

Appendix A

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

**WEDNESDAY, NOVEMBER 25, 1998**

City Council met at 9:32 a.m., in the Council Chamber, Metro Hall, Toronto.

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

The meeting opened with O Canada.

1833 Members present at the morning session of the first day of this meeting:

Mayor: Lastman.

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

1834 Councillor Saundercook, with the permission of Council, read the following Motion, moved by Councillor Brown, seconded by Councillor Sinclair:

**“WHEREAS** the Rexdale-Thistletown community was saddened to learn of the tragic death of Mr. Carlton Gonsalves, a 63-year-old senior citizen from Rexdale; and

**WHEREAS** on November 17, 1998, at 7:25 p.m., Carlton was hit by a car while crossing Albion Road, just west of Kipling Avenue, at the designated pedestrian cross-over; and

**WHEREAS** Carlton was rushed to Etobicoke General Hospital where he was later pronounced dead; and

**WHEREAS** no charges have been laid, however, the Toronto Police Traffic Services Unit is investigating; and

**WHEREAS** police are appealing to any witnesses to come forward with whatever information they have about the accident or the events leading up to the collision; and

**WHEREAS** Carlton will be especially missed by the 200+ children at Greenholme Junior School in Northern Etobicoke where he cooked and served breakfast as a volunteer of the Thistletown Community Breakfast Club, a program of Albion Neighbourhood Services, local United Way agency;

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

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

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

1835 Councillor Miller, seconded by Councillor Layton, moved that the Minutes of the regular Meetings of Council held on October 1 and 2, 1998, and October 28, 29 and 30, 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:

1836 Research Bulletin (undated) entitled “Toronto Small Business Views on Bank Mergers”, submitted by Councillor Chow.

The foregoing communication was considered with Clause No. 1 of Report No. 5 of The Economic Development Committee.

- 1837
- (i) From Mr. Alasdair Moore (November 17, 1998) requesting that Council reject the recommendations of the Emergency and Protective Services Committee with respect to the final report of the Task Force to Review the Taxi Industry;
  - (ii) from Mr. Michael deCatanzaro, Toronto (November 17, 1998) forwarding recommendations with respect to the final report of the Task Force to Review the Taxi Industry;

- (iii) petition submitted by Mr. Andrew Reti, Toronto Taxi Owners and Operators Association containing a total of 398 signatures of a combination of taxi cab owners, drivers and the public requesting that Council reject the recommendations of the Emergency and Protective Services with respect to the final report of the Task Force to Review the Taxi Industry;
- (iv) from Mr. Stan Steiner, Vice President, Toronto Taxicab Owners and Operators Association (November 23, 1998) forwarding a joint response dated November 22, 1998, from Lawrence Eisenberg, President, Toronto Taxicab Owners and Operators Association and Chairman Taxicab Advisory Committee, Stan Steiner, Vice President and Andy Reti, Executive Director, Toronto Taxicab Owners and Operators Association, to the Board of Trade's urgent call for action regarding the implementation of taxi reforms;
- (v) from Mr. Alasdair Moore, Toronto (November 23, 1998) submitting a revised communication with respect to the final report of the Task Force to Review the Taxi Industry; and
- (vi) from Mr. John Twena, Toronto (undated) requesting that Council reject the recommendations with respect to the final report of the Task Force to Review the Taxi Industry.

The foregoing communications and petition were considered with Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee.

- 1838 From the City Clerk (November 17, 1998) reporting, as requested by the Emergency and Protective Services Committee, with respect to any conflicts with the Municipal Freedom of Information and Protection of Privacy Act arising from the recommendations in a report dated October 7, 1998, from the Chairman, Toronto Police Services Board, on the impact of local telephone service de-regulation on the Toronto Police Service.

The foregoing report was considered with Clause No. 4 of Report No. 13 of The Emergency and Protective Services Committee.

- 1839 From the City Solicitor (November 18, 1998) reporting on a Court Application by COTAPSAI to quash the decision of Council respecting the agreement with COTAPSAI.

The foregoing report was considered with Clause No. 5(b) of Report No. 16 of The Corporate Services Committee.

- 1840 (i) From Mr. Wm. J. Dolan, President, Wm. J. Dolan Planning Consultants Ltd., (November 17, 1998) pertaining to a site specific zoning amendment for 19 Kenora Crescent; and

- (ii) from Mr. Beppi Crosariol, Kenora Residents for Law and Order (November 20, 1998) respecting the Zoning By-law amendment application for 19 Kenora Crescent.

The foregoing communications were considered with Clause No. 3 of Report No. 14 of The York Community Council.

- 1841 (i) From the City Clerk (November 18, 1998) forwarding a copy of Clause No. 20 of Report No. 5 of the Land Use Committee, headed "Interim Guidelines for Hayden Street (Corrected Version) (Ward 6)", which was adopted by the former City of Toronto Council at its meeting held on April 13 and 14, 1992, submitted by Mr. Robert Statton; and
- (ii) from Mr. Vernon Chapman (November 5, 1998) pertaining to a proposed Zoning By-law amendment for 85 Bloor Street East.

The foregoing communications were considered with Clause No. 1 of Report No. 14 of The Toronto Community Council.

- 1842 From the City Clerk (November 18, 1998) forwarding a submission dated November 11, 1998, from Mr. Mark Noskiewicz, Goodman, Phillips and Vineberg, pertaining to a proposed Sign By-law Amendment for 1 Dundas Street West et al (Toronto Eaton Centre) (Downtown).

The foregoing communication was considered with Clause No. 2 of Report No. 14 of The Toronto Community Council.

- 1843 (i) From the City Clerk (November 18, 1998) forwarding submissions from the following regarding a Draft Zoning By-law - 2078 and 2300 St. Clair Avenue West and 66 Synes Road (Davenport):
  - (a) (October 27, 1998) from Catherine A. Lyons, Goodman, Phillips and Vineberg; and
  - (b) (November 11, 1998) from Ian Wheal, Ontario Society for Industrial Archeology;
- (ii) from Ms. Diana Fancher, President, West Toronto Junction Historical Society (undated) requesting that Clause No. 3 of Report No. 14 of the Toronto Community Council be referred back to the Community Council in order to permit the West Toronto Junction Historical Society further input with respect to this matter; and
- (iii) from Ms. Sandra Chan, Engineering Services, Canadian National (November 9, 1998) forwarding comments with respect to the proposed

Zoning By-law Amendments and Plan Subdivision Application - 2078 and  
2300 St. Clair Avenue West and 66 Synes Road (Davenport).

The foregoing communications were considered with Clause No. 3 of Report No. 14 of The Toronto Community Council.

- 1844 From Ms. Elisa Amsterdam, President, Village Green Tenants Association (November 10, 1998) forwarding the Association's concerns with respect to the removal of trees at 40 Alexander Street (Downtown).

The foregoing communication was considered with Clause No. 13 of Report No. 14 of The Toronto Community Council.

- 1845 From the City Clerk (November 18, 1998) forwarding submissions from the following regarding Draft Official Plan and Zoning By-law Amendments - 123 Eglinton Avenue East and 108 Redpath Avenue (North Toronto):

- (i) (October 14, 1998) from Ms. Marion Joppe, Chair, Heritage Toronto;
- (ii) (October 26, 1998) from Mr. Michael McClelland;
- (iii) (October 13, 1998) from Mr. Michael Freel, Chairman, Building and Development Committee, South Eglinton Ratepayers and Residents Association;
- (iv) (October 8, 1998) from Ms. Shirley Morriss;
- (v) Landscape Concept Plan from Ms. Mary Bull, McCarthy Tétrault, on behalf of the Applicant;
- (vi) (October 26, 1998) from the City Clerk, Toronto Community Council, forwarding the Community Council's action of October 14, 1998; and
- (vii) (November 9, 1998) from Mr. William N. Greer, Advocacy Committee, Canadian Association of Professional Heritage Consultants.

The foregoing communications were considered with Clause No. 4 of Report No. 14 of The Toronto Community Council.

- 1846 From the Director of Community Planning, East District (November 17, 1998) reporting, as requested by the Scarborough Community Council, on the proposed Plan of Subdivision T-98006, 776669 Ontario Limited (Anson Investments) East of Brimley Road, North of St. Clair Avenue East, Cliffcrest Community and recommending that an additional condition of draft approval be added requiring the applicant to submit an undertaking to the satisfaction of the City Solicitor.

The foregoing report was considered with Clause No. 8 of Report No. 11 of The Scarborough Community Council.

- 1847
- (i) From the Commissioner of Works and Emergency Services (November 18, 1998) reporting, as requested, regarding the Sewer Connection Blockage/Tree Root Removal and Grants Policy; and
  - (ii) from the City Clerk (November 16, 1998) forwarding the recommendation of the Toronto Community Council that the Sewer Connection Blockage Inspection and Report Program, and Tree Root Removal and Grant Policy be referred back to the Works and Utilities Committee to permit the Toronto Community Council to forward its recommendations on this matter.

The foregoing report and communication were considered with Clause No. 2 of Report No. 10 of The Works and Utilities Committee.

- 1848
- From the Commissioner of Works and Emergency Services (November 18, 1998) reporting, as requested, on the Water Efficiency Program - Water Efficiency Kits.

The foregoing report was considered with Clause No. 3 of Report No. 10 of The Works and Utilities Committee.

- 1849
- From Mr. Christopher J. Williams, Aird and Berlis, Barristers and Solicitors (November 12, 1998), on behalf of Toronto Airport Christian Fellowship, respecting places of worship in industrial zones in the Etobicoke Zoning Code.

The foregoing communication was considered with Clause No. 11 of Report No. 12 of The Etobicoke Community Council.

- 1850
- (i) From Mr. Gene MacDonald, Publisher, Cab Connection (November 16, 1998) requesting an opportunity to address Council with respect to the publication of cab inspection schedules by Toronto Licensing; and
  - (ii) from Mr. Gene MacDonald, Publisher, Cab Connection (November 20, 1998) respecting the publication of cab inspection schedules by Toronto Licensing.

The foregoing communications were considered with Clause No. 5(a) of Report No. 13 of The Emergency and Protective Services Committee.

- 1851
- From the Committee Administrator, Committee on the Status of Women (November 18, 1998) advising that the Committee received for information the communication dated October 13, 1998, from the Honourable David M. Collette regarding pay equity in the federal public service, and requesting that such communication be forwarded to City Council.

The foregoing communication was considered with Clause No. 4 of Report No. 16 of The Corporate Services Committee.

