in the office of the City Clerk to sign documents and affix the corporate seal on behalf of the City of Toronto”.

Councillor Korwin-Kuczynski 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. (A copy of the Appendix ‘A’, referred to in the foregoing Motion, is on file in the office of the City Clerk.)

- 1121 At this point in the proceedings, and with the permission of Council, Councillor Mammoliti moved that, in accordance with subsection 28(2) of the Council Procedural By-law, as amended by By-law No. 276-1998, Council now give consideration to the following Notice of Motion, moved by Councillor Gardner, seconded by Councillor Filion, and, in the absence of Councillor Gardner, moved by Councillor Mammoliti, seconded by Councillor Filion, which was carried:

Moved by: Councillor Mammoliti

Seconded by: Councillor Filion

“WHEREAS the Canada Day Celebrations in Mel Lastman Square are an important event within the City of Toronto; and

WHEREAS the Canada Day Celebrations will bring Torontonians together in a celebration of national pride; and

WHEREAS the Canada Day Celebrations requires a special occasion permit for a beer garden in Mel Lastman Square from 6:00 pm to 11:00 pm on July 1st under the Ontario Regulation 38991 Special Occasion Permit; and

WHEREAS pursuant to the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event of municipal significance must be designated by the municipal Council;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto deem the Mel Lastman Square Canada Day Celebrations to be an event of municipal significance.”

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

- 1122 At this point in the proceedings, and with the permission of Council, Councillor Ashton moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, be waived to permit consideration of the following Notice of Motion, moved by Mayor Lastman, seconded by Councillor Pantalone, and, in the absence of Mayor Lastman, moved by Councillor Ashton, seconded by Councillor Pantalone, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ashton

Seconded by: Councillor Pantalone

“**WHEREAS** GO Transit is a regional rail network that is vital for the urban development and environmental sustainability of the GTA and provides the transit equivalent to the 400 series highways, the operation, maintenance and expansion of which continues to be funded entirely by the Province;

WHEREAS the Province of Ontario has mandated that the City of Toronto must provide \$53 million to fund 49.9 percent of the annual budget for GO Transit but 83 percent of GO Transit users commute daily from outside the City of Toronto;

WHEREAS GO Transit recently announced service improvements for express routes from the 905 regions which negatively affect residents of the City of Toronto;

WHEREAS GO Transit staff have identified the need for \$1.1 billion of capital expansion required to meet the demands of growth over the next 20 years;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Subsection 8.1(4) of the Toronto Area Transit Operating Authority Act 1997, the City of Toronto exercise its right to formally request a review by the Provincial Minister of Transportation of the City of Toronto’s funding allocation for GO Transit;

AND BE IT FURTHER RESOLVED THAT the Minister also be requested to consider immediate resumption of full funding for GO Transit by the Province;

AND BE IT FURTHER RESOLVED THAT the Minister of Transportation reaffirm the Government of Ontario's position of user pay by reallocating GO Transit costs based on the proposed new allocation formula outlined in the report dated June 1, 1998, from the Commissioner of Urban Planning and Development Services, entitled 'GO Transit's Funding Relationship with the City of Toronto' (see Attachment No. 9), and that the report be adopted."

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

Council subsequently adopted, without amendment, the report dated June 1, 1998, from the Commissioner of Urban Planning and Development Services entitled "GO Transit's Funding Relationship with the City of Toronto", embodying the following recommendations:

"It is recommended that:

- (1) Council request the Province to accept its funding responsibilities for GO Transit, and treat the operation, maintenance and capital expansion of inter-regional transit in the same way as the 400 series highways;
- (2) if the Province does not alter its decision to discontinue Provincial funding of GO Transit, Council strongly oppose the funding formula set by the Province and support the alternative formula put forth in Exhibit 2 of this report for funding the operating, maintenance and rehabilitation deficit for GO Transit;
- (3) Council request the Province, through appropriate legislative changes, to empower the City, all GTA Regions and Hamilton-Wentworth to establish new sources of revenue, including fuel taxes, and surcharges on parking and vehicle licenses;
- (4) Council request the Federal government, in preparing its plan to meet Canada's environment commitments in accordance with the Kyoto agreement, to address ways and means of improving public transit services, particularly commuter rail service, in the Greater Toronto Area and other large urban centres;
- (5) Council seek the endorsement of the Province, and of the GTSB upon its formation, for the alternative funding formula, and request the Mayor, Chair of the Urban Environment and Development Committee, and appropriate City staff to present the City's position to Provincial and Federal officials; and

- (6) the City Clerk forward copies of this report to the Provincial Ministers responsible for Municipal Affairs and Housing, Transportation, and Environment; Federal Ministers for the Greater Toronto Area, Environment, and Transport; Alan Tonks (GTSB Moderator); GO Transit; and the Regions of Durham, Halton, Peel, York and Hamilton-Wentworth, for their consideration.”

1123 At this point in the proceedings, and with the permission of Council, Councillor Davis moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, be waived to permit consideration of the following Notice of Motion, moved by Councillor Moscoe, seconded by Councillor Chow, and, in the absence of Councillor Moscoe, moved by Councillor Davis, seconded by Councillor Chow, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Davis

Seconded by: Councillor Chow

“**WHEREAS** the Toronto Transit Commission (TTC) plans to build a single streetcar track on Charlotte Street, between Adelaide and King Streets, in order to allow 510 Spadina streetcars to turn around; and

WHEREAS such a loop and streetcar operation would allow the TTC to reduce its operating costs by approximately \$300,000.00 annually; and

WHEREAS the TTC wants to construct this streetcar track this construction season in order to reduce its operating costs as soon as possible; and

WHEREAS such construction requires the submission of a report to the Ministry of the Environment, in accordance with the Environmental Assessment Act, in order to explain the rationale for the streetcar track, to confirm that such track would conform with the definition of a minor amendment to the Environmental Assessment for the Spadina streetcar line, to document any concerns which have been raised by adjacent property owners regarding the streetcar track, and to explain the mitigating measures which the TTC can undertake in order to address such concerns; and

WHEREAS the construction of this streetcar track is a TTC initiative, but requires the approval of City Council before it can be constructed;

NOW THEREFORE BE IT RESOLVED THAT, in order to allow the TTC to meet the various deadlines to allow construction to take place this season, subject to Council approval, Council authorizes the TTC to act on its behalf, in the submission of the necessary report to the Ministry of the Environment, regarding the rationale for the streetcar track, its conformity as a minor amendment to the Spadina streetcar

Environmental Assessment, and the mitigating measures which the TTC can undertake to address community concerns.”

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

- 1124 At this point in the proceedings, and with the permission of Council, Councillor Mihevc, seconded by Councillor Augimeri, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Augimeri

“**WHEREAS** chemical pesticides are inherently toxic products designed to kill various life forms and are deliberately released into the environment; and

WHEREAS recent reports published in scientific journals link exposure to pesticides used on public, private and institutional green space to adverse health effects in humans and animals including:

- Birth defects
- Prostate cancer
- Childhood leukemia
- Non-Hodgkin’s lymphoma
- Endocrine disruption
- Canine malignant lymphoma
- Suppression of enzymes in the central nervous system
- Damage to the immune system

WHEREAS scientific evidence indicates that the use of pesticides and fertilizers poses a significant threat to water quality and Sewage Treatment Plants (STP) are presently incapable of removing pesticides from drinking water and updating and replacing STP's would place an enormous financial burden on the City of Toronto; and

WHEREAS the City of Toronto has the power and the responsibility to address this issue; and

WHEREAS environmentally benign, non-toxic methods of pest prevention and lawn care maintenance do exist and are used by other municipalities such as Waterloo; and

WHEREAS the former Cities of East York, North York and York had considered this problem and embarked on pesticide reduction or elimination programs on public green space;

NOW THEREFORE BE IT RESOLVED THAT City Council direct all City Departments, Agencies, Boards and Commissions to report back to City Council by September, 1998 with a list of pesticides used (including trade names and active ingredients) both indoors and outdoors, volume of pesticides used, date of pesticide application and reasons for pesticide application;

AND BE IT FURTHER RESOLVED THAT City Council direct all Parks and Recreation departments and divisions in the City of Toronto to report back to City Council by September, 1998 with the turf management practices presently used by each of the former municipalities;

AND BE IT FURTHER RESOLVED THAT other jurisdictions, such as Waterloo, Hudson, Quebec and Port Coquitlam, B.C. that have successfully implemented parks maintenance programs which do not rely on pesticide use be contacted for details of their practices and their results;

AND BE IT FURTHER RESOLVED THAT these best practices be combined into a City-wide policy that will eliminate the use of pesticides on public green space.”

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

- (a) Councillor Jakobek, in amendment, moved that the foregoing Motion be referred to the Commissioner of Economic Development, Culture and Tourism, with a request that he review alternatives and costs involved and report thereon to the Community and Neighbourhood Services Committee.
- (b) Councillor Prue, in amendment, moved that the foregoing motion by Councillor Jakobek be amended to provide that such Motion also be referred to the Board of Health, with a request that the Medical Officer of Health consult with the affected Departments and report thereon to the Board of Health.
- (c) Councillor Saundercook, in amendment, moved that the foregoing motion by Councillor Jakobek be amended to provide that such Motion also be referred to the Environmental Task Force for consideration and report thereon to the Works and Utilities Committee.

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

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

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

- 1125 At this point in the proceedings, and with the permission of Council, Councillor Walker moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, be waived to permit consideration of the following Notice of Motion, moved by Councillor Gardner, seconded by Councillor Walker, and, in the absence of Councillor Gardner, moved by Councillor Walker, seconded by Councillor Mihevc, as follows:

Moved by: Councillor Walker

Seconded by: Councillor Mihevc

“**WHEREAS** the Association of Municipal Clerks and Treasurers of Ontario (AMCTO) has written the Honourable Ernie Eves, M.P.P., Deputy Premier and Minister of Finance to express its disapproval about placing serious time limitations for Committee hearings on Bill 16, and to express its concern about several aspects of Bill 16, namely the inability of the AMCTO to present its concerns to the Committee in order to aid the Provincial government in refining this integral piece of municipal legislation;

WHEREAS there is little opportunity for municipal councils to comment and recommend changes to the regulations, resulting in a Bill which serves only to perpetuate a bad system that the Provincial government is bent on eliminating;

WHEREAS this Bill is complicated, cumbersome, confusing and too often, badly drafted to the point where AMCTO has indicated that Bill 16, with its many regulatory controls and directions, with its excessive administrative discretion, creates an administrative and political nightmare for municipalities, leaving administrators and municipal councils without certainty;

WHEREAS any delay in establishing and publishing regulations jeopardizes the financial stability of municipal governments;

WHEREAS Ontario municipalities will be unable to implement this complex taxation system without a substantial commitment of time, effort, resources and tax dollars;

NOW THEREFORE BE IT RESOLVED THAT the Provincial government, at best, commit to a freeze of the implementation of Current Value Assessment for the minimum of a one year period; or alternatively, the Provincial government take the necessary action to establish a cap on any increases which will result from the implementation of Current Value Assessment so that the issues which are still needed to be resolved can be addressed in a more timely manner and resolved.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Bussin, Chow, Disero, Filion, Flint, Jakobek, Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker - 17.

Nays: Councillors: Altobello, Ashton, Augimeri, Brown, Cho, Chong, Duguid, Giansante, Holyday, Kinahan, King, Lindsay Luby, Mahood, Mammoliti, Moeser, Ootes, Saundercook, Sgro - 18.

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

At this point in the proceedings, Councillor Adams, with the permission of Council, moved that the foregoing Motion, together with the communication dated June 3, 1998, addressed to Mr. Steve Gilchrist, MPP - Scarborough East, from Councillor Walker, be referred to the Special Meeting of Council to be held on July 21 and 23, 1998. (A copy of this communication is on file in the office of the City Clerk.)

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

Yes: Councillors: Adams, Ashton, Bussin, Chong, Chow, Disero, Duguid, Filion, Flint, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Prue, Rae, Silva Tzekas, Walker - 28.

Nays: Councillors: Altobello, Augimeri, Brown, Cho, Davis, Giansante, Mammoliti, Moeser, Sgro - 9.

Decided in the affirmative by a majority of 19.

