

Appendix A

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

WEDNESDAY, JULY 29, 1998

City Council met at 9:45 a.m., in the Council Chamber, Metro Hall, Toronto.

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

The Meeting opened with the York Lions Steel Band playing O Canada.

1338 Members present at the morning session of this meeting:

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

1339 At this point in the proceedings, Deputy Mayor Ootes called upon Councillors Saundercook and Nunziata to assist him in presenting scrolls to Members of the York Lions Steel Band.

1340 Councillor Kelly, seconded by Councillor Faubert, moved that the Minutes of the Special Council Meetings held on the 28th day of April and the 1st day of May, 1998, and the 29th and 30th days of April, 1998, be confirmed in the form supplied to the Members, which was carried.

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

1341 Various communications from the City Clerk forwarding comments/recommendations from Community Councils and other Committees regarding the guidelines for determining City-wide interests in planning matters:

- (a) (July 17, 1998) advising that the Special Committee to Review the Final Report of the Toronto Transition Team concurred with Recommendation (B) of the Urban Environment and Development Committee, contained in the communication dated July 14, 1998, from the Interim Contact, Urban Environment and Development Committee;

- (b) (July 23, 1998) forwarding the Scarborough Community Council's amendments to the Protocol for Identifying and Processing Planning Matters of City-wide Interest and Cross-boundary Issues;
- (c) (July 23, 1998) advising that the East York Community Council received the aforementioned item; and
- (d) (July 23, 1998) advising that the York Community Council expressed its unanimous support for the proposed guidelines and protocol as set out in the report.

The foregoing communications were considered with Clause No. 2 of Report No. 9 of The Urban Environment and Development Committee. (See Appendix "A", page 8608.)

- 1342 From the City Solicitor (July 15, 1998) reporting, as requested by the Urban Environment and Development Committee, on the legislative amendments that would be required to permit the City to adopt a vital services program similar to that conducted in the former City of Toronto under its special legislation.

The foregoing report was considered with Clause No. 3 of Report No. 9 of The Urban Environment and Development Committee. (See Appendix "A", page 8622.)

- 1343 From the Commissioner of Urban Planning and Development Services (July 21, 1998) reporting, as requested by the Urban Environment and Development Committee, on the establishment of a 20-unit cap on developments on private roads and recommending that should Council decide to establish a 20-unit cap on future applications for freehold townhouse projects on private roads, such approvals be limited to projects which do not include underground garages, swimming pools, or other high maintenance shared facilities.

The foregoing report was considered with Clause No. 7 of Report No. 9 of The Urban Environment and Development Committee. (See Appendix "A", page 8660.)

- 1344 (a) From Eric Pressman, Operator and Owner of Leader of the Pack (July 15, 1998) forwarding a copy of his brief regarding the issue of leashed and unleashed dogs in City parks; and
- (b) from Ms. Jane Greer, Toronto (July 14, 1998) requesting off-leash hours in Dovercourt Park for exercising dogs.

The foregoing communications were considered with Clause No. 1 of Report No. 7 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 8113.)

- 1345 From Councillor Jack Layton, Co-Chair, Advisory Committee on Homeless and Socially Isolated Persons (July 17, 1998) advising that the Advisory Committee

acknowledges the efforts of the Community and Neighbourhood Services Department to address the demand for emergency shelter in Toronto and recognizes that a primary challenge for the Department is locating appropriate physical facilities for conversion to hostel space and submitting recommendations in this regard.

The foregoing communication was considered with Clause No. 8 of Report No. 7 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 8184.)

- 1346
- (a) From Ms. Mary Campbell, President and Archivist, The Beach and East Toronto Historical Society (undated) submitting comments regarding Heritage Management in the "new" City of Toronto; and
 - (b) from the Chief Administrative Officer (July 24, 1998) responding to a request by the Special Committee to Review the Final Report of the Toronto Transition Team to clarify the reporting process and comment on the strategy/vision component and staffing for the restructured Heritage Toronto resulting from amendments made to his report by the Special Committee and submitting recommendations in this regard.

The foregoing communication and report were considered with Clause No. 1 of Report No. 10 of The Special Committee to Review the Final Report of the Toronto Transition Team. (See Appendix "A", page 10383.)

- 1347
- (a) From Councillor Jack Layton, Co-Chair, Advisory Committee on Homeless and Socially Isolated Persons (July 17, 1998) submitting, in response to several concerns raised by the members of the Advisory Committee, recommendations regarding the panhandling issue;
 - (b) from Ms. Lisa McGee, General Manager, The Bloor-Yorkville Business Improvement Area (July 16, 1998) regarding the squeegee issue and attaching a copy of her deputation on the topic of panhandling;
 - (c) from Mr. Kent Staines, The Board of Church Isabella Coop (July 24, 1998) urging Council to support the proposed regulation of panhandling and squeegee activity and to increase funding for programs to divert youth from this hazardous activity; and
 - (d) from Mr. John Clarke, Provincial Organizer, Ontario Coalition Against Poverty (July 23, 1998) requesting that the discussion on the panhandling issue be dealt with at 8:00 p.m. on Wednesday, July 29, 1998.

The foregoing communications were considered with Clause No. 1 of Report No. 8 of The Emergency and Protective Services Committee. (See Appendix "A", page 8567.)

- 1348
- Colour photocopy of the Fire Services' new shoulder flash.

The foregoing was considered with Clause No. 5 of Report No. 8 of The Emergency and Protective Services Committee. (See Appendix "A", page 8589.)

- 1349 (a) From the City Solicitor (July 23, 1998) reporting, as requested by the Community and Neighbourhood Services Committee, on an effective legal and/or practical legal remedy to deal with those squeegee individuals who are obnoxious and making a nuisance of themselves; and
- (b) from Ms. Nancy Dube, President, Ontario Association of Youth Employment Centres (July 27, 1998) endorsing the proposal from the Community and Neighbourhood Services Committee that would provide funding to continue and introduce a range of programs to assist youth who are engaged in the squeegee trade to make transitions to employment.

The foregoing report and communication were considered with Clause No. 2 of Report No. 7 of The Community and Neighbourhood Services Committee. (See Appendix "A", page 8125.)

- 1350 From Councillor Jack Layton, Don River (June 22, 1998) regarding the acquisition and disposal of real properties and submitting recommendations in this regard.

The foregoing communication was considered with Clause No. 2 of Report No. 11 of The Corporate Services Committee. (See Appendix "A", page 8330.)

- 1351 From the Chief Financial Officer and Treasurer (July 24, 1998) reporting on the development levies that will be required of the developer, Symphony Square Ltd., pursuant to the purchase by it of City-owned density rights.

The foregoing report was considered with Clause No. 14 of Report No. 11 of The Corporate Services Committee. (See Appendix "A", page 8435.)

- 1352 From the Chair, The Board of Governors of Exhibition Place (July 27, 1998) advising that the Board of Governors of Exhibition Place on June 19, 1998, unanimously approved the demolition of Exhibition Stadium; listing the reasons why the Stadium has to be demolished; and indicating that Exhibition Place believes that the proper financial and planning decision for City Council is to concur with the awarding of the lowest tender to demolish the Stadium.

The foregoing communication was considered with Clause No. 4 of Report No. 9 of The Urban Environment and Development Committee. (See Appendix "A", page 8632.)

- 1353 From Mr. Pat Crimmins, Committee Coordinator/Deputy Clerk, The Regional Municipality of Halton (July 16, 1998) advising that the Council of the Regional Municipality of Halton endorsed a resolution regarding transportation and GO transit funding issues in the Greater Toronto Area.

The foregoing communication was considered with Clause No. 11 of Report No. 9 of The Urban Environment and Development Committee. (See Appendix "A", page 8677.)

1354 Council was advised that there were no petitions and that Councillors Altobello, Brown and McConnell would be absent from this Council Meeting.

1355 At this point in the proceedings, the City Clerk reported that the following enquiries were before Council:

- (1) from Councillor Walker, dated June 29, 1998, regarding the Mayor's role in discussions with Maple Leaf Gardens concerning the City's interest in the Union Station Lands; and
- (2) from Councillor Walker, dated June 30, 1998, regarding the proposal for the development of a Maple Leaf Gardens Complex at Exhibition Place.

The City Clerk further reported that the following answers were received to the foregoing enquiries and had been circulated to Members of Council:

- (1) from Mayor Lastman, dated July 20, 1998, addressed to Councillor Walker; and
- (2) from the Chief Administrative Officer, dated July 24, 1998, addressed to City Council in response to Councillor Walker's enquiry.

At this point in the proceedings, Councillor Miller, with the permission of Council, proposed that Council defer consideration of the foregoing enquiries and answers until later in the meeting.

Council concurred in the foregoing proposal. (See Minute No. 1527.)

1356 Councillor Korwin-Kuczynski presented the following Reports for consideration by Council:

- Report No. 9 of The Toronto Community Council,
- Report No. 10 of The Corporate Services Committee,
- Report No. 7 of The Emergency and Protective Services Committee,
- Report No. 14 of The Strategic Policies and Priorities Committee,
- Report No. 10 of The East York Community Council,
- Report No. 5 of The Nominating Committee,
- Report No. 9 of The Special Committee to Review the Final Report of the Toronto Transition Team,
- Report No. 7 of The Community and Neighbourhood Services Committee,
- Report No. 11 of The Corporate Services Committee,
- Report No. 1 of The Economic Development Committee,
- Report No. 8 of The Emergency and Protective Services Committee,
- Report No. 9 of The Urban Environment and Development Committee,
- Report No. 7 of The Works and Utilities Committee,
- Report No. 15 of The Strategic Policies and Priorities Committee,

Report No. 11 of The East York Community Council,
Report No. 8 of The Etobicoke Community Council,
Report No. 8 of The North York Community Council,
Report No. 7 of The Scarborough Community Council,
Report No. 10 of The Toronto Community Council,
Report No. 8 of The York Community Council,
Report No. 10 of The Special Committee to Review the Final Report of the Toronto Transition Team, and
Joint Report No. 1 of The Corporate Services Committee and The Budget Committee,

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

Councillor Korwin-Kuczynski further presented the following Report for the consideration of Council:

Report No. 10 of The Board of Health,

and moved, seconded by Councillor Rae, 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 the Report and Clause Number wherein they have an interest, together with the nature of the interest.

Councillor Balkissoon declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that several members of his family are employees of the City of Toronto.

Councillor Bussin declared her interest in Clause No. 9 of Report No. 11 of The Corporate Services Committee, headed "Line of Credit Guarantee - Young People's Theatre", in that she is a Member of the Board of the Young People's Theatre, and not as an appointee of Council.

Councillor Cho declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that his wife is employed as his Constituency Assistant.

Councillor Gardner declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that a member of his office staff is a relative.

Councillor Giansante declared his interest in Item (c), entitled “Amendment to Agreement to Facilitate the Expansion of Access Rights to Municipal Road Allowances - Metronet Communications Group Inc.”, embodied in Clause No. 11 of Report No. 7 of The Works and Utilities Committee, headed “Other Items Considered by the Committee”, in that his wife is an employee of Bell Canada.

Councillor Jakobek declared his interest in those portions of Clause No. 1 of Report No. 5 of The Nominating Committee, headed “Citizen Appointments to the Canadian National Exhibition Association - Municipal Section and the Toronto Police Services Board pertaining to citizen appointments to the Canadian National Exhibition Association - Municipal Section”, in that his father-in-law is one of the applicants.

Councillor Korwin-Kuczynski declared his interest in Notice of Motion F(2) appearing on the Order Paper, in that he was a candidate for Ward 19 in the last municipal election.

Councillor Kelly declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed “Conditions of Employment - Council Staff Members”, in that his wife is employed by the City of Toronto as his Executive Assistant.

Mayor Lastman declared his interest in Clause No. 2 of Report No. 11 of The Corporate Services Committee, headed “Expediting the Disposal of Property and Reduction of Leased Space”, insofar as it pertains to the properties off Wilson Heights Boulevard, in that his son resides in the area, and in Clause No. 28 of Report No. 8 of The North York Community Council, headed “Downsview Area Secondary Plan - Bill 483 Official Plan Amendment No. 464 - North York Spadina”:

- (i) 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 his younger son lives in the area; and
- (ii) as it relates to 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 this file.

Councillor Li Preti declared his interest in Clause No. 2 of Report No. 11 of The Corporate Services Committee, headed “Expediting the Disposal of Property and Reduction of Leased Space”, insofar as it pertains to the properties off Wilson Heights Boulevard, in that he resides in the area, and in Clause No. 28 of Report No. 8 of The North York Community Council, headed “Downsview Area Secondary Plan - Bill 483 Official Plan Amendment No. 464 - North York Spadina”, 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 Mahood declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed “Conditions of Employment - Council Staff Members”, in that his daughter is employed by the City of Toronto as his Administrative Assistant, and in

Clause No. 13 of Report No. 7 of The Scarborough Community Council, headed "Tam Heather Country Club Extension of Agreement, Ward 16 - Scarborough Highland Creek", in that his parents are members of the Tam Heather Country Club.

Councillor Miller declared his interest in Notice of Motion F(2) appearing on the Order Paper, in that he was a candidate for Ward 19 in the last municipal election.

Councillor Ootes declared his interest in Clause No. 8 of Report No. 11 of The East York Community Council, headed "Public Meeting held in Accordance with the Planning Act with respect to Official Plan and Zoning By-law Amendment Applications submitted by Threeges Development Corporation in connection with 11 Curity Avenue", in that his wife owns a clothing business within the notice area of the subject property.

Councillor Pantalone declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that his spouse, on occasion, works on a part-time basis in his office.

Councillor Rae declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that he is a former City employee with an outstanding dispute respecting job evaluation and pay equity.

Councillor Shiner declared his interest in Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that a member of his office staff is a relative, in Clause No. 38 of Report No. 10 of The Toronto Community Council, headed "Fine Tuning of the Planning Regulations for the King-Parliament and King-Spadina Reinvestment Areas (Downtown, Don River)", in that a member of his family controls an interest in property located in the area affected by the proposed planning regulations, in Clause No. 62 of Report No. 10 of The Toronto Community Council, headed "King-Spadina Community Improvement Plan (Downtown)", in that a member of his family controls an interest in property located in the area affected by the Improvement Plan, and in Notice of Motion F(1) appearing on the Order Paper, in that a member of his office staff is a relative.

Councillor Walker declared his interest in Clause No. 27 of Report No. 10 of The Toronto Community Council, headed "Official Plan Amendment and Rezoning - 2079-2111 Yonge Street, 5, 9, 11 and 21 Hillside Avenue East and 12, 14 and 16 Manor Road East (North Toronto)", in that he resides within the notice area of the subject property.

Deputy Mayor Ootes 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.

At this point in the proceedings, Councillor Shiner, with the permission of Council moved that the following Reports be held in their entirety:

Report No. 15 of The Strategic Policies and Priorities Committee,
Report No. 11 of The East York Community Council,
Report No. 8 of The Etobicoke Community Council,
Report No. 8 of The North York Community Council,
Report No. 7 of The Scarborough Community Council,
Report No. 10 of The Toronto Community Council,
Report No. 8 of The York Community Council, and
Report No. 10 of The Board of Health,

and that Council review the foregoing Reports on July 30, 1998.

Councillor Prue, in amendment, moved the foregoing motion by Councillor Shiner be amended to allow the foregoing Reports to be reviewed later in the meeting in order to permit Council to meet in camera on issues included in these Reports, in accordance with the provisions of the Municipal Act.

Deputy Mayor Ootes, with the permission of Council, proposed that Council meet in camera on July 30, 1998.

Council concurred in the foregoing proposal.

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 by Councillor Shiner, as amended, it was carried.

Upon the question of the adoption of Report No. 9 of The Toronto Community Council, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 10 of The Corporate Services Committee, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 7 of The Emergency and Protective Service Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 14 of The Strategic Policies and Priorities Committee, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 10 of The East York Community Council, consisting of one Clause only, it was held in its entirety.

Upon the question of the adoption of Report No. 5 of The Nominating Committee, consisting of one Clause only, it was held in its entirety.

Upon the question of the adoption of Report No. 9 of The Special Committee to Review the Final Report of the Toronto Transition Team, consisting of one Clause only, it was held in its entirety.

Upon the question of the adoption of Report No. 7 of The Community and Neighbourhood Services Committee (with the exception of Clauses Nos. 1, 2, 3, 4, 5, 7, 11, 12, 13, 14, 17 and 18), without amendment, it was carried.

Upon the question of the adoption of Report No. 11 of The Corporate Services Committee (with the exception of Clauses Nos. 1, 2, 3, 4, 6, 8, 10, 13, 30, 38, 40, and 45), without amendment, it was carried.

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

Upon the question of the adoption of Report No. 8 of The Emergency and Protective Services Committee (with the exception of Clauses Nos. 1, 3 and 5), without amendment, it was carried.

Upon the question of the adoption of Report No. 9 of The Urban Environment and Development Committee (with the exception of Clauses Nos. 1, 2, 3, 4, 8, 12 and 24), without amendment, it was carried.

Upon the question of the adoption of Report No. 7 of The Works and Utilities Committee (with the exception of Clause Nos. 1, 2, 9 and 10), without amendment, it was carried.

Upon the question of the adoption of Report No. 10 of The Special Committee to Review the Final Report of the Toronto Transition Team (with the exception of Clauses 1 and 4), without amendment, it was carried.

Upon the question of the Joint Report No. 1 of The Corporate Services Committee and The Budget Committee, consisting of one Clause only, it was held in its entirety.

1357 At this point in the proceedings, Councillor Mihevc, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion (I) listed on the Order Paper, which carried:

Moved by: Councillor Prue

Seconded by: Councillor Faubert

“**WHEREAS** Section 41 of the Council Procedural By-law No. 23-1998 states as follows:

- ‘41. A motion to defer, or a motion to refer, made pursuant to section 40, shall be debatable only in respect of amendments to the motion, and no discussion of the main question shall be allowed until after its disposition.’; and

WHEREAS this section has the effect of restricting debate as to the reasons or not of such a motion to defer, or refer;

NOW THEREFORE BE IT RESOLVED THAT Section 41 of By-law No. 23-1998 be interpreted to mean and include the right of any Member of Council to speak to, or question the reason behind any motion to refer or defer.”,

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

- (a) Councillor O’Brien, in amendment, moved that the Operative Paragraph of the foregoing Motion be amended to read as follows:

“**NOW THEREFORE IT BE RESOLVED THAT** Section 41 of Council Procedural By-law No. 23-1998 be amended to provide that the Chair of the appropriate Committee or Task Force be permitted to speak to any motion to refer or defer, and the Mayor may request the appropriate staff to answer any questions from Members of Council pertaining to any motion to refer or defer.”

- (b) Councillor Moscoe, in amendment, moved that the foregoing motion (a) by Councillor O’Brien be amended to provide that the issue of requiring staff to address questions only at the beginning of an item be referred to the Special Committee to Review the Final Report of the Toronto Transition Team, for consideration.

- (c) Councillor Layton, in amendment, moved that the foregoing motion (a) by Councillor O’Brien be amended by adding after the words ‘Chair of a Committee’, the following words, ‘or any other Member of Council’.

- (d) Councillor Miller, in amendment, moved that the foregoing motion (a) by Councillor O’Brien be amended by adding thereto the following:

“That in addition to those Members who wish to make amendments, three speakers, pro and con, be allowed on a deferral/referral motion, and in addition, the Chair of the affected Committee always has the right to speak to the deferral, and Members speaking to a deferral will be allowed to call staff to the floor in connection with the deferral.”

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

- (e) Councillor Mahood, in amendment, moved that the foregoing motions (a) by Councillor O'Brien and (c) by Councillor Layton be referred to the Special Committee to Review the Final Report of the Toronto Transition Team for consideration.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Chow, Duguid, Faubert, Holyday, Jones, King, Layton, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Prue, Shiner, Silva, Walker - 22.

Nays: Councillors: Chong, Feldman, Filion, Flint, Giansante, Kinahan, Korwin-Kuczynski, Lindsay Luby, Pantalone, Rae, Saundercook, Shaw, Tzekas - 13.

Decided in the affirmative by a majority of 9.

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 by Councillor Prue, seconded by Councillor Faubert, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Bossons, Cho, Chong, Chow, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kinahan, King, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 36.

Nays: Councillors: Kelly, Korwin-Kuczynski, O'Brien - 3.

Decided in the affirmative by a majority of 33.

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

1358 **Clause No. 2 of Report No. 10 of The Corporate Services Committee, headed "Natural Gas Supply to the City of Toronto".**

(See Appendix "A", page 8297.)

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

- 1359 **Clause No. 1 of Report No. 7 of The Emergency and Protective Services Committee, headed “By-law to Amend By-law No. 20-85 - Olde Town Toronto Tours Limited”.** (See Appendix “A”, page 8559.)

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

- (i) (July 28, 1998) addressed to Councillor Joe Mihevc, York-Eglinton, from Ms. Daniela Quaglia, Public Affairs Advisor, Toronto Humane Society (submitted by Councillor Michael Walker, North - Toronto), expressing concerns regarding the health and safety issues related to the proposed amendments to By-law No. 20-85, Schedule 35, to permit horse-drawn trolleys with a passenger capacity of 25 persons;
- (ii) (July 28, 1998) from Ms. Nicola Thompson, Toronto, Ontario, submitting a petition containing 123 signatures calling for a ban to the licensing of horse-drawn vehicles; and requesting that it be included with the previous petition dated June 30, 1998, containing 317 signatures; and
- (iii) (July 16, 1998) from Sandy Dutrizac, Toronto, Ontario, submitting comments in opposition to horse-drawn vehicles being considered for Spadina Avenue.

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

- (a) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Emergency and Protective Services Committee and inserting in lieu thereof the following:

“It is recommended that the Clause be received and no action taken; and further, that the Commissioner of Works and Emergency Services be requested to report to the Emergency and Protective Services Committee on the means, including the process, to prohibit all horse-drawn vehicles in the downtown core of the City.”

- (b) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by adding to the recommendation of the Emergency and Protective Services Committee the following:

“and further that the liability insurance be increased from \$300,000.00 to \$1M for security reasons for the City.”

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

Yeas: Councillors: Bossons, Bussin, Cho, Chong, Disero, Feldman, Filion, Flint, Fotinos, Jones, Lindsay Luby, Moeser, Prue, Rae, Saundercook, Sgro, Shiner, Silva - 18.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Chow, Davis, Faubert, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Ootes, Tzekas, Walker - 19.

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

(c) Councillor Davis, in amendment, moved that the foregoing Clause be struck out and referred back to the Emergency and Protective Services Committee for further consideration.

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

Yeas: Councillors: Davis, Holyday, Korwin-Kuczynski - 3.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Cho, Chong, Chow, Disero, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Walker - 36.

Decided in the negative by a majority of 33.

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

“It is further recommended that the report dated June 29, 1998, from the General Manager, Transportation Services, be adopted.”

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

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Cho, Chong, Chow, Duguid, Feldman, Filion, Flint, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 31.

Nays: Councillors: Balkissoon, Berger, Davis, Disero, Faubert, Fotinos, Gardner, Giansante, Holyday, Kelly, Korwin-Kuczynski, Mammoliti - 12.

Decided in the affirmative by a majority of 19.

Having regard for the foregoing decision of Council, the foregoing motions (b) and (d) by Councillor Fotinos and Balkissoon respectively were deemed redundant.

1360 At this point in the proceedings, Councillor Johnston, with the permission of Council, introduced and welcomed to the Council Chamber, Councillor Wes Davies from Neath Port Talbot Unitary Council in Wales.

1361 **Clause No. 1 of Report No. 14 of The Strategic Policies and Priorities Committee, headed “Process for Disbursing Grants to Property Owners for Termite Control”.**
(See Appendix “A”, page 8827.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, 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 Urban Planning and Development Services be requested to report to the Strategic Policies and Priorities Committee with respect to the establishment of a blended 1998 program for termite control across all the former municipalities in the City of Toronto.”

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.

1362 **Clause No. 3 of Report No. 14 of The Strategic Policies and Priorities Committee, headed “Legislation Respecting Canadian Financial Institutions”.**
(See Appendix “A”, page 8836.)

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

- (a) Councillor Minnan-Wong, in amendment, moved that the foregoing Clause be struck out and referred to the Economic Development Committee for consideration, with a request that the Commissioner of Economic Development, Culture and Tourism report thereon to the Economic Development Committee at the same time as the report is brought forward regarding the banking industry, which was previously requested by Councillor Moscoe.
- (b) Councillor Miller, in amendment, moved that consideration of the foregoing Clause be deferred until 3:00 p.m. on July 29, 1998.

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

Yeas: Councillors: Adams, Augimeri, Berger, Bussin, Chong, Chow, Disero, Gardner, Korwin-Kuczynski, Layton, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae, Tzekas, Walker - 19.

Nays: Councillors: Ashton, Davis, Duguid, Feldman, Flint, Giansante, Holyday, Kelly, Kinahan, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Saundercook, Shaw, Shiner, Silva - 19.

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

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

Yeas: Councillors: Ashton, Berger, Cho, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Shaw, Shiner, Silva - 24.

Nays: Councillors: Adams, Augimeri, Bussin, Chong, Chow, Jones, Layton, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Tzekas, Walker - 16.

Decided in the affirmative by a majority of 8.

Council recessed at 12:27 p.m.

2:10 P.M.

Council reconvened.

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

1363 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: Balkissoon, Berardinetti, Berger, Bussin, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Sgro, Shaw, Shiner, Silva - 38.

1364 Members present at the afternoon session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 54.

1365 At this point in the proceedings, Mayor Lastman, seconded by Councillor Gardner, moved that:

“WHEREAS the Members of City Council are saddened to learn of the passing of retired Staff Superintendent Frank Barbetta, on Saturday, July 25, 1998; and

WHEREAS Mr. Barbetta was a member of the Toronto Police Force for 32 years; and

WHEREAS he was one of the most respected members of the Police Force; and

WHEREAS he was recognized, as always looking out for the ordinary citizens, while keeping crime off our streets;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, an expression of sincere sorrow to Mrs. Barbetta and family, and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

Councillor Silva, seconded by Mayor Lastman, moved that:

“WHEREAS on Thursday, July 19, 1998, there was a serious earthquake that was localized in the Portuguese Islands of the Azores; and

WHEREAS the Members of Toronto City Council have learned, with the deepest regret of the deaths of 10 people on the hardest hit island of Faial, and of serious injuries to more than 100 men, women and children, with over 1,000 people homeless as a result of this earthquake; and

WHEREAS this Council recognizes the terrible toll that this tragedy has taken on the families and friends of the earthquake victims and on those residing in the Azores and the Portuguese-Canadian community of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, an expression of sincere sympathy to the families and friends of the earthquake victims of the Portuguese Islands of the Azores and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

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

Council rose and observed a moment of silence in memory of the late Mr. Barbetta and the earthquake victims of the Portuguese Islands of the Azores.

- 1366 At this point in the proceedings, Councillor Prue, seconded by Councillor Faubert, with the permission of Council, moved that the proceedings of Council be varied and that leave be granted to introduce:

“Bill No. 522 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. 475-1998 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.

- 1367 At this point in the proceedings, Mayor Lastman, with the permission of Council, welcomed Mr. Matthew Ross, who received the Canadian Gold Medal in the Heavy Weight Division of Tae Kwon-Do and presented him with an outstanding achievement award.

At this point in the proceedings, Councillor Disero, with the permission of Council, welcomed to the Council Chamber Mr. Bob Orr, a former school trustee.

At this point in the proceedings, Mayor Lastman, with the permission of Council, welcomed members of the Scarborough United Storm Soccer Team, the new champions of the Nike Canada Challenge Cup Tournament and called upon Councillor Berardinetti, Chair of the Scarborough Community Council to assist with presentations to the members of the soccer team.

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

- 1368 **Clause No. 2 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Diversion Options for Youth Involved in the Squeegee Trade”.**
(See Appendix “A”, page 8125.)

and

- Clause No. 1 of Report No. 8 of The Emergency and Protective Services Committee, headed “Proposed By-laws to Regulate Panhandling and Squeegee Activities”.**
(See Appendix “A”, page 8567.)