- 1852
- (i) From the City Clerk (November 12, 1998) forwarding for consideration a copy of Schedule "A", entitled "Revisions to the Downsview Area Transportation Master Plan"; and
  - (ii) from the General Secretary, Toronto Transit Commission (November 20, 1998) forwarding recommendations from the Commission with respect to the Downsview Area Secondary Plan.

The foregoing communications were considered with Clause No. 16 of Report No. 13 of The North York Community Council.

- 1853
- From Mr. Tony DiGiovanni, Executive Director, Landscape Ontario Horticultural Trades Association (November 19, 1998) requesting that Council defer consideration of the phasing out of pesticide use in the City of Toronto.

The foregoing communication was considered with Clause No. 1 of Report No. 13 of The Board of Health.

- 1854
- (i) From the City Clerk (November 24, 1998) forwarding the comments of the Children and Youth Action Committee with respect to the squeegee diversion strategy for street-involved homeless youth, and urging Council to support the immediate implementation of the support strategy; and
  - (ii) from the City Clerk (November 24, 1998) forwarding the recommendations from the Task Force on Community Safety with respect to the squeegee diversion strategy for street-involved homeless youth, and urging Council to support the immediate implementation of the support strategy.

The foregoing communications were considered with Clause No. 1 of Joint Report No. 1 of The Community and Neighbourhood Services Committee and The Emergency and Protective Services Committee.

- 1855
- From the City Clerk (November 23, 1998) forwarding the recommendations from the Assessment and Tax Policy Task Force with respect to the tenant tax notification process.

The foregoing communication was considered with Clause No. 9 of Report No. 24 of The Strategic Policies and Priorities Committee.

- 1856
- From the City Clerk (November 23, 1998) forwarding the recommendations from the Assessment and Tax Policy Task Force with respect to the property tax bill designs.

The foregoing communication was considered with Clause No. 5 of Report No. 17 of The Corporate Services Committee.

- 1857 From the City Clerk (November 24, 1998) forwarding a copy of the report (November 5, 1998) from the Commissioner of Economic Development, Culture and Tourism, addressed to the Toronto Community Council, entitled "Cumulative Impact of Big Box Retailing".

The foregoing communication was considered with Clause No. 7 of Report No. 14 of The Toronto Community Council.

- 1858 From the Commissioner of Economic Development, Culture and Tourism (November 23, 1998) forwarding a supplementary report and recommendations with respect to the parkland renaming policy.

The foregoing report was considered with Clause No. 3 of Report No. 6 of The Economic Development Committee.

- 1859 From the Commissioner of Works and Emergency Services (November 24, 1998) with respect to a request to install traffic control signals or a pedestrian crossover on Fleet Street, between Bathurst Street and Lake Shore Boulevard West.

The foregoing report was considered with Clause No. 10 of Report No. 13 of The Urban Environment and Development Committee.

- 1860 From the Executive Director of Human Resources (November 24, 1998) reporting, as requested, and advising that additional time is required to collect historical data from the former City of Toronto and Metropolitan Toronto respecting employment equity for new hires and layoffs.

The foregoing report was considered with Clause No. 22 of Report No. 17 of The Corporate Services Committee.

- 1861 Council had before it the following enquiry dated September 30, 1998, from Councillor Howard Moscoe, addressed to the City Solicitor:

"In a memorandum of March 7, 1998, which was before Council, you commented on a matter related to a possible conflict of interest involving the Mayor and a specific matter.

In his memorandum of July 20, 1998, Mayor Lastman, in responding to an enquiry from Councillor Walker, suggests 'If you have further concerns regarding this matter, I would suggest you deal directly with the City Solicitor.'



I have always been given to understand that the City's Legal Department had no authority to give advice with regard to conflict of interest and individual members of Council. Indeed, I know several occasions when such advice was refused and Council members have had to spend considerable personal funds to obtain the advice you are now providing to one member of Council.

Would you please help me understand the access all members of Council might expect to receive from the Legal Department on matters related to conflict of interest.

I have tabled this as an enquiry so that you can provide the same understanding to all members of Council at the same time."

Council also had before it the following Answer dated November 20, 1998, from the City Solicitor, in response to the foregoing enquiry:

"This memorandum responds to the enquiry of Councillor Moscoe dated September 30, 1998, which was before City Council at its meeting held on October 28, 1998, pursuant to Section 55 of the Council Procedural By-law, seeking clarification as to the role of the City Solicitor in providing advice to members of Council on matters related to conflict of interest.

It has always been my position and that of my predecessors that the Solicitor provides advice to Council and not to its individual members. As a result, the Solicitor cannot provide advice to an individual member as to whether he or she should participate in a vote on any particular issue since Council may later seek advice on this very issue. This would place the Solicitor in an untenable position.

In the memo dated March 17, 1998, to which you refer, I responded to a direct enquiry made of me by Councillor Walker not Mayor Lastman, which I took to be in the nature of a review of Mayor Lastman's decision for the consideration of Council. As you will note, the issue of a possible interest on the part of the Mayor was only one of a number of questions raised by Councillor Walker to which I responded with regard to the Union Station matter at that time. I have been working with Commissioner West on the Union Station file and questions of a legal nature are routinely referred to my attention. The Mayor's suggestion in his July 20th memo that Councillor Walker contact me directly with 'further concerns' was not acted upon and so I cannot speculate as to whether those concerns would have been appropriate for my response or not.

I trust this clarifies my position."

At this point in the proceedings, Councillor Moscoe requested that consideration of the foregoing Enquiry and Answer be deferred until later in the meeting.

Council concurred in the foregoing request. (See Minute No. 1989.)

1862 At this point in the proceedings, Mayor Lastman, with the permission of Council, invited Mr. Peter J. Evans, Chairman of the Zoological Society, Mr. David LaFayette, former Chairman of the Zoological Society, Councillor Raymond Cho, Chair, Board of Management of the Toronto Zoo, Mr. Calvin White, General Manager, Toronto Zoo, and Mr. Robin Hale, Executive Director, Toronto Zoo, to the podium; advised the Council that the Zoological Society had raised \$4.0 million for the African Savannah Exhibit at the Toronto Zoo; and extended, on behalf of Council, the appreciation of Council to the Zoological Society for its diligent efforts in this regard.

1863 Councillor Mahood presented the following Reports for consideration by Council:

Report No. 16 of The Corporate Services Committee,  
Report No. 5 of The Economic Development Committee,  
Report No. 12 of The Emergency and Protective Services Committee,  
Report No. 23 of The Strategic Policies and Priorities Committee,  
Report No. 16 of The East York Community Council,  
Report No. 11 of The Etobicoke Community Council,  
Report No. 12 of The North York Community Council,  
Report No. 13 of The Toronto Community Council,  
Report No. 11 of The Community and Neighbourhood Services Committee,  
Report No. 17 of The Corporate Services Committee,  
Report No. 6 of The Economic Development Committee,  
Report No. 13 of The Emergency and Protective Services Committee,  
Report No. 13 of The Urban Environment and Development Committee,  
Report No. 10 of The Works and Utilities Committee,  
Report No. 24 of The Strategic Policies and Priorities Committee,  
Report No. 17 of The East York Community Council,  
Report No. 18 of The East York Community Council,  
Report No. 12 of The Etobicoke Community Council,  
Report No. 13 of The North York Community Council,  
Report No. 14 of The North York Community Council,  
Report No. 11 of The Scarborough Community Council,  
Report No. 14 of The Toronto Community Council,  
Report No. 13 of The York Community Council,  
Report No. 14 of The York Community Council,  
Report No. 1 of The Audit Committee,  
Report No. 13 of The Board of Health,  
Report No. 8 of The Striking Committee, and  
Joint Report No. 1 of The Community and Neighbourhood Services Committee and  
The Emergency and Protective Services Committee,

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

- 1864 Mayor Lastman requested Members of Council to indicate the Report and Clause Number wherein they have an interest, together with the nature of the interest.

Councillor Altobello declared his interest in Clause No. 7 of Report No. 11 of The Scarborough Community Council, headed “New Opportunities in Knob Hill and Cliffcrest City-Initiated Official Plan Amendment and Zoning By-Law Amendment, Former Scarborough Transportation Corridor Lands Study, Phase 3 - St. Clair Avenue to Eglinton Avenue (W96052) Wards 13 and 15 Scarborough Bluffs and Scarborough City Centre”, in that he owns property on Adanac Drive which is located in the area of the Study.

Councillor Ashton declared his interest in Clause No. 23 of Report No. 17 of The Corporate Services Committee, headed “Actuarial Valuation Results - Toronto Civic Employees Pension and Benefit Fund (The Civic Fund) and the Toronto Fire Department Superannuation and Benefit Fund (The Fire Fund)”, in that his father-in-law is a member of the Toronto Civic Employees Benefit Fund.

Councillor Balkissoon declared his interest in Item (d), entitled “Court Ordered Recount in Scarborough Malvern - Ward 18”, embodied in Clause No. 10 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “Other Items Considered by the Committee”, in that he is a City Councillor for Ward 18.

Councillor Cho declared his interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed “Conditions of Employment - Council Staff Members”, in that his wife is employed by the City of Toronto in his constituency office.

Councillor Feldman declared his interest in Clause No. 1 of Report No. 13 of The North York Community Council, headed “Yonge Street, Known as ‘The Jolly Miller’ - Report on RFP Responses - North York Centre South”, in that he resides in the immediate vicinity of the Jolly Miller.

Councillor Fotinos declared his interest in Clause No. 2 of Report No. 14 of The Toronto Community Council, headed “Proposed Sign By-law Amendment - 1 Dundas Street West et al (Toronto Eaton Centre) (Downtown)”, in that his wife is an employee of the Cadillac Fairview Corporation Limited.

Councillor Gardner declared his interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed “Conditions of Employment - Council Staff Members”, in that a member of his family is employed by the City of Toronto in his constituency office.

Councillor Jones declared her interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that her son is employed on a part-time basis by the City of Toronto in her office.

Councillor Kelly declared his interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that his wife is employed by the City of Toronto in his office.

Councillor Korwin-Kuczynski declared his interest in Item (c), entitled "OMB Decision - Park Lawn Cemetery, 2801 Bloor Street West", embodied in Clause No. 15 of Report No. 12 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council", in that he owns a plot in the cemetery.

Mayor Lastman declared his interest in Clause No. 1 of Report No. 16 of The Corporate Services Committee, headed "John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)"; and in Clauses Nos. 2 and 3 of Report No. 14 of The Toronto Community Council, headed "Proposed Sign By-law Amendment - 1 Dundas Street West et al (Toronto Eaton Centre) (Downtown)" and "Draft Zoning By-law and Plan of Subdivision - 2078 and 2300 St. Clair Avenue West and 66 Symes Road (Davenport)", respectively, in that the applicant's solicitor is a partner at the same law firm as his older son, who is not a real estate lawyer and does not personally act on these files.