1126 At this point in the proceedings, and with the permission of Council, Councillor Chong, seconded by Councillor Minnan-Wong, moved that in accordance with subsection 28(2) of the Council Procedural By-law, as amended by By-law No. 276-1998, Council now give consideration to the following Notice of Motion, which was carried:

Moved by: Councillor Chong

Seconded by: Councillor Minnan-Wong

“WHEREAS the Japanese Canadian Cultural Centre is preparing for participating in the Metro Caravan as the Tokyo Pavilion; and

WHEREAS an application has been made to the Liquor Control Board to extend the present liquor licence to include a beer garden from June 12 to June 20, 1998; and

WHEREAS the applicant is seeking resolution from City Council declaring the event to be a community festival of municipal significance; and

WHEREAS this resolution is required by the Alcohol and Gaming Commission of Ontario to issue a special occasion permit;

NOW THEREFORE BE IT RESOLVED THAT City Council declare the event taking place at the Japanese Canadian Cultural Centre from June 12 to 20, 1998 to be an event of municipal significance, and advise the Alcohol and Gaming Commission of the declaration, stating that there are no objections to the provisions of a liquor license for the event.”

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

- 1127 At this point in the proceedings, and with the permission of Council, Councillor Disero, seconded by Councillor Fotinos, moved that subsection 26(4) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Disero

Seconded by: Councillor Fotinos

“**WHEREAS** City Council at its meeting on April 16, 1998 amended and adopted Clause No. 4 of the Urban Environment and Development Committee entitled ‘Proposed 1998 Fee Schedule for Planning Applications’; and

WHEREAS in amending and adopting this Clause, City Council directed that minor variance applications for ‘after the fact’ variations be double the regular fee; and

WHEREAS this doubling of fees causes considerable hardship to owners of small properties;

NOW THEREFORE BE IT RESOLVED that in accordance with Section 46 of the Council Procedural By-law, City Council reconsider Clause No. 4 of the Report No. 4 of the Urban Environment and Development Committee;

AND BE IT FURTHER RESOLVED that the provisions regarding the doubling of fees for ‘after the fact’ variance applications be rescinded.”

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

Yeas: Councillors: Disero, Holyday, Jakobek, Korwin-Kuczynski, Mammoliti, Miller, Rae, Silva - 8.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Giansante, Jones, Kinahan, King, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Ootes, Pantalone, Prue, Saundercook, Sgro, Tzekas - 28.

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

- 1128 At this point in the proceedings, and with the permission of Council, Councillor Rae, seconded by Councillor Silva, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Silva

“**WHEREAS** the YWCA of Greater Toronto has requested the City to waive the rental fee for their use of the Great Hall, East Room and VIP Room at the St. Lawrence Centre (Ward 24 - Downtown) on June 19, 1998; and

WHEREAS the Commissioner of Corporate Services has prepared a report dated June 4, 1998, regarding the request from the YWCA;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated June 4, 1998, from the Commissioner of Corporate Services.”

Council also had before it, during consideration of the foregoing Motion, a report dated June 4, 1998, from the Commissioner of Corporate Services, entitled “Request by the YWCA of Greater Toronto to Waive the Rental Fee for their Use of the Great Hall, East Room and VIP Room at St. Lawrence Hall. (Ward 24 - Downtown)”. (See Attachment No. 10.)

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

Upon the question of the adoption of the aforementioned report dated June 4, 1998, from the Commissioner of Corporate Services, embodying the following recommendations, without amendment, viz.:

“It is recommended that:

- (1) City Council approve the request for rent free use by the YWCA of Greater Toronto; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”,

it was carried.

- 1129 At this point in the proceedings, and with the permission of Council, Councillor Adams, seconded by Councillor Augimeri, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Adams

Seconded by: Councillor Augimeri

“**WHEREAS** Bill 16, the Small Business and Charities Protection Act, 1998 is not yet passed into law; and

WHEREAS the assessment roll will not be returned until Bill 16 has received Royal Assent; and

WHEREAS the earliest expected date to receive the roll is June 12, 1998;

NOW THEREFORE BE IT RESOLVED THAT the following revised timetable cancelling the June 22 and 23, 1998, Special Council meeting be adopted by Council to facilitate the decision-making process on tax policy:

July 6, 7, 1998	Assessment and Tax Policy Task Force;
July 13, 1998	Budget Committee at 2:00 p.m. (moved from July 21, 1998);
July 14, 1998	Strategic Policies and Priorities Committee at 2:00 p.m.;
July 15-17, 1998	Council Briefings; and
July 21, 23, 1998	Special Council Meeting.”

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

- 1130 At this point in the proceedings, and with the permission of Council, Councillor Mihevc, seconded by Councillor Walker, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Walker**

“WHEREAS national polls have shown that most Canadians oppose the proposed Royal Bank-Bank of Montreal and CIBC-TD Bank mergers; and

WHEREAS the two mergers would eliminate up to 65,000 jobs, many of them in Toronto; and

WHEREAS access to capital is a major problem for Canadian small business owners and a concern for all Canadians, since small businesses create 80% of all new jobs in Canada; and

WHEREAS Canadian Bankers Association figures reveal that loans to Metro Toronto small businesses (those with business credit under \$250,000), dropped from \$4.11 billion in 1995 to \$2.86 billion in 1996 (latest available figures); and

WHEREAS these problems reflect a lack of accountability by banks to local communities; and

WHEREAS U.S. laws such as the Community Reinvestment Act (CRA) have worked well for 20 years to ensure that U.S. financial institutions lend to small businesses and help meet other local needs, while remaining profitable; and

WHEREAS Toronto’s housing shortage could be alleviated with funding through CRA-style legislation, just as agreements between U.S. community organizations and financial institutions under the CRA have financed housing in U.S. communities; and

WHEREAS a federal Task Force on the Future of the Canadian Financial Services Sector is reviewing financial institution legislation, with a report due in September; and

WHEREAS there is growing support for information disclosure and public accountability requirements for financial institutions as expressed in the 1997 election platforms of the federal Liberal, Progressive Conservative, NDP and Bloc Quebecois parties, and by a national coalition of over 70 groups, including the Toronto Small Business Support Organization, the Fort York Small Business Association, and the Social Planning Council;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council urges the federal government to enact legislation to ensure that Canadian financial institutions remain accountable to consumer, small business and community interests, for example:

- (1) require banks to disclose the number of loan applications, as well as approvals and rejections, categorized by size of loan, size, type and location of business and gender of the business owner, to track the demand for capital and whether banks are meeting the demand;
- (2) require banks to disclose reasons for rejections, loan defaults, loan losses and the number of called loans, to track the risk of lending to different sectors, communities and regions; and
- (3) require other deposit-taking financial institutions to collect and disclose similar statistics to ensure a level playing field;

AND BE IT FURTHER RESOLVED THAT Toronto City Council urges the federal government to also enact requirements to determine how well financial institutions are serving consumers by requiring each institution to disclose:

- (1) the number of complaints received each year, and the rate of resolving complaints;
- (2) the number of lawsuits initiated by customers against the institution, and the number won, lost or settled;
- (3) whether the banks are providing access to basic banking services for all residents of Canada (based on an independent audit); and
- (4) the location of branches opened or closed;

AND BE IT FURTHER RESOLVED THAT Toronto City Council urge the Federal government to require the Superintendent of Financial Institutions to evaluate the above data annually and grade each financial institution's performance. The institution would receive a poor grade if the evaluation reveals, for example, that the institution arbitrarily rejects certain types of loan applicants, maintains excessive barriers to access to basic banking services, or has a high rate of complaints or successful lawsuits against the institution;

AND BE IT FURTHER RESOLVED THAT Toronto City Council support establishment of incentives for financial institutions to encourage them to improve their performance, including:

- (1) as Ontario has done, federal and provincial governments should consider imposing a surtax on financial institutions, combined with a tax credit that could be applied to the surtax based on the institution's performance in meeting community needs;
- (2) as Ontario has done, governments should not contract out business to financial institutions that fail to serve community needs;
- (3) as in the U.S., the federal government should deny applications to expand or merge by financial institutions with a failing grade;

AND BE IT FURTHER RESOLVED THAT Toronto City Council urges the federal government to require banks and other financial institutions to:

- (1) fund a truly independent ombudsman with the power to make binding rulings;
- (2) guarantee everyone living in Canada an account with a deposit-taking financial institution, including the option of a low-cost, no-frills account, and protection from arbitrary and excessive holding of cheques; and
- (3) facilitate the startup of a Financial Consumer Organization (FCO) by enclosing the FCO's flyer periodically in their customer mailings."

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.

- 1131 At this point in the proceedings, and with the permission of Council, Councillor Chow, seconded by Councillors McConnell and Pantalone, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Chow

Seconded by: Councillor McConnell and Councillor Pantalone

“WHEREAS Dan Leckie served his City of Toronto both as a Trustee and Chair of the School Board, and as a City Councillor, as well as an animator of community action; and

WHEREAS Dan was the catalyst for numerous innovative programmes which continue to be emulated and celebrated today: the Healthy City Programme, the

Toronto Atmospheric Fund, the Food Policy Council, the Toronto Bay Initiative, the Better Buildings Partnership, the Bring Back the Don Task Force. Dan chaired the Toronto City Cycling Committee and the Gardiner-Lakeshore Task Force; and

WHEREAS as a former Councillor, Dan Leckie dedicated much of his life to dealing with the City's water and river systems such as the Don River, Garrison Creek, Taddle Creek and the Toronto Bay; and

WHEREAS the Portland Street extension between Front Street and Queen's Quay West is a new under-developed area with no residents and faces the Lake;

NOW THEREFORE BE IT RESOLVED THAT Council grant authority to initiate the process to name the Portland Street extension between Front Street and Queen's Quay West as 'Dan Leckie Way'."

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

- 1132 At this point in the proceedings, and with the permission of Council, Councillor Saundercook, seconded by Councillor Pantalone, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law, as amended by By-law No. 276-1998, 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 Saundercook

Seconded by: Councillor Pantalone

“WHEREAS GO Transit rail passenger ridership is up 90 percent and bus ridership 35 percent over the past year; and

WHEREAS GO Transit has announced expansion plans for the 905 areas, including rail lines that have been discontinued by other rail services due to economic reasons; and

WHEREAS the annual capital and operating costs of GO Transit are now unfairly apportioned to the City of Toronto compared to the other GTA governments based on who uses what services of GO Transit; and

WHEREAS GO Transit has undertaken four studies in the recent past that recommend expanding the GO Transit system by constructing rail stations across the City of Toronto; and

WHEREAS, the current focus of GO Transit expansion is on Union Station serving the 905 passengers as opposed to dispersing GO passengers throughout the City of Toronto area closer to places of employment; and

WHEREAS, to best manage the 26.1 million airline passengers per year and the over 110,000 people employed because of Lester B. Pearson International Airport, a rapid transit link to the airport is of crucial importance to the economic well being of the City of Toronto and the GTA region as a whole; and

WHEREAS GO Transit stations along an airport commuter corridor would act as growth nodes and provide opportunities for employment generating urban development and stimulate the revitalization of brownfields in the inner city;

NOW THEREFORE BE IT RESOLVED THAT City of Toronto Council express its concern to GO Transit and the Federal and Provincial Ministers of Transportation that the expansion program of GO Transit does not adequately address the plans to construct stations like the one proposed at Black Creek and Eglinton, and the long-term development of the rapid transit link to the Lester B. Pearson International Airport;

AND BE IT FURTHER RESOLVED THAT City of Toronto Council urge GO Transit to include the construction of this station in its capital program immediately.”

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Miller, in amendment, moved that the foregoing Motion be adopted, subject to:

- (1) adding to the first Operative paragraph the words “and links to the Toronto Transit Commission, such as that at Dundas West subway station”, so that such Operative Paragraph shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** City of Toronto Council express its concern to GO Transit and the Federal and Provincial Ministers of Transportation that the expansion program of GO Transit does not adequately address the plans to construct stations like the one proposed at Black Creek and Eglinton, and the long-term development of the rapid transit link to the Lester B. Pearson International Airport and links to the Toronto Transit Commission, such as that at Dundas West subway station;” and

- (2) deleting from the second Operative Paragraph the words “this station” and inserting in lieu thereof the words “these stations”, so that such Operative Paragraph shall now read as follows:

“**AND BE IT FURTHER RESOLVED THAT** City of Toronto Council urge GO Transit to include the construction of these stations in its capital program immediately.”

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

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

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

- 1133 **Clause No. 5 of Report No. 7 of The Urban Environment and Development Committee, headed “Preliminary Evaluation Report - Zoning Amendment Application - Humber River Regional Hospital, 200 Church Street, UDZ-98-05 (York Ref. No. R98002)”.**
(See Appendix “A”, page 5276.)

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

- (i) (June 2, 1998) from the President and Chief Executive Officer, Humber River Regional Hospital, submitting comments on the proposal to establish an advisory committee to deal with planning issues related to the Humber River Regional Hospital rezoning application; expressing concerns that, if approved, this could delay the necessary improvement of facilities and make rezoning conditional on the hospital working with a new advisory committee; and advising that the Hospital remains committed to the principle of open community consultation as a necessary part of the land use planning process; and
- (ii) (undated) from Mr. Jim Darvill, Weston, Ontario, submitted by Councillor Judy Sgro, North York Humber, expressing concerns regarding the proposed expansion of the former Humber Memorial Hospital; and supporting the ongoing planning process with the community residents.