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

- (i) (July 17, 1998) from Councillor Jack Layton, Co-Chair, Advisory Committee on Homeless and Socially Isolated Persons advising that the Advisory Committee acknowledges the efforts of the Community and Neighbourhood Services Department to address the demand for emergency shelter in Toronto and recognizes that a primary challenge for the Department is locating appropriate physical facilities for conversion to hostel space and submitting recommendations in this regard;
- (ii) (July 23, 1998) from the City Solicitor reporting as requested by the Community and Neighbourhood Services Committee on an effective legal and/or practical legal remedy to deal with those squeegee individuals who are obnoxious and making a nuisance of themselves;
- (iii) (July 27, 1998) from Ms. Nancy Dube, President, and Mr. Andrew Tang, Central Region Representative, Ontario Association of Youth Employment Centres, endorsing the proposal from the Community and Neighbourhood Services Committee that would provide for funding to continue and introduce a range of programs to assist youth who are engaged in the squeegee trade to make transitions to employment;
- (iv) (July 27, 1998) from Ms. Penny Simmons, Proprietor, Penny Loafers Shoe Shine Company, submitting comments in opposition to the proposal to allocate funds towards the establishment of squeegee persons in shoe shine businesses in public areas of Toronto; and suggesting an alternative for the proposed related program funding of \$500,000.00;
- (v) (July 24, 1998) from Mr. Kent Staines, The Board of Church Isabella Coop, requesting Council to support the proposed regulation of panhandling and squeegee activity and to increase funding for programs to divert youth from this hazardous activity;

- (vi) (July 23, 1998) from Mr. John Clarke, Provincial Organizer, Ontario Coalition Against Poverty, requesting that City Council discuss the panhandling issue at 8:00 p.m. on Wednesday, July 29, 1998; and
- (vii) (July 16, 1998) addressed to Councillor Fotinos, Davenport, from Ms. Lisa McGee, General Manager, The Bloor-Yorkville Business Improvement Area, regarding the squeegee issue and attaching a copy of her deputation to the Emergency and Protective Services Committee on the topic of panhandling.

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

- (a) Councillor Chow, in amendment, moved that the foregoing Clauses be struck out and referred to Mayor Lastman, Councillor Chow (City's Youth Advocate) and Councillor Fotinos (Chair, Emergency and Protective Services), for a report to the October meeting of the Emergency and Protective Services Committee and the Community and Neighbourhood Services Committee, on a detailed plan to address the issue of squeegee activities in the City, such plan to address the following:
 - (1) a response from the Federal and/or Provincial governments with respect to any legislative measures to be introduced by the Federal and/or Provincial governments; and
 - (2) a description of the specific strategies in the diversion programs to address those individuals who are truly in need.
- (b) Councillor Davis, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that the report be submitted to a joint meeting of the Community and Neighbourhood Services Committee and the Emergency and Protective Services Committee.
- (c) Councillor Chong, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that, in the interim, the Toronto Police Services Board be requested to use whatever laws are currently in existence to ensure that unsafe, obnoxious behaviour of windshield washers is curtailed or minimized.
- (d) Councillor Cho, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that the report be submitted to a joint meeting of the Community and Neighbourhood Services Committee and the Emergency and Protective Services Committee and subsequently to City Council in November, 1998.
- (e) Councillor Moscoe, in amendment, moved that the foregoing motion (c) by Councillor Chong be referred to the joint meeting of the Community and Neighbourhood Services Committee and the Emergency and Protective Services Committee.

- (f) Councillor Bossons, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that the Chief of Police be requested to submit a report to the joint meeting of the Community and Neighbourhood Services Committee and the Emergency and Protective Services Committee, providing factual information on the number of arrests that have been made for major offences such as drug-related offences or persons wanted on warrants.

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

- (g) Councillor Adams, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that should City Council defer action about squeegee persons, that the City make available 'No Thanks to Squeegee' signs to members of the public in the appropriate size to fit in automobile windshields.
- (h) Councillor Lindsay Luby, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that the Province of Ontario be requested to introduce changes to the Highway Traffic Act, as soon as possible, to provide the City with the means to control the squeegee situation.

Mayor Lastman resumed the Chair.

- (i) Councillor King, in amendment, moved that the foregoing Clauses, together with all the foregoing motions, be referred to Mayor Lastman, Councillor Olivia Chow (City's Youth Advocate) and Councillor Dennis Fotinos (Chair, Emergency and Protective Services Committee).

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

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Feldman, Filion, Fotinos, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 42.

Nays: Councillors: Bossons, Chong, Davis, Duguid, Faubert, Flint, Holyday, Jakobek, Korwin-Kuczynski, Li Preti, Minnan-Wong, Nunziata - 12.

Decided in the affirmative by a majority of 30.

- 1369 **Clause No. 1 of Report No. 10 of The East York Community Council, headed "Street Vending Applications submitted by Mr. Corrado Salonia, in the Vicinity of Wicksteed Avenue/Brentcliffe Road and Bermondsey Road/Cranfield Road"**.
(See Appendix "A", page 9109.)

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

“It is recommended that:

- (1) a street vending permit be issued to the applicant for the vicinity of Wicksteed Avenue and Brentcliffe Road and at Bermondsey Road and Cranfield Road and that the applicant be requested to refrain from littering and adhere to the standards of the Board of Health; and
- (2) the issuance of this permit be reviewed in six months time.”

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

Yeas: Councillors: Augimeri, Cho, Disero, Faubert, Filion, Fotinos, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Silva, Sinclair, Walker - 19.

Nays: Mayor: Lastman.
Councillors: Ashton, Bossons, Chong, Davis, Duguid, Flint, Gardner, Holyday, Kinahan, King, O'Brien, Ootes, Saundercook - 14.

Decided in the affirmative by a majority of 5.

1370 At this point in the proceedings, Councillor Mammoliti, with the permission of Council, welcomed to the Council Chamber some of the top women economists from Mexico recognized by the Toronto Chapter - Mexico-Canada Chamber of Commerce and the Mexican Professional Group of Canada.

1371 **Clause No. 1 of Report No. 5 of The Nominating Committee, headed “Citizen Appointments to the Canadian National Exhibition Association - Municipal Section and the Toronto Police Services Board”.**
(See Appendix “A”, page 10325.)

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

- (a) Councillor Fotinos, in amendment, moved that the foregoing Clause, as it pertains to the Police Services Board, be amended by referring Recommendation No. (2) of the Nominating Committee to the Mayor and the Mayor be requested to meet with the Minister of Municipal Affairs to request an amendment to the appropriate legislation to provide that City Council be authorized to appoint one additional Member of Council to the Toronto Police Services Board in place of the City's citizen appointee.

- (b) Councillor Miller, in amendment, moved that:
- (1) the foregoing motion (a) by Councillor Fotinos be amended to provide that the Mayor be requested to report to Council on October 1, 1998, after meeting with the Minister of Municipal Affairs, and if the Provincial Government is not prepared to accommodate City Council's request, that Recommendation No. (2) be referred back to the Nominating Committee with instructions that a different appointee be recommended; and
 - (2) the foregoing Clause, as it pertains to the Canadian National Exhibition Association - Municipal Section (CNEA), be amended by adding thereto the following:

“It is further recommended that:

 - (i) as part of the process for future appointments to the Canadian National Exhibition Association - Municipal Section (CNEA), the introduction seminar for interested persons be held at Exhibition Place; and
 - (ii) at least two citizen members of the CNEA, Municipal Section, appointed by the City of Toronto, be local residents.”
- (c) Councillor Moscoe, in amendment, moved that Part (1) of the foregoing motion (b) by Councillor Miller be amended by deleting all the words after the date “October 1, 1998”, and adding thereto the following:
- “and that City Council appoint Sandy Adelson as its representative to the Police Services Board.”
- (d) Councillor Sgro, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (2) of the Nominating Committee the name “Sandy Adelson” and inserting in lieu thereof the name “Barry R. Downs (TPSB-17)”.

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

Council deferred consideration of the foregoing Clause until later in the meeting. (See Minute No. 1376.)

Council recessed at 5:59 p.m.

8:14 P.M.

Council reconvened.

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

- 1372 At the request of Council, the City Clerk called the Roll at 8:14 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Minnan-Wong, O'Brien, Ootes, Pantalone, Prue, Shiner, Silva, Walker - 31.

- 1373 Members present at the evening session of the first day of this meeting:

Mayor: Lastman.

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

- 1374 At this point in the proceedings, Councillor Johnston introduced former Metropolitan Councillors Bill Archer and Margaret Campbell.

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

- 1375 **Clause No. 1 of Report No. 10 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Governance Structure for Heritage Services".** (See Appendix "A", page 10383.)

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

- (i) (July 24, 1998) from the Chief Administrative Officer clarifying, as requested by the Special Committee to Review the Final Report of the Toronto Transition Team, the reporting process and commenting on the strategy/vision component and staffing for the restructured Heritage Toronto;
- (ii) (July 24, 1998) from Councillor Kyle Rae, Downtown, submitting suggested changes to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team; and

- (iii) (July 28, 1998) from Ms. Jane Beecroft, Chair, CHP Heritage Centre, The Society of Heritage Associates, in response to the request of the Special Committee to Review the Final Report of the Toronto Transition Team for further information regarding heritage in Toronto; advising that the Editorial Committee of the Maps Project of the Metro Area Heritage Groups convened and worked for several weeks, producing analysis and recommendations for the future of heritage in the new City; and stating that if a new and improved heritage structure cannot be developed, then Heritage Toronto must be saved with a greatly enhanced mandate.

Council also had before it, during consideration of the foregoing Clause, the following communications, submitting comments in opposition to the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team:

- (i) (July 28, 1998) from Mr. George H. Rust-D'Eye;
- (ii) (July 28, 1998) from Ms. Patricia Gleason;
- (iii) (July 27, 1998) from Mr. Geoffrey E. Geduld, President, North York Historical Society and a Member of the Heritage Showcase Committee, submitted by Councillor John Adams, Midtown;
- (iv) (July 27, 1998) from William and Sophia Phillips;
- (v) (July 27, 1998) and (undated) from Ms. Mary Campbell, President and Archivist, The Beach and East Toronto Historical Society;
- (vi) (July 23, 1998) addressed to Councillor Lindsay Luby, Kingsway Humber, from Ms. Elizabeth Ingolfsrud, Chairman and Mr. Earl Jarvis, Vice Chairman, Etobicoke Historical Board;
- (vii) (undated) from Ms. D. Pearson;
- (viii) (undated) from M. Fainer; and
- (ix) (undated) from Christopher and Elizabeth Foot, Richmond Hill.

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

- (a) Councillor Adams, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (12) of the Special Committee to Review the Final Report of the Toronto Transition Team and inserting in lieu thereof the following:

- “(12) City Council support the continued existence of an independent arm’s length charitable foundation to facilitate fundraising and development activities for a broad range of heritage projects throughout the City, and the Heritage Board, in consultation with the Culture Office, report on the further implementation of such charitable foundation.”
- (b) Councillor Miller, in amendment, moved that the foregoing Clause be struck out and referred back to the Special Committee to Review the Final Report of the Toronto Transition Team, together with all motions and the various documents and communications submitted at Council and further that the Committee be requested to handle deputations expeditiously.
- (c) Councillor Lindsay Luby, in amendment, moved that the foregoing motion (b) by Councillor Miller be amended to provide that the foregoing Clause be referred to a special meeting of Council in Committee of the Whole.
- (d) Councillor Johnston, in amendment, moved that the foregoing motion (b) by Councillor Miller be amended to provide that the Special Committee to Review the Final Report of the Toronto Transition Team develop a position paper on heritage issues prior to the hearing of deputations.
- (e) Councillor Bossons, in amendment, moved that the foregoing motion (b) by Councillor Miller be amended by adding thereto the following:
- “and that the heritage community be invited to immediately develop a Heritage Master Plan.”
- (f) Councillor Giansante, in amendment, moved that the foregoing motion (b) by Councillor Miller be amended to provide that deputations be limited to the Chairs of the existing LACAC’s, the Chair, Heritage Toronto and the Chairs of the Museum Boards.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Duguid, Feldman, Flint, Gardner, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Moeser, Nunziata, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas - 33.

Nays: Councillors: Berardinetti, Chong, Davis, Disero, Faubert, Filion, Fotinos, Holyday, Jakobek, Johnston, Kelly, Mahood, Miller, Moscoe, O’Brien, Prue, Sgro, Walker - 18.

Decided in the affirmative by a majority of 15.

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

Yeas: Councillors: Cho, Disero, Feldman, Giansante, Lindsay Luby, Li Preti, Rae, Sinclair - 8.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Duguid, Faubert, Fillion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Mahood, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 43.

Decided in the negative by a majority of 35.

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Feldman, Fillion, Flint, Fotinos, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Silva, Sinclair, Walker - 33.

Nays: Councillors: Ashton, Balkissoon, Davis, Duguid, Faubert, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Mahood, Moeser, Rae, Shiner, Tzekas - 16.

Decided in the affirmative by a majority of 17.

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

Yeas: Councillors: Adams, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Feldman, Fillion, Fotinos, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Miller, O'Brien, Ootes, Saundercook, Shaw, Silva, Sinclair, Walker - 28.

Nays: Councillors: Ashton, Augimeri, Balkissoon, Chong, Duguid, Faubert, Flint, Holyday, Kelly, Kinahan, King, Mahood, Mihevc, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Shiner, Tzekas - 21.

Decided in the affirmative by a majority of 7.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Faubert, Feldman, Filion, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Shaw, Silva, Sinclair, Walker - 37.

Nays: Councillors: Balkissoon, Chong, Duguid, Flint, Holyday, Kelly, Mahood, Moeser, Rae, Saundercook, Shiner, Tzekas - 12.

Decided in the affirmative by a majority of 25.

At this point in the proceedings, Councillor Moscoe, with the permission of Council, moved that Council vary its proceedings to resume its consideration of Clause No. 1 of Report No. 5 of the Nominating Committee, headed "Citizen Appointments to the Canadian National Exhibition Association - Municipal Section and the Toronto Police Services Board" and 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 conclude consideration of this matter, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jones, Kelly, Layton, Lindsay Luby, Li Preti, Mahood, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Tzekas - 37.

Nays: Councillors: Berardinetti, Berger, Cho, Chong, Flint, Jakobek, Kinahan, King, Korwin-Kuczynski, Moeser, Prue, Silva, Sinclair, Walker - 14.

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

1376 Council resumed its consideration of Clause No. 1 of Report No. 5 of The Nominating Committee, headed "Citizen Appointments to the Canadian National Exhibition Association - Municipal Section and the Toronto Police Services Board". (See also Minute No. 1371.)

(e) Councillor Jakobek, in amendment, moved that the foregoing Clause, as it pertains to the Police Services Board be amended:

(1) by referring Recommendation No. (2) of the Nominating Committee to the Mayor with a request that he meet with the Minister of Municipal Affairs to request an amendment to the appropriate legislation to provide that City

Council be authorized to appoint one additional Member of Council to the Toronto Police Services Board in place of the City's citizen appointee; and

- (2) in the event that the Province does not accommodate this request, by requesting the Nominating Committee to consider the appointment of Mr. Barry Downes and any other possible candidates and conduct interviews, or re-interviews as appropriate and report back to Council on October 1, 1998, recommending a candidate other than the candidate in question.
- (f) Councillor Moscoe, with the permission of Council, in amendment, moved that part (2) of the foregoing motion (f) by Councillor Jakobek be deleted and the following inserted in lieu thereof:
- “(2) by appointing Ms. Sandy Adelson for the balance of the term of Council, as City Council's representative to the Toronto Police Services Board.”
- (g) Councillor Johnston, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (1) (a) of the Nominating Committee the name “Richard Gretzinger - CNEA-30” and inserting in lieu thereof the name “Fred Sampliner - CNEA-30” as a representative of the immediate neighbourhood of Parkdale.
- (h) Councillor King, 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 report as to what process City Council should follow in the future when Members of Council wish to submit names for appointments on the floor of Council.”

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

Yeas: Councillors: Balkissoon, Berger, Cho, Chong, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Nunziata, Prue, Rae, Sgro, Shaw, Shiner, Sinclair - 28

Nays: Councillors: Adams, Ashton, Augimeri, Bossons, Bussin, Chow, Davis, Duguid, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Miller, Moscoe, O'Brien, Ootes, Pantalone, Saundercook, Silva, Tzekas, Walker - 21.

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

- (i) Councillor Chow, in amendment, moved that Part (2) of the foregoing motion (e) by Councillor Jakobek be amended to provide that any interviews or re-interviews be open to all qualified candidates.

At this point in the proceedings, Councillor Sgro, with the permission of Council, withdrew her foregoing motion (d), viz.:

“that the foregoing Clause be amended by deleting from Recommendation No. (2) of the Nominating Committee the name ‘Sandy Adelson’ and inserting in lieu thereof the name ‘Barry R. Downs (TPSB-17)’.”

At this point in the proceedings, Councillor Miller, with the permission of Council, withdrew Part (1) of his foregoing motion (b), viz.:

“that the foregoing motion (a) by Councillor Fotinos be amended to provide that the Mayor be requested to report to Council on October 1, 1998, after meeting with the Minister of Municipal Affairs, and if the Provincial Government is not prepared to accommodate City Council’s request, that Recommendation No. (2) be referred back to the Nominating Committee with instructions that a different appointee be recommended.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing action, declared the foregoing motion (c) by Councillor Moscoe redundant, viz.:

“that Part (1) of the foregoing motion (b) by Councillor Miller be amended by deleting all the words after the date “October 1, 1998, and adding thereto the following:

‘and that City Council appoint Sandy Adelson as its representative to the Police Services Board.’ ”

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 47.

Nays: Councillors: Chong, Korwin-Kuczynski - 2.

Decided in the affirmative by a majority of 45.

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

Yeas: Councillors: Augimeri, Berger, Cho, Chow, Davis, Feldman, Filion, Giansante, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Moscoe, O'Brien, Pantalone, Rae, Shiner, Sinclair, Walker - 25.

Nays: Councillors: Adams, Ashton, Balkissoon, Bossons, Bussin, Chong, Disero, Duguid, Flint, Fotinos, Gardner, Holyday, Jakobek, Kinahan, Mahood, Miller, Moeser, Nunziata, Ootes, Prue, Saundercook, Sgro, Shaw, Silva, Tzekas - 25.

Decided in the negative there being an equality of votes.

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Cho, Chong, Disero, Flint, Fotinos, Gardner, Jakobek, Kinahan, Mahood, Miller, Nunziata, Ootes, Prue, Sgro, Shaw, Silva, Tzekas - 20.

Nays: Councillors: Augimeri, Berger, Bossons, Bussin, Chow, Davis, Duguid, Feldman, Filion, Giansante, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Pantalone, Rae, Saundercook, Shiner, Sinclair, Walker - 30.

Decided in the negative by majority of 10.

Having regard to the foregoing decision of Council, Part (2) of the foregoing motion (e) by Councillor Jakobek was deemed redundant.

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

Upon the question of the adoption of the foregoing Clause, as amended, insofar as it pertains to the appointment to the Police Services Board, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Duguid, Feldman, Filion, Giansante, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Pantalone, Rae, Saundercook, Shiner, Sinclair, Walker - 33.

Nays: Councillors: Ashton, Chong, Disero, Flint, Fotinos, Gardner, Holyday, Jakobek, Kinahan, Mahood, Nunziata, Ootes, Prue, Sgro, Shaw, Silva, Tzekas - 17.

Decided in the affirmative by a majority of 16.

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

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Johnston, Jones, Kinahan, Layton, Mihevc, Miller, Moeser, Moscoe, Pantalone, Sgro, Silva, Sinclair - 17.

Nays: Councillors: Ashton, Balkissoon, Berger, Cho, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Shiner, Tzekas, Walker - 31.

Decided in the negative by a majority of 14.

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

Yeas: Councillors: Adams, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Disero, Flint, Johnston, Jones, King, Layton, Mahood, Mihevc, Miller, Nunziata, Prue, Rae, Sgro, Silva - 21.

Nays: Councillors: Ashton, Balkissoon, Davis, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Saundercook, Shaw, Shiner, Sinclair, Tzekas, Walker - 26.

Decided in the negative by a majority of 5.

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

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Filion, Flint, Johnston, Jones, King, Layton, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Silva - 20.

Nays: Councillors: Ashton, Balkissoon, Berger, Cho, Davis, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Moeser,

O'Brien, Ootes, Saundercook, Shaw, Shiner, Sinclair, Tzekas, Walker - 27.

Decided in the negative by a majority of 7.

Upon the question of the adoption of the Clause, as amended, insofar as it pertains to the Canadian National Exhibition Association - Municipal Section (CNEA), the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 44.

Nays: Councillors: Holyday, Johnston, Miller - 3.

Decided in the affirmative by a majority of 41.

1377 Councillor Saundercook, seconded by Councillor Duguid, moved that leave be granted to introduce:

“Bill No. 605 To confirm the first portion of the proceedings of the Council at its meeting held on the 29th day of July, 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. 476-1998 To confirm the first portion of the proceedings of the Council at its meeting held on the 29th day of July, 1998.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Fillion, Flint, Fotinos, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 40.

Nays: Councillors: Jakobek, Mahood, Sgro - 3.

Decided in the affirmative by a majority of 37.

Council recessed at 11:39 p.m., to reconvene at 9:30 a.m., on Thursday, July 30, 1998.

THURSDAY, JULY 30, 1998, 9:44 A.M.

Council reconvened.

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

- 1378 At the request of Council, the City Clerk called the Roll at 9:44 a.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 44.

- 1379 Members present at the morning session of the second day of this meeting:

Mayor: Lastman.

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

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

- 1380 **Clause No. 3 of Report No. 7 of The Community and Neighbourhood Services Committee, headed "Mayor's Youth Employment Initiative".**
(See Appendix "A", page 8141.)

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

- 1381 **Clause No. 5 of Report No. 7 of The Community and Neighbourhood Services Committee, headed "Change in Funding Responsibility for Supportive Social Housing".**

(See Appendix "A", page 8147.)

Council also had before it, during consideration of the foregoing Clause, a communication (July 28, 1998) from the City Clerk advising that the Board of Health supports Recommendation No. (3) embodied in the report (July 6, 1998) from the Commissioner of Community and Neighbourhood Services.

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

1382 **Clause No. 4 of Report No. 11 of The Corporate Services Committee, headed "Benefits Package - Sun Life Insurance Company".**

(See Appendix "A", page 8380.)

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

1383 **Clause No. 3 of Report No. 9 of The Urban Environment and Development Committee, headed "Vital Services in Rental Residential Properties in the City of Toronto".**

(See Appendix "A", page 8622.)

Council also had before it, during consideration of the foregoing Clause, a report from the City Solicitor (July 15, 1998) reporting, as requested by the Urban Environment and Development Committee, on the legislative amendments that would be required to permit the City to adopt a vital services program similar to that conducted in the former City of Toronto under its special legislation.

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

1384 At this point in the proceedings, Council decided to give consideration to the following Reports which had been held in their entirety earlier in the meeting:

Report No. 15 of The Strategic Policies and Priorities Committee,
Report No. 11 of The East York Community Council,
Report No. 8 of The Etobicoke Community Council,
Report No. 8 of The North York Community Council,
Report No. 7 of The Scarborough Community Council,
Report No. 10 of The Toronto Community Council,
Report No. 8 of The York Community Council, and
Report No. 10 of The Board of Health,

Upon the question of the adoption of Report No. 15 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 1, 3, 20, 21, 22 and 23), without amendment, it was carried.

Upon the question of the adoption of Report No. 11 of The East York Community Council (with the exception of Clauses Nos. 6, and 13), without amendment, it was carried.

Upon the question of the adoption of Report No. 8 of The Etobicoke Community Council (with the exception of Clauses Nos. 10 and 23), without amendment, it was carried.

Upon the question of the adoption of Report No. 8 of The North York Community Council (with the exception of Clauses Nos. 3, 14, 17, 19 and 28) without amendment, it was carried.

Upon the question of the adoption of Report No. 7 of The Scarborough Community Council (with the exception of Clause No. 15) without amendment, it was carried.

Upon the question of the adoption of Report No. 10 of The Toronto Community Council (with the exception of Clauses Nos. 3, 8, 10, 15, 23, 30, 59, 60, 61, 74 and 75) without amendment, it was carried.

Upon the question of the adoption of Report No. 8 of The York Community Council (with the exception of Clauses Nos. 1, 2, 9, 10, 13, 21, 22 and 23), without amendment, it was carried.

Upon the question of the adoption of Report No. 10 of The Board of Health (with the exception of Clauses 1, 2, and 3) without amendment, it was carried.

- 1385 **Clause No. 1 of Report No. 15 of The Strategic Policies and Priorities Committee, headed "Transition Projects".**
(See Appendix "A", page 8839.)

Council also had before it, during consideration of the foregoing Clause, a report (July 28, 1998) from the Commissioner of Works and Emergency Services providing, as requested by the Budget Committee on July 13, 1998, a breakdown of how the funding for the feasibility study for Transition Project F-2 would be spent.

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

- 1386 **Clause No. 13 of Report No. 11 of The East York Community Council, headed "Other Items Considered by the Community Council".**
(See Appendix "A", page 9178.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Prue, in amendment, moved that the foregoing Clause be received for information, subject to striking out and referring Item (c), entitled "Request for Alternate Side Overnight Permit Parking on Airdrie Road between Heather Road and Bessborough Drive: Traffic Poll Results", embodied in the foregoing Clause, back to the East York Community Council for the hearing of depositions.

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

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

- 1387 **Clause No. 1 of Report No. 9 of The Toronto Community Council, headed “Traffic Area Management Plan for the Teddington Park/Wanless Park Area (North Toronto)”.**
(See Appendix “A”, page 9609.)

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

- 1388 **Clause No. 15 of Report No. 7 of The Scarborough Community Council, headed “Ontario Municipal Board Appeal - Group Homes”.**
(See Appendix “A”, page 9444.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be struck out and referred to the Urban Environment and Development Committee for consideration.

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

- 1389 **Clause No. 3 of Report No. 10 of The Toronto Community Council, headed “Hearing - Alteration of Lansdowne Avenue from Queen Street West to Rideau Avenue (High Park)”.**
(See Appendix “A”, page 9661.)

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

“It is recommended that City Council enact a By-law in the form of the draft bill embodied in the Clause and that leave be granted to introduce the necessary bill to give effect thereto.”

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

- 1390 **Clause No. 10 Report No. 10 of The Toronto Community Council, headed “Chinatown - Licensed Marketing Displays - Spadina Avenue Between Queen Street West and Baldwin Street and Dundas Street West, Between Spadina Avenue and Beverley Street (Downtown)”.**
(See Appendix “A”, page 9737.)

Council also had before it, during consideration of the foregoing Clause, a report (July 27, 1998) from the Commissioner of Works and Emergency Services, reporting on the possible cancellation of the licensed boulevard marketing fronting 70 Huron Street, because of ongoing excessive display of goods.

Council also had before it, during consideration of the foregoing Clause, the following communications in opposition to the proposed cancellation of licences for sidewalks/boulevards and the reduction of previously approved marketing areas:

- (i) (July 22, 1998) from Mr. Charles Reiner, Quality Fashions; and
- (ii) (July 22, 1998) from Mr. Richard Chow, All Friends Bakery Limited.

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

“It is further recommended that the report dated July 27, 1998, from the Commissioner of Works and Emergency Services be adopted, wherein it is recommended that:

- (1) should a further ‘Summons’ for excessive marketing be issued to the licence holder of 70 Huron Street, the Commissioner of Works and Emergency Services report to the Toronto Community Council on the possible cancellation of the boulevard marketing licence and the applicant be given the opportunity to be heard by the Committee; and
- (2) after the hearing of depositions, the Toronto Community Council recommend to City Council the cancellation of the boulevard marketing licence.”

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.

1391 **Clause No. 23 of Report No. 10 of The Toronto Community Council, headed “Installation of Speed Humps - Margueretta Street from Bloor Street West to Wallace Avenue (Davenport)”.**

(See Appendix “A”, page 9771.)

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

“It is further recommended that the General Manager, Transportation Services, be requested to submit a report to the Toronto Community Council on the feasibility of

reverting St. Clarens Avenue, from Bloor Street West to Paton Road, back to a northbound, one-way street.”

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

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

- 1392 **Clause No. 30 of Report No. 10 of The Toronto Community Council, headed “Official Plan and Zoning By-law Amendments - 245 Carlaw Avenue (Don River)”.**
(See Appendix “A”, page 9841.)

Council also had before it, during consideration of the foregoing Clause, a transmittal letter (July 27, 1998) from the City Clerk forwarding a submission (July 20, 1998) from the Boston Association of Residents for a Clean Quiet Street (BARCQS), with respect to the foregoing Clause.

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

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to prepare a response to the communication dated July 20, 1998, from the Boston Association of Residents for a Clean Quiet Street (BARCQS) and the Commissioner be authorized to meet with members of BARCQS, if necessary.”

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

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

- 1393 **Clause No. 60 of Report No. 10 of The Toronto Community Council, headed “Various Uses of the City Street Allowance - 1930, 1975, 1982, 2024, 2026 and 2028 Queen Street East (East Toronto)”.**
(See Appendix “A”, page 10079.)

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

- (i) a Notice of Appeal (July 23, 1998), from Mr. Giuseppe Di Marco, Agent, TriArch Group Inc., on behalf of the owners of 1982 Queen Street East, outlining the reasons for the appeal of the decision of the Toronto Community Council on July 22, 1998; and

- (ii) (July 29, 1998) from Councillors Bussin and Jakobek, East Toronto requesting that City Council direct the City Solicitor and/or his representative to oppose this application and represent the interest of the community at the Alcohol and Gaming Commission of Ontario.