Councillor Li Preti declared his interest in Clause No. 23 of Report No. 13 of The North York Community Council, headed "Official Plan and Zoning Amendment Application UDOZ-97-28 - Destination: Technodome - Heathmount A.E. Corp. - West of W.R. Allen Road, South of Sheppard Avenue West - North York Spadina", in that his principal residence is located within 600 metres of the subject site.

Councillor Mahood declared his interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that his daughter is employed by the City of Toronto in his office.

Councillor Miller declared his interest in Clause No. 2 of Report No. 13 of The Board of Health, headed "Interim Arrangements for the Provisions of Animal Sheltering and Related Services for Wards 19 to 26", in that he has a financial interest in a company that does business with the Toronto Humane Society.

Councillor Pantalone declared his interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that his spouse is temporarily employed by the City of Toronto in his office.

Councillor Pitfield declared her interest in Clause No. 1 of Report No. 5 of The Economic Development Committee, headed "Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions", in that her husband is employed by a major bank.

Councillor Rae declared his interest in Clause No. 13 of Report No. 14 of The Toronto Community Council, headed "Tree Removal - 40 Alexander Street (Downtown)", in that he owns property adjacent to 40 Alexander Street.

Councillor Shiner declared his interest in Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members", in that a member of his family is employed by the City of Toronto in his office; and in Item (e), entitled "Urban Design Guidelines for Parking Facilities in the Kings, Downtown", embodied in Clause No. 17 of Report No. 13 of The Urban Environment and Development Committee, headed "Other Items Considered by the Committee", in that his family has an interest in property in the area.

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

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 16 of The Corporate Services Committee, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 5 of The Economic Development Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 12 of The Emergency and Protective Services Committee, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 23 of The Strategic Policies and Priorities Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the receipt for information of Report No. 16 of The East York Community Council, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 11 of The Etobicoke Community Council, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 12 of The North York Community Council, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 13 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. 11 of The Community and Neighbourhood Services Committee (with the exception of Clauses Nos. 1, 2, 5 and 6), without amendment, it was carried.

Upon the question of the adoption of Report No. 17 of The Corporate Services Committee (with the exception of Clauses Nos. 1, 2, 3, 5, 6, 14, 17, 20, 22, 26, 27 and 28), without amendment, it was carried. (See also Minutes Nos. 1876 and 1890.)

Upon the question of the adoption of Report No. 6 of The Economic Development Committee (with the exception of Clauses Nos. 3, 4, 7 and 9), without amendment, it was carried.

Upon the question of the adoption of Report No. 13 of The Emergency and Protective Services Committee (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 13 of The Urban Environment and Development Committee (with the exception of Clauses Nos. 1, 3, 6, 10, 11, 12 and 17), without amendment, it was carried.

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

Upon the question of the adoption of Report No. 24 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 1, 2, 5, 8, 9 and 10), without amendment, it was carried. (See Minute No. 2010.)

Upon the question of the receipt for information of Report No. 17 of The East York Community Council, consisting of one Clause only, without amendment, it was carried.

Upon the question of the adoption of Report No. 18 of The East York Community Council (with the exception of Clause No. 11), without amendment, it was carried.

Upon the question of the adoption of Report No. 12 of The Etobicoke Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 13 of The North York Community Council (with the exception of Clauses Nos. 15, 16 and 22), without amendment, it was carried.

Upon the question of the receipt for information of Report No. 14 of The North York Community Council, consisting of one Clause only, without amendment, it was carried.

Upon the question of the adoption of Report No. 11 of The Scarborough Community Council (with the exception of Clauses Nos. 8 and 13), without amendment, it was carried. (See Minute No. 1883.)

Upon the question of the adoption of Report No. 14 of The Toronto Community Council (with the exception of Clauses Nos. 6, 17, 23, 41, 51, 55, 58 and 60), without amendment, it was carried. (See Minute No. 2010.)

Upon the question of the receipt for information of Report No. 13 of The York Community Council, 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 York Community Council (with the exception of Clauses Nos. 3 and 6), without amendment, it was carried. (See Minutes Nos. 1881 and 1992.)

Upon the question of the adoption of Report No. 1 of The Audit Committee, without amendment, it was carried.

Upon the question of the adoption of Report No. 13 of The Board of Health (with the exception of Clause No. 1), without amendment, it was carried.

Upon the question of the adoption of Report No. 8 of The Striking Committee (with the exception of Clause No. 3), without amendment, it was carried.

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

- 1865 **Clause No. 3 of Report No. 16 of The Corporate Services Committee, headed “Financial Incentive for Tenants to Vacate Surplus Houses in the Scarborough Transportation Corridor (Ward 13 - Scarborough Bluffs, Ward 14 - Scarborough Highland Creek and Ward 26 - East Toronto)”.**

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

- 1866 **Clause No. 1 of Report No. 11 of The Etobicoke Community Council, headed “Amendment to the Etobicoke Official Plan and Zoning Code, Fieldgate Apartments, 2 Triburnham Place - File No. Z-2255”.**

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

At this point in the proceedings, Mayor Lastman proposed that Council vary the order of its proceedings as follows:

- (1) Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed “Final Report of the Task Force to Review the Taxi Industry”, be considered at 9:30 a.m. on Thursday, November 26, 1998;

- (2) Clause No. 1 of Joint Report No. 1 of The Community and Neighbourhood Services Committee and The Emergency and Protective Services Committee, headed "Squeegee Diversion Strategy for Street-Involved Homeless Youth", be considered immediately thereafter;
- (3) the in-camera portion of this meeting be held, if necessary, in the Council Chamber, immediately following the introduction of the members of the Youth Cabinet at 8:00 p.m. today; and
- (4) Notices of Motion be considered at 2:00 p.m., on Thursday, November 26, 1998.

Council concurred in the foregoing proposal.

Councillor Walker moved that Council vary the order of its proceedings to consider Clause No. 5 of Report No. 16 of The Corporate Services Committee, headed "Other Items Considered by the Committee", at 2:00 p.m. today, which was carried.

Councillor Silva moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 5 of The Economic Development Committee, headed "Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions", immediately following the in-camera portion of the Council meeting, which was carried.

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

1867 **Clause No. 1 of Report No. 16 of The Corporate Services Committee, headed "John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)".**

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

"It is further recommended that the Chair of Heritage Toronto be requested to submit a report to the Corporate Services Committee, prior to the Spring of 1999, on any provisions necessary in the negotiation process with TrizecHahn in order to ensure the protection of heritage features and other structural elements of the John Street Roundhouse."

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.

1868 **Clause No. 2 of Report No. 16 of The Corporate Services Committee, headed "Toronto City Hall - Accommodation of Press Gallery (Ward 24 - Downtown)".**



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

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

“It is further recommended that:

- (1) the following recommendation of the Strategic Policies and Priorities Committee embodied in the communication dated October 21, 1998, from the City Clerk, be adopted:

‘The Strategic Policies and Priorities Committee recommends that Council approve the construction of the Press Gallery with funding to be taken from the Transition Reserve Fund.’; and

- (2) usage of the Press Gallery be provided free of charge to members of the press and media for a standard amount of space, and beyond the standard amount of space, fees be charged at the rate recommended in Recommendation No. (1) of the Corporate Services Committee, viz:

‘Year One: \$10.00 per square foot;  
Year Two: \$15.00 per square foot; and  
thereafter, 50 percent of the then current market value.’ ”

- (b) Councillor Giansante, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Corporate Services Committee and inserting in lieu thereof the following:

“It is recommended that the recommendation embodied in the report dated September 8, 1998, from the Commissioner of Corporate Services, be adopted, viz:

‘It is recommended that:

- (1) City Council adopt Option 3 set out in this report; and
- (2) the Commissioner of Corporate Services be directed, in consultation with the City Solicitor, to enter into an occupancy agreement with the Toronto Municipal Press Gallery and with the Globe and Mail on the basis of Option 3.’ ”

- (c) Councillor Shiner, in amendment, moved that the foregoing Clause be amended to provide that the Toronto Municipal Press Gallery Occupancy Agreement assure that accommodation is provided for smaller newspapers and other news organizations that wish to be accommodated within the space provided for the Press Gallery, at no cost.

- (d) Councillor Augimeri, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Corporate Services Committee and inserting in lieu thereof the following:

“It is recommended that Option 2 embodied in the report dated September 9, 1998, from the Commissioner of Corporate Services, be adopted, viz:

‘Option 2 - Provide the space to the press gallery free of all charges.

This option would result in the City being out of pocket approximately \$285,000.00 for the renovation cost, the yearly ongoing operating costs and realty taxes (if applicable).’ ”

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

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Berger, Cho, Chong, Faubert, Gardner, Giansante, Jones, King, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, O’Brien, Pitfield, Prue, Walker - 20.

Nays: Councillors: Ashton, Augimeri, Balkissoon, Bossons, Brown, Chow, Davis, Disero, Duguid, Fotinos, Holyday, Jakobek, Kelly, Kinahan, Layton, Miller, Nunziata, Ootes, Pantalone, Rae, Sgro, Shiner, Silva, Sinclair - 24.

Decided in the negative by a majority of 4.

Upon the question of the adoption of the recommendations of the Corporate Services Committee embodied in the foregoing Clause, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Faubert, Gardner, Giansante, Jones, King, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, O’Brien, Pantalone, Prue, Rae, Sgro, Sinclair - 26.

Nays: Councillors: Ashton, Augimeri, Balkissoon, Chow, Disero, Duguid, Fotinos, Holyday, Jakobek, Kelly, Kinahan, Layton, Miller, Nunziata, Ootes, Shiner, Silva, Walker - 18.

Decided in the affirmative by a majority of 8.

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

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared the foregoing motion (d) by Councillor Augimeri and Part (2) of the foregoing motion (a) by Councillor Kinahan, redundant.

At this point in the proceedings, Councillor Pantalone requested Deputy Mayor Ootes to rule on whether the foregoing motion (c) by Councillor Shiner, was in order.

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

Councillor Pantalone challenged the ruling of the Deputy Mayor.

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

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Disero, Duguid, Holyday, Jakobek, Jones, Kelly, Kinahan, Li Preti, Mammoliti, Miller, Nunziata, Ootes, Pitfield, Saundercook, Sgro, Shiner - 24.