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

- (1) inserting the words “and possible future uses of redundant sites” in Recommendation (A) of the Urban Environment and Development Committee, after the words “planning decisions”, so that such recommendation shall now read as follows:
 - “(A) the adoption of the following report (April 22, 1998) from the Commissioner of Urban Planning and Development Services, subject to adding thereto the following new Recommendation No. (3):
 - ‘(3) an advisory group be established, composed of the six Councillors representing York Humber, North York Humber and Black Creek, along with representatives of the communities of Keele/Eglinton, Jane and Lawrence, Jane and Finch, a representative of Humber River Regional Hospital and City staff, as appropriate, in order to assess the impact of planning decisions and possible future uses of redundant sites on the respective local communities;’ ”; and

- (2) striking out Recommendation (B)(2) of the Urban Environment and Development Committee and inserting in lieu thereof the following new Recommendation (B)(2):

“(B) (2) to designate a member of the Commission to meet with the current working group that has been formed by the Planning Department to comment on their rationale for choosing the Church Street Site for expansion, to assist this Committee in their deliberations on the rezoning application for the Church Street Site.”

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

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

1134 **Clause No. 6 of Report No. 9 of The Strategic Policies and Priorities Committee, headed “Harmonization of User Fees for Recreation Programs”.**

(See Appendix “A”, page 5424.)

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

- (a) Councillor McConnell, seconded by Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by amending the report dated May 26, 1998, from the Chief Administrative Officer, by:

- (1) striking out Recommendation No. (1) and inserting in lieu thereof the following new Recommendation No. (1):

“(1) the pilot process for the harmonization of user fees for recreation programs in the Parks and Recreation Division outlined in this report be forwarded to the User Fee Committee, and that the User Fee Committee establish a process for public consultation at their first meeting;”;

- (2) deleting from Part (2) of the Terms of Reference, entitled “Duration”, the sentence “The User Fee Committee will meet on a monthly basis between June and October 1998.”, and inserting in lieu thereof the sentence “The User Fee Committee will meet at least monthly.”, so that Part (2) of the Terms of Reference shall now read as follows:

“(2) Duration:

The User Fee Committee will report to the Economic Development Committee and will present their findings and recommendations to the Economic Development Committee by October 1998. The User Fee Committee will meet at least monthly.”; and

- (3) inserting in the first paragraph of Part (4) of the Terms of Reference, entitled “Goals and Objectives”, after the word “options”, the words “and a thorough public consultation”, so that such paragraph shall now read as follows:

“(4) Goals and Objectives:

The User Fee Committee will need to ensure that a comprehensive process is undertaken for the evaluation of policy options and a thorough public consultation for the harmonization of user fees for recreation programs provided in the former municipalities.”

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

“It is further recommended that the findings and recommendations of the six Community Councils and the User Fee Committee be submitted to Council, through the Economic Development Committee and the Budget Committee.”

- (c) Councillor Jakobek, in amendment, moved that the foregoing Clause be struck out and referred to the User Fee Committee, together with the foregoing motion (a) by Councillor McConnell, seconded by Councillor Korwin-Kuczynski, and the foregoing motion (b) by Councillor Chow, with a request that the Committee meet as soon as possible to determine how to proceed.

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

“It is further recommended that Councillor Mammoliti be the Chair of the User Fee Committee.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing motion (d) by Councillor Mammoliti, ruled such motion out of order.

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

At this point in the proceedings, Councillor Giansante, with the permission of Council, moved that Council adopt the following recommendation:

“It is recommended that the resignation of Councillor Giansante from the User Fee Committee be accepted, and the Striking Committee be advised accordingly.”

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

1135 Councillor Rae, seconded by Councillor Saundercook, moved that the absence of Councillors Berardinetti and Kelly be excused from this Council Meeting, which was carried.

1136 Councillor Moeser, seconded by Councillor Giansante, moved that leave be granted to introduce:

“Bill No. 314 To amend further By-law No. 181-81 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.”

“Bill No. 315 To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.”,

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. 278-1998 To amend further By-law No. 181-81 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.”

“By-law No. 279-1998 To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.”,

it was carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Moeser, seconded by Councillor Giansante, moved that leave be granted to introduce:

“Bill No. 275 To prohibit third party signs, as an interim measure, on lands adjacent to certain former provincial highways.”

“Bill No. 276 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.”

“Bill No. 277 To amend further By-law No. 108-86, designating certain locations on former Metropolitan Roads as Pedestrian Crossovers.”

“Bill No. 278 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.”

“Bill No. 279 To amend Restricted Area Zoning By-law No. 1916, as amended, of the Former Town of Leaside.”

- “Bill No. 280 To amend City of North York Zoning By-law 7625.”
- “Bill No. 281 To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 282 To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 283 To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 284 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 285 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 286 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 287 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 288 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. 289 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. 290 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. 291 To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 292 To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 293 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads.’ ”

- “Bill No. 294 To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 295 To amend City of York By-law Number 2958-94, being a By-law ‘To regulate traffic on City of York Roads.’ ”
- “Bill No. 296 To designate the Malvern Primitive Methodist Cemetery Plan 217, Lot 21 & 23 under the Ontario Heritage Act as being of historical and architectural value.”
- “Bill No. 297 To designate the Miller Lash Estate Part of Lot 9, Concession 1, Plan 66R-17696 under the Ontario Heritage Act as being of historical and architectural value.”
- “Bill No. 298 To designate the R.C. Harris Filtration Plant Concession A, Part Lot 35, Plan 1085, Lot 1, 6-9, 16 Part Lot 2, 10, 11, 15, Plan 1117, Lot 17, Part Road Allowance closed now, Registered Plan 64R-12780, Part 1 under the Ontario Heritage Act as being of historical and architectural value.”
- “Bill No. 299 To amend the Interim Purchasing By-law.”
- “Bill No. 300 To amend further Metropolitan By-law No. 107-86, respecting parking meters on former Metropolitan Roads.”
- “Bill No. 301 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.”
- “Bill No. 302 To amend further Metropolitan By-law No. 132-93 respecting reserved lanes for designated classes of vehicles on certain former Metropolitan Roads.”
- “Bill No. 303 A By-law to appoint Weed Inspectors.”
- “Bill No. 304 To amend By-law No. 61-95 of the former Municipality of Metropolitan Toronto which delegates certain authority in relation to planning matters.”
- “Bill No. 305 To authorize an agreement with The Consumers Gas Company Limited to permit the use of certain abandoned (decommissioned) gas mains located within the highways of the municipality for refurbishing and use as conduit structures for fibre optic cable.”
- “Bill No. 306 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. 307 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. 308 To stop up, close and sell Part of Borough Drive between Progress Avenue and Town Centre Court.”
- “Bill No. 309 To amend former City of Toronto By-law No. 148-69 respecting the temporary closure of certain park roadways in High Park, the permanent closure of portions of Spring Road, and the restriction of a portion of Colborne Lodge Drive to one-way traffic.”
- “Bill No. 310 To stop up and close part of the public highway Queens Quay West.”
- “Bill No. 311 To stop up and close the unopened lane abutting Grenadier Pond and the unopened road allowance of Grenadier Ravine Drive and to authorize the lease of a portion thereof to the abutting owner.”
- “Bill No. 312 To authorize the execution and registration of a plan of survey for the acquisition of a limited interest in and over lands for drainage easement purposes - Wychwood Park.”
- “Bill No. 313 To amend By-law No. 1997-0371, to extend the period of interim control on certain lands within and abutting the Nordheimer Ravine.”
- “Bill No. 316 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “Bill No. 317 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “Bill No. 318 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “Bill No. 319 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “Bill No. 320 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 183 - Article V.”
- “Bill No. 321 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “Bill No. 322 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”

- “Bill No. 323 A By-law to exempt lands from Part Lot Control.”
- “Bill No. 324 To Adopt Amendment No. 64-98 To The Official Plan Of The Etobicoke Planning Area In Order To Implement A Site Specific Policy Affecting The Lands Located On The South Side Of Dundas Street, East Of Prince Edward Drive In The City of Toronto.”
- “Bill No. 325 To amend Chapters 320 and 324 of the City of Etobicoke Zoning Code with respect to certain lands located on the south side of Dundas Street West, east of Prince Edward Drive.”
- “Bill No. 326 To adopt Amendment No. 455 of the Official Plan for the City of North York.”
- “Bill No. 327 To amend City of North York Zoning By-law No. 7625.”
- “Bill No. 328 To amend City of North York Zoning By-law No. 7625.”
- “Bill No. 329 To adopt Amendment No. 463 of the Official Plan for the City of North York.”
- “Bill No. 330 To amend City of North York Zoning By-law No. 7625.”
- “Bill No. 331 To amend City of North York Zoning By-law No. 7625.”
- “Bill No. 332 To provide for the temporary closure to vehicular traffic on Mildenhall Road, between Rochester and Buckingham Avenues, and Cheltenham Avenue from St. Ives Crescent to Mildenhall Road for the purpose of conducting a Community Picnic.”
- “Bill No. 333 To amend By-law No. 31878 of the former City of North York, as amended.”
- “Bill No. 334 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 335 To amend By-law No. 32759 of the former City of North York, as amended.”
- “Bill No. 336 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 337 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 338 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 339 To amend By-law No. 31001 of the former City of North York, as amended.”

- “Bill No. 340 To provide for the temporary closure to vehicular traffic on Logondale Road, for the purpose of conducting the annual neighbourhood street party.”
- “Bill No. 341 To amend the former City of Toronto Municipal Code Ch. 315, Street Vending to include the area on the north side of Roehampton Avenue, 6.5 metres east of Yonge Street as a designated area for street vending permits.”
- “Bill No. 342 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Crawford Street.”
- “Bill No. 343 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bedford Road, Cherry Street, Davenport Road, Glenholme Avenue, Grenville Street, Harrison Street, Hertle Avenue, Kilbarry Road, Lakeview Avenue, McCaul Street, Rockwell Avenue, Strathearn Boulevard, Vesta Drive, Victoria Street, Vine Avenue, Wanda Road.”
- “Bill No. 344 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Lansdowne Avenue.”
- “Bill No. 345 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.”
- “Bill No. 346 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Margueretta Street, Osler Street, Shaw Street.”
- “Bill No. 347 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Coxwell Avenue.”
- “Bill No. 349 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Huron Street.”
- “Bill No. 350 City of Toronto Municipal Code Chapter 400, Traffic and Parking, requires amendment to reflect the adjustment to the speed bump height requirement for laneways.”
- “Bill No. 351 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Queen Street West.”
- “Bill No. 352 To Provide Authority for Certain Officials Employed in the Office of the Clerk To Sign Documents and Affix the Corporate Seal on Behalf of the City of Toronto.”

“Bill No. 353 Respecting fees for environmental health services provided by the Medical Officer of Health.”

“Bill No. 354 To fix the rates for the supply of water and sewage services by the City of Toronto.”,

which was carried.

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

- | | |
|----------------------|---|
| “By-law No. 280-1998 | To prohibit third party signs, as an interim measure, on lands adjacent to certain former provincial highways.” |
| “By-law No. 281-1998 | To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.” |
| “By-law No. 282-1998 | To amend further By-law No. 108-86, designating certain locations on former Metropolitan Roads as Pedestrian Crossovers.” |
| “By-law No. 283-1998 | To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.” |
| “By-law No. 284-1998 | To amend Restricted Area Zoning By-law No. 1916, as amended, of the Former Town of Leaside.” |
| “By-law No. 285-1998 | To amend City of North York Zoning By-law 7625.” |
| “By-law No. 286-1998 | 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. 287-1998 | 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. 288-1998 | To amend City of York By-law Number 196-84, being a By-law ‘To regulate traffic on City of York Roads.’ ” |
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- “By-law No. 310-1998 To authorize an agreement with The Consumers Gas Company Limited to permit the use of certain abandoned (decommissioned) gas mains located within the highways of the municipality for refurbishing and use as conduit structures for fibre optic cable.”
- “By-law No. 311-1998 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. 312-1998 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.”
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- “By-law No. 321-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “By-law No. 322-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “By-law No. 323-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 183 - Article V.”
- “By-law No. 324-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
- “By-law No. 325-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240 - Article I.”
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- “By-law No. 327-1998 To Adopt Amendment No. 64-98 To The Official Plan Of The Etobicoke Planning Area In Order To Implement A Site Specific Policy Affecting The Lands Located On The South Side Of Dundas Street, East Of Prince Edward Drive In The City of Toronto.”