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

“It is further recommended that City Council:

- (1) authorize the City Solicitor to oppose the application by the owner of 1982 Queen Street East, at the Alcohol and Gaming Commission of Ontario; and
- (2) advise the Commission that it opposes the application due to the zoning and noise by-law convictions, as well as the unruly behaviour of the patrons.”

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

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

- 1394 **Clause No. 61 of Report No. 10 of The Toronto Community Council, headed “Vehicular Access Ramp - 214 Westminster Avenue (High Park)”.**
(See Appendix “A”, page 10090.)

Council also had before it, during consideration of the foregoing Clause, a communication (July 21, 1998) from Peter and Annie Dell, submitting comments in opposition to the proposal for appropriate additional curb space for the exclusive use of 214 Westminster Avenue.

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

- 1395 **Clause No. 75 of Report No. 10 of The Toronto Community Council, headed “City-Owned Tree Relocation/Removal - 30 Ossington Street (Trinity-Niagara)”.**
(See Appendix “A”, page 10180.)

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

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

- 1396 **Clause No. 2 of Report No. 8 of The York Community Council, headed “460 Rogers Road - Appeal of Committee of Adjustment Application, Ward 27, York Humber”.**
(See Appendix “A”, page 10241.)

Council also had before it, during consideration of the foregoing Clause, a report (July 24, 1998) from the Commissioner of Development Services - York providing background information on the upcoming Ontario Municipal Board Hearing of September 2, 1998 for a Committee of Adjustment appeal on 460 Rogers Road.

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

“It is further recommended that the report dated July 24, 1998, from the Commissioner of Development Services (York District), embodying the following recommendation, as amended, be adopted:

‘It is recommended that Urban Planning and Development Services staff be directed to attend the Ontario Municipal Board hearing on September 2, 1998, in support of the application for 460 Rogers Road.’ ”

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

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

- 1397 **Clause No. 9 of Report No. 8 of The York Community Council, headed “Poll Results - Proposal for Permit Parking on Winona Drive between Vaughan Road and Eglinton Avenue West - Ward 28 - York Eglinton”.**
(See Appendix “A”, page 10254.)

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

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

- 1398 **Clause No. 10 of Report No. 8 of The York Community Council, headed “Poll Results - Proposal for Permit Parking on Miranda Avenue between Eglinton Avenue West and Bowie Avenue - Ward 28 - York Eglinton”.**
(See Appendix “A”, page 10256.)

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

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

- 1399 **Clause No. 13 of Report No. 8 of The York Community Council, headed “Poll Results - Proposal for Permit Parking on Rogers Road between Oakwood Avenue and Caledonia Road - Ward 28 - York Eglinton”.**
(See Appendix “A”, page 10261.)

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

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

- 1400 **Clause No. 4 of Report No. 10 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Amendment to the Terms of Reference of the Sub-Committee for the Relocation of All Members of Council to City Hall”.**
(See Appendix “A”, page 10464.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moeser, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (2) in the report dated June 25, 1998, from the Commissioner of Corporate Services and inserting in lieu thereof the following new Recommendation No (2):

“(2) the Sub-Committee for the Relocation of All Members of Council to City Hall report to the Corporate Services Committee on all Phase 2 and 3 issues, including renovation and maintenance items; and”.

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

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

- 1401 **Clause No. 1 of Joint Report No. 1 of The Corporate Services Committee and The Budget Committee, headed “City of Toronto Year 2000 Project”.**
(See Appendix “A”, page 10477.)

Council also had before it, during consideration of the foregoing Clause, a joint report (July 22, 1998) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, providing additional information to Council on the work plan for the Year 2000 project as requested by the Corporate Services Committee and Budget Committee at a joint meeting on July 21, 1998; and submitting recommendations with respect thereto.

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

“It is further recommended that the joint report dated July 22, 1998, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Chief Administrative Officer be authorized to spend up to \$1,500,000.00 in 1998 to set-up, staff and acquire tools for the Year 2000 Project Office;
- (2) the Chief Administrative Officer be authorized to spend up to \$3,596,000.00 to complete the inventory of the City’s critical systems and begin their assessment and remedy;
- (3) the total initial funding of \$5,096,000.00 in recommendation Nos. (1) and (2) above be provided from the Corporate Contingency Account;
- (4) the Chief Administrative Officer be authorized to enter into the necessary agreements in support of the above;
- (5) the Chief Administrative Officer report on the expenditures to date of the \$5,096,000.00 to the Strategic Policies and Priorities Committee at its first meeting in November; and
- (6) the Chief Administrative Officer report to the Strategic Policies and Priorities Committee at its first meeting in November on the work plan, including cost estimates, to achieve the milestones obtained in the report, which will ensure business continuity through the Year 2000.’ ”

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.

1402 At this point in the proceedings, Councillor Chong, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 5 of The Striking Committee,

and moved, seconded by Councillor Flint, 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.

Mayor Lastman requested Members of Council to indicate whether they have an interest in this matter, together with the nature of the interest.

There were no declarations of interest.

Upon the question of the adoption of Report No. 5 of The Striking Committee, consisting of one Clause only, without amendment, it was carried

- 1403 **Clause No. 45 of Report No. 11 of The Corporate Services Committee, headed “219 Dufferin Street, Sale of Surplus City-Owned Property - (Ward 20 - Trinity-Niagara)”.** (See Appendix “A”, page 8517.)

Council also had before it, during consideration of the foregoing Clause, a communication (July 28, 1998) from Ms. C. Moynihan, Artistic Producer, and Mr. G. Harley, President, Board of Directors, Equity Showcase Theatre, submitting comments with respect to the purchase price of the building located at 219 Dufferin Street, as well as the possible presence of mercury contamination in such building.

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

- (1) the purchaser, 1245686 Ontario Inc, be required to complete the transaction based upon a purchase price of \$2,460,000.00 and that all the other provisions set out in the report dated July 14, 1998, from the Commissioner of Corporate Services continue to apply; and the Commissioner of Corporate Services be instructed to complete the transaction on the foregoing basis; and
- (2) should the purchaser not agree to complete this transaction in accordance with the foregoing recommendation, that the Commissioner of Corporate Services be instructed to re-market the property on the basis that the City is only prepared to consider clean, unconditional, cash offers which would not provide a purchaser with an opportunity to conduct an environmental inspection and a purchaser must complete the transaction expeditiously and accept the property on a totally “as is” basis.

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.

Council subsequently re-opened the foregoing Clause and deferred consideration to its next regular meeting to be held on October 1, 1998. (See Minutes Nos. 1470 and 1527.)

- 1404 **Clause No. 1 of Report No. 10 of The Corporate Services Committee, headed “Project Proposal, Financial and Human Resources/Payroll Systems”.**
(See Appendix “A” page 8249.)

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

- (i) joint report (July 27, 1998) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, responding to a request from the Corporate Services Committee at its meeting of June 22, 1998 to provide recommendations respecting the inclusion of all Agencies, Boards and Commissions, including the Toronto Hydro Commission in the FIS/HRIS system being proposed; and
- (ii) transmittal letter (July 29 1998) from the City Clerk forwarding from the Strategic Policies and Priorities Committee a transmittal letter (July 29, 1998) from the Budget Committee to Council without recommendation.

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:

- (a) the joint report (July 27, 1998) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) all City Agencies, Boards and Commissions be strongly urged and requested to use the recommended City’s FIS/HRIS systems, on a timetable that is mutually agreed upon, but within five years at the latest; and
 - (2) on a priority basis, that City staff accommodate those Agencies, Boards and Commissions with non year 2000 compliant FIS/HRIS systems i.e., the Toronto Police Services by including their participation in the City’s implementation program.’; and
- (b) the report (July 28, 1998) from the Chief Financial Officer and Treasurer and Chair, FIS/HRS Steering Committee, embodying the following recommendations, be adopted;

'It is recommended that the Budget Committee and City Council:

- (1) receive the attached report from Brian Dunk Consulting Services Limited; and
- (2) approve the FIS/HRIS transition project, at a total cost of \$26.3 million, and approve 1998 project financing of \$6.1 million from the Transition Reserve Fund, with a report back in September 1998, outlining project financing requests for 1999 and 2000 based on contract terms and conditions to be negotiated with SAP that have regard to matching cashflow to project milestones and project risk.' "

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.

Council subsequently re-opened the foregoing Clause. (See Minute No.1408)

1405 **Clause No. 1 of Report No. 7 of The Community and Neighbourhood Services Committee, headed "Uniform Policy for Leashed and Unleashed Dogs in Parks".**
(See Appendix "A", page 8113.)

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

- (i) (July 15, 1998) from Mr. Eric Pressman, Operator and Owner of Leader of the Pack, forwarding a copy of his deputation to the Community and Neighbourhood Services Committee regarding the issue of leashed and unleashed dogs in City parks;
- (ii) (July 14, 1998) addressed to Councillor Gordon Chong, Chair, Community and Neighbourhood Services Committee, from Ms. Jane Greer, on behalf of 90 dog-owners/dog-walkers, known as the Dovercourt Park Dog People, requesting off-leash hours in Dovercourt Park for exercising dogs; and
- (iii) (undated) petition from supporters of the request to City Council for off-leash hours for dogs in Dovercourt Park.

Council also had before it, during consideration of the foregoing Clause, a report (undated) from the Commissioner of Economic Development, Culture and Tourism providing additional information to Council as requested by the Community and Neighbourhood Services Committee on July 16, 1998.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended to provide that:

- (1) dogs off-leash areas include the possible provision of specific hours being set aside for use as leash-free zones;
- (2) stoop-and-scoop legislation be enforced; and
- (3) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development Committee on an effective enforcement policy in regard to dogs off-leash and stoop-and-scoop legislation.

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

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

1406 **Clause No. 1 of Report No. 8 of The York Community Council, headed “(i) Garbage Inspection Process; and (ii) Sunday Morning Litterhog Service, Ward 27, York Humber and Ward 28, York Eglinton”.**

(See Appendix “A”, page 10237.)

Council also had before it, during consideration of the foregoing Clause, a report (July 29, 1998) from the Commissioner of Operations Services, York Civic Centre reporting on the costs and funding to provide Sunday morning clean-up of Eglinton Avenue West from Keele Street to the Allen Expressway.

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

“It is further recommended that the report dated July 29, 1998, from the Commissioner of Operations (York District) be adopted, subject to inserting the words ‘from the existing budget,’ after the figure ‘\$8,000.00’, so that such recommendation now reads as follows:

‘It is recommended that, subject to funding being provided in the amount of \$8,000.00 from the existing budget, that the increased level of service control of litter on Eglinton Avenue West, between Bicknell and Bathurst Streets on Sundays between 7:00 a.m. and 11:00 a.m., be approved for the balance of 1998.’ ”

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

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

1407 At this point in the proceedings, Mayor Lastman, with the permission of Council welcomed to the Council Chamber Mr. John Davidson who is walking across Canada to raise money for genetic research in the name of his son, Jessie.

- 1408 At this point in the proceedings, Councillor Jakobek, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 10 of The Corporate Services Committee, headed "Project Proposal, Financial and Human Resources/Payroll Systems", be re-opened for further consideration (See Minute No. 1404), which was carried, more than two-thirds of the Members present having voted in the affirmative.

Clause No. 1 of Report No. 10 of The Corporate Services Committee, headed "Project Proposal, Financial and Human Resources/Payroll Systems".

(See Appendix "A" page 8249.)

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

- (a) Councillor Jakobek, in amendment, moved that the foregoing Clause be struck out and referred to the Mayor, in consultation with Councillors Layton and Balkissoon or other interested Members of Council, to oversee the engagement by the Chief Administrative Officer of an expert or experts to provide a thorough review of the proposed recommendations contained in Clause No. 1 of Report No. 10 of the Corporate Services Committee, including the economic and practical benefits of this system, with a determination of whether the system meets or exceeds the needs of the City; and further that:
- (1) such expert or experts also provide with their critical review, information on any changes deemed necessary; and
 - (2) the necessary funds therefor, up to a maximum of \$100,000.00, be provided from the Transition Projects Reserve Fund.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1418.)

- 1409 At this point in the proceedings, Councillor Shiner, with the permission of Council, moved that Council vary its proceedings to now consider Clause No. 28 of Report No. 8 of the North York Community Council, headed "Downsview Area Secondary Plan - Official Plan Amendment No. 464 - North York Spadina", the vote upon which was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Chong, Disero, Duguid, Feldman, Flint, Fotinos, Jakobek, King, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Tzekas - 23.

Nays: Councillors: Adams, Altobello, Augimeri, Bossons, Bussin, Johnston, Kinahan, Layton, Mammoliti, O'Brien, Sinclair, Walker - 12.

Decided in the affirmative by a majority of 11.

1410 At this point in the proceedings, Mayor Lastman, with the permission of Council, welcomed to the Council Chamber members of the World Allied Peace Corp attending the Canadian Forces College.

1411 **Clause No. 28 of Report No. 8 of The North York Community Council, headed “Downsview Area Secondary Plan - Official Plan Amendment No. 464 - North York Spadina.”**

(See Appendix “A”, page 9352.)

Council also had before it, during consideration of the foregoing Clause, the following communications requesting City Council to defer a decision on the adoption of the Amendment to the Official Plan for the Downsview Lands until September 1998:

- (i) (July 28, 1998) addressed to Councillor Kelly, Scarborough Wexford, from the Downsview Lands Community Voice Association and the Tudor Chesswood Business Association of Downsview; and
- (ii) (July 22, 1998) from Mr. Albert Krivickas.

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

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

- (a) Councillor Augimeri, in amendment, moved that the foregoing Clause be struck out and referred back to the North York Community Council for further consideration at its meeting to be held on September 16, 1998, in order for the public hearing on the issue to continue and that the community be so advised through proper notice.

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

Yeas: Councillors: Augimeri, Bussin, Jones, Layton, Miller - 5.

Nays: Mayor: Lastman.

Councillors: Adams, Berardinetti, Berger, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Tzekas - 33.

Decided in the negative by a majority of 28.

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

- (1) amending Recommendation No.(1)(g)(i) of the North York Community Council by deleting the following words:

“and replacing it with the following:

‘(d) When approving development in the south neighbourhood, no direct access shall be permitted from lands in the Secondary Plan area to Wilson Avenue through the Mt. Sinai Cemetery.’ ”;

- (2) adding thereto the following new Recommendation No. (1)(h) as follows:

“(h) no direct access shall be permitted from lands in the Secondary Plan to Wilson Avenue through the Mt. Sinai Cemetery.”;

- (3) renumbering the Recommendations of the North York Community Council accordingly;

- (4) the Commissioner of Urban Planning and Development Services, in consultation with the Toronto Transit Commission and City Transportation staff, be directed to revise the Downsview Area Transportation Master Plan, incorporating specific initiatives which would achieve a more transit-oriented, less auto-reliant development at Downsview, and to present this revised Plan for City Council approval in October, 1998; and

- (5) amending Recommendation No. (1) of the North York Community Council to provide that the Official Plan Amendment No. 464 be amended by incorporating the following clause at the beginning of Section 7 - Transportation and Circulation Policies:

“All developments within the area covered by this Official Plan Amendment must conform with the requirements of the Downsview Area Transportation Master Plan, as approved by City Council, which is an integral part of, and has the same force and effect as, this OPA.”

- (c) Councillor Mihevc, seconded by Mayor Lastman, moved that the foregoing Clause be amended by adding thereto the following:

“**WHEREAS** the Guiding Principles for the development of the Downsview Lands include the following transportation and traffic principles:

- ‘the development of the Downsview Lands should not negatively impact operations on the surrounding transportation network’; and
- ‘the fundamental premise/principle behind the mobility servicing plans for development on the Downsview Lands should be that the adjacent

communities (individual, residential, commercial) should not be impacted from a traffic infiltration or spillover parking perspective'; and

WHEREAS the traffic situation at the Allen Expressway and Eglinton Avenue West, already impossible, may be aggravated by any development along the Allen Expressway;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to examine means, including the use of outside consultants, to alleviate this further aggravation, including, but not necessarily limited to, the following:

- (i) use of City of Toronto development charges to help finance additional ramps on Allen Road, between Eglinton Avenue West and Lawrence Avenue West;
- (ii) capital improvements to the Eglinton Avenue/Allen Road intersection; and
- (iii) provision of additional parking lots around Eglinton Avenue/Allen Road;

AND BE IT FURTHER RESOLVED THAT all local area Councillors, along the Allen Expressway, and the Mayor's Office, be included in the aforementioned studies as they progress."

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

"It is further recommended that:

- (1) the developer be urged to consider district energy options for heating and cooling their facilities; and
- (2) the Toronto District Heating Corporation be given the opportunity to make a proposal to that effect."

At this point in the proceedings, Councillor Mihevc, 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, and that Council continue to meet to complete discussion of the foregoing Clause, the vote upon which was taken as follows:

Yeas: Councillors: Berger, Chong, Filion, Giansante, Jakobek, King, Lindsay Luby, Li Preti, Mammoliti, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Sinclair - 16.

Nays: Mayor: Lastman.

Councillors: Adams, Augimeri, Berardinetti, Bussin, Chow, Feldman, Fotinos, Gardner, Holyday, Johnston, Korwin-Kuczynski, Layton, Mahood, Mihevc, Miller, Moscoe, Prue, Sgro, Silva, Tzekas - 21.

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

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1415.)

Council recessed at 12:27 p.m.

2:11 P.M.

Council reconvened.

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

- 1412 At the request of Council, the City Clerk called the Roll at 2:11 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Augimeri, Chong, Chow, Davis, Disero, Duguid, Flint, Fotinos, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Sinclair - 31.

- 1413 Members present at the afternoon session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 47.

- 1414 At this point in the proceedings, Mayor Lastman, with the permission of Council, welcomed to the Council Chamber "Jane Doe", who thanked the Members of Council for their vote not to appeal the judge's decision with respect to her litigation with the Police Force.

- 1415 Council resumed its consideration of Clause No. 28 of Report No. 8 of The North York Community Council, headed "Downsview Area Secondary Plan - Official Plan Amendment No. 464 - North York Spadina." (See also Minute No. 1411.)

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

Yeas: Mayor: Lastman.
Councillors: Berger, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Jakobek, Lindsay Luby, Li Preti, Moeser, Prue, Saundercook - 17.

Nays: Councillors: Adams, Augimeri, Chow, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Sgro, Silva, Walker - 23.

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

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

“It is further recommended that City staff involved with this project as it develops, and the developers, be requested to pursue:

- (i) district heating energy options;
- (ii) high levels of energy efficiency; and
- (ii) parking minimization strategies.”

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

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

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 Mihevc, it was carried.

Upon the question of the adoption of the Clause, with the exception of City-owned lands on the south-east corner of Sheppard Avenue West and the W.R. Allen Road, and Block “H”, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Augimeri, Berger, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair - 38.

Nays: Nil.

Decided in the affirmative, without dissent.

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

Upon the question of the adoption of the Clause, insofar as it pertains to City-owned lands on the south-east corner of Sheppard Avenue West and W.R. Allen Road, and Block "H", the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berger, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair - 35.

Nays: Nil.

Decided in the affirmative, without dissent.

1416 **Clause No. 4 of Report No. 9 of The Urban Environment and Development Committee, headed "Demolition of Exhibition Stadium".**
(See Appendix "A", page 8632.)

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

- (i) (July 27, 1998) from Councillor Joe Pantalone, Chair, The Board of Governors of Exhibition Place, advising that the Board of Governors of Exhibition Place, at its meeting of June 19, 1998, unanimously approved the demolition of Exhibition Stadium; and
- (ii) (July 29, 1998) from Mr. John Martins-Manteiga, Urbanism, requesting that City Council reverse the decision of The Board of Governors of Exhibition Place to demolish Exhibition Stadium.

Having regard that the foregoing Clause was submitted without recommendation:

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

“It is recommended that the report dated July 10, 1998, from the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that a draw from the Exhibition Stadium Capital Improvement Reserve fund be approved as follows:

- (1) \$1,819,324.00 for the demolition of the North and South Grandstands, as per Contract No. 98-4008-80820;
- (2) \$645,000.00 for additional landscaping and other related work, subject to the further approval by the Board of Governors of Exhibition Place of any award of a contract associated with such work; and
- (3) \$30,000.00 for consultant services relating to the storage space requirements at Exhibition Place.”

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

“It is recommended that a Committee of four Members of Council be established to examine any alternative uses for the stadium facility and report thereon, in four months time, through the Economic Development Committee.”

- (c) Councillor Li Preti moved that Council adopt the following recommendation:

“It is recommended that a Committee of Council be established to review the soccer and amateur sports needs of the City, including facilities, and report thereon to the Economic Development Committee.”

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

Yeas: Councillors: Filion, Jones, Sgro - 3.

Nays: Mayor: Lastman

Councillors: Adams, Berardinetti, Berger, Bossons, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Miller, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 37.

Decided in the negative by a majority of 34.

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

- Yeas: Mayor: Lastman.
Councillors: Adams, Augimeri, Berardinetti, Berger, Chong, Chow, Davis, Disero, Filion, Flint, Gardner, Giansante, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Miller, Nunziata, O'Brien, Ootes, Pantalone, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 33.
- Nays: Councillors: Bossons, Duguid, Feldman, Holyday, Johnston, Kelly, King, Moeser, Prue, Rae, Saundercook - 11.

Decided in the affirmative by a majority of 22.

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

- Yeas: Mayor: Lastman.
Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 42.
- Nay: Councillor: Sgro - 1.

Decided in the affirmative by a majority of 41.

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

- 1417 At this point in the proceedings, Councillor Berardinetti, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion J(18) on the Order Paper, and, seconded by Councillor Duguid, further moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of such Motion, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Berardinetti

Seconded by: Councillor Duguid

“WHEREAS City Council, at its meeting held on July 8, 9 and 10, 1998, issued confidential instructions to staff respecting Ontario Municipal Board Appeals by Ontario Hydro (Graywood Investments Limited and Norstar Investments) and directed that further reports be submitted to The Scarborough Community Council meeting to be held on July 22, 1998; and

WHEREAS, in accordance with these instructions, the City Solicitor submitted reports prepared by the Commissioner of Planning and Buildings, Scarborough, and

the Director of Road and Traffic Services, Scarborough, attached to the Solicitor's confidential report dated July 20, 1998, to the Scarborough Community Council meeting held on July 22, 1998; and

WHEREAS The Scarborough Community Council deferred consideration of the aforementioned reports to a Special Meeting of the Community Council on Tuesday, July 28, 1998, at which a quorum was not achieved;

NOW THEREFORE BE IT RESOLVED THAT City Council resolve in camera to give direction to the City Solicitor on this matter.”

Council deferred consideration of the foregoing Motion until later in the meeting. (See Minute No. 1431.)

- 1418 Council resumed its consideration of Clause No. 1 of Report No. 10 of The Corporate Services Committee, headed “Project Proposal, Financial and Human Resources/Payroll Systems”. (See also Minutes Nos. 1404 and 1408.)

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

“that the foregoing Clause be struck out and referred to the Mayor, in consultation with Councillors Layton and Balkissoon or other interested Members of Council, to oversee the engagement by the Chief Administrative Officer of an expert or experts to provide a thorough review of the proposed recommendations contained in Clause No. 1 of Report No. 10 of The Corporate Services Committee, including the economic and practical benefits of this system, with a determination of whether the system meets or exceeds the needs of the City; and further that:

- (1) such expert or experts also provide with their critical review, information on any changes deemed necessary; and
- (2) the necessary funds therefor, up to a maximum of \$100,000.00, be provided from the Transition Projects Reserve Fund.”,

the vote was taken as follows:

Yeas: Councillors: Jakobek, Kelly, Korwin-Kuczynski, Nunziata, Shaw - 5.

Nays: Councillors: Adams, Berger, Bossons, Chong, Chow, Davis, Duguid, Feldman, Filion, Flint, Gardner, Holyday, Jones, Kinahan, King, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 30.

Decided in the negative by a majority of 25.

- (b) Councillor Kinahan, 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 and the Chief Administrative Officer be requested to report to the Corporate Services Committee semi-annually on whether this project is on track and has achieved the expected savings, such report to also include a demonstration of those savings.”

Deputy Mayor Ootes designated Councillor Chong to take the Chair.

- (c) Councillor Ootes, in amendment, moved that the foregoing motion (b) by Councillor Kinahan be amended to provide that the Chief Financial Officer and Treasurer and the Chief Administrative Officer be requested to report to the Corporate Services Committee every three months, such report to also include the progress of implementing the system.

Deputy Mayor Ootes resumed the Chair.

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

“It is further recommended that:

- (1) the Chief Financial Officer and Treasurer and the Commissioner of Corporate Services be requested to obtain fixed prices and commitments for the inclusion of all Agencies, Boards and Commissions, the Toronto Transit Commission and Fleet Management prior to signing any final agreements; and
- (2) with respect to this project, if approved by City Council today, that the Chief Administrative Officer be requested to engage independent experts to review any of the Agreements for this project prior to such Agreements being signed; and that the necessary funds therefor be provided from the Transition Projects Reserve Fund.”

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

“It is further recommended that:

- (i) the joint report (July 27, 1998) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) all City Agencies, Boards and Commissions be strongly urged and requested to use the recommended City's FIS/HRIS systems, on a timetable that is mutually agreed upon, but within five years at the latest; and
 - (2) on a priority basis, that City staff accommodate those Agencies, Boards and Commissions with non year 2000 compliant FIS/HRIS systems i.e., the Toronto Police Service by including their participation in the City's implementation program.';
- (ii) the report (July 28, 1998) from the Chief Financial Officer and Treasurer and Chair, FIS/HRS Steering Committee, embodying the following recommendations, be adopted;

'It is recommended that the Budget Committee and City Council:

- (1) receive the attached report from Brian Dunk Consulting Services Limited; and
 - (2) approve the FIS/HRIS transition project, at a total cost of \$26.3 million, and approve 1998 project financing of \$6.1 million from the Transition Reserve Fund, with a report back in September 1998 outlining project financing requests for 1999 and 2000 based on contract terms and conditions to be negotiated with SAP that have regard to matching cashflow to project milestones and project risk.' "
- (f) Councillor Moscoe, in amendment, moved that the foregoing motion (d) by Councillor Jakobek be referred to the Corporate Services Committee and that the Commissioner of Corporate Services be requested to report thereon to the Corporate Services Committee.

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

Yeas: Councillors: Adams, Chong, Disero, Duguid, Feldman, Filion, Flint, Giansante, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Moscoe, Ootes, Prue, Rae, Saundercook, Shiner, Walker - 22.

Nays: Councillors: Augimeri, Berger, Bossons, Chow, Davis, Gardner, Holyday, Jakobek, Layton, Li Preti, Mammoliti, Miller, Moeser, Nunziata, O'Brien, Pantalone, Sgro, Silva, Sinclair - 19.

Decided in the affirmative by a majority of 3.

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

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 (e) by Councillor Adams, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 39.

Nays: Councillors: Jakobek, Li Preti - 2.

Decided in the affirmative by a majority of 37.

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

1419 **Clause No. 15 of Report No. 10 of The Toronto Community Council, headed "Proposed Road Narrowings - Christie Street from Bloor Street West to Dupont Street (Davenport)".**

(See Appendix "A", page 9752.)

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

1420 At this point in the proceedings, Councillor Chow, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 16 of The Strategic Policies and Priorities Committee,

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 have an interest in this matter, together with the nature of the interest.

Councillor Giansante declared his interest in Clause No. 2 of Report No. 16 of the Strategic Policies and Priorities Committee, headed "Amendment to Agreement to Facilitate the

Expansion of Access Rights to Municipal Road Allowances - Metronet Communications Group Inc. - Supplementary Report”, in that his wife is an employee of Bell Canada.

Deputy Mayor Ootes proposed that Council now proceed through the Report, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council 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. 16 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 2, 6, 8 and 9) without amendment, it was carried.

- 1421 **Clause No. 8 of Report No. 10 of The Toronto Community Council, headed “South Eglinton Area (East) Traffic Calming Project (Phase 1) - Poll Results (North Toronto)”.** (See Appendix “A”, page 9721.)

Council also had before it, during consideration of the foregoing Clause, a communication (July 28, 1998) from Mr. John Lightfoot, submitting comments in opposition to the traffic calming devices in South Eglinton.

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

Yeas: Councillors: Berger, Bossons, Chow, Flint, Johnston, King, Li Preti, Mammoliti, Mihevc, Moscoe, O’Brien, Ootes, Pantalone, Prue, Rae, Sinclair, Walker - 17.

Nays: Councillors: Disero, Feldman, Giansante, Holyday, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, Moeser, Nunziata, Saundercook, Sgro - 12.

Decided in the affirmative by a majority of 5.