Nays: Councillors: Augimeri, Bossons, Bussin, Chong, Chow, Davis, Faubert, Gardner, Giansante, King, Layton, McConnell, Mihevc, Moeser, O'Brien, Pantalone, Prue, Rae, Silva, Walker - 20.

Decided in the affirmative by a majority of 4.

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

Yeas: Councillors: Altobello, Berger, Bussin, Cho, Chow, Disero, Jakobek, Jones, Kinahan, Layton, Li Preti, Mammoliti, Miller, Nunziata, Ootes, Pitfield, Shiner, Silva - 18.

Nays: Mayor: Lastman.  
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bossons, Chong, Davis, Duguid, Faubert, Gardner, Giansante, Holyday, Kelly, King, McConnell, Mihevc, Moeser, O'Brien, Pantalone, Prue, Rae, Saundercook, Walker - 24.

Decided in the negative by a majority of 6.

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

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

'It is further recommended that the following recommendation of the Strategic Policies and Priorities Committee embodied in the communication dated October 21, 1998, from the City Clerk, be adopted:

“The Strategic Policies and Priorities Committee recommends that Council approve the construction of the Press Gallery with funding to be taken from the Transition Reserve Fund.” ’ ’ ’

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Duguid, Faubert, Gardner, Giansante, Jones, Kinahan, King, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Sinclair - 29.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Disero, Holyday, Jakobek, Kelly, Layton, Miller, Nunziata, Ootes, Shiner, Silva, Walker - 17.

Decided in the affirmative by a majority of 12.

1869 **Clause No. 4 of Report No. 16 of The Corporate Services Committee, headed “Pay Equity for Women in the Federal Public Service”.**

Council also had before it, during consideration of the foregoing Clause, a communication (November 18, 1998) from the Committee Administrator, Committee on the Status of Women advising that the Committee received for information the communication dated October 13, 1998, from the Honourable David M. Collenette regarding pay equity in the federal public service, and requesting that such communication be forwarded to City Council.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Duguid, in amendment, moved that the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration; and the City Solicitor and the Executive Director, Human Resources be requested to submit a joint report to the Committee, for consideration therewith, outlining the conflicting expert views on the methodology which was used by the Canadian Human Rights Tribunal, as well as on any impact the decision of the Tribunal may have on the City of Toronto.

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

Yeas: Councillors: Chong, Duguid, Faubert, Flint, Holyday, Kelly, King, Mahood, O'Brien, Saundercook, Sinclair - 11.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Davis, Disero, Jones, McConnell, Minnan-Wong, Nunziata, Ootes, Prue, Rae, Shaw, Walker - 20.

Decided in the negative by a majority of 9.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Faubert, Flint, Giansante, Holyday, Jones, King, Mahood, McConnell, Nunziata, O'Brien, Pitfield, Prue, Rae, Saundercook, Shaw, Sinclair, Walker - 29.

Nays: Councillors: Chong, Duguid, Ootes - 3.

Decided in the affirmative by a majority of 26.

1870 **Clause No. 1 of Report No. 12 of The Emergency and Protective Services Committee, headed "Other Item Considered by the Committee".**

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

1871 **Clause No. 1 of Report No. 16 of The East York Community Council, headed "Other Item Considered by the Community Council".**

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

At this point in the proceedings, Councillor Walker, with the permission of Council, withdrew his foregoing motion.

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

1872 At this point in the proceedings, Councillor Chow moved that Council vary the order of its proceedings to consider Clause No. 3 of Report No. 17 of The Corporate Services

Committee, headed "Legal Counsel - Coroner's Inquest Into the Death of Edmond Yu", as the last item of business, which was carried. (See Minute No. 1997.)

1873 **Clause No. 2 of Report No. 12 of The North York Community Council, headed "Sign By-law Variance Request - First Floor Wall Signage and Roof Level Signage - Trimark Trust and Steel Art Signs - 5140 Yonge Street - North York Centre".**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Filion, in amendment, moved that the foregoing Clause be amended by striking out and referring back to the North York Community Council, that portion of the Clause pertaining to the sign on the south side of 5140 Yonge Street which faces onto Mel Lastman Square.

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

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

1874 **Clause No. 2 of Report No. 11 of The Community and Neighbourhood Services Committee, headed "Provincial Homelessness Initiatives Fund".**

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

"It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on the potential for utilizing funds from the Provincial Homelessness Initiatives Fund to assist those persons who are being housed in motels in the Kingston Road Corridor."

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

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

1875 **Clause No. 5 of Report No. 11 of The Community and Neighbourhood Services Committee, headed "Increasing Demand on the City of Toronto's Homemakers and Nurses Services Program".**

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

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

“It is further recommended that the Premier of Ontario be requested to intervene to ensure equitable funding is available for services for the elderly in the City of Toronto.”

- (b) Councillor Jones, in amendment, moved that the foregoing Clause be amended by adding to the end of Recommendation No. (2) embodied in the report dated September 24, 1998, from the General Manager, Homes for the Aged, the words “and further, that the CCACs and the provincial government be requested to continue funding for those seniors and disabled persons who still require services but do not meet the present eligibility criteria for the CCACs”, so that such recommendation shall now read as follows:

“(2) the Ministry of Health and Ministry of Long Term Care be requested to convene a meeting between the Executive Directors of the six Community Care Access Centres (CCACs) within the City of Toronto to develop a plan to address the variances in service access, scope, and level being felt by Toronto citizens; and that this plan include the development of a communication network amongst the six CCACs, and further, that the CCACs and the provincial government be requested to continue funding for those seniors and disabled persons who still require services but do not meet the present eligibility criteria of the CCACs;”.

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

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

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

- 1876 At this point in the proceedings, Councillor O'Brien, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 11 of Report No. 17 of The Corporate Services Committee, headed “Sale of Surplus Spadina Project Property at 48 Heathdale Road - (Ward 28 - York Eglinton)”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

**Clause No. 11 of Report No. 17 of The Corporate Services Committee, headed “Sale of Surplus Spadina Project Property at 48 Heathdale Road - (Ward 28 - York Eglinton)”.**

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

“It is further recommended that the name ‘Josephine M. Fenn’ be added as a Purchaser of 48 Heathdale Road.”

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

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

1877 **Clause No. 6 of Report No. 11 of The Community and Neighbourhood Services Committee, headed “Expenditure from the Residents’ Interest Reserve Fund - Purchase of Bus for Seven Oaks Home for the Aged”.**

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 50 percent of the cost of the purchase of the bus be provided from the City Vehicle Reserve Fund.

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

Yeas: Councillors: Adams, Chow, Davis, Disero, Faubert, Filion, Flint, Fotinos, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Li Preti, Moeser, Nunziata, Shaw - 16.

Nays: Councillors: Altobello, Berardinetti, Bossons, Bussin, Chong, Feldman, Giansante, Kinahan, King, Mahood, McConnell, Mihevc, Miller, O’Brien, Ootes, Pitfield, Prue, Rae, Sgro, Shiner, Walker - 21.

Decided in the negative by a majority of 5.

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

1878 **Clause No. 1 of Report No. 11 of The Community and Neighbourhood Services Committee, headed “Report of the Provincial Task Force on Homelessness”.**

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

1879 **Clause No. 5 of Report No. 17 of The Corporate Services Committee, headed “Property Tax Bill Designs”.**

Council also had before it, during consideration of the foregoing Clause, a communication (November 23, 1998) from the City Clerk forwarding the recommendations from the Assessment and Tax Policy Task Force with respect to the property tax bill designs.



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

- (a) Councillor Adams, in amendment, moved that the foregoing Clause be amended to provide that the Ward numbers and names be deleted from the Interim and Supplementary tax bills.
- (b) Councillor Davis, in amendment, moved that the foregoing Clause be amended by striking out that portion of the Clause pertaining to the design of the Final Tax Bill, and referring it back to the Assessment and Tax Policy Task Force for further consideration.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minutes Nos. 1889 and 1990.)

At this point in the proceedings, Councillor Davis, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of the foregoing Clause, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Berger, Chow, Davis, Faubert, Feldman, Flint, Giansante, Holyday, Jakobek, Kinahan, King, Nunziata, Pitfield, Rae, Saundercook, Walker - 17.

Nays: Councillors: Altobello, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Kelly, Korwin-Kuczynski, Mahood, Mammoliti, Mihevc, Miller, Moeser, O'Brien, Ootes, Prue, Shiner - 18.

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

Council recessed at 12:30 p.m.

**2:13 P.M.**

Council reconvened.

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

1880 Members present at the afternoon session of the first day of this meeting:

Mayor: Lastman.

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

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

1881 At this point in the proceedings, Councillor Mihevc, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 4 of Report No. 14 of The York Community Council, headed "Appeal of Committee of Adjustment Decision Shell Station, 1586 Bathurst Street - New Gas Bar and Sales Kiosk - Ward 28, York Eglinton", be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

**Clause No. 4 of Report No. 14 of The York Community Council, headed "Appeal of Committee of Adjustment Decision, Shell Station, 1586 Bathurst Street - New Gas Bar and Sales Kiosk - Ward 28, York Eglinton".**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Chief Financial Officer and Treasurer identifying a funding source for the retention of an outside planning consultant with respect to the Ontario Municipal Board appeal on 1586 Bathurst Street.

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

"It is further recommended that the report dated November 24, 1998, from the Chief Financial Officer and Treasurer, entitled 'Shell Station - 1586 Bathurst Street - Ontario Municipal Board Appeal, Retention of Outside Planning Consultant', embodying the following recommendation, be adopted:

'It is recommended that the cost to retain a planning consultant to a maximum of \$10,000.00 with respect to the Ontario Municipal Board appeal on 1586 Bathurst Street be provided from the Legal program's approved 1999 Operating Budget.' "

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.

1882 **Clause No. 8 of Report No. 11 of The Scarborough Community Council, headed “Proposed Plan of Subdivision T98006 - 776669 Ontario Limited (Anson Investments) East of Brimley Road, North of St. Clair Avenue, Cliffcrest Community - Ward 13 - Scarborough Bluffs”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 17, 1998) from the Director of Community Planning, East District reporting, as requested by the Scarborough Community Council, on the proposed Plan of Subdivision T-98006, 776669 Ontario Limited (Anson Investments) East of Brimley Road, North of St. Clair Avenue East, Cliffcrest Community and recommending that an additional condition of draft approval be added requiring the applicant to submit an undertaking to the satisfaction of the City Solicitor.