- “By-law No. 328-1998 To amend Chapters 320 and 324 of the City of Etobicoke Zoning Code with respect to certain lands located on the south side of Dundas Street West, east of Prince Edward Drive.”
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- “By-law No. 331-1998 To amend City of North York Zoning By-law No. 7625.”
- “By-law No. 332-1998 To adopt Amendment No. 463 of the Official Plan for the City of North York.”
- “By-law No. 333-1998 To amend City of North York Zoning By-law No. 7625.”
- “By-law No. 334-1998 To amend City of North York Zoning By-law No. 7625.”
- “By-law No. 335-1998 To provide for the temporary closure to vehicular traffic on Mildenhall Road, between Rochester and Buckingham Avenues, and Cheltenham Avenue from St. Ives Crescent to Mildenhall Road for the purpose of conducting a Community Picnic.”
- “By-law No. 336-1998 To amend By-law No. 31878 of the former City of North York, as amended.”
- “By-law No. 337-1998 To amend By-law No. 31001 of the former City of North York, as amended.”
- “By-law No. 338-1998 To amend By-law No. 32759 of the former City of North York, as amended.”
- “By-law No. 339-1998 To amend By-law No. 31001 of the former City of North York, as amended.”
- “By-law No. 340-1998 To amend By-law No. 31001 of the former City of North York, as amended.”
- “By-law No. 341-1998 To amend By-law No. 31001 of the former City of North York, as amended.”

- “By-law No. 342-1998 To amend By-law No. 31001 of the former City of North York, as amended.”
- “By-law No. 343-1998 To provide for the temporary closure to vehicular traffic on Logondale Road, for the purpose of conducting the annual neighbourhood street party.”
- “By-law No. 344-1998 To amend the former City of Toronto Municipal Code Ch. 315, Street Vending to include the area on the north side of Roehampton Avenue, 6.5 metres east of Yonge Street as a designated area for street vending permits.”
- “By-law No. 345-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Crawford Street.”
- “By-law No. 346-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bedford Road, Cherry Street, Davenport Road, Glenholme Avenue, Grenville Street, Harrison Street, Hertle Avenue, Kilbarry Road, Lakeview Avenue, McCaul Street, Rockwell Avenue, Strathearn Boulevard, Vesta Drive, Victoria Street, Vine Avenue, Wanda Road.”
- “By-law No. 347-1998 To amend the former City of Toronto Municipal Code Ch.400, Traffic and Parking, respecting Lansdowne Avenue.”
- “By-law No. 348-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.”
- “By-law No. 349-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Margueretta Street, Osler Street, Shaw Street.”
- “By-law No. 350-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Coxwell Avenue.”
- “By-law No. 351-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Huron Street.”
- “By-law No. 352-1998 City of Toronto Municipal Code Chapter 400, Traffic and Parking, requires amendment to reflect the adjustment to the speed bump height requirement for laneways.”
- “By-law No. 353-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Queen Street West.”

- “By-law No. 354-1998 To Provide Authority for Certain Officials Employed in the Office of the Clerk To Sign Documents and Affix the Corporate Seal on Behalf of the City of Toronto.”
- “By-law No. 355-1998 Respecting fees for environmental health services provided by the Medical Officer of Health.”
- “By-law No. 356-1998 To fix the rates for the supply of water and sewage services by the City of Toronto.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Cho, Davis, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Miller, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Tzekas - 30.

Nay: Councillor: Bussin - 1.

Decided in the affirmative by a majority of 29.

- 1137 Councillor Ashton, seconded by Councillor Pantalone, moved that leave be granted to introduce:

“Bill No. 356 To confirm the last portion of the proceedings of the Council at its Meeting held on the 3rd, 4th and 5th days of June, 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. 357-1998 To confirm the last portion of the proceedings of the Council at its Meeting held on the 3rd, 4th and 5th days of June, 1998.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Tzekas - 30.

Nay: Councillor: Moeser - 1.

Decided in the affirmative by a majority of 29.

Council adjourned at 1:53 a.m.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

Attachment No. 1

(Report dated May 4, 1998, from the Medical Officer of Health,
headed "Standardization of User Fees - Environmental Health Services" - Minute No. 1109)

Purpose:

In follow-up to City Council's direction to standardize user fees for Environmental Health Services to the highest level, this report seeks Board of Health and City Council approval of:

- (a) a modified user fee schedule which takes into account several anomalies and potential problems; and
- (b) authority to introduce the necessary Bill(s) in Council.

Financial Implications:

The proposed new user fee structure, as detailed in Appendix A, based on 1996 demand, is expected to generate revenue of approximately \$390,000.00 per annum. This is an increase of approximately \$184,000.00 or 89 percent over the approximately \$206,000.00 that was generated in 1996, the most recent full year for which complete figures are available.

Recommendations:

It is recommended that:

- (1) that the user fee schedule detailed in Appendix A of this report be adopted;
- (2) that authority be granted to introduce the necessary Bill(s) in Council to give effect to Recommendation No. (1) of this report;
- (3) that the Public Health Department be directed to develop and implement a communication strategy to notify the various users of these services of the user fee adjustment; and
- (4) that the new fee structure come into effect on July 2, 1998.

Background:

There is little uniformity between the former six public health jurisdictions in the type of non-mandated services for which fees are charged and the amount of fees that are charged for these services through a user fee system. These services include requests for file search of property purchase and mortgage clearances, approval of the Health Department's portion of the liquor license approval process, body shipments (shipment of human remains) and disinterments and hot dog cart inspections and licenses. The current fee structure is outlined in Appendix B.

There is also lack of uniformity in how such fees were introduced or amended. In the Borough of East York and Cities of North York, Scarborough and York, user fees were introduced or amended based on Board of Health policy. In the Cities of Toronto and Etobicoke, by contrast, user fees were governed by by-laws.

The Public Health Department's 1998 Preliminary Operating Budget submission (section E (1.1)), presented at the February 23, 1998, meeting of the Board of Health, indicated that user fees for these environmental health services should be standardized to the highest level currently charged. The standardization of these user fees to the highest level was approved by City Council at its meeting on March 4, 5 and 6, 1998. This report outlines several anomalies and potential problems that may occur and recommends a modified user fee schedule which takes these into account.

Comments:

The Public Health Department proposes to standardize the type of environmental health services for which fees are charged and the amounts charged as outlined in Appendix A. The services listed are not mandated by the provincial Ministry of Health Mandatory Health Programs and Services Guidelines (December 1997) and are only performed at the request of the client.

The proposed standardization attempts to rectify some problems involving different services and different users fees that have plagued the existing system for some years:

- (1) It provides equity and a level playing field in the form of standardized fees across Toronto.
- (2) It eliminates significant imbalances in workload created by applicants making service demands in the jurisdiction with the lowest fee.
- (3) It is more reflective of the cost of providing the service.

The standardization of services and corresponding fees, as detailed in Appendix A, based on the level of demand in 1996, has the potential for generating \$390,000.00 revenue per annum, \$184,000.00 of which is new and represents a 89 percent increase in revenues. This number is dependent on the level of demand for these services.

There are several anomalies and potential problems associated with standardizing the services and leveling up the user fees for such services across the six former municipalities. For example, the service category *Request for Reinspection of Outstanding Deficiencies* only exists in the former municipality of Scarborough and, if approved, will represent a new service in the remaining five former municipalities.

There is a significant difference in how the former municipality of Etobicoke handles the service category *Hot Dog Cart License Approval* and the amount of fee that is charged for that service. In Etobicoke, that service category includes a license that is issued by Public Health. That is unique among the six former municipalities. As a result, the user fee for the service category *Hot Dog Cart Approval* in Etobicoke is \$399.00. In the remaining five former municipalities, the user fee for the public health inspection that is required for a license issued by the Metro Licensing Commission is \$150.00. In the interest of equity, it is recommended that the user fees for the service category *Hot Dog Cart Inspection* be standardized in the (new) City of Toronto at \$150.00. The change from the current \$399.00 to \$150.00 will require that those sections of the Etobicoke By-law on Administrative Fees (Chapter 91-15) that deal with licensing of hot dog carts be rescinded.

A similar anomaly exists with the service category *Lodging House Inspection/License* for which the former municipality of Etobicoke charges \$350.00 for a new license and \$200.00 for annual renewal. This service category also includes a license that is issued by Public Health. This service is currently provided by other Departments in the other Districts. It is recommended that this service category be reviewed in the context of what other departments are currently providing in the form of inspection and/or approval services for these establishments.

To support these changes, the Public Health Department will undertake a communication strategy to notify the various recipients of these services. It is also recommended that the by-law, which is required to enact these changes, contain a provision for annual inflationary adjustments. These changes are to come into effect on July 2, 1998.

The new fee structure, as outlined in Appendix A, will require legislative changes. The legislation that governs user fees in the former jurisdictions is detailed in Appendix C.

Conclusion:

The proposed new fee structure represents a small change in the Scarborough district, but a significant increase for fees in the East York, Etobicoke, and York districts, and to a lesser extent the Toronto and North York districts. The proposed fee schedule will provide equity in user fees across Toronto, redistribute the demand for service to the local area and be more reflective of the actual cost of providing the service.

Contact Name:

Fred Ruf, Director of Environmental Health, North York Office, E-mail: ENV-FR,
Tel: (416) 395-7632, Fax (416) 395-7691.

Appendix A

Proposed Fees For Services In Districts

Services	East York	Etobicoke	North York	Scarborough	Toronto	York
Request for File Search	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Request for File Search & Inspection	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Request for Re-inspection of Outstanding Deficiencies	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Liquor License	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Disinterment/ Body Shipment - Full documentation	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Body Shipment - Letter re no communicable diseases only	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Request for list of names and addresses of establishments	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Hot Dog Cart Inspection	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Mobile Food Premises Approval	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Food Handler/ Pool Operator Training	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00
Lodging House License	Decisions re User Fees deferred pending discussion with other departments who provide inspection/approval services for this service category					

Appendix B

Existing Fees for Services in Districts
March 1998

Services	East York	Etobicoke	North York	Scarborough	Toronto	York
Request for File Search	\$53.50	\$25.00	\$80.25	\$150.00	\$80.25	\$26.75
Request for File Search & Inspection	\$53.50	\$50.00	\$133.75	\$150.00	\$80.25	\$80.25
Request for Re-inspection of Outstanding Deficiencies	N/S	N/S	N/S	\$150.00	N/S	N/S
Liquor License	N/C	\$75.00	\$133.75	\$150.00	\$133.75	N/C
Disinterment/ Body Shipment - Full documentation	\$133.75 Body ship only	\$133.75	\$133.75	\$150.00	\$133.75 Body ship only	\$133.75 Body ship only
Body Shipment - Letter re no communicable diseases only	N/S	\$25.00	N/S	N/S	N/S	N/S
Request of names and addresses of establishments	N/S	\$50.00	N/S	N/S	N/S	N/S
Hot Dog Cart License Approval	\$133.75	\$399.00 Includes License	\$133.75	\$150.00	\$133.75	\$80.25
Mobile Food Premises Lic Approval	\$133.75	\$ 133.75	\$133.75	\$150.00	N/C	\$80.25
Food Handler Training	*N/C	\$30.00	\$25.00	*\$20.00	N/C	\$20.00
Lodging House License	N/A	\$350 New \$200.00 Renewal	N/A	N/A	N/A	N/A

Key: N/C Provide a service at no charge
N/S Do not provide a service
* East York and Scarborough provide Training for Food Handlers and Pool Operators
N/A Service provided by other Departments

Appendix C

Legislation Specific to User Fees for Environmental Health Services

Jurisdictions	Statutory Changes
East York	None
Etobicoke	Etobicoke By-law: Administrative Fees Chapter 91-15
North York	None
Scarborough	None
Toronto	Toronto Municipal Code S 178-3, 178-10
York	None

Attachment No. 2

(Report dated May 29, 1998, from the Commissioner of Urban Planning and Development Services, entitled “317 Dundas Street West, Application No. 998043: Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by Carol’s Flag & Banner Company, 5338 First Line, R.R.#1, Milton, Ontario, on behalf of the Art Gallery of Ontario, 317 Dundas Street West, Toronto, Ontario, M5T 1G4 (Downtown)” - Minute No. 1114)

Purpose:

To review and make recommendations respecting an application for variances to permit two non-illuminated projecting signs at 317 Dundas Street West, Toronto Application No. 998043: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by Carol’s Flag & Banner Company, 5338 First Line, R.R.#1, Milton, Ontario, on behalf of the Art Gallery of Ontario, 317 Dundas Street West, Toronto, Ontario, M5T 1G4. (Downtown)

Financial Implications:

Not applicable.

Recommendations:

It is recommended that:

- (1) City Council approve Application No. 998043 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two non-illuminated projecting signs on condition that the signs only be erected for the period between June and September of the 1998 calendar year; and
- (2) the applicant be advised, upon approval of Application No. 998043, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

Comments:

The property is located on the south side of Dundas Street West, between McCaul Street and Beverley Street, in an institutional (Q) zoned district. The property accommodates the Art Gallery of Ontario. The property is designated under Part IV of the Ontario Heritage Act.