- 1422 **Clause No. 2 of Report No. 14 of The Strategic Policies and Priorities Committee, headed “Recreation Grants Program - 1998 Allocations and Appeals”.** (See Appendix “A”, page 8831.)

Having regard that the foregoing Clause was submitted without recommendation:

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

“It is recommended that a grant of \$6,000.00 be approved for the Christie-Ossington Neighbourhood Centre, and that such funds be provided from the Grants Contingency Fund.”

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

“It is recommended that the recommendation of the Municipal Grants Review Committee be amended to provide that the appeal from the Weston Minor Hockey League be deferred until September and until staff from the Parks and Recreation Division can report on the success of the fund raising measures that have been taken over the summer.”

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

Yeas: Councillors: Adams, Berardinetti, Bossons, Chow, Disero, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Sgro, Shiner, Sinclair, Walker - 21.

Nays: Councillors: Berger, Chong, Flint, Holyday, King, Lindsay Luby, Li Preti, Mammoliti, Moeser, O'Brien, Saundercook - 11.

Decided in the affirmative by a majority of 10.

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

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

1423 **Clause No. 2 of Report No. 7 of The Works and Utilities Committee, headed “Emery Creek Stormwater Quality Ponds Project”.**

(See Appendix “A”, page 8781.)

Council had before it, during consideration of the foregoing Clause, the following communications (July 29, 1998) from Councillor George Mammoliti, North York Humber:

- (i) advising that the Ministry of the Environment has advised that the ponds project is currently on hold until the community consultation process has been sufficiently fulfilled; and submitting a facsimile transmission dated July 29, 1998, from the Environmental Assessment Branch, Ministry of the Environment, regarding the status beyond August 21, 1998;
- (ii) submitting a copy of a communication hand-delivered to Ward 6 constituents on July 27, 1998, at St. Jude's Church by Councillor Judy Sgro's staff, containing a contradiction to the information received from the Ministry of the Environment;

- (iii) submitting a 19-page petition from Ward 6 residents, dated July 27, 1998;
- (iv) submitting a 15-page petition from Ward 6 residents, dated April 20, 1998, who had requested that he review the proposed alternative being presented by City staff; and advising that requests for a soil analysis of the industrial area is also recommended;
- (v) submitting a communication (undated) addressed to Councillor Judy Sgro, North York Humber, from Betty and Don Dawson requesting that this issue be deferred until a full Environmental Assessment has been conducted; and
- (vi) submitting a communication (July 28, 1998) from Mr. Barry Flude requesting his support to stop this project as currently proposed by City staff and accepted by the Works and Utilities Committee.

Council also had before it, during consideration of the foregoing Clause, the following submitted by Councillor Judy Sgro, North York Humber:

- (i) fact sheet (undated), headed “Emery Creek Stormwater Quality Ponds,” together with an artist’s rendition depicting the ponds;
- (ii) copies of correspondence from the following persons, in support of the Emery Creek Stormwater Quality Ponds:
 - (July 29, 1998) from Ms. Vivian Broersma;
 - (July 29, 1998) from Mr. Terry Hamilton and Mr. Frank Wood, Members, Humber Crang Community Environmental Project;
 - (July 29, 1998) from Ms. Crystal Caschera, Facilitator/Spokesperson, Humber Crang Community Environmental Project;
 - (July 28, 1998) from Mr. Fred Morgan;
 - (July 29, 1998) from Ms. Cecile White;
 - (October 16, 1997) from Ms. Lorie Marangoni and Ms. Emily Marangoni; and
 - (July 30, 1998) from Ms. Carol Armstrong and Mr. Brian Armstrong, and family;
- (iii) media release (July 24, 1998), headed “City Councillor Approves Toxic Pollution Ponds for Toronto Suburb,” together with copies of the following correspondence:
 - (July 20, 1998) from Councillor George Mammoliti, North York Humber, respecting the July 27, 1998 Community Meeting; and
 - (undated) from Members of the Humbermede Ratepayers Association; and
- (iv) facsimile transmission (July 30, 1998) addressed to Mr. Bill Crowther, Works and Emergency Services Department, from the Environmental Assessment Branch,

Ministry of the Environment, providing information on the requirements with respect to Environmental Study Reports.

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

- (a) Councillor Mammoliti, in amendment, moved that:
- (1) the Clause be struck out and referred back to the Works and Utilities Committee for further consideration and the hearing of depositions;
 - (2) the Provincial Ministry of the Environment be requested to undertake a full Environmental Assessment for the Emery Creek Watershed industrial area; and
 - (3) Recommendation No. (2) of the Works and Utilities Committee be amended to provide that Councillors Mammoliti and Sgro create and organize the formation of the Emery Creek Neighbourhood Liaison Committee for the community.

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

Yeas: Councillors: Berger, Filion, Flint, Li Preti, Mammoliti, Nunziata, Walker - 7.

Nays: Councillors: Adams, Augimeri, Berardinetti, Bossons, Chong, Chow, Davis, Duguid, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Sinclair - 26.

Decided in the negative by a majority of 19.

Having regard for the foregoing decision of Council, Parts (2) and (3) of the foregoing motion by Councillor Mammoliti was not put to a vote.

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

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to prepare a report on the reasons why the ponds could not be located on the tableland just north of Finch Avenue, or on the Works and Parks yard parking lot for presentation, and information, to the Emery Creek Neighbourhood Liaison Committee and the Emery Creek Environmental Association by the end of September, 1998; and that Council endorse the Environmental Study report as submitted to the Ministry of the Environment.”

At this point in the proceedings, Councillor Sgro, 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 Council continue to meet to complete its discussion of the foregoing matter, the vote upon which was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Chow, Davis, Duguid, Filion, Holyday, Johnston, Jones, Kelly, Kinahan, King, Layton, Mammoliti, O'Brien, Rae, Saundercook, Sgro, Sinclair - 19.

Nays: Councillors: Adams, Berardinetti, Berger, Chong, Feldman, Flint, Giansante, Korwin-Kuczynski, Lindsay Luby, Li Preti, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Walker - 18.

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

At this point in the proceedings, with the permission of Council, Councillor King, 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 Council continue to meet to complete its discussion of the foregoing matter, the vote upon which was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Chow, Davis, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Sinclair - 26.

Nays: Councillors: Berardinetti, Berger, Chong, Flint, Moeser, Nunziata, Prue, Walker - 8.

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

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

“It is further recommended that the Mayor be requested to write a reassuring letter to the Ward 6 residents who have been so sadly misinformed.”

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Moeser, Moscoe, Nunziata,

O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Sinclair, Walker - 37.

Nays: Nil.

Decided in the affirmative, without dissent.

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

Yeas: Councillors: Augimeri, Berardinetti, Bossons, Chong, Chow, Davis, Duguid, Holyday, Johnston, Kelly, Kinahan, King, Layton, Lindsay Luby, Moeser, O'Brien, Ootes, Rae, Saundercook, Sgro, Sinclair - 21.

Nays: Councillors: Adams, Berger, Feldman, Filion, Flint, Giansante, Jones, Korwin-Kuczynski, Li Preti, Mammoliti, Moscoe, Nunziata, Pantalone, Prue, Shiner, Walker - 16.

Decided in the affirmative by a majority of 5.

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

At this point in the proceedings, Councillor Mammoliti, with the permission of Council, moved that the foregoing Clause be re-opened to permit the vote to be taken on Parts (2) and (3) of his foregoing motion (a), the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Chow, Davis, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shiner, Walker -30.

Nays: Councillors: Bossons, Chong, Johnston, Layton, Moeser, Saundercook - 6.

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

Councillor Kinahan, in amendment, moved that Parts (2) and (3) of foregoing motion (a) by Councillor Mammoliti be referred to the Commissioner of Works and Emergency Services for a report thereon to the Works and Utilities Committee.

Councillor Kinahan, with the permission of Council, withdrew his foregoing motion.

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

Yeas: Councillors: Berger, Flint, Li Preti, Mammoliti, Walker - 5.

Nays: Councillors: Adams, Augimeri, Berardinetti, Bossons, Chong, Chow, Davis, Duguid, Filion, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner - 29.

Decided in the negative by a majority of 24.

Upon the question of the adoption Part (3) of the foregoing motion (a) by Councillor Mammoliti, the vote was taken as follows:

Yeas: Councillors: Berger, Filion, Flint, Korwin-Kuczynski, Li Preti, Mammoliti, Nunziata, Walker - 8.

Nays: Councillors: Adams, Augimeri, Berardinetti, Bossons, Chong, Chow, Davis, Duguid, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Lindsay Luby, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner - 26.

Decided in the negative by a majority of 18.

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

Yeas: Councillors: Adams, Augimeri, Berger, Bossons, Chong, Chow, Davis, Duguid, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner - 31.

Nays: Councillors: Mammoliti, Walker - 2.

Decided in the affirmative by a majority of 29.

Council recessed at 6:19 p.m.

8:23 P.M.

Council reconvened in Committee Room "A".

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

1424 Members present at the first evening session of the second day of this meeting:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint,

Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 51.

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

The Committee of the Whole recessed at 8:24 p.m. to meet privately to consider the following confidential matters appearing on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (i) Clause No. 9 of Report No. 7 of The Works and Utilities Committee, headed "Settlement of Lawsuit Against OMMRI and CSR";
- (ii) Clause No. 10 of Report No. 7 of The Works and Utilities Committee, headed "Legal Claim Against the City of Toronto";
- (iii) Clause No. 2 of Report No. 16 of The Strategic Policies and Priorities Committee, headed "Amendment to Agreement to Facilitate the Expansion of Access Rights to Municipal Road Allowances - Metronet Communications Group Inc.";
- (iv) Clause No. 6 of Report No. 6 of The East York Community Council, headed "Enforcement Matters concerning 210 Linsmore Crescent"; and
- (v) Notice of Motion J(18) moved by Councillor Berardinetti, seconded by Councillor Duguid, respecting Ontario Municipal Board Appeals by Ontario Hydro (Graywood Investments Limited and Norstar Investments).

10:21 P.M.

The Committee of the Whole reconvened in the Council Chamber.

The Committee of the Whole rose.

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

1425 At the request of Council, the City Clerk called the Roll at 10:21 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kinahan, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser,

Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 42.

1426 Members present at the second evening session of the second day of this meeting:

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

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, and that Council continue to meet until 11:00 p.m., which was carried, more than two-thirds of Members present having voted in the affirmative.

1427 **Clause No. 9 of Report No. 7 of The Works and Utilities Committee, headed "Settlement of Lawsuit Against OMMRI and CSR".**

(See Appendix "A", page 8821.)

Council also had before it, during consideration of the foregoing Clause, a joint confidential report (July 8, 1998) from the City Solicitor and the Commissioner of Works and Emergency Services regarding settlement of a lawsuit against OMMRI and CSR.

Deputy Mayor Ootes, in accordance with the Municipal Act, reported that no motions were 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.

1428 **Clause No. 10 of Report No. 7 of The Works and Utilities Committee, headed "Legal Claim Against the City of Toronto".**

(See Appendix "A", page 8821.)

Deputy Mayor Ootes, in accordance with the Municipal Act, reported that no motions were 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.

- 1429 **Clause No. 6 of Report No. 11 of The East York Community Council, headed “Enforcement Matters concerning 210 Linsmore Crescent”.**
(See Appendix “A”, page 9135.)

Council also had before it, during consideration of the foregoing Clause, a confidential report (July 27, 1998) from Mr. C. M. Loopstra, Loopstra, Nixon & McLeish, City Solicitors - East York, respecting enforcement matters concerning 210 Linsmore Crescent.

Deputy Mayor Ootes, in accordance with the Municipal Act, reported that the following motion was moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

Moved by Councillor Prue:

“It is recommended that the foregoing Clause be amended by striking out the Recommendations of the East York Community Council and inserting in lieu thereof the following recommendations:

“It is recommended that the proposal made by James Kaspiris and 1083558 Ontario Limited be accepted subject to the following conditions:

- (a) that the roof slope be similar to the roof slope as shown on the original approved building permit drawings and be lowered by at least 1.14 metres;
- (b) that payment in the amount of \$10,382.00 plus accrued interest pursuant to outstanding orders be paid to the City on or before August 19, 1998;
- (c) that an application for a building permit, accompanied by plans and specifications prepared in full compliance with the requirements of the Building Code Act and the provisions of this resolution, be submitted to the Chief Building Official on or before August 19, 1998;
- (d) that 1083558 and Kaspiris enter into a written agreement with the City on or before August 19, 1998, setting out the terms of the variation of the Order of Mr. Justice Festeryga dated April 21, 1998, satisfactory to the City Solicitor;
- (e) that all work in accordance with the building permit issued shall be completed within 120 days of the date of such agreement, but any period for the processing of the building permit (i.e. the date of receipt of the application to the date of refusal or approval of the application) shall be excluded from the 120 day period; and
- (f) that, in the event of default, all of the provisions of the Order of Mr. Justice Festeryga shall apply with respect to such default, and the City Solicitor and the Chief Building Official are authorized to seek full compliance with the

Orders of Madam Justice Chapnik and Mr. Justice Festeryga dated May 12, 1995 and April 21, 1998, respectively.”

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

No additional motions were put.

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

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

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

1430 **Clause No. 2 of Report No. 16 of The Strategic Policies and Priorities Committee, headed “Amendment to Agreement to Facilitate the Expansion of Access Rights to Municipal Road Allowances - Metronet Communications Group Inc. - Supplementary Report”.**

(See Appendix “A”, page 9013.)

Deputy Mayor Ootes, in accordance with the Municipal Act, reported that the following motions were moved in Committee of the Whole for consideration by Council in conjunction with the foregoing Clause.

Having regard that the foregoing Clause was submitted without recommendation:

(a) Moved by Councillor Fotinos:

“That Council adopt the following recommendation:

‘It is recommended that:

- (1) Metronet be given a maximum five-year contract for any further expansion of the old contract with the former City of Toronto;
- (2) the Chief Administrative Officer be requested to report to Council, through the Economic Development Committee, no later than December 1998, on the desirability, structure and Terms of Reference for a telecommunications authority for the City of Toronto; and
- (3) no other telecommunications Network Agreement with a term longer than five years be signed until a telecommunications authority has been established.’ ”

(b) Moved by Councillor Adams:

“That Part (3) of the foregoing motion (a) by Councillor Fotinos be referred to the Chief Administrative Officer for a report thereon to the appropriate committee.”

(c) Moved by Councillor Shiner:

“That Council adopt the following recommendation:

‘It is recommended that the Agreement be approved for access to the City’s boulevards only, not for watermains; and that the Commissioner of Works and Emergency Services be requested to report to the Works and Utilities Committee on recommendations for other potential agreements for use in other City assets to install fibre optic cables.’ ”

(d) Moved by Councillor Kinahan:

“That Council adopt the following recommendation:

‘It is recommended that the City Solicitor be requested to review whether the Agreement with Metronet should include a waiver of their rights under Section 220.1 (the ‘user fee’ provisions) of the Municipal Act.’ ”

(e) Moved by Councillor Moscoe:

“That Council adopt the following recommendation:

‘It is recommended that the report (July 24, 1998) from the Commissioner of Works and Emergency Services embodying the following recommendations, be adopted subject to the expansion of the Metronet Agreement being conditional upon the non-disclosure clauses not applying to other municipalities or the Federation of Canadian Municipalities:

“It is recommended that:

- (1) the recommendations contained in the June 30, 1998, report on this subject be superseded by the following recommendations;
- (2) City Council authorize an amendment to the Agreement with Metronet Communications Group Inc. to allow Metronet to enter upon the Public Highways under the jurisdiction of the City of Toronto beyond the bounds of the former Toronto city limits, for the purposes of installing, maintaining and operating a fibre optic telecommunications network throughout the City;

- (3) the amended Agreement with Metronet contain such terms and conditions as have been negotiated and agreed to between the parties and described generally in the June 30, 1998, report on this subject, and approved by City Council, and such other terms and conditions as may be satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor to protect the interests of the City;
- (4) the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, report on the expansion of the Standard Form Municipal Access Agreement as previously authorized by the former City of Toronto and Metropolitan Councils to apply throughout the entire new City area, in order to enable qualified individuals or companies to access public street allowances for the purposes of installing, maintaining and operating telecommunications systems; and
- (5) with regard to the leasing of spare City-owned conduit capacity, the Commissioner of Works and Emergency Services ensure that an appropriate public tender mechanism is utilized and that potential for access by other qualified individuals or companies is maintained where technically feasible.” ’ ”

Having regard to the foregoing motions moved in Committee of the Whole, Deputy Mayor Ootes called upon additional motions with respect to this matter.

No additional motions were put.

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

Yeas: Councillors: Balkissoon, Cho, Chong, Duguid, Feldman, Flint, Fotinos, Jakobek, Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, O'Brien, Ootes - 16.

Nays: Councillors: Adams, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Chow, Davis, Disero, Filion, Gardner, Holyday, Kinahan, King, Layton, Mihevc, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker - 28.

Decided in the negative by a majority of 12.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker - 46.

Nays: Nil.

Decided in the affirmative, without dissent.

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

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

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

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Walker - 41.

Nays: Councillors: Davis, Kelly, Mammoliti - 3.

Decided in the affirmative by a majority of 38.

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

1431 At this point in the proceedings, Deputy Mayor Ootes, in accordance with the Municipal Act, reported that no motions were moved in Committee of the Whole for amendment by Council in conjunction with the following Notice of Motion:

Moved by: Councillor Berardinetti

Seconded by: Councillor Duguid

“**WHEREAS** City Council, at its meeting held on July 8, 9 and 10, 1998, issued confidential instructions to staff respecting Ontario Municipal Board Appeals by Ontario Hydro (Graywood Investments Limited and Norstar Investments) and directed that further reports be submitted to The Scarborough Community Council meeting to be held on July 22, 1998; and

WHEREAS, in accordance with these instructions, the City Solicitor submitted reports prepared by the Commissioner of Planning and Buildings, Scarborough, and the Director of Road and Traffic Services, Scarborough, attached to the Solicitor’s confidential report dated July 20, 1998, to the Scarborough Community Council meeting held on July 22, 1998; and

WHEREAS The Scarborough Community Council deferred consideration of the aforementioned reports to a Special Meeting of the Community Council on Tuesday, July 28, 1998, at which a quorum was not achieved;

NOW THEREFORE BE IT RESOLVED THAT City Council resolve in camera to give direction to the City Solicitor on this matter.”

Council deferred further consideration of the foregoing matter until later on in the meeting.
(See Minute No.1521.)

1432 **Clause No. 11 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Ontario Works Pilot Projects”.**
(See Appendix “A”, page 8209.)

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 the following words to the recommendation embodied therein:

“and the three named pilot projects be continued in principle, in 1999, subject to satisfactory evaluation and availability of Provincial funding.”,

so that such recommendation now reads as follows:

“The Community and Neighbourhood Services Committee recommends the adoption of the following report (June 30, 1998) from the Commissioner of Community and Neighbourhood Services; and the three named pilot projects be continued in principle, in 1999, subject to satisfactory evaluation and availability of Provincial funding.”

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.

- 1433 **Clause No. 14 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Capital Funding Support for Child Care Centres Facing Eviction from Schools”.**

(See Appendix “A”, page 8226.)

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

- 1434 **Clause No. 17 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Future Direction of Riverdale Hospital.”**

(See Appendix “A”, page 8238.)

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

“It is further recommended that:

WHEREAS the Riverdale Hospital (Riverdale) lands are owned by the City of Toronto and Riverdale occupies the premises under a long-term lease with the City for the purposes of operating a public hospital and related uses; and

WHEREAS the Riverdale Hospital has been ordered by the Health Services Restructuring Commission to cease operating as a public hospital by March 31, 2000; and

WHEREAS the Health Services Restructuring Commission has recommended that Riverdale continue as a long-term care facility; and

WHEREAS Riverdale is therefore proposing to develop a not-for-profit long-term care facility on the current site with the support of the community, patient groups, service agencies and other stakeholders;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Toronto agree, in principle, to amending the lease with the Board of Governors of the Hospital to include a long-term care facility as a permitted use subject to the terms and conditions of such lease being reviewed further by the City of Toronto.”

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

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

- 1435 **Clause No. 18 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Homes for the Aged - Uncollectible Accounts”.**
(See Appendix “A”, page 8241.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Kinahan, in amendment, moved that the foregoing Clause be referred back to the Commissioner of Community and Neighbourhood Services to determine whether a search agency could locate the son of the account holder and that the Commissioner be requested to report thereon to Community and Neighbourhood Services Committee.

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

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

- 1436 **Clause No. 1 of Report No. 11 of The Corporate Services Committee, headed “Acquisition and Disposal of Real Property”.**
(See Appendix “A”, page 8301.)

Council also had before it, during consideration of the foregoing Clause, “Appendix C” to the report (May 11, 1998) from the Commissioner of Corporate Services, entitled “Processes for Declaring Properties Surplus,” as amended by the Corporate Services Committee on July 20, 1998.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (1) (a) of the Corporate Services Committee by adding the words “and respective Councillors” after the words “other departments”, so that such Recommendation now reads as follows:

- “(1) amending Appendix ‘C’ embodied therein, entitled ‘Processes for Declaring Properties Surplus’, by:
 - (a) adding to Section (2) the following, ‘(f) achieving social objectives’, so that Section (2) now read as follows:
 - ‘(2) a review to be undertaken by the Facilities and Real Estate Division, consulting with other departments and respective Councillors, to determine applicable considerations, including the following:
 - (a) any utilities on the lands;
 - (b) development potential;
 - (c) economic development potentials;
 - (d) environmental issues;

- (e) other potential cost and budget considerations, such as capital budget impacts; and
- (f) achieving social objectives.’ ”

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.

Deputy Mayor Ootes designated Councillor Chong to take the Chair.

- 1437 **Clause No. 40 of Report No. 11 of The Corporate Services Committee, headed “536 St. Clair Avenue West - Establishment of a 25-Space Surface Carpark”.**
(See Appendix “A”, page 8505.)

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

“It is further recommended that, in an effort to increase revenue and expand the Parking Authority, while at the same time helping small business:

- (1) the Toronto Parking Authority, in consultation with the local councillors be requested to investigate all opportunities to improve parking in local BIAs at minimal cost to the City;
- (2) the areas of priority be College and Clinton; Bayview and Eglinton; and the Danforth; and Members of Council be consulted for areas in their wards where small retailers need to remain competitive; and
- (3) the Toronto Parking Authority be requested to submit recommendations to Council thereon, through the Corporate Services Committee.”

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

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

Deputy Mayor Ootes resumed the Chair.

- 1438 **Clause No. 1 of Report No. 1 of The Economic Development Committee, headed “Principles for Inclusion in a Parkland Dedication Bylaw”.**
(See Appendix “A”, page 8547.)

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

- (a) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding the following words at the end of Principle A(7):

“subject to consultation with the affected Councillors.”

- (b) Councillor Ashton, in amendment, moved that the foregoing Clause be amended to provide that Principle A(7) contained in the report (July 9, 1998) from the Commissioner of Economic Development, Culture and Tourism, be amended by striking out all the words after the word “conveyance” and inserting in lieu thereof the following:

“and that this be communicated to the Commissioner of Urban Planning and Development Services for inclusion in the appropriate planning reports.”

so that Principle A(7) contained in the report (July 9, 1998) from the Commissioner of Economic Development, Culture and Tourism shall now read as follows:

“(7) Delegation of Authority

It is recommended that Council delegate approval authority to the Commissioner of Economic Development, Culture and Tourism, for choosing a land or cash-in-lieu of land dedication, and for the attributes of the conveyance; and that this be communicated to the Commissioner of Urban Planning and Development Services for inclusion in the appropriate planning reports.”

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

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

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

1439 **Clause No. 3 of Report No. 8 of The Emergency and Protective Services Committee, headed “Proposals for the Provision of Services Related to the Inspection of Taxicabs, Livery Cabs including Limousines and Driving School Vehicles”.**

(See Appendix “A”, page 8583.)

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

“It is further recommended that the General Manager, Toronto Licensing Commission, in consultation with the appropriate officials, be requested to

investigate the possibility of adding to the inspections, at this stage, the testing of exhaust emissions using the new technologies available for such testing.”

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

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

- 1440 **Clause No. 12 of Report No. 9 of The Urban Environment and Development Committee, headed “Highway Traffic Amendment Act (Community Safety Zones), 1998 -Designation of Community Safety Zones”.**
(See Appendix “A”, page 8678.)

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 thereto the following:

“It is further recommended that the Transportation Services staff include in their forthcoming report to the Urban Environment and Development Committee, an evaluation as a community safety zone, of Keele Street and Parkside Drive from Lakeshore Boulevard, to Annette Street.”

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.

- 1441 **Clause No. 24 of Report No. 9 of The Urban Environment and Development Committee, headed “Other Items Considered by the Committee”.**
(See Appendix “A”, page 8708.)

Upon the question of the receipt for information of the foregoing Clause:

- (a) Councillor Augimeri, in amendment, moved that the foregoing Clause be received as information, subject to adding thereto the following:

“It is further recommended that, notwithstanding subsection 128(5) of the Council Procedural By-law, Item (d), entitled ‘Intervenor Funding of Community Groups at Ontario Municipal Board Hearings’, embodied in the foregoing Clause, be amended to indicate that the City Solicitor was requested by City Council on March 4, 1998, to develop a policy regarding the provision of intervenor funding from the City to community groups for Ontario Municipal Board hearings.”

- (b) Councillor Flint, in amendment, moved that the foregoing Clause be received as information, subject to adding thereto the following:

“It is further recommended that, notwithstanding subsection 128(5) of the Council Procedural By-law, Item (j) entitled ‘Request to Install Traffic Control Signals: Bayview Avenue and Tudor Gate’, embodied in the foregoing Clause, be amended to provide that the signal light on Bayview Avenue at Tudor Gate be approved as recommended by the Urban Environment and Development Committee and the North York Community Council; and that the timing of installation be subject to funding.”

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

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

- 1442 **Clause No. 20 of Report No. 15 of The Strategic Policies and Priorities Committee, headed “Selection of External Attest Auditors 1998 - 2002”.**
(See Appendix “A”, page 8986.)

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

- 1443 **Clause No. 22 of Report No. 15 of The Strategic Policies and Priorities Committee, headed “Ontario Lottery Corporation - Advance Funding Program”.**
(See Appendix “A”, page 8996.)

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

- 1444 **Clause No. 10 of Report No. 8 of The Etobicoke Community Council, headed “Funding for Community Playground Upgrade Programme”.**
(See Appendix “A”, page 9203.)

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

- 1445 **Clause No. 23 of Report No. 8 of The Etobicoke Community Council, headed “Proposed Installation of All-Way Stop Controls Yorkleigh Avenue and Freemont Avenue”.**
(See Appendix “A”, page 9241.)

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

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

- 1446 At this point in the proceedings, Councillor Giansante, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion J(8), and, seconded by Councillor Lindsay Luby, further moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of such Motion, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Giansante

Seconded by: Councillor Lindsay Luby

“**WHEREAS** the Etobicoke Community Council recommends, as a result of the large number of calls received regarding the changing of the stop controls at the intersection of Yorkleigh Avenue and Freemont Avenue; and

WHEREAS it is desirable that no changes be made until a further report has been submitted to the Etobicoke Community Council;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 embodied in Report No. 6 of the Etobicoke Community Council, entitled ‘Proposed Installation of All-Way Stop Controls: Yorkleigh Avenue and Freemont Avenue’, adopted by City of Toronto Council on June 3, 4 and 5, 1998, be reopened;

AND BE IT FURTHER RESOLVED THAT Works and Emergency Services Staff, Etobicoke District, be directed to retain the temporary signing indicating that the Stop Controls are being relocated from a north-south direction to an east-west direction at the intersection of Yorkleigh Avenue and Freemont Avenue, until such time as a further report can be submitted to Etobicoke Community Council;

AND BE IT FURTHER RESOLVED THAT the sign referring to a change on August 4, 1998, be removed.”

Upon the question of the adoption of the first Operative Paragraph embodied in the foregoing Motion, it was carried, more than two-thirds of Members present having voted in the affirmative.

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

- 1447 **Clause No. 3 of Report No. 8 of The North York Community Council, headed “Sheppard Subway Status of Permits and Approvals”.**
(See Appendix “A”, page 9256.)

Council had before it, during consideration of the foregoing Clause, communication (July 28, 1998) from the Chief General Manager, Toronto Transit Commission, advising that the three recommendations passed at the North York Community Council meeting of July 22, 1998, if approved by City Council, would stop work on the Sheppard Subway project.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Shiner, in amendment, moved that the foregoing Clause be struck out and referred to the Toronto Transit Commission for consideration at its first meeting in September; and that the Chief General Manager, Toronto Transit Commission, the Director of Planning, North York District, and the Chief Building Official, North York District, be requested to submit a joint report to such Commission meeting on all outstanding matters required to obtain the necessary building permits; and that these City officials be requested to be in attendance at the aforementioned Commission meeting.