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

“It is further recommended that the report dated November 17, 1998, from the Director of Community Planning, East District, embodying the following recommendation, be adopted:

‘It is recommended that an additional condition of draft approval be added requiring the applicant to submit an undertaking to the satisfaction of the City Solicitor, to use best efforts to screen light intrusion to 10 Anson Avenue from vehicles leaving the proposed road.’ ”

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

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

1883 At this point in the proceedings, Councillor Berardinetti, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 9 of Report No. 11 of The Scarborough Community Council, headed “Andre Adams - 128 Scarboro Avenue - Ontario Municipal Board Appeal A252/97, Retention of Outside Planning Consultant”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

**Clause No. 9 of Report No. 11 of The Scarborough Community Council, headed “Andre Adams - 128 Scarboro Avenue - Ontario Municipal Board Appeal A252/97, Retention of Outside Planning Consultant”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Chief Financial Officer and Treasurer identifying a funding source for the retention of an outside planning consultant with respect to the Ontario Municipal Board appeal on 128 Scarboro Avenue.

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

“It is further recommended that the report dated November 24, 1998, from the Chief Financial Officer and Treasurer, embodying the following recommendation, be adopted:

‘It is recommended that the cost to retain a planning consultant to a maximum of \$10,000.00 with respect to the Ontario Municipal Board appeal on 128 Scarboro Avenue be provided from the Legal program’s approved 1999 Operating Budget.’ ”

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

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

1884 **Clause No. 3 of Report No. 10 of The Works and Utilities Committee, headed “Water Efficiency Program - Water Efficiency Kits”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 18, 1998) from the Commissioner of Works and Emergency Services reporting, as requested, on the Water Efficiency Program - Water Efficiency Kits.

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

1885 **Clause No. 23 of Report No. 14 of The Toronto Community Council, headed “Boulevard Cafe - 718 College Street (Trinity-Niagara)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by striking out Recommendations Nos. (2) and (3) of the Toronto Community Council, viz.:

- “(2) the licensed boulevard cafe area at 720 College Street be reduced to 2.3 m in width, consistent with the width of the cafe area proposed for 718 College Street; and
- (3) the cafe operator at 720 College Street be notified of the proposed reduction in the width of the cafe area and be given the opportunity to appear before the Toronto Community Council.”

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.

1886 **Clause No. 51 of Report No. 14 of The Toronto Community Council, headed “Retention of Sign - Casa do Alentejo (Portuguese Community Centre) - 1130 Dupont Street (Davenport)”.**

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

“It is further recommended that permission be granted for the sign at 1130 Dupont Street to be replaced and be permitted to remain in place.”

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

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

1887 At this point in the proceedings, Councillor Augimeri, with the permission of Council, introduced the students from Shoreham Public School, present at this meeting.

1888 **Clause No. 2 of Report No. 10 of The Works and Utilities Committee, headed “Sewer Connection Blockage Inspection and Repair Program, and Tree Root Removal and Grant Policy”.**

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

- (i) (November 18, 1998) from the Commissioner of Works and Emergency Services reporting, as requested, regarding the Sewer Connection Blockage/Tree Root Removal and Grants Policy; and
- (ii) (November 16, 1998) from the City Clerk forwarding the recommendation of the Toronto Community Council that the Sewer Connection Blockage Inspection and

Report Program, and Tree Root Removal and Grant Policy be referred back to the Works and Utilities Committee to permit the Toronto Community Council to forward its recommendations on this matter.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause be struck out and referred to all Community Councils for further consideration, with a request that the Community Councils forward their recommendations with respect to the Repair Program, and Tree Root Removal and Grant Policy to the Works and Utilities Committee.

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

1889 Council resumed its consideration of Clause No. 5 of Report No. 17 of The Corporate Services Committee, headed "Property Tax Bill Designs".  
(See also Minutes Nos. 1879 and 1990.)

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

"It is further recommended that, in addition to the current languages used on public brochures produced by the Finance Department, Ukrainian translations be added for any brochure which contains languages in addition to English and French."

At this point in the proceedings, Councillor Bossons, with the permission of Council, proposed that Council defer consideration of this matter until later in the meeting; that a Work Group be established, consisting of the Chief Financial Officer and Treasurer and interested Members of Council; and that such Work Group meet this evening and tomorrow to review proposals for amended wording for the tax bills and report thereon directly to Council.

Council concurred in the foregoing proposal.

Council deferred further consideration of the foregoing Clause until later in the meeting.  
(See also Minutes Nos. 1879 and 1990.)

1890 At this point in the proceedings, Councillor Sinclair, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 24 of Report No. 17 of The Corporate Services Committee, headed "Actuarial Valuation Results - The City of York Employee Pension Plan", be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

**Clause No. 24 of Report No. 17 of The Corporate Services Committee, headed "Actuarial Valuation Results - The City of York Employee Pension Plan".**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Sinclair, in amendment, moved that consideration of the foregoing Clause be deferred to the next regular meeting of City Council to be held on December 16, 1998.

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

1891 **Clause No. 7 of Report No. 6 of The Economic Development Committee, headed “Millennium Grants Program”.**

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 application form for the Millennium Grants Program clearly state, in bold type, the following statement:

**‘This is a one-time-only grant.’ ”**

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

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

1892 **Clause No. 1 of Report No. 13 of The Urban Environment and Development Committee, headed “Trial Installations of Community Safety Zones”.**

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

- (a) Councillor Altobello, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (3)(a) of the Urban Environment and Development Committee by adding thereto the following new locations, with the provision that upon completion of the trial project and contingent upon it being successful, such additional locations be given high priority for designation as permanent community safety zones:

“Courcellette Street;  
Blantyre Avenue; and  
Fallingbrook Road.”

- (b) Councillor Miller, in amendment, moved that the foregoing Clause be amended by:
- (1) deleting from Recommendation No. (3)(a) of the Urban Environment and Development Committee the following Part (vii):

- “(vii) Annette Street, in the vicinity of St. Cecilia’s Public School;”;
- (2) amending Recommendation No. (2) embodied in the report dated October 16, 1998, from the General Manager, Transportation Services, by:
- (a) deleting the date “February 1, 1999” and inserting in lieu thereof the date “January 1, 1999”; and
- (b) adding thereto the following new location:
- “Annette Street, in the vicinity of St. Cecilia’s Public School;”;
- (3) amending Recommendation No. (3) embodied in the report dated October 16, 1998, from the General Manager, Transportation Services, by deleting the words “in the fall of 1999” and inserting in lieu thereof the words “in June 1999”.
- (c) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by:
- (1) deleting from Recommendation No. (3)(a) of the Urban Environment and Development Committee the following Part (vi):
- “(vi) all of Parkside Drive;”;
- (2) adding to Recommendation No. (2) embodied in the report dated October 16, 1998, from the General Manager, Transportation Services, the following new location:
- “all of Parkside Drive, from Bloor Street to Lake Shore Boulevard;”.
- (d) Councillor Pantalone, in amendment, moved that the foregoing motion (c) by Councillor Korwin-Kuczynski be referred to the Commissioner of Urban Planning and Development Services for report thereon to the Urban Environment and Development Committee.

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

Yeas Councillors: Chow, Disero, Fotinos, Gardner, Jakobek, Kinahan, Mihevc, Ootes, Pantalone, Saundercook - 10.

Nays: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Chong, Feldman, Flint, Korwin-Kuczynski, Lindsay Luby, Mahood,



Mammoliti, Miller, Nunziata, O'Brien, Pitfield, Rae, Silva, Sinclair,  
Walker - 22.

Decided in the negative by a majority of 12.

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

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

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

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

“that the foregoing Clause be amended by:

- (1) amending Recommendation No. (3)(a) of the Urban Environment and Development Committee by:
  - (a) deleting therefrom the following Parts (vi) and (vii):
    - ‘(vi) all of Parkside Drive; and
    - (vii) Annette Street, in the vicinity of St. Cecilia’s Public School;’;  
and
  - (b) adding thereto the following new Parts (vi), (vii) and (viii), with the provision that upon completion of the trial project and contingent upon it being successful, such additional locations be given high priority for designation as a permanent community safety zone:
    - ‘(vi) Courcellette Street;
    - (vii) Blantyre Avenue; and
    - (viii) Fallingbrook Road.’;
- (2) amending Recommendation No. (2) embodied in the report dated October 16, 1998, from the General Manager, Transportation Services, by:
  - (a) deleting the date ‘February 1, 1999’ and inserting in lieu thereof the date ‘January 1, 1999’; and
  - (b) adding thereto the following new Parts (x) and (xi):

- '(x) all of Parkside Drive, from Bloor Street to Lake Shore Boulevard; and
- (xi) Annette Street, in the vicinity of St. Cecilia's Public School;'

so that such recommendation shall now read as follows:

- '(2) the following test locations be designated as community safety zones on January 1, 1999, to be in effect at all times:
  - (i) Keele Street, between Bloor Street West and Annette Street;
  - (ii) East Avenue, between Lawrence Avenue East and Island Road;
  - (iii) O'Connor Drive, between Woodbine Avenue and Pape Avenue;
  - (iv) Scarlett Road, between St. Clair Avenue West and Eglinton Avenue West;
  - (v) Dundas Street West, between Montgomery Road and 100 metres east of Old Oak Road;
  - (vi) Bathurst Street, between Kenton Drive and Hounslow Avenue;
  - (vii) Finch Avenue West, between Goldfinch Court and Endell Avenue;
  - (viii) Bathurst Street, between the north limit of Steeles Avenue West and 100 metres south of Greenwin Village Road;
  - (ix) Steeles Avenue West, between 100 metres west of Carpenter Road and 100 metres east of Bathurst Street;
  - (x) all of Parkside Drive, from Bloor Street to Lake Shore Boulevard; and
  - (xi) Annette Street in the vicinity of St. Cecilia's Public School;';  
and
- (3) amending Recommendation No. (3) embodied in the report dated October 16, 1998, from the General Manager, Transportation Services, by deleting the words 'in the fall of 1999' and inserting in lieu thereof the words 'in June 1999', so that such recommendation shall now read as follows:

- (3) staff report to the Urban Environment and Development Committee in June 1999 on the effectiveness of the trial community safety zones; ”,

it was carried.

1893 **Clause No. 3 of Report No. 13 of The Urban Environment and Development Committee, headed “Toronto Transit Commission Support for Alternative Funding Mechanisms for Municipal Public Transit”.**

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 copies of the Clause be forwarded to:

- (1) the National Climate Change Secretariat, in particular the Municipalities Table and the Transportation Table; and
- (2) the Board of Directors of the Federation of Canadian Municipalities.”