The applicant is requesting permission to install two non-illuminated banner signs on the Dundas Street elevation of the building (see Figure 1). The signs each have a length of 1.1 metres and a height of 3.7 metres, with an area of 4.1 m².

The signs do not comply with Chapter 297 of the Municipal Code in the following ways:

- (1) projecting signs are not permitted in an institutional district; and
- (2) the signs project 1.2 metres over a public sidewalk instead of 1.0 metre.

The first variance occurs because the property is located in an institutional (Q) zoned district. The sign provisions in institutional districts are restrictive in recognition of residential and institutional uses permitted in this district. Similar to residential districts, signs in institutional districts are required to be small and low in order to limit any negative impact on the building, streetscape or neighbouring residential uses. In this instance, however, the signs are non-illuminated and would be erected for a temporary period of time in order to advertise the upcoming exhibit.

The second variance results from the extent of the signs' projection from the building face. The signs would be attached to the north face of the tower structure adjacent to the building's main entrance and would project 0.2 metres more than permitted by the Municipal Code. In this instance however, the signs would be erected at a height of 3.7 metres above grade and therefore pedestrians would not be negatively affected.

Staff of Heritage Toronto have reviewed the application and advise that they have no objections to the proposed projecting signs.

I am recommending approval of this application, as I find the variances requested to be minor and within the general intent and purpose of the sign provisions of the Municipal Code. As a condition

of approval, I am requiring that the projecting signs only be erected between June and September of the 1998 calendar year.

Contact Name:

Lora Mazzocca, Telephone: (416) 392-0421, Fax: (416) 392-7536.
E-Mail: lmazzocc@city.toronto.on.ca

(A copy of a map, and Figure 1, referred to in the foregoing report, is on file in the office of the City Clerk.)

Attachment No. 3

(Transmittal letter dated May 29, 1998, from the City Clerk,
headed "Cost Related to the Delayed Return of the Assessment Roll" - Minute No. 1115)

Recommendation:

The Assessment and Tax Policy Task Force on May 28, 1998, recommended to City Council the adoption of the report (May 26, 1998) from the Chief Financial Officer and Treasurer, respecting the cost related to the delayed return of the Assessment Roll.

Background:

The Assessment and Tax Policy Task Force had before it a report (May 26, 1998) from the Chief Financial Officer and Treasurer providing information on the cost of delaying the return of the assessment roll one month.

(Report dated May 26, 1998, from the Chief Financial Officer and Treasurer,
entitled "Cost Related to the Delayed Return of the Assessment Roll")

Purpose:

To provide information on the cost of delaying the return of the assessment roll one month.

Funding Impact/Statement:

It is estimated that the one month delay in the return of the assessment roll represents \$5.0 million in foregone interest earnings to the City.

Recommendation:

It is recommended that City of Toronto officials request the Province to provide \$5.0 million in funding to offset the loss in interest revenue resulting from the delayed return of the assessment roll and that City officials work with the Province to achieve an acceptable resolution for the City.

Background:

On March 27, 1998, the Minister of Finance of Ontario announced several new tax policy tools for municipalities to consider as part of their implementation of the new property assessment and taxation system. In order to use these new tools, the Minister stated that the return of the assessment roll would be delayed from April 30 to May 29, 1998. The "Small Business and Charities Protection Act, 1998 (Bill 16), was introduced on May 7, 1998, to implement the details of the March 27, announcement. Based on the new date for the return of the assessment roll, Bill 16 extends the 1998 assessment appeal date to July 31, 1998.

In the Provincial backgrounder on Bill 16, it was stated that the Province will be consulting with municipalities on the effect of the delay in the assessment roll on their cashflow needs. It also announced that Bill 16 would allow the Province, if necessary, to advance funds to school boards in lieu of the second installment with municipalities reimbursing the Province at a later date.

Discussion:

The 1998 City budget was set based on the return of the assessment roll on April 30, 1998. The budget included property tax levy dates set for June, July and August. With the delay in the return of the assessment roll by one month, losses in interest income will be incurred.

The tax levy for June is estimated at \$750.0 million with \$420.0 million allocated to the City, \$240.0 million to the Public School Board and \$90.0 million to the Separate School Board. Assuming an interest rate of 4.75 percent and a deferral of the final tax levy installment to the end of September, the City will lose approximately \$5.0 million in interest income.

Subsection 34(4) of Bill 16 allows the Minister of Finance to provide interim financing to school boards on behalf of a municipality and that the municipality shall repay the amount to the Province on the date as specified in a regulation. To mitigate approximately \$5.0 million loss in interest income, the Minister of Finance should be requested to provide an interim payment of \$330.0 million to the school boards in lieu of the City forwarding their portions after the first payment from the final tax bill. This amount would then be repaid to the Province when the \$5.0 million in interest has been accrued from the retained school portions.

Conclusion:

Based on announcement of May 7, 1998, that the Province will consult municipalities on the effects of the delayed return of the assessment roll on their cash flow needs, City staff will work with the Province to determine whether one of the ways of defraying the estimated \$5.0 million loss in interest income could be the usage of subsection 34(4) of Bill 16, that allows the Province to provide interim financing to school boards on behalf of the City.

Contact Names:

Bill Wong 392-9148,
Ed Zamparo 392-8641.

Attachment No. 4

Economic Development, Culture and Tourism,
entitled "Release of Grant Funding under the Economic Development
Partnership Program for The Short Film Festival" - Minute No. 1116)

Purpose:

To seek the expedited release of grant funding under the Economic Development Partnership Program for The Short Film Festival.

Recommendation:

It is recommended that due to time constraints, approval of the 1998 grant allocation, under the Economic Development Partnership Program, for The Short Film Festival, in the amount of \$15,000.00, as recommended by the Commissioner of Economic Development, Culture and Tourism in his May 21, 1998, report to the Municipal Grants Review Committee (grant item No. (9) in Appendix 3 of the report), be expedited.

Background:

The Economic Development Partnership Program has three application deadlines during the year. Although the Short Film Festival met the Partnership Program's earliest funding deadline of February 6, 1998, delays in the City's funding approval process this year, have imposed a hardship on the Festival. The Festival is underway this week and organizers have indicated that they would benefit from an expedited approval process that would allow them to have access to their grant monies as soon as possible.

Contact Name:

Helen Bulat
Economic Development Partnership Program
Toronto City Hall Office, 392-7355.

Attachment No. 5

(Report dated June 2, 1998, from the Commissioner of Urban Planning
and Development Services, entitled "Grant Advances:
Graffiti Transformation Program" - Minute No. 1116)

Purpose:

To authorize the issuance of advance cheques for grants to the groups involved in the Graffiti Transformation Program as outlined in Appendix A and in the attached report to the Municipal Grants Review Committee.

Funding Sources, Financial Implications and Impact Statement:

Funds are available in the Consolidated Grants budget. There are no other financial implications.

Recommendations:

It is recommended that:

- (1) authority be granted to issue advance cheques for the recommended amount to the Graffiti Transformation groups identified in the attached report. The amounts are shown in Appendix A; and
- (2) appropriate City officials be authorized and directed to take the necessary action to give effect to Recommendation No. (1).

Council Reference/Background/History:

At its meeting of February 4, 5 and 6, 1998, City Council approved Clause No. 2 of Report No. 1 of The Community and Neighbourhood Services Committee, entitled "Administration of Municipal Grants Programs". Among other things, the Clause authorized the issuance of advances to a defined group of agencies. The Graffiti Transformation Program of the former City of Toronto was not among the defined programs.

Comments and/or Discussion and/or Justification:

It has been brought to my attention that this program, in addition to ameliorating graffiti problems in neighbourhoods, provides summer employment for many youth. This fact, in combination with the good weather requirements of the work, mean that historically funds have been available by now so preparatory work could take place before students are out of school and to take advantage of the maximum number of summer days to complete the work. Without authority to advance funds, cheques would not be available until late July, seriously impacting on the program.

Conclusion:

It is imperative that advance cheques be issued for the groups involved in the Graffiti Transformation Program as shown in the attached report to the Municipal Grants Review Committee in order to expedite the hiring of students and to take advantage of the good weather. The amounts are listed in Appendix A and in the attached report to the Municipal Grants Review Committee.

Contact Name:

Larry King
Toronto City Hall Office, 392-0622.

Appendix A: Recommended Advances

Applicant

Cecil Community Centre

\$22,000.00

St. Stephen's Community House	\$21,000.00
Scadding Court Community Centre	\$ 6,000.00
“Homo Air Ectus”	\$26,000.00
St. Christopher House	\$10,000.00
Christie Ossington Neighbourhood Centre	\$25,000.00
Community Business Resource Centre	\$15,000.00
Community Centre 55	\$21,000.00
Davenport Perth Neighbourhood Centre	\$22,000.00
Dixon Hall Neighbourhood Centre	\$23,000.00
Pape Adolescent Resource Centre	\$25,000.00
Native Child & Family Services of Toronto	\$34,000.00
Totals	\$250,000.00

(Report dated May 15, 1998, from the Commissioner of Urban Planning
and Development Services, entitled “Graffiti Transformation Program:
1998 Recommendations”)

Purpose:

To recommend grants to twelve organizations for the purpose of employing youth in the removal of graffiti and the transformation of vandalized surfaces into murals.

Funding Sources, Financial Implications and Impact Statement:

Funds are available in the Consolidated Grants budget. There are no other financial implications.

Recommendations:

It is recommended that:

- (1) grants be provided to community groups engaged in Graffiti Transformation as shown in Appendix A. Such grants are deemed to be in the interest of the Municipality;
- (2) appropriate City officials be authorized to take the necessary action to give effect thereto;
and

- (3) the Commissioner of Urban Planning and Development Services report on expanding the Graffiti Transformation Program in 1999 to cover the new City of Toronto.

Council Reference/Background/History:

At its meeting of Feb. 12, 1996, in adopting Clause No. 7 of Report No. 8 of The Executive Committee, the former Toronto City Council established a program for the removal of graffiti and the transformation of the defaced sites into murals. The program was designed to employ youth and enhance the affected neighbourhoods. A Community Economic Development (C.E.D.) model involving the hiring of youth by local organizations who would provide training and development for them while carrying out the service was the chosen approach. This will be the third year of operation within the boundaries of the former City of Toronto.

Comments and/or Discussion and/or Justification:

The Urban Development Services Department of the former City of Toronto, in consultation with the Departments of Parks and Recreation and Public Works and The Environment, as well as the Toronto Arts Council, assessed 1996 proposals, awarding five groups a total of \$179,589.00. Those groups leveraged a further \$124,959.00 from a combination of sales and other funders as well as \$10,683.00 in the form of free time, talent, materials and small donations.

From this total of \$315,231.00, 80 youth directly received \$159,861.00. This amounted to 52 percent of total expenditures and 89 percent of the money provided by the City to finance the production of 18 murals and the cleaning of several hundred smaller graffiti sites.

Following the success of the 1996 Graffiti Transformation Program, the City repeated the program in 1997 allocating \$286,000.00 to 12 groups. Other donations of time, materials and cash as well as sales of the service by the youth, increased the value of the 1997 program to \$394,956.61, an increase of 38 percent over the City grant envelope.

One hundred and eighteen (118) youth were employed in the program and were paid \$205,494.88 in wages and stipends. The program resulted in sixty eight murals and the cleaning of over four hundred units of graffiti where murals were not appropriate or desired.

In addition to the interest demonstrated by donations and sales, the youth experienced many indications of approval from their respective communities - kind words, assistance, applause - as well as being drawn into the fabric of the community in a way many may not have previously experienced.

This year, requests totalled almost \$315,000.00 as compared to a budget of \$250,000.00. Last year's budget was \$289,000.00. Reductions have been discussed with the review committee which attempted to consider factors such as the proponent's experience and ability to raise other amounts, age of and disadvantages faced by the youth resulting in higher supervision requirements and requests too small to withstand cuts without resulting in an unrealistic proposal. The recommended allocations are shown in Appendix A, while project descriptions are shown in Appendix B.

In accordance with Council policy respecting grants, the program accepted no new applicants this year. I will report in the fall on the feasibility and cost of making this program available throughout the new City of Toronto. That report will include a summary evaluation of the first two years of

operation (1996 and 1997). Evaluation of this year's program will be included with recommendations for 1999.

Conclusions:

In order to continue the Graffiti Transformation program in 1998, grants should be awarded as described in Appendix A. Staff will report prior to the next budget cycle with respect to expanding the program to include the entire City of Toronto.

Contact Name:

Larry King
Toronto City Hall Office, 392-0622.