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

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

- 1448 **Clause No. 14 of Report No. 8 of The North York Community Council, headed “Recommendations Report - Zoning Amendment and Site Plan Application UD52-97-04 and UDSP-98-13 - Shaftesbury Development Ltd. - 4935 - 4937 Yonge Street - North York Centre”.**
(See Appendix “A”, page 9288.)

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

- 1449 **Clause No. 17 of Report No. 8 of The North York Community Council, headed “Official Plan and Zoning Amendment Application UDOZ-98-03 - Rowland Lincoln Mercury - South of Eglinton Avenue East and North of Jonesville Crescent - Don Parkway”.**
(See Appendix “A”, page 9299.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Minnan-Wong, in amendment, moved that the foregoing Clause be amended to provide that the approval of this application in no way sets a precedent for the use of Ontario Hydro Corridor lands.

Upon the question of the adoption of the foregoing motion by Councillor Minnan-Wong, it was carried.

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

- 1450 **Clause No. 19 of Report No. 8 of The North York Community Council, headed “Zoning Amendment Application UDZ-96-30 - Harry Snoek - 15-19 Finch Avenue West and 7-11 Blakeley Road - North York Centre”.**
(See Appendix “A”, page 9318.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Feldman, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the North York Community Council and inserting in lieu thereof the following:

“It is recommended that this Clause be received and that no action be taken at this time with respect to this zoning amendment application having regard that Section 37 of the Planning Act and Site Plan and Development Agreements have not been fully executed.”

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

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

- 1451 **Clause No. 59 of Report No. 10 of The Toronto Community Council, headed “Impact of Big Box Retail Development on the Toronto Community’s Retail Strips”.**
(See Appendix “A”, page 10061.)

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

- (i) (July 21, 1998) from Mr. Nicholas T. Macos, Morrison Brown Sosnovitch, Barristers and Solicitors, on behalf of 1227803 Ontario Limited which has submitted appeals of Official Plan Amendment No. 87 and By-law No. 1997-0184; and submitting a recommendation in regard thereto; and
- (ii) (July 29, 1998) from the City Clerk, advising that the Strategic Policies and Priorities Committee recommends the adoption of the recommendation contained in the transmittal letter (July 29, 1998) from the Budget Committee.

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

“It is further recommended that the recommendation of the Budget Committee and the Strategic Policies and Priorities Committee, embodied in the communication (July 29, 1998) from the City Clerk, containing the following recommendation, be adopted:

‘That funding in the amount of \$35,000.00 from the Contingency Account be allocated to the Operating Budget of the Economic Development, Culture and Tourism Research Study, conditional upon the said \$35,000.00 being replenished by the Toronto Economic Development Corporation for repayment of same.’ ”

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

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

- 1452 **Clause No. 21 of Report No. 8 of The York Community Council, headed “Zoning By-law Amendment for a Temporary Use at 180 Church Street; Owner & Applicant: Humber River Regional Hospital - Ward 27 - York Humber”.**
(See Appendix “A”, page 10276.)

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

- 1453 **Clause No. 1 of Report No. 10 of The Board of Health, headed “No Fixed Address: Young Parents on the Street”.**
(See Appendix “A”, page 10297.)

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

- 1454 **Clause No. 2 of Report No. 10 of The Board of Health, headed “Air Quality and a Federal Standard for Sulphur in Fuel”.**
(See Appendix “A”, page 10305.)

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

- (i) (July 27, 1998) from Ms. Cathy Walker, Director, CAW Health & Safety Department, CAWTCA Canada, expressing concerns regarding the air quality in Toronto; and requesting City Council to endorse the report of the Medical Officer of Health; and
- (ii) (July 29, 1998) from the City Clerk advising that the Environmental Task Force at its meeting on July 28, 1998, considered a memorandum dated July 22, 1998, from Councillor Jack Layton, Chair, Environmental Task Force, together with a copy of the report dated July 10, 1998, from the Medical Officer of Health, headed “Air Quality and a Federal Standard for Sulphur in Fuel”.

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

- 1455 **Clause No. 3 of Report No. 10 of The Board of Health, headed “Council Representation on the Board of Health”.**

(See Appendix "A", page 10320.)

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

1456 **Clause No. 8 of Report No. 16 of The Strategic Policies and Priorities Committee, headed "510 Spadina - Roadway Changes to Improve Safety (Downtown)".**

(See Appendix "A", page 9068.)

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 in order to give effect to the recommendations of the Toronto Community Council, embodied in Clause No. 45 of Report No. 8 of the Toronto Community Council, and approved by City Council on July 8, 9 and 10, 1998, with respect to the resultant turn prohibitions:

- (a) the existing prohibition of left turn movements to and from all unsignalized driveways and laneways at Spadina Avenue between Front Street West and Spadina Circle, be extended to be in effect at all times;
- (b) the existing prohibition of through movements across Spadina Avenue from and to all unsignalized driveways and laneways between Front Street West and Spadina Circle, be extended to be in effect at all times; and
- (c) the appropriate by-laws be amended accordingly."

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. (See also Minute No. 1471.)

1457 **Clause No. 30 of Report No. 11 of The Corporate Services Committee, headed "Acquisition of 168 Bathgate Drive from Mary Bilkey (Ward 16 - Scarborough Highland Creek)".**

(See Appendix "A", page 8478.)

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

1458 At this point in the proceedings, Councillor Nunziata, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion J(16) and, seconded by Councillor Korwin-Kuczynski, further moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of such Motion:

Moved by: Councillor Nunziata

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** the User Fee Committee, at its meeting held on July 28, 1998, received a presentation from the Parks and Recreation Division regarding the Parks and Recreation User Fees, Proposed Consultation Process; and

WHEREAS it is requested that Council consider that there be no User Fees for the fundamental services such as the following:

Volunteer Development/General Leadership Development;
Child Summer Outdoor Drop-in Playground Program;
Outdoor Public Swim;
Basic Wading Pools/Spray Pads;
Waterfront Beaches;
Outdoor Public Skate;
Neighbourhood Special Events; and

WHEREAS the City of Toronto would incur a potential revenue reduction of \$150,000.00 annually for no User Fees for this list of Fundamental Services at current service levels;

NOW THEREFORE BE IT RESOLVED THAT there be no User Fees for the above-noted Fundamental Services, which would include swimming, skating and other leisure time recreation activities that the former municipalities provided, and that staff be instructed to provide up to \$150,000.00 to implement this initiative immediately.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Disero, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Korwin-Kuczynski, Layton, Mahood, Mihevc, Miller, Moscoe, Nunziata, O’Brien, Pantalone, Prue, Rae, Shaw, Silva, Sinclair, Tzekas, Walker - 31.

Nays: Councillors: Bossons, Chong, Davis, Duguid, Filion, Gardner, Kelly, Kinahan, King, Lindsay Luby, Moeser, Ootes, Saundercook - 13.

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

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 1501.)

- 1459 At this point in the proceedings, Councillor Moeser, with the permission of Council, moved that Council vary the order of its proceedings to now consider the following Notice of Motion J(2) on the Order Paper, and, seconded by Councillor Miller, further moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of such Motion, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moeser

Seconded by: Councillor Miller

“**WHEREAS** Council amended and adopted Clause No. 2 of Report No. 8 of The Special Committee to Review the Final Report of the Transition Team, entitled ‘Toronto City Hall Renovations - Recommended Actions in Response to Committee and City Council Motions and Additional Phase One Budget Requirements’; and

WHEREAS Council did not adopt the recommendation of the Sub-Committee for the Relocation of All Members of Council to City Hall contained in the Clause with respect to authorization being granted to the Sub-Committee to approve the finishes such as carpets, wood in the Councillors’ desks, and wall paints, upon the recommendations of the Architect; and

WHEREAS if the Sub-Committee is not granted the authorization to approve the finishes, this will cause undue delay contrary to Council’s intent, respecting the move to City Hall being completed by December 3, 1998;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 2 of Report No. 8 of The Special Committee to Review the Final Report of the Transition Team be reopened for further consideration;

AND FURTHER BE IT RESOLVED THAT the aforementioned Clause be amended by adding thereto the following:

‘It is further recommended that the Sub-Committee for the Relocation of All Members of Council to City Hall be authorized to approve the finishes such as carpets, wood in the Councillors’ desks, and wall paints, upon the recommendations of the Architect.’;

AND BE IT FURTHER RESOLVED THAT Clause No. 2 of Report No. 8 of The Special Committee to Review the Final Report of the Transition Team, as further amended, be adopted.”

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

1460 Councillor Davis, seconded by Councillor Saundercook, moved that leave be granted to introduce:

“Bill No. 606 To confirm the second portion of the proceedings of the Council at its meeting held on the 30th day of July, 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. 477-1998 To confirm the second portion of the proceedings of the Council at its meeting held on the 30th day of July, 1998.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mihevc, Miller, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 41.

Nay: Councillor: Jakobek - 1.

Decided in the affirmative by a majority of 40.

Council recessed at 11:20 p.m., to reconvene at 9:30 a.m., on Friday, July 31, 1998.

FRIDAY, JULY 31, 1998, 9:49 A.M.

Council reconvened.

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

1461 At the request of Council, the City Clerk called the Roll at 9:49 a.m., those Members present at the call of the Roll being:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Miller, Moscoe, Nunziata, O’Brien, Ootes, Prue, Rae, Saundercook, Sgro, Sinclair - 31.

1462 Members present at the morning session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Miller, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas - 41.

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

- 1463 **Clause No. 12 of Report No. 7 of The Community and Neighbourhood Services Committee, headed "Child Benefit Supplement".**
(See Appendix "A, page 8213.)

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

"It is further recommended that the City of Toronto:

- (1) urge the Provincial Government not to claw back the National Child Benefit Supplement from those persons receiving social assistance; and
- (2) request the Federal Government to intervene in this matter and to consider an appropriate form of financial penalty to the Province of Ontario if it continues the practice of clawing back the National Child Benefit Supplement which is going to poor families of the City of Toronto by the reduction of social assistance payments to those families."

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

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Balkissoon, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Jakobek, Jones, King, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shiner, Sinclair - 29.

Nay: Councillor: Holyday - 1.

Decided in the affirmative by a majority of 28.

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

Yeas: Mayor: Lastman.

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Filion, Jakobek, Jones, Layton, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae - 19.

Nays: Councillors: Chong, Davis, Duguid, Flint, Holyday, King, Lindsay Luby, O'Brien, Ootes, Sinclair - 10.

Decided in the affirmative by a majority of 9.

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

At this point in the proceedings, Councillor Duguid, with the permission of Council, moved that Council vary the order of its proceedings to now consider Clause No. 5 of Report No. 8 of The Emergency and Protective Services Committee, headed "Fire Services Shoulder Flash", the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Balkissoon, Berardinetti, Bussin, Disero, Duguid, Filion, Flint, Holyday, Jakobek, Jones, Kelly, King, Lindsay Luby, Li Preti, Nunziata, Prue, Shiner, Sinclair - 19.

Nays: Mayor: Lastman.
Councillors: Adams, Augimeri, Chow, Davis, Johnston, Kinahan, Layton, Mihevc, Miller, Moscoe, Ootes, O'Brien, Rae - 14.

Decided in the affirmative by a majority of 5.

1464 **Clause No. 5 of Report No. 8 of The Emergency and Protective Services Committee, headed "Fire Services Shoulder Flash".**
(See Appendix "A", page 8589.)

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

"It is further recommended that the Fire Chief be advised that City Council supports the use of a shoulder flash for use on staff uniforms only; and that the design not be used on service vehicles or any other signage."

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

Yeas: Mayor: Lastman.
Councillors: Adams, Ashton, Augimeri, Balkissoon, Bussin, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Holyday, Jakobek, Jones, Kinahan, King,

Layton, Lindsay Luby, Li Preti, Mihevc, Moscoe, Nunziata, Ootes, Shiner, Sinclair - 27.

Nays: Councillors: Johnston, O'Brien, Rae - 3.

Decided in the affirmative by a majority of 24.

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

- 1465 **Clause No. 23 of Report No. 8 of The York Community Council, headed "Other Items Considered by the Community Council".**
(See Appendix "A", page 10290.)

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Nunziata, in amendment, moved that the foregoing Clause be received as information, subject to striking out and referring Item (c), entitled, "Request from the Toronto Extrication Team for a Donation, regarding Attendance at the 1998 International Auto Extrication Competition and Learning Symposium", embodied in the foregoing Clause, back to the York Community Council for further consideration.

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

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

- 1466 **Clause No. 2 of Report No. 11 of The Corporate Services Committee, headed "Expediting the Disposal of Property and Reduction of Leased Space".**
(See Appendix "A", page 8330.)

Council also had before it, during consideration of the foregoing Clause, two communications (June 22, 1998) and (July 30, 1998) from Councillor Layton, Don River, forwarding recommendations from the Advisory Committee on Homeless and Socially Isolated Persons respecting surplus City properties.

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

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

"It is further recommended that the report (July 30, 1998) from Councillor Jack Layton, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) marketing be delayed for 120 days for the 12 surplus properties identified in this report; and
- (2) the Council Strategy Committee for People Without Homes be requested to report to the Corporate Services Committee and the Budget Committee on the following, based on a Request for Proposal, a business plan for the utilization of sites identified for potential affordable housing purposes including:
 - (i) type of project being contemplated for each site, i.e., affordable ownership, rental or transitional housing;
 - (ii) funding mechanisms to be used in development;
 - (iii) potential end users;
 - (iv) timelines for development; and
 - (v) opportunity costs to the City for the targeted use of each property.’”

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

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

“It is further recommended that:

 - (1) no additional properties which are capable of providing accommodation for homeless families be sold at this time; and
 - (2) the Commissioner of Corporate Services be requested to review the real estate portfolio and submit recommendations thereon to Council through the Corporate Services Committee.”
- (c) 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 the Corporate Services Committee on the possibility of restricting any members of Council’s Housing Task Forces who are architects, lawyers or consultants from being financially or professionally involved in any housing projects with which the City is involved.”
- (d) Councillor Bussin, 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 sensitivities which will be applied to assist low income families and fixed income tenants in relocation or alternate placement.”

- (e) Councillor Berardinetti, in amendment, moved that:
- (1) the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Corporate Services be requested to consult further with affected local Councillors with respect to this matter.”; and
- (2) the foregoing motion (a) by Councillor Layton be amended by adding at the end thereof the following Recommendation (c):
- “(c) the aforementioned recommendations be subject to the regular planning process.”
- (f) Councillor Balkissoon, in amendment, moved that the foregoing motion (a) by Councillor Layton be amended to provide that the Ellesmere Road site be examined separately.
- (g) Councillor Chow, in amendment, moved that the foregoing motion (f) by Councillor Balkissoon be referred to the Commissioner of Corporate Services for report thereon to the meeting of the Corporate Services Committee scheduled to be held on September 14, 1998.

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

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

Upon the question of the adoption of the foregoing motion (a) by Councillor Layton, as it relates to properties on Wilson Heights Boulevard, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Bussin, Cho, Chong, Chow, Disero, Filion, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Silva, Sinclair - 30.

Nays: Councillors: Berardinetti, Davis, Duguid, Flint, Holyday - 5.

Decided in the affirmative by a majority of 25.

Upon the question of the adoption of the foregoing motion (a) by Councillor Layton, as it relates to property on Bayview Avenue and York Mills Avenue, the vote was taken as follows:

Yeas: Councillors: Augimeri, Balkissoon, Bussin, Cho, Chow, Filion, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Prue, Rae, Sgro, Silva - 20.

Nays: Councillors: Adams, Berardinetti, Chong, Davis, Disero, Duguid, Flint, Holyday, Jakobek, Johnston, King, Nunziata, O'Brien, Ootes, Saundercook, Sinclair - 16.

Decided in the affirmative by a majority of 4.

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

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

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

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Davis, Filion, Flint, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Sgro, Silva, Sinclair - 33.

Nays: Councillors: Disero, Duguid, Saundercook - 3.

Decided in the affirmative by a majority of 30.

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

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

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

1467 At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, proposed that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, that lunch be brought in and that Council continue to meet until 4:00 p.m., the vote upon which was taken as follows:

Yeas: Councillors: Adams, Balkissoon, Berardinetti, Bussin, Davis, Disero, Duguid, Flint, Holyday, Johnston, Jones, Kelly, Kinahan, King, Nunziata, Ootes, Saundercook - 17.

Nays: Councillors: Augimeri, Cho, Chow, Filion, Jakobek, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, O'Brien, Prue, Rae, Sgro, Silva, Sinclair - 18.

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

1468 **Clause No. 38 of Report No. 11 of The Corporate Services Committee, headed "Transfer of Parking Operations to the Toronto Parking Authority".**
(See Appendix "A", page 8494.)

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

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

(1) by adding thereto the following:

"It is further recommended that:

- (a) City employees (both union and non-union staff) who elect to transfer to positions with the Toronto Parking Authority retain the right to continue to apply for positions with the City without loss of seniority or benefits, subject to negotiations with the Union with respect to union positions;
 - (b) prior to the transfer of the Toronto Parking Authority, the City Auditor conduct a review of the operations of both the present City meter collection system and the Toronto Parking Authority, and submit recommendations thereon to Council through the Corporate Services Committee;
 - (c) there be a regular six-month review of on-street parking operations by the Chief Financial Officer and Treasurer, comparing revenues and quality of operations, such review to include comments from Members of Council;" and
 - (d) the Corporate Services Committee be requested to recommend to Council a policy that Members of the Toronto Parking Authority be elected Members of Council; and that such membership change occur at the expiry date of the current members' term; and that in the interim, additional Members of Council be appointed to the Toronto Parking Authority to ensure that at least one half of the members are elected representatives.";
- and

- (2) to provide that:
- (a) the transfer of Parking Operations be approved on a two year trial basis, and that the transfer occur on the condition that all meter operations be a direct operation of the Toronto Parking Authority, including installation of meters; and
 - (b) the City retain the right to resume the on-street parking operations at anytime with assets to be transferred back to the City without penalty.
- (b) Councillor Davis, in amendment, moved that the foregoing Clause be amended by inserting the words “and Community Councils” after the words “Ward Councillors” in Recommendation No. 3(b)(ii) embodied in the joint report (July 7, 1998) from the Commissioner of Works and Emergency Services and the President, Toronto Parking Authority, so that such Recommendation reads as follows:
- “(3) (b) City Council authorize the Authority’s Board of Directors to fix rates at on-street metered locations providing:
- (i) rates are fixed at \$2.00 per hour or less; and
 - (ii) the affected Ward Councillors and Community Councils concur with the proposed rates;
- Proposed rate changes which do not comply with the above two criteria will be subject to Council approval.”
- (c) Councillor Nunziata, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the President, Toronto Parking Authority, be requested to review the parking meter rates in the former City of York with a view to achieving rate conformity with meters located throughout the City of Toronto.”
- (d) Councillor Kelly, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration.

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

Yeas: Councillors: Chong, Duguid, Flint, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Ootes, Sgro - 9.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Davis, Disero, Filion, Jakobek, Johnston, Jones, Kinahan, King, Layton, Miller, Moscoe, Nunziata, Rae, Sinclair - 21.

Decided in the negative by a majority of 12.

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

“It is further recommended that the President, Toronto Parking Authority, be requested to review parking meter rates for those meters located adjacent to Civic Centres, libraries, aquatic centres and other municipal buildings which are frequented by the public; and submit a report thereon to the Corporate Services Committee.”

- (f) Councillor Disero, in amendment, moved that Part (1) (d) of the foregoing motion (a) by Councillor Moscoe be referred to the Corporate Services Committee, viz.:

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

‘It is further recommended that:

- (d) the Corporate Services Committee be requested to recommend to Council a policy that Members of the Toronto Parking Authority be elected Members of Council; and that such membership change occur at the expiry date of the current members’ term; and that in the interim, additional Members of Council be appointed to the Toronto Parking Authority to ensure that at least one half of the members are elected representatives.’”

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

Yeas: Councillors: Adams, Augimeri, Balkissoon, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Miller, Moscoe, Nunziata, Rae, Sgro, Sinclair - 25.

Nays: Councillors: Ashton, Flint, Jakobek, Kelly, Ootes - 5.

Decided in the affirmative by a majority of 20.

Upon the question of the adoption of Parts (1) (a), (b) and (c) and Parts (2) (a) and (b) of the foregoing motion (a) by Councillor Moscoe, it was carried.

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

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

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

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

1469 **Clause No. 1 of Report No. 7 of The Works and Utilities Committee, headed “Agreement for Additional Water Supply - Region of York”.**

(See Appendix “A”, page 8723.)

Council also had before it, during consideration of the foregoing Clause, a report (July 28, 1998) from the Commissioner of Works and Emergency Services providing information, as requested by the Works and Utilities Committee, regarding the authority to execute the proposed Agreement for the supply of water to the Region of York.

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

- (a) Councillor Layton, in amendment, moved that the foregoing Clause be struck out and referred back to the Works and Utilities Committee, together with the report (July 28, 1998) from the Commissioner of Works and Emergency Services, for consideration at its meeting to be held on September 9, 1998.

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

Yeas: Councillors: Augimeri, Cho, Chow, Jones, Layton, Miller, Rae, Tzekas - 8.

Nays: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bussin, Chong, Davis, Disero, Duguid, Flint, Johnston, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moscoe, Ootes, Prue, Saundercook, Shiner, Sinclair - 22.

Decided in the negative by a majority of 14.

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

“It is further recommended that the Region of York be notified that the City of Toronto intends to develop plans for further water efficiency initiatives and to collaborate with the Region of York in the development of these plans to meet their medium and long term needs to the extent possible.”

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

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Holyday, Jakobek, Johnston, Jones,

Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moscoe, Nunziata, Ootes, Prue, Shiner, Sinclair - 28.

Nays: Councillors: Augimeri, Layton, Mammoliti, Miller - 4.

Decided in the affirmative by a majority of 24.

- 1470 At this point in the proceedings, Councillor Jakobek, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 45 of Report No. 11 of The Corporate Services Committee, headed "219 Dufferin Street, Sale of Surplus City-Owned Property - (Ward 20 - Trinity-Niagara)", be re-opened for further consideration (See Minute No.1403), the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Duguid, Filion, Flint, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Moscoe, Nunziata, Ootes, Prue, Shiner, Sinclair - 29.

Nays: Nil.

Decided in the affirmative, 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. 1527.)

- 1471 At this point in the proceedings, Councillor Miller, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 8 of Report No. 16 of The Strategic Policies and Priorities Committee, headed "510 Spadina - Roadway Changes to Improve Safety (Downtown)", be re-opened for further consideration (See Minute No.1456), which was carried, more than two-thirds of Members present having voted in the affirmative.

Clause No. 8 of Report No. 16 of The Strategic Policies and Priorities Committee, headed "510 Spadina - Roadway Changes to Improve Safety (Downtown)".
(See Appendix "A", page 9068.)

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

- (a) Councillor Miller, in amendment, moved that the foregoing Clause be amended to provide that the source of funding be from the Transportation Capital Budget; and the specific program to be identified by the General Manager, Transportation Services, in a further report to the Budget Committee.
- (b) Councillor Chow, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Chief General Manager, Toronto Transit Commission, and the General Manager, Transportation Services be requested to submit a report to the Budget Committee in January, 1999, on a permanent solution and the source of funding; and
- (2) in order to give effect to the recommendations of the Toronto Community Council, embodied in Clause No. 45 of Report No. 8 of the Toronto Community Council, and approved by City Council on July 8, 9 and 10, 1998, with respect to the resultant turn prohibitions:
 - (a) the existing prohibition of left turn movements to and from all unsignalized driveways and laneways at Spadina Avenue between Front Street West and Spadina Circle, be extended to be in effect at all times;
 - (b) the existing prohibition of through movements across Spadina Avenue from and to all unsignalized driveways and laneways between Front Street West and Spadina Circle, be extended to be in effect at all times; and
 - (c) the appropriate by-laws be amended accordingly.”

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

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

Yeas: Councillors: Adams, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chong, Chow, Duguid, Filion, Flint, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, Miller, Moscoe, Nunziata, Ootes, Prue, Sinclair - 26.

Nays: Councillors: Ashton, Berardinetti, Disero, Holyday, Jakobek -5.

Decided in the affirmative by a majority of 21.

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

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

1472 **Clause No. 9 of Report No. 16 of The Strategic Policies and Priorities Committee, headed “Window Improvement Project - Toronto City Hall”.**
(See Appendix “A”, page 9073.)

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

- 1473 Councillor Johnston, seconded by Councillor Sinclair, moved that leave be granted to introduce:
“Bill No. 607 To confirm the third portion of the proceedings of the Council at its meeting held on the 31st day of July, 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. 478-1998 To confirm the third portion of the proceedings of the Council at its meeting held on the 31st day of July, 1998.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Chow, Disero, Duguid, Filion, Flint, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Miller, Moscoe, Nunziata, Ootes, Prue, Saundercook, Shiner, Sinclair - 31.

Nays: Nil.

Decided in the affirmative, without dissent.

Council recessed at 12:27 p.m.

2:12 P.M.

Council reconvened.

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

- 1474 Members present at the afternoon session of the third day of this meeting:

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas, Walker - 43.

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

- 1475 **Clause No. 7 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Toward a Municipal Strategy to Encourage the Creation of Affordable Housing and a Framework for Proposals to Develop Affordable Housing Demonstration Projects”.**

(See Appendix "A", page 8157.)

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

1476 **Clause No. 8 of Report No. 11 of The Corporate Services Committee, headed "Impact of the City's Downsizing and Restructuring on Employment Equity Designated Groups and Full-Time Access and Equity Staff".**

(See Appendix "A", page 8407.)

Council also had before it, during consideration of the foregoing Clause, a joint report (July 27, 1998) from the Executive Director of Human Resources and the Commissioner of Corporate Services, responding to the concerns raised and recommendations made by the Task Force on Community Access and Equity regarding employment equity and downsizing.

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

- (1) amending Recommendation No. (2) of the Task Force on Community Access and Equity to read as follows:

"(2) departments be requested to develop a downsizing plan with specific access and equity goals to be reported to the Corporate Services Committee;"
and

- (2) adding thereto the following:

"It is further recommended that the joint report (July 27, 1998) from the Commissioner of Corporate Services and the Executive Director of Human Resources, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the current interim reporting relationship of access and equity staff to Human Resources continue until such time as the Task Force on Community Access and Equity completes its work;
and
- (2) employment equity practices as established by the former municipalities continue to apply to downsizing and hiring processes until new policies are established upon the completion of the Task Force's work.' "

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

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

1477 **Clause No. 10 of Report No. 11 of The Corporate Services Committee, headed “Disposition of Computers and Related Equipment”.**

(See Appendix “A”, page 8416.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Jakobek, in amendment, moved that the foregoing Clause be amended to provide that the Toronto District and Toronto Catholic School Boards be given the first opportunity to purchase surplus computer equipment, after which said equipment be offered to individual staff members.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minute No.1513.)

1478 **Clause No. 13 of Report No. 11 of The Corporate Services Committee, headed “City Centre Project Work Plan to Develop Proposals for a City Centre Complex at Toronto City Hall”.**

(See Appendix “A”, page 8434.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by amending Section (1), embodied in the report (July 3, 1998) from the Commissioner of Corporate Services, under the heading “Discussion”, “Project Objectives”, by adding to subsection (a) the following:

- “(vii) review the feasibility of a second public square incorporating parts of Elizabeth Street and Bay street;
- (viii) review the feasibility of incorporating the Toronto Coach Terminal into the work plan; and
- (ix) repair the clock on the tower at old City Hall.”

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.

Councillor Shiner requested that his opposition to the adoption of the foregoing Clause be noted in the Minutes of this meeting.

1479 **Clause No. 2 of Report No. 9 of The Urban Environment and Development Committee, headed “Guidelines for Determining City-Wide Interests in Planning Matters”.**

(See Appendix “A”, page 8608.)

Council also had before it, during consideration of the foregoing Clause, the following transmittal letters from the City Clerk:

- (i) (July 17, 1998) advising that the Special Committee to Review the Final Report of the Toronto Transition Team concurred with Recommendation (B) of the Urban Environment and Development Committee, contained in the communication (July 14, 1998) from the Interim Contact, Urban Environment and Development Committee;
- (ii) (July 23, 1998) forwarding recommendations from the Scarborough Community Council to amend the Protocol for Identifying and Processing Planning Matters of City-wide Interest and Cross-boundary Issues;
- (iii) (July 23, 1998) advising that the East York Community Council received the communication (July 14, 1998) from the City Clerk, advising of the policy guidelines for determining City-wide interests in planning matters and a protocol for routing City-wide planning matters through the political decision-making structure; and
- (iv) (July 23, 1998) advising that the York Community Council expressed its unanimous support for the proposed guidelines and protocol as set out in the communication (July 14, 1998) from the City Clerk.