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

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

1894 At this point in the proceedings, and with the permission of Council, Councillor Mammoliti introduced the following delegation from Santiago, Chile, present at this meeting:

- His Worship, Mayor Haime Ravinet, Mayor, City of Santiago, Chile, and former President of IULA and the International Organization of Mayors;
- Mr. Luis Klenner, General Urban Planner, Director of City of Santiago; and
- Mr. Alvaro Bustos, Executive Director of Economic Agency, City of Santiago.

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

1895 **Clause No. 10 of Report No. 13 of The Urban Environment and Development Committee, headed “Installation of Traffic Control Signals on Fleet Street Between Bathurst Street and Lake Shore Boulevard West”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Commissioner of Works and Emergency Services with

respect to a request to install traffic control signals or a pedestrian crossover on Fleet Street, between Bathurst Street and Lake Shore Boulevard West.

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

“It is further recommended that, subject to the availability of funding in the 1999 Budget, this installation be included in Category 1(b), entitled ‘Traffic Control Signals Funded by Others’, of Appendix 1, entitled ‘1998 Approved Traffic Control Signals and Committed for 1998 Installation’, to the report dated October 9, 1998, from the General Manager, Transportation Services, as embodied in Clause No. 11 of Report No. 13 of The Urban Environment and Development Committee, headed ‘Installation of Approved Traffic Control Signals: Status Report’.”

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

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

**1896 Clause No. 11 of Report No. 13 of The Urban Environment and Development Committee, headed “Installation of Approved Traffic Control Signals: Status Report”.**

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

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

“It is further recommended that all traffic control signals approved in 1998 for which funding is not available in 1998, be installed in 1999.”

- (b) Councillor Moeser, in amendment, moved that the foregoing motion (a) by Councillor Flint be referred to the Commissioner of Works and Emergency Services for report thereon to the Urban Environment and Development Committee on the budget implications thereof.

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

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

**1897 Clause No. 1 of Report No. 23 of The Strategic Policies and Priorities Committee, headed “Service Level Harmonization”.**

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

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

“It is further recommended that:

- (1) all reports on harmonization be first submitted to the Community Councils for comment, prior to consideration of such reports by Standing Committees; and
- (2) comments from Community Councils be included in the reports to Standing Committees.”

- (b) Councillor Pantalone, in amendment, moved that the foregoing motion (a) by Councillor Moscoe be referred to the Chief Administrative Officer for report thereon to the Strategic Policies and Priorities Committee.

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

“It is further recommended that the Commissioner of Works and Emergency Services be directed not to include an administration fee for the delivery of winter maintenance programs for seniors and that this policy be in place for the 1998/1999 season.”

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

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

Yeas: Councillors: Ashton, Balkissoon, Chong, Davis, Disero, Feldman, Filion, Gardner, Giansante, Holyday, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moeser, O'Brien, Ootes, Pantalone, Saundercook, Silva - 20.

Nays: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Chow, Flint, Fotinos, Jones, Kinahan, Layton, McConnell, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Sinclair, Walker - 20.

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

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

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Chow, Disero, Feldman, Filion, Flint, Fotinos, Giansante, Jones, Kinahan,

Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Silva, Sinclair, Walker - 29.

Nays: Councillors: Ashton, Balkissoon, Chong, Davis, Holyday, Kelly, King, Moeser, O'Brien, Ootes, Pantalone, Saundercook - 12.

Decided in the affirmative by a majority of 17.

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

1898 **Clause No. 9 of Report No. 6 of The Economic Development Committee, headed "Other Items Considered by the Committee".**

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

1899 **Clause No. 12 of Report No. 13 of The Urban Environment and Development Committee, headed "Removal of Parking Restriction on Residential Side Streets in the Cedarvale Area".**

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 thereto the following:

"It is further recommended that 25 parking meters be reinstalled at locations removed at or on September 8, 1998, on Eglinton Avenue West, between Strathearn Road and Rostrevor Road, and the Parking Authority be requested to review and recommend long-term parking solutions, and the General Manager, Transportation Services, study the option of an alternating centre lane to address traffic flow issues."

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

Councillor Davis challenged the ruling of the Deputy Mayor.

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

Yeas: Councillors: Altobello, Augimeri, Cho, Chow, Disero, Feldman, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Prue, Silva - 26.

Nays: Councillors: Balkissoon, Berger, Bossons, Brown, Chong, Davis, Filion, Flint, Gardner, Mammoliti, O'Brien, Pitfield, Saundercook - 13.

Decided in the affirmative by a majority of 13.

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

Yeas: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Prue, Walker - 20.

Nays: Councillors: Altobello, Balkissoon, Bossons, Cho, Chong, Davis, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, Lindsay Luby, Mahood, Mammoliti, O'Brien, Saundercook - 17.

Decided in the affirmative by a majority of 3.

1900 **Clause No. 17 of Report No. 13 of The Urban Environment and Development Committee, headed "Other Items Considered by the Committee".**

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

1901 **Clause No. 1 of Report No. 24 of The Strategic Policies and Priorities Committee, headed "The 2008 Toronto Olympic Bid - November 1998 Update Report".**

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

1902 **Clause No. 5 of Report No. 24 of The Strategic Policies and Priorities Committee, headed "Economic Development Partnership Program - Final 1998 Grant Allocation Recommendations".**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Kelly, 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 Economic Development Committee on the results of grant allocations under the Economic Development Partnership Program over the past few years."

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

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

1903 **Clause No. 1 of Report No. 10 of The Works and Utilities Committee, headed “Environment Days”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Adams, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendation No. (2) of the Works and Utilities Committee to the Commissioner of Works and Emergency Services for a report to the Works and Utilities Committee on a revised distribution program.

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

Yeas: Councillors: Adams, Augimeri, Bussin, Chow, Disero, Fotinos, Holyday, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Rae, Saundercook, Walker - 19.

Nays: Councillors: Berger, Bossons, Cho, Faubert, Flint, Giansante, Jones, Lindsay Luby, Mahood, Ootes, Pantalone, Pitfield, Prue, Shaw - 14.

Decided in the affirmative by a majority of 5.

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

1904 **Clause No. 10 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “Other Items Considered by the Committee”.**

Council also had before it, during consideration of the foregoing Clause, additional documentation submitted by Councillor Berardinetti in regard to the Court Ordered Recount in Scarborough Malvern.

Upon the question of the receipt for information of the foregoing Clause, without amendment:

- (a) Councillor Berardinetti, in amendment, moved that the foregoing Clause be received as information, subject to striking out and referring Item (d), entitled “Court Ordered Recount in Scarborough Malvern - Ward 18”, together with the additional documentation submitted by Councillor Berardinetti, back to the Strategic Policies and Priorities Committee for further consideration and report thereon to Council for its next regular meeting to be held on December 16, 1998.
- (b) Councillor Shiner, in amendment, moved that the foregoing Clause be received as information, subject to striking out and referring Item (c), entitled “Extending the



Termite Control Program Across the City of Toronto”, back to the Strategic Policies and Priorities Committee for further consideration.

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

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

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

1905 **Clause No. 11 of Report No. 18 of The East York Community Council, headed “Resident Notification of Proposed Traffic Control Devices”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Giansante, in amendment, moved that the foregoing Clause be struck out and referred to the Urban Environment and Development Committee for further consideration; and the City Clerk be requested to submit a report to the Committee, for consideration therewith, on the cost implications of implementing a City-wide program in this regard.

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

1906 **Clause No. 16 of Report No. 13 of The North York Community Council, headed “Amendments to the Downsview Area Transportation Master Plan - North York Spadina”.**

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

- (i) (November 12, 1998) from the City Clerk forwarding for consideration a copy of Schedule “A”, entitled “Revisions to the Downsview Area Transportation Master Plan”; and
- (ii) (November 20, 1998) from the General Secretary, Toronto Transit Commission forwarding recommendations from the Commission with respect to the Downsview Area Secondary Plan.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Clause, together with the communication dated November 12, 1998, from the City Clerk, and the communication dated November 20, 1998, from the General Secretary, Toronto Transit Commission, be struck out and referred to the Commissioner of Urban Planning and Development Services for further consideration, with a request that she, in consultation with the affected Ward Councillors, the

Commissioner of Works and Emergency Services and the Chief General Manager, Toronto Transit Commission, submit a joint report thereon to Council, through the North York Community Council and the Urban Environment and Development Committee.

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

1907 **Clause No. 41 of Report No. 14 of The Toronto Community Council, headed “Installation of Speed Humps - Shaw Street from Bloor Street West to College Street (Trinity-Niagara)”.**

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 consult with the affected Ward Councillors and submit a report to the Toronto Community Council on alternative ways to address the cycling demands in the Shaw Street area resulting from the loss of bicycle lanes.”

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.

1908 **Clause No. 58 of Report No. 14 of The Toronto Community Council, headed “Interim Control By-Law Exemption - 45 Berryman Street (Midtown)”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Commissioner of Urban Planning and Development Services providing Council with direction on whether a building permit application for an addition for 45 Berryman Street should be exempted from Interim Control By-law No. 726-1998.

Having regard that the foregoing Clause was submitted without recommendation, Councillor Adams moved that the foregoing Clause be received.

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

1909 **Clause No. 60 of Report No. 14 of The Toronto Community Council, headed “Other Items Considered by the Community Council”.**

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

1910 **Clause No. 1 of Report No. 13 of The York Community Council, headed “Other Item Considered by the Community Council”.**

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

1911 **Clause No. 3 of Report No. 14 of The York Community Council, headed “Zoning By-law Amendment Application, 19 Kenora Crescent - Ward 27, York Humber”.**

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

- (i) (November 17, 1998) from Mr. Wm. J. Dolan, President, Wm. J. Dolan Planning Consultants Ltd., pertaining to a site specific zoning amendment for 19 Kenora Crescent; and
- (ii) (November 20, 1998) from Mr. Beppi Crosariol, Kenora Residents for Law and Order respecting the Zoning By-law amendment application for 19 Kenora Crescent.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Saundercook, in amendment, moved that the foregoing Clause be amended by deleting from Recommendations Nos. (1) and (2) of the York Community Council the words “Option 3” and inserting in lieu thereof the words “Option 1”.

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

Yeas: Councillors: Balkissoon, Cho, Chong, Disero, Duguid, Feldman, Kelly, Korwin-Kuczynski, Lindsay Luby, O’Brien, Rae, Saundercook, Shaw, Sinclair - 14.

Nays: Councillors: Adams, Altobello, Augimeri, Brown, Bussin, Chow, Faubert, Flint, Gardner, Giansante, Holyday, Kinahan, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Prue, Silva, Walker - 26.