Appendix A

Recommended Allocations

Graffiti Transformation Project

<u>Applicant</u>	<u>1997 Allocation</u>	<u>1998 Request</u>	<u>Recommended:1998</u>
Cecil Community Centre	\$25,000.00	\$25,001.00	\$22,000.00
Christie Ossington Neighbourhood Centre	\$30,000.00	\$41,320.00	\$25,000.00
Community Business Resource Centre	\$15,000.00	\$19,000.00	\$15,000.00
Community Centre 55	\$25,000.00	\$31,000.00	\$21,000.00
Davenport Perth Neighbourhood Centre	\$25,000.00	\$26,000.00	\$22,000.00
Dixon Hall Neighbourhood Centre	\$25,000.00	\$23,978.00	\$23,000.00
Pape Adolescent Resource Centre	\$30,000.00	\$29,820.00	\$25,000.00
Native Child & Family Services of Toronto	\$40,000.00	\$38,000.00	\$34,000.00
“Homo Air Ectus”	\$30,000.00	\$33,000.00	\$26,000.00
St. Christopher House	\$10,000.00	\$16,033.00	\$10,000.00
St. Stephen's Community House	\$25,000.00	\$24,012.00	\$21,000.00
Scadding Court Community Centre	\$ 6,000.00	\$ 7,600.00	\$ 6,000.00
<u>Totals</u>	<u>\$289,000.00</u>	<u>\$314,764.00</u>	<u>\$250,000.00</u>

Appendix B

Description of Applicants Proposals

Graffiti Transformation Project

Agency	Grant Amount 1) 1997 2) Request 3) 1998	Notes
Cecil Community Centre And Harbourfront Community Centre. (joint project)	1) \$25,000 2) \$25,001 3) \$21,000	1 co-ordinator, 8-10 youth @ 32 hrs week. Will use their own youth outreach workers and Youth Employment Services to find trainees who are “ high need at risk “ youth, probably Asian and Caribbean backgrounds. Expecting about \$3,00.00 sales revenue to be applied to materials cost. Prepared to do 5 murals.
Christie Ossington Neighbourhood Centre "United Neighbourhood Artists"	1) \$30,000 2) \$41,320 3) \$25,000	Using two experienced youth from previous years to train 6 new youth . Connections to Regal Heights Residents Association, Central Technical as well as the Oakwood/St.Clair Revitalization Project.
Community Business Resource Centre with various Parkdale groups.	1) \$15,000 2) \$19,000 3) \$15,000	6-9 youth, ages 16-29. Technical training in removal and murals, career development seminars. Partnership with local business ass'n, school, rec centre and others. Four major sites, removal where murals are not feasible. Will attempt this year to recoup some costs from site owners.
Community Centre 55	1) \$25,000 2) \$31,000 3) \$21,600	9 youth (up from 8 last year) Primarily removal and touch up with cart. 1-2 graffiti artists to paint murals Expand area from last year \$4,500 expected from sales and donations

Agency	Grant Amount 1) 1997 2) Request 3) 1998	Notes
Davenport Perth Neighbourhood Centre "Mural Express!"	1) \$25,000 2) \$26,000 3) \$23,000	8 youth aged 16-20. 6 are returning from last year and the plan is to move to a more formalized business operation. 10 sites, split between public, private and community non profit. Anticipating \$8,200.00 sales/donations and \$7,260.00 funds from other sources. Revenues to increase \$ to youth Partner with Junction BIA, murals in schools over last year
Dixon Hall Neighbourhood Centre "Fresh Coat - Regent Park Youth Painters"	1) \$25,000 2) \$23,978 3) \$24,000	Partner Central Neighbourhood House. 5 youth, 18-24. Two experienced from last year to peer train. Business training also provided. Attempt at partial cost recovery and move to a business format. 9-12 sites to be looked at.
"Youth Murals Inc." Pape Adolescent Resource Centre (PARC) with Eastview Neighbourhood Community Centre	1) \$30,000 2) \$29,820 3) \$25,000	2 older "alumni" co-ordinators 16 youth "in care" age 15-19 honoraria (\$125.00/week summer, \$30.00/week fall) 4-6 murals Eastview Outreach worker; artist on part time Partnership with agencies and Self Employment Development Initiative Sites to be selected.
7 th Generation Image Makers Native Child & Family Services of Toronto	1) \$40,000 2) \$38,000 3) \$34,000	Native Street Youth - "uniquely Canadian Images" re: Tourist interest. 6 murals completed last year, 4 in 98 Hope to replace some lost funding with sales Native youth to coordinate project and hire a "pool" of 15 artists. Business training component

Agency	Grant Amount 1) 1997 2) Request 3) 1998	Notes
"Homo Air Ectus"	1) \$30,000 2) \$33,000 3) \$26,000	As with Murality, this organization has created a successful venture over two years. They will employ youth from that period as 4 team leaders working with 16 part time student artists in a peer training model under the supervision of a visual arts consultant from the Separate School Board. Part of a \$194,000, full year project Already large list of sites and commitments for 25% share from property owners
St. Christopher House	1) \$10,000 2) \$16,033 3) \$10,000	Partners w/Midtown Kiwanis Boys & Girls Club. Emphasis at St. Christopher for 10 youth age 13-15 in Woman Abuse Children's Program and 1 youth age 20-25 as team leader. Agencies donating \$8,848 in administration.
St. Stephen's Community House, with "Murality"	1) \$25,000 2) \$24,012 3) \$20,000	In one of the more interesting developments, youth from the first two years of the program have "grown" a promising venture called "Murality". They will be used to "peer educate" the new youth in the field maintaining continuity and allowing for 5 new youth to be trained..Grant request is to be supplemented with \$10,0000 in sales and donations.
Scadding Court Community Centre, "Muralifters"	1) \$6,000 2) \$7,600 3) \$7,600	Target Alexandra Park and Chinatown First year focus on two large murals on public property and technical training will change to business development (part time) for ten returning youth and more focus on privately owned properties. Self Employment Development Initiative to provide business training.
Total 1997 Total Requests Total Recommended	\$ 289,000 \$ 314,764 \$ 250,000	Projected numbers of youth hired and murals created are based on requested amounts. The lower recommended budgets will impact on these projections and on any anticipated revenue

(Report dated June 1, 1998, from the City Clerk,
entitled "Proposals for By-Election in Ward 1- East York" - Minute No. 1117)

Purpose:

To recommend the most effective way to conduct a by-election in Ward 1 East York.

Funding Sources, Financial Implications and Impact Statement:

Funds have not been allocated for the purposes of a by-election. The Honourable Minister Al Leach has indicated that the Provincial Government will not be subsidizing any costs associated with a by-election for a third councillor in Ward 1 (letter May 5, 1998). Funds from Contingency would have to be allocated towards a by-election.

Recommendations:

It is recommended that in the event Provincial legislation is enacted to create a third councillor position and permit a by-election in East York:

- (1) the City Clerk be authorized to bring forward the necessary by-law authorizing a by-election to fill the third councillor position;
- (2) the City Clerk be authorized to make all the necessary preparations for a poll level tabulated by-election;
- (3) the necessary funds be allocated from the Corporate Contingency account to the City Clerk's budget for the cost of the by-election; and
- (4) the Honourable Minister Al Leach be advised of City Council's decision in this regard accordingly.

Council Reference/Background/History:

This report originated as a result of City Council, at its April 16, 1998, meeting, adopting the recommendations in 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 requests the Honourable Minister Al Leach to amend the *City of Toronto Act*, to include a third councillor for Ward 1 East York and conduct a by-election no later than September 1998. This report outlines the options and costs associated with conducting said by-election.

Discussion and Justification:

The *Municipal Elections Act* states:

"By-elections shall be conducted as far as possible in the same way as regular elections."

The 1997 Municipal Elections conducted in Ward 1 East York utilized 44 polling locations and tabulated ballots using poll level optical scan tabulators. East York experienced a 50.8 percent voter turnout. East York's election process was well received by both candidates and voters. The cost of the 1997 Municipal Election for Ward 1 East York was \$122,259.00. A poll level tabulated by-election to be conducted in Ward 1 East York would cost approximately the same amount.

A review was conducted of four other options to run the by-election. Telephone and Mail were considered but due to the gross inaccuracies of the voters' list and the increased reliance upon the voters' list in these systems, these options were rejected. A manual count was evaluated and found to be considerably more expensive to conduct. Finally, a touch screen election was researched but again, it too proved to be more costly than a poll level tabulated system.

Conclusions:

The legislation provides clear direction as to the manner in which a by-election must be conducted. The last Municipal election in East York Ward 1 was conducted with 44 polling locations providing electors with accessible and convenient access to the voting process. Given that the legislation is both clear and direct and there will be significant interest in this by-election from the residents of Ward 1 East York, a complete by-election utilizing all 44 polling locations is the best option available.

Contact Name:

John Hollins, Director, Elections 392-8019.

Attachment No. 7

(Communication dated June 2, 1998, from the City Clerk forwarding the recommendations of the Assessment and Tax Policy Task Force from its meeting held on May 28, 1998 - Minute No. 1118)

Recommendations:

The Assessment and Tax Policy Task Force on May 28, 1998, recommended to City Council that:

- (1) the Minister of Municipal Affairs and Housing be requested to amend the Tenant Protection Act, 1997, and change the proposed regulations in the following manner:
 - (a) that the regulations explicitly give the City authority, at its own option, to provide notices to landlords and tenants of residential complexes containing less than seven units;
 - (b) that the threshold for tax decreases which would cause an automatic rent decrease be reduced from the proposed amount of 5 percent to 2 ½ percent;
 - (c) that the legislation limits liability for the City in the case of errors, at least to the same extent that the Tribunal and Province are protected;

- (d) that the regulations include specific provisions which would allow the City to rescind or amend notices where an error has occurred;
 - (e) that the amounts which are to be included for the purposes of determining whether or not a decrease has occurred, are clearly set out;
 - (f) that for the purposes of these regulations, the definition of a residential complex be similar to the definition of "assessment portions" as included in the Ministry of Finance assessment roll;
 - (g) that reductions in municipal property tax resulting from successful assessment complaints or appeals, either be expressly excluded from the City's duty to issue notices, or that the City's duties in such cases be clearly set out;
 - (h) that the City be consulted prior to finalizing the notice for automatic rent reductions; and
 - (i) the landlord be legally required to post notice of all tax decreases and increases and that the notice be posted for not less than 120 days before the increase or decrease comes into effect;
- (2) in the case of assessment appeals and complaints, that the Province be requested to ensure that tenants are made aware of any appeals filed, and that, where a decision is made to reduce the assessment retroactively, both current and former tenants are able to recoup any amounts of rent which may be owing to them as a result of the tax decrease; and that Council also request that the Province ensure rents are retroactively adjusted;
- (3) the Province be requested to make available technical assistance to the Municipality in preparing the notices, as required; and
- (4) the Province be requested to declare the current lawful rent to be the rent at the time of the last legal increase.

The Assessment and Tax Policy Task Force advises that it has requested the following reports:

- (i) the Commissioner of Community and Neighbourhoods Services, in consultation with other appropriate staff, to report to City Council on June 3, 1998, on what rules and costs are involved for tenants to apply for rent decreases;
- (ii) the Chief Financial Officer and Treasurer to report back to the Task Force on the establishment of an information hotline for tenants within the administration of the City of Toronto, and the budget that would be required to support the hotline, to inform tenants of the implications of changes to assessments; and
- (iii) the City Solicitor to report back to the Task Force on the legal authority for Council to pass the by-law referred in the following motion of Councillor Walker:

“That Council pass a by-law that requires the landlord to post the tax notice in the lobby and the elevators of multi-residential buildings.”

Background:

The Assessment and Tax Policy Task Force had before it a joint report (May 26, 1998) from the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer respecting the City’s response to proposed regulations under the Tenant Protection Act, 1997 to reduce rents resulting from tax reductions.

The Task Force also had before it a report (May 21, 1998) from the City Clerk forwarding Council’s action from its meeting on May 13 and 14, 1998, respecting the abovementioned matter.

As the deadline for submission of the City’s position to the Province was May 29, 1998, the Task Force forwarded the foregoing recommendations to the Ministry of Municipal Affairs and Housing and advised that City Council would be considering these recommendations at its meeting on June 3, 1998.

Attachment No. 8

(Report dated June 1, 1998, from the Commissioner of Community and Neighbourhood Services and the City Solicitor, entitled “Rules and Costs Associated with a Tenant’s Application for Rent Reduction Due to a Tax Decrease under Section 143 of the Tenant Protection Act, 1998” - Minute No. 1118)

Purpose:

To outline the rules and costs associated with a tenant’s application to the Ontario Rental Housing Tribunal for a rent reduction in circumstances where the landlord received a reduction in municipal taxes but where the reduction in rent is not automatic under the provisions of the *Tenant Protection Act, 1997*.