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

- (1) amending Recommendation No. (1) of the Urban Environment and Development Committee by inserting the following words “on a two-year trial basis” after the words “for planning matters”, so that such Recommendation now reads as follows:
 - “(1) City Council endorse the attached Protocol for dealing with planning matters of City-wide interest and authorize its use by the Chief Planner in determining the appropriate Committee routing process for planning matters on a two-year trial basis;” and
- (2) adding thereto the following:
 - “It is further recommended that the Commissioner of Urban Planning and Development Services be requested to report to the Urban Environment and Development Committee:
 - (a) in one year and two years on the experience with using the protocol, including comments from Members of Council; and
 - (b) on a protocol for dealing with site plan applications and/or undertakings as an equivalent.”

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.

- 1480 **Clause No. 8 of Report No. 9 of The Urban Environment and Development Committee, headed “Status, and Recreational Use, of Ontario Hydro Corridors in the City of Toronto”.**
(See Appendix “A”, page 8665.)

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

“It is further recommended that:

- (1) the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on existing Official Plan designations and permitted uses in all active hydro corridors throughout the City with the intent of developing a City-wide Official Plan designation for hydro corridors; and
- (2) the Commissioner of Economic Development, Tourism and Culture be requested to report in the 1999 Capital Budget cycle on opportunities to facilitate the establishment of walking/cycling trails in active hydro corridors.”

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 Clause, as amended, it was carried.

- 1481 **Clause No. 21 of Report No. 15 of The Strategic Policies and Priorities Committee, headed “1997 Management Letters of the former Municipalities - Metropolitan Toronto, City of Toronto, City of Scarborough, City of Etobicoke, City of York and Borough of East York”.**
(See Appendix “A”, page 8990.)

Council also had before it, during consideration of the foregoing Clause, a report (July 29, 1998) from the Chief Financial Officer and Treasurer advising that she will be reporting on the issues embodied in Clause No. 21 of Report No. 15 of the Strategic Policies and Priorities Committee to the Budget Committee in the fall, with a recommendation that the matters then follow to the Audit Committee for its consideration.

Having regard that the foregoing Clause was submitted without recommendation, Councillor Berardinetti moved that the foregoing Clause be received.

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

- 1482 **Clause No. 3 of Report No. 15 of The Strategic Policies and Priorities Committee, headed “Funding of Additional Capital Projects for Transportation”.**
(See Appendix “A”, page 8879.)

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

- 1483 **Clause No. 74 of Report No. 10 of The Toronto Community Council, headed “Modifications of Fence - Palmerston Avenue Flank of 1 Palmerston Gardens (Midtown)”.**
(See Appendix “A”, page 10177.)

Council also had before it, during consideration of the foregoing Clause, a communication (July 27, 1998) from David and Natasha Pratt, responding to a request from the Toronto Community Council for information on their position pertaining to the maintenance of the fence at 1 Palmerston Gardens.

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

“It is recommended that Recommendation No. (2) embodied in the report (July 8, 1998) from the Acting Assistant Director, By law Administration and Enforcement, City Services, be adopted, viz:

‘(2) that the property owners of No. 1 Palmerston Gardens be required to modify the fence so that it does not exceed 1.0 m in height.’ ”

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

- 1484 **Clause No. 4 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Sale of Scattered Units Owned by Ontario Housing Corporation in the City of Toronto”.**
(See Appendix “A”, page 8143.)

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

“It is further recommended that City Council indicate to the Provincial Government its willingness to discuss and possibly support a proposal to construct replacement units equal to or larger than those being sold.”

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

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

- 1485 **Clause No. 13 of Report No. 7 of The Community and Neighbourhood Services Committee, headed “Elimination of Special Assistance and Supplementary Aid”.**
(See Appendix “A”, page 8220.)

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

- (a) Councillor Chow, 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 be requested to continue to provide special assistance and a supplementary aid program, including items such as hearing aids, prosthetics, wheelchairs and repairs, respiratory equipment and ambulatory aids, until the end of 1998; and
 - (2) the sum of \$159,999.00 be found within the Social Services under-expenditures.”
- (b) Councillor Miller, in amendment, moved that the foregoing motion (a) by Councillor Chow be amended to provide that the sum of \$46,000.00, from the under-expenditures, be provided for the remainder of the year to support the drug programs.
- (c) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the City of Toronto vigorously pursue the restoration of supplementary aid and special assistance projects by the Province; and that this be accomplished through the opposition party and the Ontario Disability Act process recently initiated by Minister Bassett and further that City Council demand that it has a role in this process.”

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

“It is further recommended that the City of Toronto request the Province of Ontario to refund to the City the amounts paid prior to the Province putting its own program into place.”

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

Yeas: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Filion, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae - 21.

Nays: Councillors: Ashton, Balkissoon, Chong, Davis, Duguid, Faubert, Flint, Gardner, Ootes, Saundercook - 10.

Decided in the affirmative by a majority of 11.

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

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Disero, Filion, Gardner, Jakobek, Johnston, Jones, Kinahan, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae - 21.

Nays: Councillors: Ashton, Balkissoon, Chong, Davis, Duguid, Faubert, Flint, Holyday, King, Ootes, Saundercook - 11.

Decided in the affirmative by a majority of 10.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Jakobek, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae - 28.

Nays: Councillors: Gardner, Holyday - 2.

Decided in the affirmative by a majority of 26.

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

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

Yeas: Councillors: Adams, Augimeri, Balkissoon, Bossons, Bussin, Chow, Filion, Jakobek, Johnston, Jones, Kinahan, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae - 20.

Nays: Councillors: Ashton, Chong, Davis, Disero, Duguid, Faubert, Flint, Holyday, King, Ootes, Saundercook - 11.

Decided in the affirmative by a majority of 9.

1486 Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper, moved by Councillor Fotinos, seconded by Councillor Silva, and in the absence of Councillor Fotinos, moved by Councillor Rae, as follows:

Moved by: Councillor Rae

Seconded by: Councillor Silva

“WHEREAS City Council at its meeting held on June 3, 4 and 5, 1998, by its adoption, as amended, of Clause No. 13 of Report No. 7 of The Corporate Services Committee, headed ‘Office Administration and Expenses of Members of Council’, approved a motion by Councillor Howard Moscoe to have Councillors’ office expenses dealt with directly through the Finance Department; and

WHEREAS Councillors value the efforts of the current Clerk’s administrative support staff in handling our office expenses; and

WHEREAS Councillor Fotinos and Councillor Silva, having voted with the majority, wish to re-open consideration of this matter in accordance with Council’s Procedural By-law;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 13 of Report No. 7 of The Corporate Services Committee, headed ‘Office Administration and Expenses of Members of Council’, be re-opened for further consideration insofar as it pertains to the responsibility for the administration of Councillors’ Office Budgets;

AND BE IT FURTHER RESOLVED THAT the action taken by Council at its meeting held on June 3, 4 and 5, 1998, in this regard, be rescinded, and the responsibility for the administration of Councillors’ Office Budgets be returned to the Clerk’s Department.”

Council also had before it, during consideration of the foregoing Motion, a joint report dated July 28, 1998, from the City Clerk and the Chief Financial Officer and Treasurer, entitled “Office Administration and Expenses of Members of Council - Payment Protocol”. (See Attachment No. 1)

Upon the question of the adoption of the first Operative Paragraph embodied in the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Chow, Disero, Faubert, Gardner, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Silva - 28.

Nays: Councillors: Balkissoon, Chong, Davis, Duguid, Filion, Flint - 6.

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

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

1487 Deputy Mayor Ootes called upon Notice of Motion F(2) appearing on the Order Paper, as follows:

Moved by: Councillor Tzekas

Seconded by: Councillor Mammoliti

“**WHEREAS** during the last municipal election an individual or individuals attacked the credibility and integrity of a candidate running for office; and

WHEREAS it appears that in excess of \$75,000.00 was spent in this unprecedented attack against an individual candidate seeking election in Ward 19 which is far in excess of the permitted funds available to a certified candidate under the Municipal Elections Act funding formula, and which was used to produce 21,000 copies of a pamphlet written in the name of a fictitious organization and distributed by Canada Post, and used to conduct a push-poll, both to discredit this candidate in the last week of the election; and

WHEREAS the source of the funds used for this purpose and the identity of the benefactor is currently unknown; and

WHEREAS the Municipal Elections Act, 1996 does not appear to regulate the activities of third parties in circumstances such as are described above; and

WHEREAS the City Clerk has the responsibility for the conduct of and all matters related to the municipal election;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Clerk and the City Solicitor to review the circumstances described above and to report thereon to the Corporate Services Committee, including in such report any possible contraventions of the Municipal Elections Act; and what, if any, amendments are necessary to the Municipal Elections Act to prohibit such conduct in the future.”

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

- 1488 Deputy Mayor Ootes called upon Notice of Motion J(1) appearing on the Order Paper, moved by Councillor Pantalone, seconded by Mayor Lastman, and in the absence of Mayor Lastman, seconded by Councillor Rae, as follows:

Moved by: Councillor Pantalone

Seconded by: Councillor Rae

“**WHEREAS** City Council on June 3, 4 and 5, 1998, by its adoption, without amendment, of Clause No. 17 of Report No. 7 of The Corporate Services Committee, headed ‘Interim Purchasing By-law - Awarding of Contracts’, granted authority to the appropriate Standing Committee of Council and/or Community Council to approve contract awards between \$1.0 million and \$2.5 million; and

WHEREAS the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services have submitted the attached joint report dated July 21, 1998, entitled 'Contract No. T-58-98: Yonge Street Median Construction - North York Boulevard to Eglinton Avenue'; and

WHEREAS it is important that the award of Contract No. T-58-98 be approved at the July 29, 1998 meeting of City Council, so that construction of Phase Two of the Yonge Street Median can take place during the 1998 construction season; and

WHEREAS there is insufficient time to submit the aforementioned joint report to the Urban Environment and Development Committee for its consideration, having regard for the summer break; and

WHEREAS the next meeting of City Council after the summer break is scheduled too late for this construction season;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the joint report dated July 21, 1998, from the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services at its meeting to be held on July 29, 1998, and that such report be adopted."

Council also had before it, during consideration of the foregoing Motion, a joint report dated July 21, 1998, from the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services, entitled "Contract T-58-98, Yonge Street Median Construction, North York Boulevard to Eglinton Avenue (North York Centre)". (See Attachment No. 2)

Councillor Pantalone moved that subsection 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of 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.

1489 Deputy Mayor Ootes called upon Notice of Motion J(3) appearing on the Order Paper, as follows:

Moved by: Councillor Johnston

Seconded by: Councillor Bossons

"WHEREAS the federal and provincial governments continue to unilaterally reduce their roles in many areas of public policy; and

WHEREAS Canada's municipalities are having to bear a greater responsibility for the management of many of these areas; and

WHEREAS municipalities often do not have the financial or legislative capacity to effectively manage these responsibilities; and

WHEREAS in order to ensure the economic and social viability of Canadian communities there is a need to enhance the legislative and financial capacity of local governments;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Federation of Canadian Municipalities to develop a comprehensive position and strategy to achieve a constitutional amendment which will recognize municipalities as an independent order of government within Canada's governance structure."

Councillor Johnston moved that subsection 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae, Saundercook, Shiner, Silva, Tzekas - 32.

Nays: Councillors: Holyday, Jakobek, Ootes - 3.

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

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

1490 At this point in the proceedings, and with the permission of Council, Councillor Filion, seconded by Councillor Jones, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(4), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Jones

“WHEREAS the City of Toronto Department of Public Health has been successful in its application to the Ontario Neurotrauma Foundation to receive funding to support the implementation of a project titled ‘In the Driver’s Seat’ for a total amount of \$15,000.00; and

WHEREAS the funding from the Ontario Neurotrauma Foundation may be renewed for an additional two years; and

WHEREAS the City is required to enter into an Agreement with the Ontario Neurotrauma Foundation respecting the 'In the Driver's Seat' Project; and

WHEREAS the Ontario Neurotrauma Foundation will not flow funds to the City until the Agreement has been signed; and

WHEREAS Council authority is required before the Agreement can be signed by the City's authorized signing authorities;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City to enter into an Agreement with the Ontario Neurotrauma Foundation for the 'In the Driver's Seat' Project."

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

- 1491 At this point in the proceedings, and with the permission of Council, Councillor Jones, seconded by Councillor Kinahan, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Jones

Seconded by: Councillor Kinahan

“WHEREAS the former City of Etobicoke was desirous of retaining business and industry; and

WHEREAS the former City of Etobicoke Official Plan recommended a secondary plan for the New Toronto industrial area; and

WHEREAS the industries in the area, namely, Campbell Soup, Protek Paints, National Silicates, Henkel Canada and Huntsman Film, all of whom are members of the South Etobicoke Industrial Employers Association, are concerned about the future of vacant industrial lands within the New Toronto area;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto reaffirm its desire to maintain these lands for employment uses;

AND BE IT FURTHER RESOLVED THAT Council direct staff to proceed with a secondary plan that has a goal of strengthening and revitalizing those uses.”

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

- 1492 At this point in the proceedings, and with the permission of Council, Councillor Balkissoon, seconded by Councillor Cho, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(6):

Moved by: Councillor Balkissoon

Seconded by: Councillor Cho

“**WHEREAS** the application for a change to the Official Plan and Zoning By-laws of the land within the Morningside Heights Land Use Study Area has been appealed to the Ontario Municipal Board; and

WHEREAS the Commissioner of Urban Planning and Development’s recommendations to Council on July 8, 1998, were not adopted; and

WHEREAS Council approved Option No. 2 of the Land Use Study of these lands;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to appear before the Ontario Municipal Board in defence of the Council’s decision for this area;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to engage the necessary professional assistance to support the Council decision on this Land Use Study at the Ontario Municipal Board hearing scheduled in October, 1998, with funds to be made available from the Corporate Contingency Account as required.”,

the vote upon which was taken as follows:

Yeas: Councillors: Augimeri, Balkissoon, Chong, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Lindsay Luby, Li Preti, Moscoe, Ootes, Rae, Saundercook, Shiner, Silva, Tzekas - 25.

Nays: Councillors: Adams, Ashton, Berardinetti, Chow, Layton, Mihevc, Miller, Nunziata, Prue, Sgro - 10.

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

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 1526)

- 1493 At this point in the proceedings, and with the permission of Council, Councillor Chow, seconded by Councillor Layton, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Chow**

Seconded by: **Councillor Layton**

“**WHEREAS** the applicant proposes to install signage on the east elevation of the building located at 74-76 McCaul Street, for identification purposes; 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; and

WHEREAS the Commissioner of Urban Planning and Development Services in her report dated July 27, 1998, has recommended that the application be approved;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report of the Commissioner of Urban Planning and Development Services dated July 27, 1998, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report dated July 27, 1998, from the Commissioner of Urban Planning and Development Services, titled “74-76 McCaul Street, Application No. 998059: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by Aboveground Art Supplies c/o Fred Gold, 74 McCaul Street, Toronto, Ontario, M5T 3K2, on behalf of Ontario College of Art, 100 McCaul Street, Toronto, Ontario, M5T 1W1 (Downtown)”. (See Attachment No. 3)

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 1512.)

- 1494 At this point in the proceedings, and with the permission of Council, Councillor Miller, seconded by Councillor Feldman, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(9):

Moved by: **Councillor Miller**

Seconded by: **Councillor Feldman**

“**WHEREAS** more than half of the future housing need in the City will be for rental housing; and

WHEREAS the interim report of the Golden Task Force said that at least 4,000 new affordable rental units must be built every year; and

WHEREAS at the last Council meeting Council struck out Recommendation No. (2) of the Strategic Policies and Priorities Committee on the Tax Policy Options of

the Multi-Residential Property class without consideration of the ramifications of the motion on the building of new housing;

WHEREAS the former Metro Council, and many others, supported the objective set out in that recommendation as it will help to promote the construction of rental housing;

NOW THEREFORE BE IT RESOLVED THAT such recommendation be reopened and that Council pass a by-law to create a property class for newly constructed rental apartment buildings of seven units or more at the residential/farm tax rate and that the Province be requested to make this a permanent tax policy tool.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Davis, Faubert, Filion, Flint, Holyday, Jakobek, Johnston, Jones, Kinahan, Layton, Lindsay Luby, Li Preti, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Silva - 27.

Nays: Councillors: Ashton, Balkissoon, Berardinetti, Chong, Disero, Duguid, King - 7.

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

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 1519.)

1495 At this point in the proceedings, and with the permission of Council, Councillor Rae, seconded by Councillor Chow, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(10), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

“**WHEREAS** the Canadian-Cuban Friendship Association wishes to hold their second annual Toronto-Cuban Friendship Day at Nathan Phillips Square; and

WHEREAS the Association has planned their event for August 29, 1998; and

WHEREAS the Toronto Community Council is not meeting again prior to this event;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk advise the Alcohol and Gaming Commission of Ontario that City Council is aware of this event and has no objection to it taking place.”

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

- 1496 At this point in the proceedings, Councillor Prue, with the permission of Council, withdrew the following motion J(11):

Moved by: Councillor Prue

Seconded by: Councillor Ootes

“**WHEREAS** Council, at its meeting held on May 13 and 14, 1998, approved the budget for the Pape Village Business Improvement Area; and

WHEREAS in previous taxation years maximum and minimum charges were levied on businesses in the Pape Village Business Improvement Area; and

WHEREAS, if maximum and minimum charges are levied in this taxation year, billing will be further delayed because notice of passage of a maximum and minimum charge by-law must be given and the Business Improvement Area will not be able to continue with its planned program of activities; and

WHEREAS the Board of Management of the Pape Village Business Improvement Area on July 29, 1998, has advised that it has met and approved proceeding with levying their BIA based on the standard procedures used for the majority of BIAs in 1998 and requested that it be levied and billed in 1998 in the same manner as are the majority of other Business Improvement Areas in the City;

NOW THEREFORE BE IT RESOLVED THAT Council approve billing for the Pape Village Business Improvement Area for the 1998 taxation year in the same manner as the majority of other Business Improvement Areas in the City and request that the Commissioner of Economic Development, Culture and Tourism work towards a solution for future billing.”

- 1497 At this point in the proceedings, and with the permission of Council, Councillor Rae, seconded by Councillor Adams, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Adams

“**WHEREAS** subsection 85(1) of the Municipal Act requires the council of every local municipality to appoint as many collectors for the municipality as it considers necessary; and

WHEREAS the City is in the process of implementing its new organizational structure and must appoint collectors of taxes;

NOW THEREFORE BE IT RESOLVED THAT Margo Lynd Brunning, Giuliana Carbone and Robert Ripley be appointed as collectors of taxes for the whole of the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the appointments of collectors of taxes for the former municipalities of East York, Etobicoke, North York, Scarborough, Toronto and York be rescinded.”

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Sgro, Silva - 30.

Nays: Councillors: Faubert, Saundercook - 2.

Decided in the affirmative by a majority of 28.

1498 At this point in the proceedings, and with the permission of Council, Councillor Chow, seconded by Councillor Adams, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Adams

“**WHEREAS** Council at its meeting on February 6, 1998, enacted By-law No. 39-1998 providing authority, among other things, for certain officials to sign documents on behalf of the City of Toronto in the place and stead of the Chief Financial Officer and Treasurer; 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 Chief Financial Officer and Treasurer; and

WHEREAS it is expedient to repeal section 4 of By-law No. 39-1998 and provide for new authority to sign documents on behalf of the City of Toronto in the place and stead of the Chief Financial Officer and Treasurer;

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 to sign documents on behalf of the City of Toronto in the place and stead of the Chief Financial Officer and Treasurer."

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.)

- 1499 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 be waived to permit consideration of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Adams

Seconded by: Councillor Augimeri

"**WHEREAS** section 157 of the Municipal Act provides that the Council of a local municipality may pass a by-law to levy an annual amount upon certain hospitals, colleges and universities, and correctional facilities; and

WHEREAS the amount a municipality may so levy may not exceed the prescribed amount; and

WHEREAS the amount of \$75.00 has been prescribed as the amount which may be so levied for each Provincially rated bed in a hospital, for each full time student enrolled in a university or college in the year preceding the year of levy, and for each resident placed in a correctional facility;

NOW THEREFORE BE IT RESOLVED THAT leave be granted for the introduction of a report from the Chief Financial Officer and Treasurer recommending that:

- (1) Council authorize the levy of taxes for the 1998 taxation year on hospitals, colleges and universities and correctional facilities as provided by section 157 of the Municipal Act; and
- (2) authority be granted for the introduction of the necessary bills in Council to levy taxes for the year 1998 on hospitals, colleges and universities and correctional

facilities in the form or substantially in the form of the draft by-laws attached hereto.”

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Bussin, Chong, Chow, Davis, Disero, Duguid, Flint, Gardner, Holyday, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Silva - 27.

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

Decided in the affirmative by a majority of 24.

(A copy of each of the draft Bills, referred to in the foregoing Motion, is on file in the office of the City Clerk.)

1500 At this point in the proceedings, and with the permission of Council, Councillor Chow, seconded by Councillor Layton, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Layton

“**WHEREAS** the Toronto Blue Jays and the Toronto Blue Jays Alumni Association will be having a picnic on Saturday, August 8, 1998, at the Roundhouse Park; and

WHEREAS the Toronto Blue Jays have requested that Council advise the Alcohol and Gaming Commission of Ontario that the city does not object to this event;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Alcohol and Gaming Commission of Ontario that it is aware of the event being held by the Toronto Blue Jays and the Toronto Blue Jays Alumni Association on August 8, 1998, from 2:00 p.m. to 4:00 p.m. at the Roundhouse Park, and that it has no objection to it taking place.”

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

1501 At this point in the proceedings, Council resumed consideration of the following Notice of Motion J(16) (See also Minute No.1458):

Moved by: Councillor Nunziata

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** the User Fee Committee, at its meeting held on July 28, 1998, received a presentation from the Parks and Recreation Division regarding the Parks and Recreation User Fees, Proposed Consultation Process; and

WHEREAS it is requested that Council consider that there be no User Fees for the fundamental services such as the following:

Volunteer Development/General Leadership Development;
Child Summer Outdoor Drop-in Playground Program;
Outdoor Public Swim;
Basic Wading Pools/Spray Pads;
Waterfront Beaches;
Outdoor Public Skate;
Neighbourhood Special Events; and

WHEREAS the City of Toronto would incur a potential revenue reduction of \$150,000.00 annually for no User Fees for this list of Fundamental Services at current service levels;

NOW THEREFORE BE IT RESOLVED THAT there be no User Fees for the above-noted Fundamental Services, which would include swimming, skating and other leisure time recreation activities that the former municipalities provided, and that staff be instructed to provide up to \$150,000.00 to implement this initiative immediately.”

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 1523.)

- 1502 At this point in the proceedings, and with the permission of Council, Councillor Berardinetti, seconded by Councillor Duguid, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Berardinetti

Seconded by: Councillor Duguid

“**WHEREAS** City Council, at its meeting held on July 8, 9 and 10, 1998, adopted Clause No. 27 embodied in Report No. 6 of The Scarborough Community Council, entitled ‘Ontario Municipal Board Hearing, Ontario Hydro (Graywood Investments Limited/Norstar) Appeals’, subject to amending the recommendation of the Scarborough Community Council to read as follows:

'The Scarborough Community Council further recommends that the following Resolution be approved, in principle, and referred to the City Solicitor to form part of the Land Acquisition Strategy to be presented by the City Solicitor at the Ontario Municipal Board:

RESOLVED that the City of Toronto seek the co-operation of the Federal Government, the Provincial Government, the Toronto and Region Conservation Authority, the landowners, and other potential partners, to help, in conjunction with the City of Toronto, to acquire the surplus Hydro corridor or selective sections of the Hydro lands north of Highway 401, between McNicoll Avenue, Pharmacy Avenue and Warden Avenue, and south of Highway 401, between Pharmacy Avenue and Warden Avenue, for dedication to the City of Toronto or the Toronto and Region Conservation Authority for Public Parkland and Recreational Use, Cycling Trails and Walkways, Floodplain and Storm Water Management and Ecosystem protection'; and

WHEREAS the area described in the foregoing Resolution south of Highway 401 has been incorrectly identified as being 'between Pharmacy Avenue and Warden Avenue' and when in fact it should be identified as being 'between Pharmacy Avenue and Kennedy Road';

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 27 of Report No. 6 of The Scarborough Community Council, headed 'Ontario Municipal Board Hearing, Ontario Hydro (Graywood Investments Limited/Norstar) Appeals', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council amend the foregoing Resolution by striking out the words 'and south of Highway 401, between Pharmacy Avenue and Warden Avenue' and substituting in lieu thereof the words 'and south of Highway 401, between Pharmacy Avenue and Kennedy Road', so that such Resolution shall now read, as follows:

'The Scarborough Community Council further recommends that the following Resolution be approved, in principle, and referred to the City Solicitor to form part of the Land Acquisition Strategy to be presented by the City Solicitor at the Ontario Municipal Board:

RESOLVED that the City of Toronto seek the co-operation of the Federal Government, the Provincial Government, the Toronto and Region Conservation Authority, the landowners, and other potential partners, to help, in conjunction with the City of Toronto, to acquire the surplus Hydro corridor or selective sections of the Hydro lands north of Highway 401, between McNicoll Avenue, Pharmacy Avenue and Warden Avenue, and south of Highway 401, between Pharmacy Avenue and Kennedy Road, for dedication

to the City of Toronto or the Toronto and Region Conservation Authority for Public Parkland and Recreational Use, Cycling Trails and Walkways, Floodplain and Storm Water Management and Ecosystem protection' .”

Upon the question of the adoption of the recommendation embodied in the first Operative Paragraph of the foregoing Motion, it was carried, without dissent.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Faubert, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, King, Layton, Lindsay Luby, Li Preti, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas - 33.

Nays: Nil.

Decided in the affirmative, without dissent.

- 1503 At this point in the proceedings, and with the permission of Council, Councillor Silva, seconded by Councillor Saundercook, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Saundercook

“**WHEREAS** Council at its meeting held on July 29, 1998, adopted a motion by Councillor Prue, seconded by Councillor Faubert, to amend Section 41 of Council Procedural By-law No. 23-1998, to include the right of any Member of Council to speak to, or question the reason behind any motion to refer or defer;

NOW THEREFORE BE IT RESOLVED THAT this matter be reopened and the action taken be rescinded;

AND BE IT FURTHER RESOLVED THAT Section 41 of the Council Procedural By-law No. 23-1998 be amended to read as follows:

- ‘41. A motion to defer, or a motion to refer, made pursuant to Section 40, shall be debatable only in respect of amendments to the motion, and no discussion of the main question shall be allowed until after its disposition.’”

At this point in the proceedings, Deputy Mayor Ootes proposed that the foregoing Motion be referred to the Corporate Services Committee for consideration.

Council concurred in the foregoing proposal.

- 1504 At this point in the proceedings, and with the permission of Council, Councillor Prue, seconded by Councillor Ootes, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(20), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Prue

Seconded by: Councillor Ootes

“WHEREAS Council at its meeting held on May 13 and 14, 1998, approved the budget for the Pape Village Business Improvement Area; and

WHEREAS in previous taxation years maximum and minimum charges were levied on businesses in the Pape Village Business Improvement Area; and

WHEREAS, if maximum and minimum charges are levied in this taxation year, billing will be further delayed because notice of passage of a maximum and minimum charge by-law must be given and the Pape Village Business Improvement Area will not be able to continue with its planned program of activities; and

WHEREAS the Board of Management of the Pape Village Business Improvement Area on July 29, 1998, has advised that it has met and approved proceeding with levying their BIA based on the standard procedures used for the majority of BIAs in 1998 and requested that it be levied and billed in 1998 in the same manner as are the majority of other Business Improvement Areas in the City; and

WHEREAS Council at its special meeting held on July 21 and 23, 1998, enacted By-law No. 471-1998 providing authority for the levy and collection of special charges in respect of certain business improvement areas, which did not include the Pape Village Business Improvement Area; and

WHEREAS By-law No. 471-1998 provides for the levy and collection of special charges in respect of certain business improvement areas, including the Kennedy Road Business Improvement Area; and

WHEREAS by Order No. M910055 dated June 27, 1991, the Ontario Municipal Board approved By-law No. 23180 of the former municipality of the City of Scarborough, being a by-law to designate the Kennedy Road Business Improvement Area; and

WHEREAS By-law No. 23180 excludes the property address municipally known as 1400 Kennedy Road (the Kennedy Lodge Nursing Home) from the Kennedy Road Business Improvement Area; and

WHEREAS By-law No. 471-1998 included the property address municipally known as 1400 Kennedy Road in computing the 1998 special charge rate for the Kennedy Road Business Improvement Area; and

WHEREAS as a result of this inclusion, an error has occurred in computing the 1998 special charge rate for the Kennedy Road Business Improvement Area;
NOW THEREFORE BE IT RESOLVED THAT Council approve billing for the Pape Village Business Improvement Area for the 1998 taxation year in the same manner as the majority of other Business Improvement Areas in the City and request that the Commissioner of Economic Development, Culture and Tourism work towards a solution for future billing; and leave be granted for the introduction of the necessary bill in Council to amend By-law No. 471-1998 by deleting from Section 1 thereof the rateable assessments, special charge rates and total special charge for the Kennedy Road Business Improvement Area, and substituting therefore the correct rateable assessments, special charge rates and total special charge for the Kennedy Road Business Improvement Area and inserting in Section 1 thereof the rateable assessments, special charge rates and total special charge for the Pape Village Business Improvement Area.”