Decided in the negative by a majority of 12.

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

Yeas: Councillors: Adams, Altobello, Balkissoon, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Flint, Gardner, Giansante, Holyday, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong,

Moeser, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 37.

Nays: Councillors: Augimeri, Pitfield - 2.

Decided in the affirmative by a majority of 35.

1912 **Clause No. 1 of Report No. 13 of The Board of Health, headed "Phasing Out Pesticide Use in the City of Toronto".**

Council also had before it, during consideration of the foregoing Clause, a communication (November 19, 1998) from Mr. Tony DiGiovanni, Executive Director, Landscape Ontario Horticultural Trades Association requesting that Council defer consideration of the phasing out of pesticide use in the City of Toronto.

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

- (a) Councillor Disero, in amendment, moved that the foregoing Clause be struck out and referred to the Works and Utilities Committee and the Economic Development Committee for further consideration and report thereon to Council for its meeting to be held on December 16, 1998, if possible.
- (b) Councillor Mihevc, in amendment, moved that the foregoing motion (a) by Councillor Disero be amended by deleting the words "if possible".
- (c) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that the Works and Utilities Committee, Economic Development Committee and any other interested Committees be requested to provide their comments directly to the proposed Pesticides Sub-Committee."

At this point in the proceedings, Deputy Mayor Ootes, having regard that comments on this issue would be forthcoming from the Works and Utilities Committee and the Economic Development Committee, ruled that consideration of the foregoing Clause be deferred to the next regular meeting of City Council to be held on December 16, 1998, pending the recommendations of the Works and Utilities Committee and the Economic Development Committee in this regard.

1913 **Clause No. 2 of Report No. 17 of The Corporate Services Committee, headed "Conditions of Employment - Council Staff Members".**

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

- (a) Councillor McConnell, in amendment, moved that the foregoing Clause be amended to provide that:
- (1) Executive Assistants and Constituency Assistants who work in excess of their regularly scheduled work day or work week be compensated in the form of lieu time or overtime pay at straight time, provided that the total time shall not exceed 105 hours in the calendar year, subject to the approval of their respective Councillor;
  - (2) Council Administrative Assistants and Clerical Assistants who work in excess of their regularly scheduled work day or work week be compensated in the form of lieu time or overtime pay at time-and-a-half, provided that the total time shall not exceed 70 hours in the calendar year, subject to the approval of their respective Councillor;
  - (3) any overtime payments to Executive Assistants and Constituency Assistants who work for Members of Council be paid from the Councillor's global office budget; and any overtime payments to Administrative Assistants and Clerical Assistants be made in accordance with current practice; and
  - (4) this policy be designated as the policy for non-union Council staff members only, and shall not be applicable to either the bargaining unit staff in the Councillors' offices or to the Corporate staff, the latter of which remains subject to the compensation study to be considered in 1999.
- (b) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding to Recommendation No. (1)(a) of the Personnel Sub-Committee, as amended by the Corporate Services Committee, the words "permanent Council staff members employed by a former municipality which had a severance practice greater than two weeks per year of service be grandparented at the level of severance payment through the former practice for their service prior to January 1, 1998", so that such recommendation shall now read as follows:
- "(1) adoption of the report (October 15, 1998) from the Executive Director of Human Resources subject to:
- (a) amending Recommendation No. (3) to provide that an employee would be eligible for three weeks' severance per year of service and be required to follow the City's policy of not being re-hired during the next two years by either the City or its Agencies, Boards or Commissions, and permanent Council staff members employed by a former municipality which had a severance practice greater than two weeks per year of service be grandparented at the level of severance payment through the former practice for their service prior to January 1, 1998;"

- (c) Councillor Prue, seconded by Councillor Nunziata, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Executive Director of Human Resources be requested to ensure that the review currently underway of the job descriptions and salary levels for Executive Assistants and Constituency Assistants to Members of Council is completed by the consultants no later than the end of February, 1999.”

- (d) Councillor Holyday, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the Corporate Services Committee and inserting in lieu thereof the following:

“It is recommended that the joint report dated July 20, 1998, from the Commissioner of Corporate Services and the Executive Director of Human Resources, be adopted.”

At this point in the proceedings, Councillor Jakobek, 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, in order to conclude consideration of the foregoing Clause, 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 (a) by Councillor McConnell, the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Chong, Chow, Davis, Disero, Duguid, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Prue, Rae, Shaw, Silva, Sinclair, Walker - 30.

Nays: Councillors: Altobello, Bossons, Brown, Feldman, Flint, Holyday, Jakobek, Lindsay Luby, Li Preti, O'Brien, Pitfield, Sgro - 12.

Decided in the affirmative by a majority of 18.

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Disero, Duguid, Feldman, Flint, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pitfield, Prue, Rae, Silva, Sinclair, Walker - 31.

Nays: Councillors: Altobello, Ashton, Balkissoon, Brown, Davis, Holyday, Jakobek, Li Preti, Nunziata, O'Brien, Sgro, Shaw - 12.

Decided in the affirmative by a majority of 19.

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

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

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

Council recessed at 6:02 p.m.

**8:14 P.M.**

Council reconvened.

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

1914 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: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva - 41.

1915 Members present at the first evening session of the first day of this meeting:

Mayor: Lastman.

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

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

1916 **Clause No. 55 of Report No. 14 of The Toronto Community Council, headed "Status Report - 2230, 2324 and 2336 Gerrard Street East (East of Main) (East Toronto)".**

Council also had before it, during consideration of the foregoing Clause, a report (November 23, 1998) from the City Solicitor providing a recommended planning position in respect of the upcoming Ontario Municipal Board Hearing on the East of Main Official Plan, Zoning and Subdivision referral appeals and recommending an appropriate source of funding for the extended retainer of Urban Strategies Inc. in respect of such Hearing.

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

“It is recommended that the report dated November 23, 1998, from the City Solicitor, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) City Council adopt Recommendations Nos. (1) to (4) of the report dated November 23, 1998, addressed to the City Solicitor, from the planning firm of Urban Strategies Inc., containing the recommended concept plan and Official Plan provisions to be placed before the Ontario Municipal Board at the hearing to commence January 11, 1999, viz.:

“It is recommended that City Council:

- (1) adopt the attached plan Map 1, as the basis for the new Official Plan for the subject lands, north of Gerrard Street East and east of Main Street, to replace the Special Development Area designation, and redesignate the subject lands to a Low Density Residence Area designation with a general maximum density of 1.0 times the lot area;
- (2) authorize its consultants to prepare, in consultation with the City Solicitor, an Official Plan and Zoning By-law to implement the plan shown on Map 1 to place before the Ontario Municipal Board at the hearing which is to commence on January 11, 1999, based upon the following principles:
  - (a) integrate the new community with the existing neighbourhood to the south to the extent possible:
    - (i) through reflecting the pattern of streets and blocks of the existing neighbourhood within the new development;



- (ii) through permitting a similar form and scale of residential development; and
  - (iii) through ensuring that the lands along Gerrard Street, immediately abutting the subject lands to the south, form a logical extension of the new development and create opportunities for neighbourhood-appropriate development along Gerrard Street, should those properties be redeveloped in the longer term;
- (b) requiring that all streets and lanes be publicly owned and encouraging the majority of parking to be accessed from rear laneways. Tightening up the slope of the berm required adjacent to the rail corridor, and incorporating it into the public right-of-way along the new public laneway;
- (c) requiring that all dwelling units be 'house-form', and have front doors facing directly onto public streets. Making the intensity of development similar to that found in the existing community:
  - (i) through an appropriate mix of housing types, as follows: a minimum of 20 percent of lots for single detached houses; if only 20 percent of the lots are for single detached houses, then at least 25 percent of the remaining lots are to be for semi-detached houses; the remaining lots may be for row houses; and
  - (ii) providing for 30 percent of the new housing units to be intrinsically affordable by satisfying the City's maximum unit size requirements. These units may be created by duplexing row houses, so that the number of units created is equivalent to a total of 30 percent of the overall units in the development;
- (d) provide a total of approximately 6.65 acres of parkland, of which 1.5 acres is to be purchased by Canada Lands Corporation from the land owner:

- (i) adding approximately 2.2 acres to the north end of the existing park at the corner of Main and Gerrard Streets, and creating a new park block of approximately 4.45 acres at the east end of the new community;
  - (ii) ensuring that the new park is visible along Gerrard Street by extending a portion of it out to Gerrard Street; and
  - (iii) providing at least three public street frontages around each of the park blocks; and
- (e) include in the Official Plan a Section 37 policy to secure the park dedication and park improvements, an agreement between the owner and the Toronto School Board regarding a contribution to school improvements in the area, off-site traffic improvements and other public benefits, as appropriate;
- (3) authorize staff of the City Solicitor, Works and Emergency Services, Urban Planning and Development Services, Economic Development, Culture and Tourism, and the Medical Officer of Health, to assist in the preparation of the policies in Recommendation No. (2) above and to attend as necessary at the Ontario Municipal Board to provide expert testimony; and
  - (4) request the Ontario Municipal Board to refer the Draft Plan of Subdivision and Conditions back to staff for resolution of appropriate conditions and to implement the Official Plan and Zoning By-law.”; and
- (2) funds in the amount of \$148,000.00 be provided from the Corporate Contingency Account to extend the retainer of Urban Strategies Inc., in connection with the East of Main Ontario Municipal Board hearing.’ ”

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

1917 **Clause No. 15 of Report No. 13 of The North York Community Council, headed “5 Percent Cash-in-Lieu of Parkland Dedication - 693316 Ontario Limited, 508 to 518 Coldstream Avenue - North York Spadina”.**

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

Mayor Lastman resumed the Chair.

- 1918 At this point in the proceedings, and with the permission of Council, Mayor Lastman invited Councillor Olivia Chow, Child and Youth Advocate and Chair of the Youth Cabinet, together with the members of the Youth Cabinet, to the podium.

Councillor Chow introduced the members of the Youth Cabinet, gave a brief overview on the activities of the Cabinet and invited Mr. Dimitri Edirmanasinghe and Ms. Caroline Chuang to address the Council.

Mayor Lastman also invited Ms. Shirley Hoy, Commissioner of Community and Neighbourhood Services, and Mr. Joe Halstead, Commissioner of Economic Development, Culture and Tourism, to the podium and requested Ms. Hoy and Mr. Halstead to address the Council in regard to the activities of their respective Departments as they relate to the Youth Cabinet.

Mayor Lastman, on behalf of Council, expressed the appreciation of Council to Councillor Chow, the members of the Youth Cabinet, Ms. Hoy and Mr. Halstead, for their contributions of time and effort on behalf of all youth in the City of Toronto.