Funding Sources, Financial Implications and Impact Statement:

There are no funding implications.

Recommendations:

It is recommended that:

- (1) Council request that the Minister of Municipal Affairs and Housing not impose an application fee on tenants who make an application for a rent reduction resulting from a tax decrease under section 143 of the *Tenant Protection Act, 1997*. These reductions are likely to be small and, therefore, the application fee may be a barrier to tenants wanting to obtain the rent reduction; and

- (2) Council request that the Minister of Municipal Affairs and Housing put in place a number of measures which will ensure that the application procedures for rent reductions resulting from tax decreases under section 143 of the *Tenant Protection Act, 1997* are simple and efficient for both tenants and landlords, and that such measures include the following:
- (a) that the Tribunal's Rules allow the Tribunal to hold written and electronic hearings as permitted and as defined by the *Statutory Powers Procedure Act*; and
 - (b) that the application form include notice that all tenants in the residential complex may file the application together if each tenant signs the application.

Council Reference/Background/History:

At its meeting on May 28, 1998, the Assessment and Tax Policy Task Force had before it a joint report dated May 26, 1998, from the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer respecting the City's response to proposed regulations under the *Tenant Protection Act, 1997* (the "Act") to reduce rents resulting from tax reductions.

In response to that report, the Task Force requested that a report, from appropriate staff, outlining the rules and costs involved for tenants to apply to the Ontario Rental Housing Tribunal (the "Tribunal") for non-automatic rent decreases under the Act, be sent directly to City Council for its meeting on June 3, 1998.

Comments and/or Discussion and/or Justification:

While not yet in force, the Act was enacted in November, 1997. By Order-in-Council No. 1223/98, dated May 27, 1998, the Act is to come into force on June 17, 1998, with the exception of sections 223(4) and 224(17).

The Act provides for an automatic rent reduction, in prescribed circumstances, where the property taxes payable by the landlord have been reduced. In its discussion paper regarding draft regulations, the Ministry of Municipal Affairs and Housing is currently proposing that rent reductions be automatic only where the municipal taxes for the residential complex have decreased by at least 5 percent. These proposed regulations are set out in further details in the joint report dated May 26, 1998 from the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer.

Under section 143 of the Act, a tenant may apply to the Tribunal for a rent reduction order due to the reduction in the municipal taxes and charges on the building in which their unit is located. A tenant could apply for such an order where the rent reduction was not automatic as the tax decrease fell below the threshold amount. Furthermore, a tenant may be forced to apply for such an order where the rent reduction should have been automatic but the landlord did not reduce the rent in accordance with the Act.

The Chair of the Tribunal is to establish a Rules and Guidelines Committee from amongst the members of the Tribunal for the purpose of adopting rules of practice and procedure governing the practice and procedure before the Tribunal (the "Rules"). Until such time as the Rules are made by

the Rules and Guidelines Committee, the Minister of Municipal Affairs and Housing may establish temporary rules (section 164). While, no Rules or temporary rules have been established to date, the Ministry has indicated its intention to have finalized the Rules by the time the *Act* comes into force.

General procedural requirements are set out in Part IX of the Act. Some of the relevant requirements for an application under section 143 are as follows:

- C A tenant must file an application in a form approved by the Tribunal. This application must be accompanied by the prescribed information and must be signed by the tenant (section 172). The required information has to date not been prescribed by regulation.
- C A fee may be required in order to file an application to the Tribunal. The Minister of Municipal Affairs and Housing has approved a fee of \$45.00 for tenant applications under the Act (section 169).
- C Two or more tenants may combine applications provided all applicants sign the application (section 173). Similarly, the Tribunal may direct that two or more applications be heard together (section 185). The Act does not give the Tribunal authority to extend an application to include tenants of the same building whose signatures do not appear on the application for rent reduction.
- C A tenant is required to give a copy of the application to the landlord within the time period required by the Rules. A tenant is also required to provide the landlord with a copy of the notice of hearing and must file a certificate of service where required by the Rules (section 175).
- C The Tribunal may attempt to mediate a settlement between the landlord and the tenant where both parties consent to the mediation. If the matter is settled by mediation, the application would then be disposed of in accordance with the Rules. If there is no settlement through mediation, the Tribunal must hold a hearing (section 181).
- C The Tribunal may dismiss an application without holding a hearing, or refuse to allow an application to be filed if, in the opinion of the Tribunal, the matter is frivolous or vexatious, has not been initiated in good faith, or discloses no reasonable cause of action (section 183). It will remain to be seen whether applications for very small rent decreases resulting from tax reductions would be considered by the Tribunal to be of a frivolous nature.
- C The *Statutory Powers Procedure Act* (the "SPPA") applies with respect to all proceedings before the Tribunal with the exception of subsection 5.1(2) and (3) of the SPPA which do not apply with respect to a section 143 application. Subsection 5.1(2) of the SPPA precludes a written hearing where parties object, although the rules of the Tribunal provide for written hearings. Subsection 5.1(3) states that all parties to a written hearing are entitled to receive all documents which the Tribunal has received in the proceeding. Thus, if the Rules provide for a written hearing with respect to a section 143 application, a written hearing may be held against the objections of the parties and all parties thereto are not necessarily entitled to all documents received by the Tribunal.

- C The Tribunal may include in its order any conditions which it considers fair in the circumstances. The Tribunal may also order a party to pay costs to the Tribunal or to another party in accordance with the Rules (section 190). In addition to ordering a reduction in rent, the Tribunal may order the landlord to pay any amounts owing to the tenant (section 191).

- C An order of the Tribunal is subject to appeal on questions of law (section 196).

Conclusions:

Once in force, the *Tenant Protection Act, 1997* will allow a tenant to apply to the Tribunal for a rent reduction in circumstances where the landlord received a reduction in municipal taxes but a rent reduction is not automatic, or in circumstances where the landlord has not provided the automatic rent reduction required by the Act. Such an application will require the filing of a written application with the Tribunal and the payment of a \$45.00 application fee. While the Act provides general procedural requirements for applications to the Tribunal, further details will be available upon finalization of the Rules of the Tribunal.

Contact Names:

Joanne Campbell, Functional Lead for Housing, 392-6135,
Christina Hueniken, Solicitor, 392-8429.

Attachment No. 9

(Report dated June 1, 1998, from the Commissioner of Urban Planning
and Development Services, entitled "GO Transit's Funding
Relationship with the City of Toronto" - Minute No. 1122)

Purpose:

This report responds to the Committee's request to report on funding matters related to GO Transit. The report describes GO Transit's new funding arrangement with the City of Toronto and the Greater Toronto Area (GTA) regional municipalities including Hamilton-Wentworth, as set by the Province, and recommends an alternative.

Financial Implications:

If the Province accepts its funding responsibilities, the City's contribution toward the GO Transit deficit would be eliminated. If the alternative funding formula presented in this report is implemented, the City's share of GO Transit's estimated 1998 budget deficit would be reduced from \$53.1 million as set by the Province to \$32.9 million.

Recommendations:

It is recommended that:

- (1) Council request the Province to accept its funding responsibilities for GO Transit, and treat the operation, maintenance and capital expansion of inter-regional transit in the same way as the 400 series highways;
- (2) if the Province does not alter its decision to discontinue Provincial funding of GO Transit, Council strongly oppose the funding formula set by the Province and support the alternative formula put forth in Exhibit 2 of this report for funding the operating, maintenance and rehabilitation deficit for GO Transit;
- (3) Council request the Province, through appropriate legislative changes, to empower the City, all GTA Regions and Hamilton-Wentworth to establish new sources of revenue, including fuel taxes, and surcharges on parking and vehicle licenses;
- (4) Council request the Federal Government, in preparing its plan to meet Canada's environment commitments in accordance with the Kyoto Agreement, to address ways and means of improving public transit services, particularly commuter rail service, in the Greater Toronto Area and other large urban centres;
- (5) Council seek the endorsement of the Province, and of the Greater Toronto Services Board (GTSB) upon its formation, for the alternative funding formula, and request the Mayor, Chair of the Urban Environment and Development Committee, and appropriate City staff to present the City's position to Provincial and Federal officials; and
- (6) the City Clerk forward copies of this report to the Provincial Ministers responsible for Municipal Affairs and Housing, Transportation, and Environment; Federal Ministers for the Greater Toronto Area, Environment, and Transport; Alan Tonks (GTSB Moderator); GO Transit; and the Regions of Durham, Halton, Peel, York and Hamilton-Wentworth, for their consideration.

Background:

GO Transit was established in 1967 under the Toronto Area Transit Operating Authority Act (TATOA) and is governed by the GO Transit Board composed of a Chair appointed by the Lieutenant Governor, Mayor of the City of Toronto and the five Chairs of the GTA regional municipalities including Hamilton-Wentworth. Until this year, GO Transit was wholly funded by the Province of Ontario. As part of the provincial/municipal restructuring of responsibilities, the Province announced early last year that GO Transit's costs would be funded by the City of Toronto and the regional municipalities of Durham, York, Peel, Halton and Hamilton-Wentworth as of January 1, 1998.

The Province has circulated draft legislation which proposes that GO Transit be governed by the Greater Toronto Services Board (GTSB). The draft legislation further proposes the GTSB have a total of 30 municipal members, 14 from the City and 16 from the five regional municipalities (Durham 3, York 4, Peel 5, Halton 2, Hamilton-Wentworth 2) and a provincially nominated Chair.

The Province had indicated that until the proposed GTSB is in place, a temporary funding arrangement would be needed with the municipalities to fund the subsidy for GO Transit.

Following separate meetings with staff representatives from Metro and each of the five regional municipalities, premised on the assumption that the Provincial restructuring of responsibilities would be revenue neutral, the Province set the funding proportions as shown in Exhibit 1. The draft GTSB legislation allows for an amendment to the funding allocations with at least a two-thirds vote in favour of the change.

GO Transit's 1998 budget for operations, maintenance and rehabilitation anticipates a deficit of \$106.4 million. The 1998 budget does not include any major capital expansion projects. The Province announced in March this year that they will provide \$106.5 million (which happens to be almost identical to the operating deficit) for new GO Transit capital investments. These funds are part of the \$200.0 million allocated by the Province for the Municipal Capital Operating and Restructuring Fund. The \$106.5 million capital fund will be allocated to each funding municipality, in proportion to its subsidy contribution (shown in Exhibit 1). As a result, based on the Provincially regulated funding formula, the City would be allocated \$53.1 million for its share of GO Transit capital projects. These funds are to be made available when the GTSB is established.

Responsibility of Senior Governments:

Ridership on GO Transit has continued to increase since service was initiated in 1967. GO Transit now carries approximately 100,000 passengers per day on the rail system and about 25,000 passengers per day on the bus system. Over 80 percent of GO Transit users are non-City residents. Based on the forecast population and employment growth within the GTA, most of which will be in the "905" regions, GO Transit ridership is expected to almost double over the next 25 years, requiring about \$1.0 billion for capital expansion.

The commuter rail network is the public transit equivalent to the 400 series highways. Maintaining and enhancing GO Transit directly offsets the need for future widening and extensions of the existing highway network and would result in significant cost savings to the Province. To put the importance of the commuter rail network into perspective, the existing GO Transit system carries the equivalent of 15 to 20 freeway lanes, and in the absence of improvements to accommodate the forecast travel growth a further 15 to 20 freeway lanes will be required. The Province continues to fund the operation, maintenance and expansion of the interregional freeway system and should continue to fund the interregional public transit system in the same manner.

The Province also has a significant interest in ensuring the economic vitality of the City's downtown core. It is the pre-eminent economic centre in Ontario and Canada, home of a significant number of head offices of major financial and other institutions, and a world renowned and growing entertainment hub. Preserving and enhancing the vitality of the downtown core is essential to the economic health of the GTA and the Province. The commuter rail network plays an important role in providing the necessary transportation services to the downtown and enabling residents of the GTA to reach their place of employment without relying on the automobile.

The restructuring of Provincial/Municipal funding responsibilities was not revenue neutral. The City cannot sustain the level of funding required for the operation, maintenance and expansion of GO Transit services without a significant property tax impact or reduction in other services. New, stable and predictable sources of revenue are required to ensure adequate funding. Should the Province not accept its responsibility to fund GO Transit, they should, at least, provide the

legislative authority to allow municipalities to establish new sources of revenue through initiatives like fuel taxes and surcharges on parking and vehicle licenses. Each 1 cent/litre fuel tax raises about \$20 million annually within the City of Toronto and an additional \$20.0 million annually in the rest of the GTA and Hamilton-Wentworth. A parking surcharge applied to long term (daily) off-street parking within the City would raise about \$1.0 million annually for each 1 cent of the charge, e.g., a 10 cent surcharge would raise \$10.0 million/year, a 50 cent charge \$50.0 million/year, and so on. There are about 1.0 million vehicles registered in the City and about 2.5 million in the GTA. A \$10.00 per vehicle (less than \$1.00 per month) registration surcharge would generate about \$10.00 million within the City and an additional \$15.00 million annually in the rest of the GTA including Hamilton-Wentworth.