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

- 1505 At this point in the proceedings, and with the permission of Council, Councillor Johnston, seconded by Councillor Rae, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Rae

“**WHEREAS** the semi-detached dwelling at 172 Eglinton Avenue West has had two recent fires causing significant interior damage; and

WHEREAS the history of fires has adversely affected the restaurant in the attached building; and

WHEREAS there was some evidence of an ongoing problem with vagrants and trespassing and it is likely that the most recent fire was the result of arson, which suggests that the current situation at this property presents an ongoing threat of fire and public hazard to the adjacent building; and

WHEREAS the building has been vacant for a long time and the owner advises us that it was always intended that the building would be demolished for a future development; and

WHEREAS the owner has indicated his intention to redevelop the site in the near future;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the Chief Building Official to issue a permit to demolish the semi-detached residential building on the following conditions:

- (1) that the building footprint be re-graded to match the remainder of the site; and
- (2) that the remaining party-wall at 170 Eglinton Avenue West be restored in accordance with the Ontario Building Code.”

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

- 1506 At this point in the proceedings, and with the permission of Council, Councillor Moscoe, seconded by Councillor Rae, gave notice of the following Motion J(22) to permit consideration at the next regular meeting of City Council to be held on Thursday, October 1, 1998:

Moved by: Councillor Moscoe

Seconded by: Councillor Rae

“**BE IT RESOLVED THAT** no member of a board, agency or commission associated with the City shall engage in lobbying of any Member of Council on behalf of a third party.”

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

Council concurred in the foregoing proposal.

- 1507 At this point in the proceedings, and with the permission of Council, Councillor Mihevc, seconded by Councillor Moscoe, gave notice of the following Motion J(23) to permit consideration at the next regular meeting of City Council to be held on Thursday, October 1, 1998:

Moved by: Councillor Mihevc

Seconded by: Councillor Moscoe

“**BE IT RESOLVED THAT** when staff bring forward a ‘Code of Conduct’ for Council’s consideration, such report to include a section on ‘code of conduct’ for citizen members of Agencies, Boards and Commissions, such report to deal with appropriate issues, including acting as lobbyists.”

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

Council concurred in the foregoing proposal.

- 1508 At this point in the proceedings, and with the permission of Council, Councillor Adams, seconded by Councillor Ootes, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Adams

Seconded by: Councillor Ootes

“**WHEREAS** on July 30, 1998, Mayor Lastman presented to Council Mr. John Davidson, who is in the midst of an 8,300-kilometre walk across Canada, known as ‘Jesse’s Journey - A Father’s Tribute’, to raise public awareness and funds for genetic research; and

WHEREAS ‘Jesse’s Journey - A Father’s Tribute’ is in recognition of 18-year old Jesse Davidson, who suffers from Duchenne Muscular Dystrophy, a severe genetic disease; and

WHEREAS the financial goal is to generate \$10.0 million to establish an endowment fund to direct money each year to defeat a wide range of genetic diseases;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto make a contribution of \$5,000.00 to Jesse’s Journey, a registered trademark of the Foundation for Gene and Cell Therapy, a registered charity; and that the funds be allocated from the Corporate Contingency Account.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such Motion be referred to the Municipal Grants Review Committee for consideration.

Council concurred in the foregoing proposal.

- 1509 At this point in the proceedings, and with the permission of Council, Councillor Nunziata, seconded by Councillor Layton, gave notice of the following Motion J(25) to permit consideration at the next regular meeting of City Council to be held on Thursday, October 1, 1998:

Moved by: Councillor Nunziata

Seconded by: Councillor Layton

“**WHEREAS** the By-law to govern the proceedings of the Council, Section 5. Clause (1) requires that regular meetings of the Council shall be held on every fourth Wednesday; and

WHEREAS the abundance of issues, items and reports requiring consideration by Council has required the extending of meetings of Council on a regular basis;

NOW THEREFORE BE IT RESOLVED THAT the Procedural By-law governing the proceedings of Council be amended to read as follows:

‘Unless otherwise decided by Council, regular meetings of the Council shall begin at 9:30 a.m. on every fourth Tuesday, unless such a day shall be a public or civic holiday, in which case the Council shall meet at 9:30 a.m. on the Wednesday of the same week.’ ”

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 for consideration.

Council concurred in the foregoing proposal.

1510 At this point in the proceedings, and with the permission of Council, Councillor Chow, seconded by Councillor Miller, moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(26), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Miller

“**BE IT RESOLVED THAT** the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to report to the October meeting of the Corporate Services Committee and the Budget Committee on:

- a list of all outstanding claims where external legal firms are retained, including all ABCs;
- a process on how firms are selected;
- the firms that are retained and annual billings by each; and
- how much has been drawn from the Insurance Reserve Fund (now total at \$40.6 million) in the last five years and to which firms, and a projection on how much would be paid in the future five years.”

Deputy Mayor Ootes, having regard to the nature of the foregoing Motion, proposed that such Motion be referred to the Corporate Services Committee for consideration.

Council concurred in the foregoing proposal.

1511 Deputy Mayor Ootes called upon Notice of Motion F(3) appearing on the Order Paper, as follows:

Moved by: **Councillor Jakobek**

Seconded by: **Councillor Korwin-Kuczynski**

“**WHEREAS** the former City of Toronto and the Toronto Harbour Commissioners (THC) entered into an agreement (THC Subsidy Agreement) in November 1994 whereby the THC accepted, as adequate compensation for the transfer of part of its lands to the Toronto Economic Development Corporation (TEDCO) and the former City of Toronto, the right to receive an annual subsidy; and

WHEREAS the THC, since 1995, have submitted to City Council a proposed Operating Budget and City Council has approved each year a subsidy amount of approximately \$2,800,000.00; and

WHEREAS, commencing in the year 2000, the THC will be eligible to also seek a subsidy for its Capital Budget; and

WHEREAS the THC would like to discuss a proposal, including the possibility of the transfer of lands, which could end the City’s obligation under the THC Subsidy Agreement; and

WHEREAS City Council, at its meeting held on May 13 and 14, 1998, adopted Clause No. 3 of Report No. 6 of The Urban Environment and Development Committee recommending, among other things, that:

- ‘(9) any discussions involving City officials or Councillors regarding land transfers between the Toronto Economic Development Corporation (TEDCO), the City, and the Harbour Commissioners be held only after the Commissioner of Urban Planning and Development Services and the TEDCO Board have reported to the Toronto Community Council on the implications of any land transfer which might be contemplated’;
- and

WHEREAS it is impossible to discuss adequately the implications of any land transfers unless it is known which lands might be involved;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 6 of The Urban Environment and Development Committee, headed 'The Toronto Harbour Commissioners: Bill C-9 - The Canada Marine Act - Planning and Related Issues', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council request the Commissioner of Urban Planning and Development Services, in consultation with the Commissioner of Corporate Services and other staff as necessary, to meet with the THC and TEDCO to discuss options, including the possibility of land transfers, for eliminating the City's obligation to provide the THC an annual subsidy and report back on the implications of such options for the City to the Strategic Policies and Priorities Committee for its meeting to be held on September 22, 1998."

Upon the question of the adoption of the first Operative Paragraph embodied in the foregoing Motion, it was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the balance of the foregoing Motion, without amendment, Councillor Jakobek, in amendment, moved that the foregoing Motion be adopted, subject to:

- (1) deleting the following words "including the possibility of land transfers", in the second Operative Paragraph so that such operative paragraph now reads as follows:

"AND BE IT FURTHER RESOLVED THAT City Council request the Commissioner of Urban Planning and Development Services, in consultation with the Commissioner of Corporate Services and other staff as necessary, to meet with the THC and TEDCO to discuss options for eliminating the City's obligation to provide the THC an annual subsidy and report back on the implications of such options for the City to the Strategic Policies and Priorities Committee for its meeting to be held on September 22, 1998."; and

- (2) adding thereto the following:

"and further, that the Councillors on the Toronto Harbour Commission and the Toronto Economic Development Corporation be fully briefed and involved in these decisions."

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

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

1512 Council resumed its consideration of the following Notice of Motion J(7):
(See also Minute No. 1493.)

Moved by: Councillor Chow

Seconded by: Councillor Layton

“**WHEREAS** the applicant proposes to install signage on the east elevation of the building located at 74-76 McCaul Street, for identification purposes; 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; and

WHEREAS the Commissioner of Urban Planning and Development Services in her report dated July 27, 1998, has recommended that the application be approved;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report of the Commissioner of Urban Planning and Development Services dated July 27, 1998, and that such report be adopted.”

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

Council subsequently adopted the report July 27, 1998, from the Commissioner of Urban Planning and Development Services, embodying the following recommendations:

“It is recommended that:

- (1) City Council approve Application No. 998059 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit five non-illuminated awning signs and two non-illuminated projecting banner signs; and
- (2) the applicant be advised, upon approval of Application No. 998059, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.”

1513 Council resumed its consideration of Clause No. 10 of Report No. 11 of The Corporate Services Committee, headed “Disposition of Computers and Related Equipment”.
(See also Minute No. 1477.)

Councillor Moscoe, in amendment, moved that consideration of the foregoing Clause, together with the following motion, be deferred to the next regular meeting of Council to be held on October 1, 1998:

Moved by Councillor Jakobek:

“That the foregoing Clause be amended to provide that the Toronto District and Toronto Catholic School Boards be given the first opportunity to purchase

surplus computer equipment, after which said equipment be offered to individual staff members.”

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

- 1514 **Clause No. 22 of Report No. 8 of The York Community Council, headed “Request for Outdoor Eating Area Nova Era Bakery, 488-490 Rogers Road, Ward 27 - York Humber”.**
(See Appendix “A”, page 10286.)

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

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

Yeas: Councillors: Adams, Holyday, Jakobek, Moscoe, Nunziata, Prue - 6.

Nays: Councillors: Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Ootes, Rae, Saundercook, Silva, Tzekas, Walker - 29.

Decided in the negative by a majority of 23.

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Johnston, Kinahan, King, Layton, Lindsay Luby, Mihevc, Miller, Ootes, Rae, Saundercook, Silva, Walker - 26.

Nays: Councillors: Ashton, Balkissoon, Holyday, Jakobek, Jones, Korwin-Kuczynski, Moscoe, Nunziata, Prue, Shiner - 10.

Decided in the affirmative by a majority of 16.

- 1515 **Clause No. 6 of Report No. 16 of The Strategic Policies and Priorities Committee, headed “Award of Contract for a Small Scale Mixed Waste Recycling and Organics Processing Facility”.**
(See Appendix “A”, page 9050.)

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

- (1) by striking out Recommendation No. (4) of the Budget Committee and referring it back to the Budget Committee for reallocation of the amount of \$3.2 million; and
- (2) by adding thereto the following:
“It is further recommended that:
 - (1) the Chief Financial Officer and Treasurer be requested to submit to the Budget Committee, a complete updated list of the status of previously approved (1997) and prior projects that have been started;
 - (2) all Department Heads be requested to submit to the Budget Committee a list of those projects which they wish to go forward with and the availability of funding therefor; and
 - (3) the appropriate City officials be authorized to execute the contract.”

Upon the question of the adoption of part (1) of the foregoing motion by Councillor Shiner, it was carried.

Upon the question of the adoption of part 2(1) of the foregoing motion by Councillor Shiner, the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Filion, Flint, Gardner, Jones, Kinahan, King, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Walker - 28.

Nays: Councillors: Holyday, Jakobek, Johnston, Layton, Lindsay Luby, Nunziata - 6.

Decided in the affirmative by a majority of 22.

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

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

1516 Councillor Saundercook, seconded by Councillor Mihevc, moved that leave be granted to introduce:

“Bill No. 469 To acquire a limited interest in and over lands for drainage easement purposes - Wychwood Park.”

- “Bill No. 470 A by-law to dedicate Part of 1' reserve west of Lot 13, Registered Plan 825, designated as Part 1, Plan 64R-15943.”
- “Bill No. 471 A by-law pursuant to the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c. P.13, to exempt certain lands being Lots 822, 823, 824, 825 and 826 on the north easterly side of Millwood Road, Plan 2120, in the City of Toronto (formerly Borough of East York).”
- “Bill No. 472 To adopt Amendment No. 13 to the Official Plan for the Former Borough of East York Affecting the Lands Located on the West Side of Cranfield Road Between Northdale Boulevard and Curity Avenue.”
- “Bill No. 473 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.”
- “Bill No. 474 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.”
- “Bill No. 475 A By-law pursuant to the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c. P. 13, to exempt certain lands being Block 7 of Registered Plan 66M-2325 at 870 Pape Avenue, in the City of Toronto (formerly Borough of East York).”
- “Bill No. 476 To amend Zoning By-law No. 1916 of the former Borough of East York.”
- “Bill No. 477 To amend Zoning By-law No. 6752 of the former Borough of East York.”
- “Bill No. 478 To introduce Demolition Control for certain areas within the former City of Etobicoke.”
- “Bill No. 479 To extend the term of Interim Control By-law No. 1997-168 with respect to Restaurants with Adult Entertainment Uses in Commercial and Regional Open Space Zones (Etobicoke).”
- “Bill No. 480 To amend Chapters 304 and 326 of the Etobicoke Zoning Code to recognize certain lands as being areas of Site Plan Control within the City of Toronto.”
- “Bill No. 481 To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located north of Evans Avenue and east of Sherway Gate (Etobicoke).”
- “Bill No. 482 To adopt Amendment No. 462 of the Official Plan for the City of North York.”
- “Bill No. 483 To adopt Amendment No. 464 of the Official Plan for the City of North York”, as amended.
- “Bill No. 484 To adopt Amendment No. 466 of the Official Plan for the City of North York.”

- “Bill No. 485 To amend City of North York By-law No. 7625.”
- “Bill No. 486 To amend City of North York By-law No. 7625.”
- “Bill No. 489 To amend City of North York Zoning By-law No. 7625.”
- “Bill No. 490 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 491 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 492 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 493 To amend By-law No. 31878 of the former City of North York, as amended.”
- “Bill No. 494 To amend By-law No. 31001 of the former City of North York, as amended.”
- “Bill No. 495 To amend By-law No. 30518 of the former City of North York, as amended.”
- “Bill No. 496 To adopt Amendment No. 1004 of the Official Plan for the former City of Scarborough.”
- “Bill No. 497 To amend the Scarborough Employment Districts Zoning By-law No. 24982 with respect to the Malvern Employment District.
- “Bill No. 498 To adopt Amendment No. 1007 of the Official Plan for the former City of Scarborough”
- “Bill No. 499 To amend Scarborough Zoning By-law No. 25265 as amended with respect to the Cliffcrest Community.”
- “Bill No. 500 To adopt Amendment No. 1009 of the Official Plan for the former City of Scarborough.”
- “Bill No. 501 To adopt Amendment No. 1010 of the Official Plan for the former City of Scarborough.”
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- “Bill No. 570 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Kent Road, Parkmount Road, Peterborough Avenue, Sale Avenue, St. Clarens Avenue.”
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- “Bill No. 572 To layout and dedicate for public lane purposes certain land to form part of the public lane at the rear of premises 245 to 251 Pacific Avenue.”
- “Bill No. 573 To dedicate the lane east of Macdonell Avenue, extending northerly from the public lane north of Queen Street West for public lane purposes.”
- “Bill No. 574 To repeal former City of Toronto By-law No. 1996-0141, being "A By-law To further amend By-law No. 602-89, being ‘A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.’, respecting the alteration of a number of streets by narrowing the pavement to implement the South Eglinton Area (East) - Traffic Calming Plan - Phase I.’ ”
- “Bill No. 575 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cleveland Street, Davisville Avenue, Forman Avenue, Merton Street, Millwood Avenue, Taunton Road.”
- “Bill No. 576 To further amend former City of Toronto By-law No. 602-89, being "A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.", respecting the alteration of Spadina Road by narrowing the pavement from St. Clair Avenue West to Montclair Avenue.”
- “Bill No. 577 To amend former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways to establish a portion of St. Patrick’s Market and St. Patrick’s Square as pedestrian ways.
- “Bill No. 578 To dedicate certain land in the block bounded by Queen Street West, John Street, Stephanie Street and McCaul Street for public highway purposes and to name the City-owned lane between the existing portions of Renfrew Place east of John Street and west of McCaul Street ‘Renfrew Place’, the City-owned lane east of John Street extending between Queen Street West and Stephanie Street

"St. Patrick's Market", the City-owned lane west of McCaul Street extending between Queen Street West and Stephanie Street 'St. Patrick's Square', and to designate a portion of that land for pedestrian walkway purposes."

- "Bill No. 579 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Harvard Avenue."
- "Bill No. 580 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Annette Street, Belsize Drive, Boon Avenue, Castle Knock Road, Cherry Street, Davenport Road, Front Street West, Markham Street, Vermont Avenue."
- "Bill No. 581 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Spadina Avenue."
- "Bill No. 582 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations', respecting the alteration of Palmerston Avenue by narrowing the pavements from Bloor Street West to north of Bloor Street West."
- "Bill No. 583 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cowan Avenue, Dufferin Street, Fleet Street, Fort Rouille Street, Gladstone Avenue, Gwynne Avenue, Jameson Avenue, Melborne Avenue, Peel Street, Spencer Avenue, Springhurst Avenue, Strachan Avenue, Tyndall Avenue."
- "Bill No. 584 To further amend former City of Toronto By-law No. 602-89, being "A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.", respecting the alteration of Spruce Street by the narrowing and realignment of the pavement and the installation of speed humps from Parliament Street to River Street, the alteration of each of Gifford Street and Nasmith Avenue at their intersections with Spruce Street by the realignment of curbs to narrow the pavement and the alteration of River Street from Spruce Street to the Bayview Avenue ramp by the narrowing and realignment of the pavement."
- "Bill No. 585 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.', respecting the alteration of Lansdowne Avenue by narrowing the pavement from Queen Street West to Rideau Avenue."
- "Bill No. 586 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of

sidewalks, pavements and curbs at various locations’, respecting the realignment of the curb at the south-west corner of the Spring Road/Parkside Drive intersection.”

- “Bill No. 587 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Strathcona Avenue.”
- “Bill No. 588 To further amend former City of Toronto By-law No. 602-89, being ‘A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.’, respecting the alteration of Strathcona Avenue east of Pape Avenue.”
- “Bill No. 589 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gifford Street, Nasmith Avenue, Spruce Street and Sumach Street.”
- “Bill No. 590 To levy an amount for the year 1998 upon certain Universities and Colleges.”
- “Bill No. 591 To levy an amount for the year 1998 upon certain Public Hospitals and Provincial Mental Health Facilities.”
- “Bill No. 592 To levy an amount for the year 1998 upon certain Correctional Facilities.”
- “Bill No. 593 To provide authority for certain Officials Employed in the Finance Department to Sign Documents on Behalf of the City of Toronto.”
- “Bill No. 594 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.”
- “Bill No. 595 To Establish a Property Tax Assistance Program for Eligible Low Income Disabled Persons and Low Income Seniors who are Owners of Residential Real Property in the City of Toronto.”
- “Bill No. 596 To exempt certain lands within the Eaton Centre from the provisions of subsection 50(5) of the Planning Act.”
- “Bill No. 597 To amend By-law No. 471-1998, being a By-law ‘To Provide for the Levy and Collection of Special Charges in Respect of Certain Business Improvement Areas.’”
- “Bill No. 598 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 2079-2111 Yonge Street, 9 and 21 Hillside Avenue East and 12, 14 and 16 Manor Road East.”

- “Bill No. 599 To amend the General Zoning By-law No. 438-86 with respect to lands known as 2079-2111 Yonge Street, 9 and 21 Hillside Avenue East and 12, 14 and 16 Manor Road East.”
- “Bill No. 600 To adopt an amendment to Section 19.19 of the Official Plan for the former City of Toronto respecting Parcel YQ-4.”
- “Bill No. 601 To amend the Harbourfront Zoning By-law No. 283-93 with respect to Parcel YQ-4 known as 8 York Street and part of 200 Queens Quay West.”
- “Bill No. 602 To amend the former City of Toronto Municipal Code Chapter 331, Trees, Article III, respecting trees that straddle property lines.”
- “Bill No. 604 To appoint tax collectors for the City of Toronto and to rescind former appointments.”,

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. 479-1998 To acquire a limited interest in and over lands for drainage easement purposes - Wychwood Park.”
- “By-law No. 480-1998 A by-law to dedicate Part of 1' reserve west of Lot 13, Registered Plan 825, designated as Part 1, Plan 64R-15943.”
- “By-law No. 481-1998 A by-law pursuant to the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c. P.13, to exempt certain lands being Lots 822, 823, 824, 825 and 826 on the north easterly side of Millwood Road, Plan 2120, in the City of Toronto (formerly Borough of East York).”
- “By-law No. 482-1998 To adopt Amendment No. 13 to the Official Plan for the Former Borough of East York Affecting the Lands Located on the West Side of Cranfield Road Between Northdale Boulevard and Curity Avenue.”
- “By-law No. 483-1998 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.”
- “By-law No. 484-1998 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.”
- “By-law No. 485-1998 A By-law pursuant to the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c. P. 13, to exempt certain lands

being Block 7 of Registered Plan 66M-2325 at 870 Pape Avenue, in the City of Toronto (formerly Borough of East York).”

- “By-law No. 486-1998 To amend Zoning By-law No. 1916 of the former Borough of East York.”
- “By-law No. 487-1998 To amend Zoning By-law No. 6752 of the former Borough of East York.”
- “By-law No. 488-1998 To introduce Demolition Control for certain areas within the former City of Etobicoke.”
- “By-law No. 489-1998 To extend the term of Interim Control By-law No. 1997-168 with respect to Restaurants with Adult Entertainment Uses in Commercial and Regional Open Space Zones (Etobicoke).”
- “By-law No. 490-1998 To amend Chapters 304 and 326 of the Etobicoke Zoning Code to recognize certain lands as being areas of Site Plan Control within the City of Toronto.”
- “By-law No. 491-1998 To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located north of Evans Avenue and east of Sherway Gate (Etobicoke).”
- “By-law No. 492-1998 To adopt Amendment No. 462 of the Official Plan for the City of North York.”
- “By-law No. 493-1998 To adopt Amendment No. 464 of the Official Plan for the City of North York.”
- “By-law No. 494-1998 To adopt Amendment No. 466 of the Official Plan for the City of North York.”
- “By-law No. 495-1998 To amend City of North York By-law No. 7625.”
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[Note: By-Law No. 497-1998 was not used]

- “By-law No. 498-1998 To amend City of North York Zoning By-law No. 7625.”
- “By-law No. 499-1998 To amend By-law No. 31001 of the former City of North York, as amended.”

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- “By-law No. 502-1998 To amend By-law No. 31878 of the former City of North York, as amended.”
- “By-law No. 503-1998 To amend By-law No. 31001 of the former City of North York, as amended.”
- “By-law No. 504-1998 To amend By-law No. 30518 of the former City of North York, as amended.”
- “By-law No. 505-1998 To adopt Amendment No. 1004 of the Official Plan for the former City of Scarborough.”
- “By-law No. 506-1998 To amend the Scarborough Employment Districts Zoning By-law No. 24982 with respect to the Malvern Employment District.
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- “By-law No. 582-1998 To repeal former City of Toronto By-law No. 1996-0141, being ‘A By-law To further amend By-law No. 602-89, being ‘A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.’,

respecting the alteration of a number of streets by narrowing the pavement to implement the South Eglinton Area (East) - Traffic Calming Plan - Phase I.' ”

- “By-law No. 583-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cleveland Street, Davisville Avenue, Forman Avenue, Merton Street, Millwood Avenue, Taunton Road.”
- “By-law No. 584-1998 To further amend former City of Toronto By-law No. 602-89, being "A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.", respecting the alteration of Spadina Road by narrowing the pavement from St. Clair Avenue West to Montclair Avenue.”
- “By-law No. 585-1998 To amend former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways to establish a portion of St. Patrick's Market and St. Patrick's Square as pedestrian ways.
- “By-law No. 586-1998 To dedicate certain land in the block bounded by Queen Street West, John Street, Stephanie Street and McCaul Street for public highway purposes and to name the City-owned lane between the existing portions of Renfrew Place east of John Street and west of McCaul Street ‘Renfrew Place’, the City-owned lane east of John Street extending between Queen Street West and Stephanie Street ‘St. Patrick's Market’, the City-owned lane west of McCaul Street extending between Queen Street West and Stephanie Street ‘St. Patrick's Square’, and to designate a portion of that land for pedestrian walkway purposes.”
- “By-law No. 587-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Harvard Avenue.”
- “By-law No. 588-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Annette Street, Belsize Drive, Boon Avenue, Castle Knock Road, Cherry Street, Davenport Road, Front Street West, Markham Street, Vermont Avenue.”
- “By-law No. 589-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Spadina Avenue.”
- “By-law No. 590-1998 To further amend former City of Toronto By-law No. 602-89, being ‘A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various

locations', respecting the alteration of Palmerston Avenue by narrowing the pavements from Bloor Street West to north of Bloor Street West."

- "By-law No. 591-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cowan Avenue, Dufferin Street, Fleet Street, Fort Rouille Street, Gladstone Avenue, Gwynne Avenue, Jameson Avenue, Melborne Avenue, Peel Street, Spencer Avenue, Springhurst Avenue, Strachan Avenue, Tyndall Avenue."
- "By-law No. 592-1998 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.', respecting the alteration of Spruce Street by the narrowing and realignment of the pavement and the installation of speed humps from Parliament Street to River Street, the alteration of each of Gifford Street and Nasmith Avenue at their intersections with Spruce Street by the realignment of curbs to narrow the pavement and the alteration of River Street from Spruce Street to the Bayview Avenue ramp by the narrowing and realignment of the pavement."
- "By-law No. 593-1998 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.', respecting the alteration of Lansdowne Avenue by narrowing the pavement from Queen Street West to Rideau Avenue."
- "By-law No. 594-1998 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations', respecting the realignment of the curb at the south-west corner of the Spring Road/Parkside Drive intersection."
- "By-law No. 595-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Strathcona Avenue."
- "By-law No. 596-1998 To further amend former City of Toronto By-law No. 602-89, being 'A By-law To authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations.', respecting the alteration of Strathcona Avenue east of Pape Avenue."

- “By-law No. 597-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gifford Street, Nasmith Avenue, Spruce Street and Sumach Street.”
- “By-law No. 598-1998 To levy an amount for the year 1998 upon certain Universities and Colleges.”
- “By-law No. 599-1998 To levy an amount for the year 1998 upon certain Public Hospitals and Provincial Mental Health Facilities.”
- “By-law No. 600-1998 To levy an amount for the year 1998 upon certain Correctional Facilities.”
- “By-law No. 601-1998 To provide authority for certain Officials Employed in the Finance Department to Sign Documents on Behalf of the City of Toronto.”
- “By-law No. 602-1998 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.”
- “By-law No. 603-1998 To Establish a Property Tax Assistance Program for Eligible Low Income Disabled Persons and Low Income Seniors who are Owners of Residential Real Property in the City of Toronto.”
- “By-law No. 604-1998 To exempt certain lands within the Eaton Centre from the provisions of subsection 50(5) of the Planning Act.”
- “By-law No. 605-1998 To amend By-law No. 471-1998, being a By-law “To Provide for the Levy and Collection of Special Charges in Respect of Certain Business Improvement Areas.””
- “By-law No. 606-1998 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 2079-2111 Yonge Street, 9 and 21 Hillside Avenue East and 12, 14 and 16 Manor Road East.”
- “By-law No. 607-1998 To amend the General Zoning By-law No. 438-86 with respect to lands known as 2079-2111 Yonge Street, 9 and 21 Hillside Avenue East and 12, 14 and 16 Manor Road East.”
- “By-law No. 608-1998 To adopt an amendment to Section 19.19 of the Official Plan for the former City of Toronto respecting Parcel YQ-4.”
- “By-law No. 609-1998 To amend the Harbourfront Zoning By-law No. 283-93 with respect to Parcel YQ-4 known as 8 York Street and part of 200 Queens Quay West.”

“By-law No. 610-1998 To amend the former City of Toronto Municipal Code Chapter 331, Trees, Article III, respecting trees that straddle property lines.”

“By-law No. 611-1998 To appoint tax collectors for the City of Toronto and to rescind former appointments.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Ootes, Rae, Saundercook, Sgro, Tzekas, Walker - 36.

Nays: Nil.

Decided in the affirmative, without dissent.

1517 Councillor Holyday, seconded by Councillor King, moved that leave be granted to introduce:

“Bill No. 608 To confirm the fourth portion of the proceedings of Council at its Meeting held on the 31st day of July, 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. 612-1998 To confirm the fourth portion of the proceedings of Council at its Meeting held on the 31st day of July, 1998.”;

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Davis, Disero, Duguid, Faubert, Filion, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Tzekas, Walker - 33.

Nays: Nil.

Decided in the affirmative, without dissent.

1518 **Clause No. 6 of Report No. 11 of The Corporate Services Committee, headed “Equal Opportunity - Anti-Discrimination Policy Requirements for Suppliers”.**
(See Appendix “A”, page 8382.)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Davis, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (1) embodied in the joint report (July 9, 1998) from the Commissioner of Corporate Services and the Chief Financial Officer, the following words, "and all Agencies, Boards, Commissions and Special Purpose Bodies", so that such Recommendation now reads as follows:

"(1) in the purchasing process for goods and services, the use of the former City of Toronto Non-Discrimination Policy Declaration Form which provides protection on the basis of race, creed, colour, national origin, political or religious affiliation, sex, sexual orientation, age, marital status, family relationship and disability, be continued and expanded to include all other former municipalities, and all Agencies, Boards, Commissions and Special Purpose Bodies;"

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

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

1519 Council resumed consideration of the following Notice of Motion J(9):
(See also Minute No.1494.)

Moved by: Councillor Miller

Seconded by: Councillor Feldman

"WHEREAS more than half of the future housing need in the City will be for rental housing; and

WHEREAS the interim report of the Golden Task Force said that at least 4,000 new affordable rental units must be built every year; and

WHEREAS at the last Council meeting Council struck out Recommendation No. (2) of the Strategic Policies and Priorities Committee on the Tax Policy Options of the Multi-Residential Property class without consideration of the ramifications of the motion on the building of new housing;

WHEREAS the former Metro Council, and many others, supported the objective set out in that recommendation as it will help to promote the construction of rental housing;

NOW THEREFORE BE IT RESOLVED THAT such recommendation be reopened and that Council pass a by-law to create a property class for newly constructed rental apartment buildings of seven units or more at the residential/farm tax rate and that the Province be requested to make this a permanent tax policy tool."

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Miller in amendment, moved that the foregoing Motion be referred to the Assessment and Tax Policy Task Force.

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

- 1520 At this point in the proceedings, Councillor Balkissoon, with the permission of Council, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. recess, and that Council continue to meet until 5:00 p.m., the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Disero, Duguid, Faubert, Flint, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 29.

Nays: Councillors: Bossons, Chong, Davis, Filion, King, Lindsay Luby, Saundercook - 7.

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

- 1521 At this point in the proceedings, Councillor Kelly, with the permission of Council, moved that Council vary its proceedings to now meet in camera to consider the following Notice of Motion J(18):

Moved by: Councillor Berardinetti

Seconded by: Councillor Duguid

“**WHEREAS** City Council, at its meeting held on July 8, 9 and 10, 1998, issued confidential instructions to staff respecting Ontario Municipal Board Appeals by Ontario Hydro (Graywood Investments Limited and Norstar Investments) and directed that further reports be submitted to The Scarborough Community Council meeting to be held on July 22, 1998; and

WHEREAS, in accordance with these instructions, the City Solicitor submitted reports prepared by the Commissioner of Planning and Buildings, Scarborough, and the Director of Road and Traffic Services, Scarborough, attached to the Solicitor’s confidential report dated July 20, 1998, to the Scarborough Community Council meeting held on July 22, 1998; and

WHEREAS the Scarborough Community Council deferred consideration of the aforementioned reports to a Special Meeting of the Community Council on Tuesday, July 28, 1998, at which a quorum was not achieved;

NOW THEREFORE BE IT RESOLVED THAT City Council resolve in camera to give direction to the City Solicitor on this matter.”,

the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Berardinetti, Cho, Davis, Duguid, Flint, Gardner, Johnston, Kelly, Lindsay Luby, Ootes, Rae, Saundercook, Tzekas - 14.

Nays: Councillors: Adams, Augimeri, Balkissoon, Bossons, Chow, Disero, Filion, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Prue, Shiner, Walker - 21.

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

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 1525.)

1522 **Clause No. 3 of Report No. 11 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members".**

(See Appendix "A", page 8355.)

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

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

"It is further recommended that Council staff members who were employed by a former municipality which had a severance practice greater than two weeks per year of service be grandfathered at the level of severance payment through the former practice for their service prior to January 1, 1998."

(b) Councillor Disero, in amendment, moved that the foregoing Clause be amended to provide that Council staff be allowed to opt out of the benefits package in lieu of receiving the financial equivalent payment, until such time as the review of the full benefit plan is considered.

(c) Councillor King:, in amendment, moved that the foregoing Clause be amended by amending Recommendation Nos. (7) and (8) embodied in the joint report (July 20, 1998) from the Commissioner of Corporate Services and the Executive Director of Human Resources, by adding thereto the following words 'and that the payments be made from the Councillors' office budget.'

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

Yeas: Councillors: Chong, Davis, Duguid, Faubert, Filion, Gardner, Jones, Prue, Saundercook, Tzekas - 10.

Nays: Councillors: Adams, Ashton, Balkissoon, Chow, Disero, Flint, Holyday, Johnston, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Ootes, Rae, Walker - 20.

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

(d) Councillor Johnston, in amendment, moved that the foregoing Clause be struck out and referred to the Personnel Sub-Committee of the Corporate Services Committee, together with the foregoing motions by Councillors Moscoe, Disero and King.

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

1523 At this point in the proceedings, Councillor Nunziata, with the permission of Council, moved that Council vary its proceedings to now resume consideration of the following Notice of Motion J(16): (See also Minutes Nos.1458 and 1501)

Moved by: Councillor Nunziata

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** the User Fee Committee, at its meeting held on July 28, 1998, received a presentation from the Parks and Recreation Division regarding the Parks and Recreation User Fees, Proposed Consultation Process; and

WHEREAS it is requested that Council consider that there be no User Fees for the fundamental services such as the following:

Volunteer Development/General Leadership Development;
Child Summer Outdoor Drop-in Playground Program;
Outdoor Public Swim;
Basic Wading Pools/Spray Pads;
Waterfront Beaches;
Outdoor Public Skate;
Neighbourhood Special Events; and

WHEREAS the City of Toronto would incur a potential revenue reduction of \$150,000.00 annually for no User Fees for this list of Fundamental Services at current service levels;

NOW THEREFORE BE IT RESOLVED THAT there be no User Fees for the above-noted Fundamental Services, which would include swimming, skating and other leisure time recreation activities that the former municipalities provided, and that staff be instructed to provide up to \$150,000.00 to implement this initiative immediately.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chow, Davis, Disero, Filion, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Walker - 25.

Nays: Councillors: Chong, Duguid, Faubert, Flint, Johnston, Kinahan, Saundercook, Shiner, Tzekas - 9.

Decided in the affirmative by a majority of 14.

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

- (a) Councillor Nunziata, in amendment, moved that the foregoing Motion be amended by deleting the Operative Paragraph and inserting in lieu thereof the following:

“NOW THEREFORE BE IT RESOLVED THAT user fees be waived for outdoor public swim, and basic wading pools/spray pads only; and that the Chief Financial Officer and Treasurer be instructed to provide up to \$54,000.00 to implement this initiative; and that the matter of the balance of the fundamental services outlined in the second recital be referred to the User Fee Committee for consideration.”

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

Yeas: Councillors: Adams, Balkissoon, Berardinetti, Cho, Chong, Disero, Faubert, Flint, Kelly, Rae, Tzekas - 11.

Nays: Councillors: Ashton, Augimeri, Bussin, Chow, Davis, Duguid, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Walker - 20.

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

- (b) Councillor Prue, in amendment, moved that the foregoing motion by Councillor Nunziata be amended to provide that funds to implement this initiative be drawn from the appropriate account, including, if possible, any monies that may have been made from the Toronto Street Festival.

- (c) Councillor Davis, in amendment, moved that:

- (1) the foregoing motion (a) by Councillor Nunziata be amended by adding thereto the following:

“AND BE IT FURTHER RESOLVED THAT there be no user fees for summer camps, martial arts classes, tennis lessons, golf lessons, riding lessons, pottery classes and any and all recreational services offered by other municipalities;”;
and

(2) should the foregoing Motion not carry, adding thereto the following:

“AND BE IT FURTHER RESOLVED THAT appropriate signage be installed at facilities in East York, Scarborough and York, directing residents to free facilities in Etobicoke, North York and Toronto.”

- (d) Councillor Moscoe, in amendment, moved that the foregoing motion (c) by Councillor Davis be referred to the User Fee Committee for consideration
- (e) Councillor Chow, in amendment, moved that the foregoing motion (a) by Councillor Nunziata be amended to provide that there also be no user fees for “Volunteer Development/General Leadership Development”, with funds in the amount of \$13,860.00 being provided to implement this initiative.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 28.

Nays: Councillors: Davis, Gardner, Kelly, Kinahan, Miller - 5.

Decided in the affirmative by a majority of 23.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Davis, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 29.

Nays: Councillors: Disero, Duguid, Faubert - 3.

Decided in the affirmative by a majority of 26.

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

Yeas: Councillors: Augimeri, Bussin, Chow, Disero, Johnston, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae, Walker - 15.

Nays: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Cho, Chong, Davis, Duguid, Faubert, Fillion, Flint, Gardner, Holyday, Jones, Kelly, Ootes, Tzekas - 18.

Decided in the negative by a majority of 3.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Fillion, Flint, Gardner, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 31.

Nay: Councillor: Faubert - 1.

Decided in the affirmative by a majority of 30.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Fillion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 31.

Nays: Councillors: Duguid, Faubert - 2.

Decided in the affirmative by a majority of 29.

1524 Councillor Faubert, seconded by Councillor Adams, moved that leave be granted to introduce

“Bill No. 609 To confirm the fifth portion of the proceedings of the Council at its meeting held on the 31st day of July, 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. 613-1998 To confirm the fifth portion of the proceedings of the Council at its meeting held on the 31st day of July, 1998.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 31.

Nays: Nil.

Decided in the affirmative, without dissent.

1525 At this point in the proceedings, Councillor Tzekas, with the permission of Council, moved that Council vary its proceedings to now resume consideration of the following Notice of Motion J(18) (See also Minutes Nos. 1417 and 1521):

Moved by: Councillor Berardinetti

Seconded by: Councillor Duguid

“**WHEREAS** City Council, at its meeting held on July 8, 9 and 10, 1998, issued confidential instructions to staff respecting Ontario Municipal Board Appeals by Ontario Hydro (Graywood Investments Limited and Norstar Investments) and directed that further reports be submitted to The Scarborough Community Council meeting to be held on July 22, 1998; and

WHEREAS, in accordance with these instructions, the City Solicitor submitted reports prepared by the Commissioner of Planning and Buildings, Scarborough, and the Director of Road and Traffic Services, Scarborough, attached to the Solicitor’s confidential report dated July 20, 1998, to the Scarborough Community Council meeting held on July 22, 1998; and

WHEREAS The Scarborough Community Council deferred consideration of the aforementioned reports to a Special Meeting of the Community Council on Tuesday, July 28, 1998, at which a quorum was not achieved;

NOW THEREFORE BE IT RESOLVED THAT City Council resolve in camera to give direction to the City Solicitor on this matter.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Balkissoon, Berardinetti, Chong, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 24.

Nays: Councillors: Augimeri, Bossons, Bussin, Cho, Chow, Jones, Layton, Miller - 8.

Decided in the affirmative by a majority of 12.

Having regard that Council in Committee of the Whole had met in camera earlier in the meeting:

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

“AND BE IT FURTHER RESOLVED THAT City Council further instruct staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act, as follows:

- (1) the City Solicitor, in consultation with appropriate staff, explore the appellants interest ‘without prejudice’ to resolve the outstanding appeals based on the following City objectives:
 - (a) comparable and compatible in-fill residential development, having regard to the unit types, lot dimensions and area, building setbacks, road widths and streetscapes of the abutting quality neighbourhoods;
 - (b) appropriate City parks, trails, bicycle pathways and other recreational amenities; and
 - (c) appropriate storm water quantity and quality facilities and other environmental enhancements as may be identified through the current study commissioned by the Commissioner of Works and Emergency Services;
 - (2) the results of the above negotiations and study, and the monies available for land acquisition requirements identified, be reported for consideration by the Scarborough Community Council at its meeting to be held on September 16, 1998; and
 - (3) the City Solicitor advise the Ontario Municipal Board of the foregoing directions at the next pre-hearing conference on September 8, 1998.”
- (b) Councillor Kelly, in amendment, moved that the foregoing motion (a) by Councillor Berardinetti be amended:
- (1) to provide that the provisions of this legislation be extended to the entire corridor; and
 - (2) by deleting the following words “such instructions to remain confidential in accordance with the provisions of the Municipal Act”.
- (c) Councillor Tzekas, in amendment, moved that the foregoing motion (a) by Councillor Berardinetti be amended:

- (1) to provide that Council preserve the goal of land acquisition as the first priority;
and
- (2) by deferring consideration of this matter until such time as the confidential study has been completed by the Commissioner of Works and Emergency Services.

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

Yeas: Councillors: Layton, Tzekas - 2.

Nays: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Mihevc, Moscoe, Nunziata, Ootes, Prue, Saundercook, Shiner, Walker - 27.

Decided in the negative by a majority of 25.

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

Yeas: Councillors: Berardinetti, Bossons, Duguid, Flint, Kelly, Layton, Tzekas, Walker - 8.

Nays: Councillors: Adams, Ashton, Balkissoon, Bussin, Cho, Chong, Chow, Disero, Faubert, Filion, Gardner, Holyday, Jones, Kinahan, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Saundercook, Shiner - 23.

Decided in the negative by majority of 15.

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Faubert, Gardner, Holyday, Johnston, Korwin-Kuczynski, Mihevc, Miller, Nunziata, Ootes, Saundercook, Shiner, Walker - 20.

Nays: Councillors: Augimeri, Bossons, Bussin, Duguid, Filion, Flint, Jones, Layton, Moscoe, Prue, Tzekas - 11.

Decided in the affirmative by a majority of 9.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Moscoe, Nunziata, Ootes, Prue, Saundercook, Shiner, Tzekas, Walker - 32.

Nays: Nil.

Decided in the affirmative, without dissent.

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

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Saundercook, Shiner, Walker - 29.

Nays: Councillors: Bossons, Bussin, Layton, Tzekas - 4.

Decided in the affirmative by a majority of 25.

1526 At this point in the proceedings, Councillor Kelly, with the permission of Council, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 5:00 p.m. recess, and that Council continue to meet to complete its consideration of the following Notice of Motion J(6) (See also Minute No. 1492):

Moved by: Councillor Balkissoon

Seconded by: Councillor Cho

“WHEREAS the application for a change to the Official Plan and Zoning By-laws of the land within the Morningside Heights Land Use Study Area has been appealed to the Ontario Municipal Board; and

WHEREAS the Commissioner of Urban Planning and Development’s recommendations to Council on July 8, 1998, were not adopted; and

WHEREAS Council approved Option No. 2 of the Land Use Study of these lands;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to appear before the Ontario Municipal Board in defence of the Council’s decision for this area;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to engage the necessary professional assistance to support the Council decision on this Land Use Study at the Ontario Municipal Board hearing scheduled in October, 1998, with funds to be made available from the Corporate Contingency Account as required.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Cho, Chong, Davis, Disero, Duguid, Faubert, Flint, Gardner, Holyday, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Nunziata, Ootes, Prue, Saundercook, Tzekas, Walker - 23.

Nays: Councillors: Augimeri, Bossons, Bussin, Filion, Jones, Layton, Miller, Rae - 8.

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

Upon the question of the adoption of the foregoing Motion by Councillor Balkissoon, seconded by Councillor Cho, without amendment, the vote was taken as follows:

Yeas: Councillors: Balkissoon, Bussin, Cho, Chong, Duguid, Faubert, Filion, Flint, Gardner, Jones, Kelly, Kinahan, Ootes, Saundercook, Shiner, Walker - 16.

Nays: Councillors: Adams, Ashton, Augimeri, Berardinetti, Bossons, Chow, Disero, Holyday, Johnston, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Prue, Tzekas - 17.

Decided in the negative by a majority of 1.

1527 At this point in the proceedings, Council deferred consideration of the following matters to its next regular meeting to be held on October 1, 1998:

- (i) Clause No. 45 of Report No. 11 of The Corporate Services Committee, headed “219 Dufferin Street, Sale of Surplus City-Owned Property - (Ward 20 - Trinity-Niagara)”;
- (ii) Clause No. 1 of Report No. 9 of The Urban Environment and Development Committee, headed “A Rapid Transit Connection Between Pearson International Airport and Union Station”;
- (iii) Clause No. 23 of Report No. 15 of The Strategic Policies and Priorities Committee, headed “Status of Special Committees and Task Forces”;
- (iv) Clause No. 1 of Report No. 9 of The Special Committee to Review the Final Report of The Toronto Transition Team, headed “The Roles and Responsibilities of Community Councils In the Context of the Council-Committee Structure”; and

-
- (v) (a) Enquiry dated June 29, 1998, from Councillor Walker regarding the Mayor's role in discussions with Maple Leaf Gardens concerning the City's interest in the Union Station Lands; and
 - (b) enquiry dated June 30, 1998, from Councillor Walker regarding the proposal for the development of a Maple Leaf Gardens Complex at Exhibition Place.
 - (vi) (a) Answer dated July 20, 1998, from Mayor Lastman to Councillor Walker; in response to his enquiry; and
 - (b) answer dated July 24, 1998, from the Chief Administrative Officer, addressed to City Council in response to Councillor Walker's enquiry.

1528 Councillor Flint, seconded by Councillor Gardner, moved that leave be granted to introduce "Bill No. 610 To confirm the last portion of the proceedings of the Council at its meeting held on the 31st day of July, 1998.",

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Tzekas, Walker - 31.

Nays: Nil.

Decided in the affirmative, without dissent.

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. 614-1998 To confirm the last portion of the proceedings of the Council at its meeting held on the 31st day of July, 1998.",

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Berardinetti, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Saundercook - 28.

Nays: Councillors: Tzekas, Walker - 2.

Decided in the affirmative by a majority of 26.

Council adjourned at 5:19 p.m.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

Attachment No. 1

(Joint report dated July 28, 1998, from the City Clerk and the Chief Financial Officer and Treasurer, entitled "Office Administration and Expenses of Members of Council Payment Protocol" - Minute No. 1486.)

Recommendation:

It is recommended that this report be considered with the Notice of Motion by Councillor Fotinos, seconded by Councillor Silva, with respect to the administration of Council Office Expenses.

Background:

Council at its last meeting had before it, a notice of motion moved by Councillor Fotinos and seconded by Councillor Silva to rescind the action taken by Council at its meeting on June 3, 4 and 5, 1998, and return the responsibility for the administration of Councillors' Office Budgets to the City Clerk.

Council deferred consideration of the foregoing motion to the next regular meeting of City Council to be held on July 29, 1998, and the City Clerk, the Chief Financial Officer and Treasurer and Councillor Minnan-Wong were requested to develop a protocol for the expeditious processing of invoices for Members of Council and report thereon to Council for such meeting.

Expense Protocol

As directed by Council, staff of City Clerk's and City Finance met with Councillor Minnan-Wong on July 21, 1998 to discuss the payment of office expenses for Members of Council. The following payment protocol is recommended by the City Clerk and the Chief Financial Officer and Treasurer.

Petty Cash:

Incidental expenses costing less than \$200.00 in any one instance may be reimbursed through petty cash.

All petty cash requests submitted to the Council Services Unit that are under \$200.00 will be reimbursed to the Councillor within 24 hours.

Cheque Reimbursements to Councillors:

Expenses costing over \$200.00 (eg. travel, business meeting expenses) in any one instance will be reimbursed by cheque.

These expenses will be reimbursed within five (5) business days of submission.

Payments to Suppliers:

In accordance with the payment practice for suppliers to the City of Toronto, cheques will be issued 30 days from the date of the invoice or upon the payment terms noted on the invoice. Invoices must be received by the Council Services Unit at least six (6) business days prior to the payment due date.

Information Required for Payment:

In order for the Council Services Unit to ensure that reimbursements/payments are made in accordance with the timelines noted above, all purchases and expenditures must be approved by the Member of Council or his/her designate and be supported by original receipts/invoices, which include a description of the goods purchased or the services rendered, the cost, applicable taxes and G.S.T. registration number. This is consistent with the Corporation's purchasing policy and procedures.

All expenses charged to Members' global budgets must comply with the policies contained in Clause No. 13 of Report No. 7 of the Corporate Services Committee entitled "Office Administration and Expenses of Members of Council", adopted as amended, by Council on June 3, 4 and 5, 1998.

Next Steps:

In order to ensure that the expenses protocol outlined herein is achieved and that Councillors receive the best possible administrative support services, Councillors will be provided with a single staff point of contact in the Council Services Unit to handle all their requirements, such as payments, reimbursements, purchasing, travel expenses, budget statements, budget forecasts, staffing etc.

Contact Names:

Jim Hart
Director, Council Services & Management Services
392-8676

Al Shultz
Director of Accounting Services
397-5240

Attachment No. 2

(Joint report dated July 21, 1998, from the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services, entitled "Contract T-58-98, Yonge Street Median Construction, North York Boulevard to Eglinton Avenue (North York Centre)" - Minute No. 1488.)

Purpose:

The purpose of this report is to advise the results of the tender issued for the Yonge Street Median Construction from North York Boulevard to Eglinton Avenue, in accordance with specifications as required by the Works and Emergency Services Department and to request the authority to issue a contract to the recommended bidder.

Funding Source:

Funds are available in the appropriate accounts for this project.

Recommendations:

It is recommended that:

- (1) Contract No. T-58-98, Tender No. 78-1998, for the Yonge Street Median Construction from North York Boulevard to Eglinton Avenue be awarded to Grascan Construction Ltd. and Torbridge Construction Ltd., in the total amount of \$1,318,240.00 including all taxes and charges being the lowest tender received for Parts 1 and 3;
- (2) \$83,240.00 be transferred from the Yonge Street Median Phase One account into the Phase Two account; and
- (3) the appropriate City of Toronto officials be directed to take necessary action to give effect thereto.

Council Reference/Background History:

The Bid Committee at its meeting on July 15, 1998, opened the following tenders for Contract No. T-58-98, for the Yonge Street Median Construction from North York Boulevard to Eglinton Avenue:

<u>Tenderer</u>	<u>Price Complete Including All Charges and Taxes</u>		
	Part 1	Part 2	Part 3
Grascan Construction Ltd. and Torbridge Construction Ltd.	1,246,550.00	114,658.59	71,690.00
Sentinel Paving and Construction Ltd.	1,294,757.78	175,260.65	93,511.58

Comments:

The first phase of the Yonge Street median was completed in 1992, under budget. \$194,630.00 is currently in the Yonge Street Median Phase One construction account 005 309 2002.

On September 17, 1997, North York Council approved \$1.4 million for the construction of the Yonge Street Median Phase Two. At that time Council requested that public art be included in this project without a corresponding increase in the budget. The approval was subsequently confirmed by City Council on February 4, 1998.

Tenderers were asked to submit bids for three parts. Part 1 is for the construction of two median segments from North York Boulevard to Parkview Avenue. Part 2 is for construction of one median segment from Parkview Avenue to Eglinton Avenue. Part 3 is for sculpture and other artwork to be included in the construction of Part 1. The contract was tendered in three parts due to the uncertainty of the contractor's bid price for this work.

Due to market conditions, the lowest tender price was approximately 20% higher than the estimated price. In addition to this price, the public art component requested by Council and the items not included in the tender such as consultant's fees, Metro Hall staff, Work Orders and Hydro connection, raised the total price to \$1,483,240.00. For price breakdown see Appendix.

The tender document submitted by the recommended bidder has been reviewed by the Commissioner of Works and Emergency Services, and was found to be in conformance with the tender requirements.

The Manager, Fair Wage and Labour Trades Office has reported favourably on the firm recommended.

Conclusion:

This report requests authority to issue a contract for the Yonge Street Median Construction from North York Boulevard to Eglinton Avenue in accordance with specifications to Grascan Construction Ltd. and Torbridge Construction Ltd., as the tender price quoted being the lowest tender received for Parts 1 and 3. In order to complete this project as per Council's recommendations, \$83,240.00 should be transferred into the Yonge Street Median Phase Two account from the Phase One account.

Contact Names and Telephone Numbers:

Lou Pagano,
Director, Purchasing and Materials Management
392-7312

R. Burlie
Manager of Resurfacing
Metro Hall Office
392-8322

APPENDIX

**YONGE STREET MEDIAN PHASE TWO CONSTRUCTION
REQUIRED ADDITIONAL FUNDS**

1. Approved Funds

\$1.4 million

2. Items not included in the tender

Consultant	\$80,000
Metro Hall Technical Services Staff for site administration	\$26,400
Work orders	\$28,100
(signs - \$9,000; pavement markings \$7,400; SCOOT loops/feeders \$11,700)	
Soil Test	\$ 5,500
Hydro Connection	\$10,000
Total	\$150,000
10% Design Contingencies	\$15,000
TOTAL	\$165,000

3. Tender Bids

a. Grascan	\$1,432,898.59
Excluding Median C/Part 2 (\$114,658.59)	\$1,318,240.00
b. Sentinel	\$1,563,530.01
Excluding Median C/Part 2 (\$175,260.65)	\$1,388,269.36

4. Additional Funds Required

\$83,240 is required in addition to the \$1.4 million approved by Council to build Median A and B and to incorporate the public art component.

Grascan bid (not including Median C/Part 2)	\$1,318,240
Items not included in the tender	\$165,000
Total	<u>\$1,483,240</u>

(Report dated July 27, 1998, from the Commissioner of Urban Planning and Development Services, titled "74-76 McCaul Street, Application No. 998059: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application

by Aboveground Art Supplies c/o Fred Gold, 74 McCaul Street, Toronto, Ontario, M5T 3K2, on behalf of Ontario College of Art, 100 McCaul Street, Toronto, Ontario, M5T 1W1 (Downtown)" - Minute No. 1493.)

Purpose:

To review and make recommendations respecting an application for variances to permit five non-illuminated awning signs and two non-illuminated projecting banner signs at 74-76 McCaul Street.

Financial Implications:

Not applicable.

Recommendations:

It is recommended that:

- (1) City Council approve Application No. 998059 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit five non-illuminated awning signs and two non-illuminated projecting banner signs; and
- (2) the applicant be advised, upon approval of Application No. 998059, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

Comments:

The property is located on the north-west corner of McCaul Street and Grange Road, in an institutional (Q) district. The property accommodates a three-storey commercial building. The property is listed under the City's Inventory of Heritage Properties. The applicant is requesting permission to install signage on the east elevation of the building for identification purposes (see Figures 2 and 3). One of the five proposed awning signs has a length of 4.0 metres and a height of 0.9 metres, with an area of 3.4 m², the remaining four awning signs each have a length of 0.8 metres and a height of 0.9 metres, with an area of 0.72 m² and the projecting banner signs each have a length of 0.6 metres and a height of 2.7 metres with an area of 1.6m².

The signs do not comply with Chapter 297 of the Municipal Code in the following ways:

1. the Municipal Code requires that awning signs are used in conjunction with a professional office use, an apartment building or an institutional use in a Q district. The proposed awning signs are not permitted as they will be used in conjunction with a retail store; and

2. projecting signs are not permitted in a Q district.

The variances relate to the signs not being permitted in an institutional district. Specifically, awning signs are only permitted in institutional districts in connection with professional office uses, even though other sign types are permitted in connection with commercial uses. In this instance, awning signs are proposed rather than fascia signs which are permitted under the Municipal Code because the applicant feels that awnings are more compatible with this historically listed building. I am in agreement with the applicant that the proposed awning signs are more desirable.

The applicant is proposing two projecting banner signs within the second storey level of the building to highlight the presence of the retail use to motorists and pedestrians travelling north and south along McCaul Street which I consider acceptable.

Heritage Toronto has advised that they have no objections to this application.

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.

Contact Name:

Lora Mazzocca
Telephone: (416) 392-0421
Fax: (416) 392-7536
E-Mail: lmazzocc@city.toronto.on.ca

(A copy of Figures 2 and 3, referred to in the foregoing report, is on file in the office of the City Clerk.)