Applying these types of transportation system “user” pay charges to improve public transit is consistent with the City's official plan policies, as well as those of the surrounding regions, to encourage greater use of transit. It also recognizes that automobile users benefit from public transit services through reduced road congestion. We note that the British Columbia provincial government recently downloaded responsibility for public transit to the Greater Vancouver Regional District (GVRD). As part of the agreement the British Columbia government will also transfer 4 cents/litre fuel tax, increasing to 10 cents/litre by 2005, to the GVRD; provide legislative authority for local municipalities to apply parking and vehicle registration surcharges and a number of other new sources of revenue; assume 60 percent of the debt for expansion of their rapid transit system; and relieve municipalities of some of their existing debt responsibilities. GVRD officials indicate that these new sources of revenue and provincial assumption of debt will allow them to maintain and expand both the public transit and road system.

The Federal Government also has a strong interest in ensuring continued economic growth in Toronto. In addition, increased transit ridership would result in reduced growth in automobile use and congestion, thereby assisting the Federal Government in achieving its international commitment to reducing emissions which contribute toward global warming. The transportation sector contributes about 33 percent of carbon dioxide, the most significant greenhouse gas; 40 percent to 60 percent of ozone producing pollutants; and 70 percent to 80 percent of carbon monoxide emissions, to our atmosphere (American Association of Public Transit). Thus, there is a strong rationale for the Federal Government to support improved inter-regional public transit based on its commitments made at the Kyoto Conference in Japan. There are a number of different ways the Federal Government could assist including financial participation in network expansion projects and/or acquisition of rail corridors to reduce costs for public transit services.

Concerns With the Provincial Funding Formula:

The Province determined that an appropriate funding formula, regulated under TATO, should reflect:

- (1) the use of GO Transit system by residents of each region;
- (2) the level of service provided within each region; and
- (3) the ability of each region to pay.

The subsidy funding formula, according to the Province, was thus formulated one-third on the basis of annual ridership by municipality, one-third on the basis of the number of times trains and buses stop in each region, and one-third on the basis of equalized assessment. This formula results in the

City being assigned responsibility for 49.9 percent of GO Transit's annual deficit. This level of subsidy is clearly far beyond the benefits received by the City of Toronto residents from the GO Transit system.

There are some basic flaws in the Province's funding formula. The formula does not reflect usage of the system by the residents of each Region, as claimed by the Province. The formula uses annual (two-way) ridership based on station boardings as the measure for system use. Residents of the 905 Regions coming into the City in the morning therefore are counted as City residents on their return trip home in the evening. On this basis the calculated use of the system by City "residents" would never be less than 50 percent. This is simply incorrect. The GO Transit system is in fact used to a much greater extent by non-City residents. The 1996 Transportation Tomorrow Survey, coordinated by the Province in association with all GTA Regions and Hamilton-Wentworth, indicates that only about 17 percent of GO rail passengers are residents of the City.

The formula uses the sum of the number of train stops and the number of bus stops as the measure of the level of service provided. These are two very different services. GO Rail is clearly an inter-regional service. Many GO Transit bus services, however, are more comparable to a regional service and could be operated by a regional transit authority (similar to the TTC) if such existed in the surrounding Regions. For example, the Yonge and Bayview GO bus services, which operate through several local municipalities in York Region, are currently provided by GO Transit under contract to the Region. The use of the number of bus stops as a measure of the level of service is further complicated since many bus services operated by GO Transit do not have designated bus stops. Buses on these routes stop to board or exit passengers at any safe location upon request by passengers.

The formula set by the Province also includes equalized assessment as the measure of each Region's ability to pay. This factor should not be included in the funding formula as there is no logical relationship between a municipality's ability to pay and the provision of GO Transit services. Moreover, total assessment is not a measure of a municipality's ability to pay.

Furthermore, by considering GO Transit in isolation, the regulated funding formula does not account for the significant subsidy paid by City of Toronto's taxpayers to provide TTC services for "905" residents. The TTC carried about 372 million passengers in 1996 of which about 33.0 million or 9 percent were non-City residents. The other GTA municipal transit services carried a combined total of 77.0 million passengers of which only 1.5 million or 2 percent were City residents. The non-City residents pay a fare to use TTC service but the operating deficit is borne, in full, by the City taxpayers. This resulted in a net operating subsidy of about \$17.0 million paid by City taxpayers for the use of TTC services by non-City residents. In addition to the above operating costs the TTC undertakes capital improvements, including system rehabilitation, vehicle replacement, and other projects to ensure a state of good repair. The total (operating and capital) annual subsidy paid by City taxpayers to accommodate passengers from outside the City is about \$33.0 million.

Alternative Funding Formula:

For the reasons stated above the regulated funding formula as proposed by the Province is inappropriate and unfair to the City of Toronto. The alternative funding formula discussed below is consistent with the Provincial objective to allocate costs based on use and level of service and

incorporates better indicators for these factors. Ability to pay, however, is not included in the alternative formula.

Both the number of passengers and the distance travelled on the GO Transit system differ significantly between City residents and residents of the surrounding regions. The funding formula should include an indicator which incorporates both of these factors in the measure of system usage. In our opinion the best measure of system usage is passenger-kilometres of travel by the residents of each municipality. This approach is consistent with GO Transit's fare by distance policy which implicitly recognizes that longer trips have a greater value than short trips.

The funding formula should also recognize that different levels of service are provided on each route of the system. For example, the Lakeshore GO rail services are full-day services, seven days a week, in contrast to the other five GO rail services which operate during weekday peak periods only. The best measure of the level of service is the number of weekly rail stops made within each municipality by GO Transit. GO bus service stops should not be included in determining the relative level of service provided to each funding partner since many of the services are regional in nature and do not have designated stops.

A cost allocation based on the above two indicators (passenger-kilometres of travel by residence and train stops by Region) is illustrated in Exhibit 2. The City's contribution under this alternative would be 30.9 percent (\$32.9 million) of the subsidy cost in contrast to 49.9 percent (\$53.1 million) regulated by the Province. The recent changes by GO Transit to implement more express train service and reduce the number of train stops within the City, would result in a further, although small, reduction to the City's financial contribution.

Non-Transportation Benefits and Costs:

Staff have attempted to quantify the non-transportation benefits and costs of downtown employment supported by GO Transit. Municipal property tax assessment was used as the best measure of the benefits to the City. Quantification is extremely difficult, but we estimate the non-transportation benefits generated by the approximately 30,000 daily workers commuting to the City from the 905 Regions to be between \$17.0 and \$35.0 million per year. The City incurs about \$20.0 million in associated costs to provide police, fire, ambulance, water supply, water pollution control, etc. Even if the higher benefit is assumed the maximum net annual benefit to the City would be about \$15.0 million (\$35.0 million less \$20.0 million). This estimated non-transportation benefit is considerably lower than the subsidy costs the City would incur to accommodate residents from the 905 Regions on GO Transit and the TTC.

Conclusions:

GO Transit service in the GTA plays an important role in supporting the economic vitality of the entire Province. Commuter rail service is the public transit equivalent of the 400 series highway network. The Province recognizes the importance of, and continues to fund, the highway network, but has abdicated its responsibility for funding inter-regional public transit. The Province should acknowledge the importance of the GO Transit commuter rail network and fund it in a similar manner to the 400 series highway system. If the Province remains steadfast in its determination to download the financial obligations associated with GO Transit, they should at least empower the

City and the five regional municipalities by providing the legal tools to allow them to establish new revenue sources.

The funding formula regulated by the Province results in a cost allocation to the City far beyond the benefits reaped by the City taxpayers from the GO Transit system. The formula should be strongly opposed since it further amplifies the existing inequities in municipal transit subsidies borne by the City taxpayers in comparison to the "905" residents.

The allocation of subsidy costs for GO Transit between the funding municipalities should be viewed in the overall context of transit subsidies borne by the taxpayers of each municipality. City taxpayers provide a net annual subsidy of about \$33.0 million to accommodate residents of the 905 Regions using the TTC. These costs are partially offset by the non-transportation benefits to the City attributed to workers commuting to the downtown core on GO Transit, estimated to be a maximum of about \$15.0 million/year. Considering both factors, the City still faces a shortfall of about \$18.0 million.

The alternative funding formula presented in this report appropriately reflects the usage of GO Transit system by residents of each funding municipality and the level of service provided to each municipality. The alternative formula would reduce the City's contribution by about \$20.0 million from \$53.1 million regulated by the Province to \$32.9 million under the alternative arrangement for the year 1998.

Maintaining and enhancing the public transit system serving the GTA would reduce growth in automobile travel and thereby assist the Federal Government in meeting its environmental commitments arising from the Kyoto conference. The Federal Government should be requested to consider ways and means to facilitate implementation of the capital improvements necessary to support continued economic development within the GTA in an environmentally friendly manner.

Contact Name:

Dick Gordon, City Planning, Metro Hall Office,
tel: 392-8785; fax: 392-3821.

Go Transit Funding Formulas

Exhibit 1: Province's Allocation Formula		
Municipality	Subsidy Allocation [%]	1998 subsidy cost [\$million]
City of Toronto	49.9%	\$53.1m
Durham	10.6%	\$11.3m
York	11.2%	\$11.9m
Peel	15.6%	\$16.6m
Halton	9.6%	\$10.2m
Hamilton-Wentworth	3.1%	\$3.3m
Total	100%	\$106.4m

EXHIBIT 2: ALTERNATIVE ALLOCATION FORMULA		
Municipality	Subsidy Allocation [%]	1998 subsidy cost [\$million]
City of Toronto	30.9%	\$32.9m
Durham	19.2%	\$20.4m
York	6.2%	\$6.6m
Peel	23.1%	\$24.6m
Halton	19.7%	\$21.0m
Hamilton-Wentworth	0.9%	\$0.9m
Total	100%	\$106.4m

Attachment No. 10

(Report dated June 4, 1998, from the Commissioner of Corporate Services, entitled "Request by the YWCA of Greater Toronto to Waive the Rental Fee for their Use of the Great Hall, East Room and VIP Room at St. Lawrence Hall (Ward 24 - Downtown)" - Minute No. 1128)

Purpose:

To report on a request by the YWCA of Greater Toronto for rent free use of the St. Lawrence Hall's Great Hall, East Room and VIP Room from 6:00 pm to 1:00 am on June 19, 1998.

Funding of Sources, Financial Implications and Impact Statement:

Should City Council authorize the requested rent free use, the City will forego revenues totalling \$2,100.00.

Recommendations:

It is recommended that:

- (1) City Council approve the request for rent-free use by the YWCA of Greater Toronto; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

A request was received from the YWCA of Greater Toronto for the rent free use of the St. Lawrence Hall's Great Hall, East Room and VIP Room from 6:00 pm to 1:00 am, on Friday June 19, 1998.

Current policy at the St. Lawrence Hall allows rent-free use to non-profit charitable organizations to a maximum of two events per month and provided the event is held on Monday to Wednesday, inclusive, during the months of January to October. The YWCA of Greater Toronto does not qualify under the current rent-free policy because they are requesting a Friday use and, accordingly, an exemption must be sought to approve this request.

Comments:

The YWCA of Greater Toronto is a charitable organization that runs the only shelter for abused women and children in the former Borough of East York. It is their intention to use the facilities to hold a fundraising event titled "a Goddess Banquet and Dance", to support the shelter.

The full rental fee for the Great Hall, East Room and VIP Room for Friday June 19, 1998, from 6:00 p.m. to 1:00 a.m., in the amount of \$2,100.00, together with the deposit/damage deposit in the amount of \$535.00, has been paid and the booking has been confirmed.

The rent-free policy currently in use at the St. Lawrence Hall, is designed to deal with requests from charitable organizations in a consistent manner, while still providing the City with an opportunity to generate revenues from the facilities. This year 16 organizations either have used the facilities or are scheduled to use them under the current rent-free policy. There are still three openings for rent-free use, one in each of the months of June, July and August.

While the YWCA of Greater Toronto could have been granted rent free use of the facilities under current policy if the required date fell on a Monday, Tuesday or Wednesday, the organizers of the event have explained that they will be able to achieve a much better response by holding the event on a Friday and will be able to coordinate this event with a weekend workshop to achieve advertising benefits.

The purpose of the fundraiser is beneficial to the City of Toronto.

Conclusion:

The request of the YWCA of Greater Toronto should be accommodated.

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