- 1919 At this point in the proceedings, and with the permission of Council, Councillor Disero moved that, in accordance with subsection 27(3) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(4), which was carried:

**Moved by: Councillor Disero**

**Seconded by: Councillor Fotinos**

**“WHEREAS** City Council, at its in camera portion of its meeting held on October 28, 29 and 30, 1998, adopted the recommendations contained in a confidential report (October 26, 1998) from the Commissioner of Works and Emergency Services in relation to the agreement with Harbour Remediation Transfer, and by so doing requested the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, to report back to Council at its next meeting; and

**WHEREAS** the Commissioner of Works and Emergency Services and the City Solicitor have submitted a joint confidential report (November 23, 1998) on this matter, as requested;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with subsection 27(3) of the Council Procedural By-law, Council give consideration to the

confidential joint report dated November 23, 1998, from the Commissioner of Works and Emergency Services and the City Solicitor, at its in camera session to be held on November 25, 1998.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried. (See Minute No. 1987.)

- 1920 **Clause No. 2 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “Year 2000 Business Continuity Plan”.**  
(See also Minute No. 1988.)

Council also had before it, during consideration of the foregoing Clause, a confidential report (November 22, 1998) from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act.

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

“It is further recommended that the confidential report dated November 22, 1998, from the City Solicitor, be adopted.”

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

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

Council recessed at 8:47 p.m.

**8:48 P.M.**

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

Committee of the Whole recessed at 8:49 p.m. to meet privately to consider Clause No. 1 of Report No. 17 of The Corporate Services Committee, headed “Separation Program - Executive, Management and Excluded Staff”, in accordance with the provisions of the Municipal Act.

**9:42 P.M.**

Committee of the Whole reconvened in the Council Chamber.

Committee of the Whole rose.

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

1921 Members present at the second evening session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Walker - 49.

1922 **Clause No. 1 of Report No. 17 of The Corporate Services Committee, headed "Separation Program - Executive, Management and Excluded Staff".**

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

Moved by Councillor King:

"That the foregoing Clause be struck out and referred to the Personnel Sub-Committee for further consideration, in order to enable the Committee to explore a variety of options which could encourage early voluntary exits and to provide an opportunity for the Committee to discuss these options with COTAPSAI."

Moved by Mayor Lastman:

"That the foregoing Clause be amended by striking out Recommendation No. (1) of the Corporate Services Committee and inserting in lieu thereof the following:

'(1) the adoption of the confidential report dated August 27, 1998, from the Executive Director of Human Resources;'

so that the recommendations of the Corporate Services Committee shall now read as follows:

'The Corporate Services Committee recommended to Council:

(1) the adoption of the confidential report dated August 27, 1998, from the Executive Director of Human Resources, embodying the following recommendations:

"It is recommended that:

- (1) the Position Termination approach under the Separation Program for Executive, Management and Excluded staff be amended to provide for:
    - (a) the separation payment to be paid out over the period of separation or until the separating employee receives alternate comparable employment, whichever occurs first; if the separated employee secures comparable full-time employment during the period of separation payment, the employee shall be paid one-half of the remaining separation payment, including one-half of benefit contributions;
    - (b) payments to be made on either a salary continuation or a lump-sum monthly basis;
    - (c) the separating employee to sign a declaration that they will advise the City when they receive alternate comparable employment; and
    - (d) an option for outplacement counselling, but not for a cash payment in lieu of outplacement counselling;
  - (2) the amendments in the Program be effective March 1, 1999, and that notice be given to all employees about these amendments; and
  - (3) the Executive Director of Human Resources be authorized to modify the approach when, after having received legal advice, the individual circumstances require a different approach.”; and
- (2) the adoption of the joint confidential report dated October 15, 1998, from the Chief Administrative Officer and the Executive Director of Human Resources, subject to amending Recommendation No. (3) by deleting therefrom the date “February 28, 1999” and inserting in lieu thereof the date “March 31, 1999”, so that the recommendations embodied in such report shall now read as follows:

“It is recommended that:

- (1) Council consider the recommendations contained in the report dated August 27, 1998, to the Strategic Policies and Priorities Committee, and attached, on the Separation Program for Executive, Management and Excluded Staff;
- (2) should Council adopt the recommendations in the August 27, 1998 report, the implementation date of the revised Separation Program be March 1, 1999; and
- (3) should Council adopt Recommendations Nos. (1) and (2) in this report, the Separation Program elements available to eligible employees of the former City of Toronto under the COTAPSAI Memorandum of Understanding be extended for those eligible employees until March 31, 1999.” ’ ’ ”

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Bossons, Bussin, Disero, Duguid, Fotinos, Jones, Kinahan, King, Layton, Mihevc, Miller, Moscoe, Prue, Rae, Shaw, Silva, Walker - 20.

Nays: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Berger, Brown, Cho, Chong, Davis, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Saundercook, Shiner - 28.

Decided in the negative by a majority of 8.

At this point in the proceedings, Councillor Layton requested an opportunity to speak to this matter.

Mayor Lastman, having regard that discussions on this matter were already held in Committee of the Whole, and that Council is now voting on the motions, ruled that such request be denied.

Councillor Layton challenged the ruling of the Mayor.

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

Yeas: Mayor: Lastman.  
Councillors: Berardinetti, Berger, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Shiner, Silva - 31.

Nays: Councillors: Adams, Altobello, Ashton, Balkissoon, Bossons, Bussin, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Walker - 17.

Decided in the affirmative by a majority of 14.

Upon the question of the adoption of the foregoing motion by Mayor Lastman, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Shiner - 29.

Nays: Councillors: Adams, Ashton, Balkissoon, Bossons, Bussin, Disero, Fotinos, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Shaw, Silva, Walker - 20.

Decided in the affirmative by a majority of 9.

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

Yeas: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Shiner - 29.

Nays: Councillors: Adams, Ashton, Balkissoon, Bossons, Bussin, Disero, Fotinos, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Shaw, Silva, Walker - 20.



- Decided in the affirmative by a majority of 9.
- 1923 **Clause No. 17 of Report No. 17 of The Corporate Services Committee, headed “5182 and 5200 Yonge Street Sam-Sor Enterprises Inc.”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Filion, in amendment, moved that the foregoing Clause be amended to provide that the following excerpt from the confidential report dated November 4, 1998, from the Commissioner of Economic Development, Culture and Tourism be incorporated into the recommendation of the Corporate Services Committee:

“Economic Development, Culture and Tourism Comments:

The Parks and Recreation Division has indicated that the community meeting space required in the Sam-Sor site Zoning By-law is not considered a high priority in the immediate area, as there is sufficient space in the vicinity for community needs to access. Furthermore, Parks and Recreation staff is concerned with the cost of finishing, furnishing, staffing and maintaining the facility required under the current by-law. As an alternative, a cash contribution was recommended, the expenditure of the funds to be at the discretion of the Commissioner of Economic Development, Culture and Tourism, in consultation with the two Ward Councillors.”

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

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

- 1924 Councillor Jones, seconded by Councillor Fotinos, at 9:53 p.m., moved that leave be granted to introduce:

Bill No. 884                      To confirm the proceedings of the Council at its meeting held on the 25th day of November, 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. 821-1998              To confirm the proceedings of the Council at its meeting held on the 25th day of November, 1998,

it was carried, without dissent.

At this point in the proceedings, Mayor Lastman, with the permission of Council, proposed that Council now recess and reconvene at 9:30 a.m. on Thursday, November 26, 1998.

Council concurred in the foregoing proposal.

Council recessed at 9:55 p.m., to reconvene at 9:30 a.m. on Thursday, November 26, 1998.

**THURSDAY, NOVEMBER 26, 1998, 9:41 A.M.**

Council reconvened.

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

- 1925 At the request of Council, the City Clerk called the Roll at 9:42 a.m., those Members present at the call of the Roll being:

Councillors: Altobello, Berger, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Walker - 34.

- 1926 Members present at the first morning session of the second day of this meeting:

Mayor: Lastman.

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

- 1927 At this point in the proceedings, and with the permission of Council, Councillor Mihevc, seconded by Councillor Nunziata, moved that:

**“WHEREAS** Alan Avery was a long time resident of York; and

**WHEREAS** Alan Avery was a very dedicated volunteer who gave tirelessly of his time, talent and energy; and

**WHEREAS** York benefitted tremendously from his contributions to community groups; an active volunteer with City of York Community and Agency Social Planning Council (Y-CASP), Syme Seniors' Centre, Beech Hall Housing Co-operative, York West Meals-on-Wheels, Special Seniors Games and so on; and

**WHEREAS** Alan Avery died peacefully on November 11, 1998, at the age of 79;

**NOW THEREFORE BE IT RESOLVED THAT** the York Community and the City of Toronto express its condolences to Alan Avery's family and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion."

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

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

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, proposed that Council vary the order of its proceedings, after its consideration of Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed "Final Report of the Task Force to Review the Taxi Industry", as follows:

- (1) Notices of Motions be considered at 2:00 p.m. today;
- (2) Clause No. 1 of Joint Report No. 1 of The Community and Neighbourhood Services Committee and The Emergency and Protective Services Committee, headed "Squeegee Diversion Strategy for Street-Involved Homeless Youth", be considered immediately thereafter;
- (3) Council then resume consideration of the various matters remaining on the Order Paper for this meeting until 6:00 p.m.;
- (4) the balance of the in-camera portion of this meeting be held in the Council Chamber at 8:00 p.m. today; and
- (5) Clause No. 1 of Report No. 5 of The Economic Development Committee, headed "Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions", be considered immediately thereafter.

Council concurred in the foregoing proposal.

1928 At this point in the proceedings, and with the permission of Council, Deputy Mayor Ootes introduced the seniors from Roding Community Centre, Toronto, present at this meeting.

1929 **Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed "Final Report of the Task Force to Review the Taxi Industry".**  
(See also Minutes Nos. .)

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

- (i) (November 17, 1998) from Mr. Alasdair Moore requesting that Council reject the recommendations of the Emergency and Protective Services Committee with respect to the final report of the Task Force to Review the Taxi Industry;
- (ii) (November 17, 1998) from Mr. Michael deCatanzaro, Toronto forwarding recommendations with respect to the final report of the Task Force to Review the Taxi Industry;
- (iii) petition submitted by Mr. Andrew Reti, Toronto Taxi Owners and Operators Association containing a total of 398 signatures of a combination of taxi cab owners, drivers and the public requesting that Council reject the recommendations of the Emergency and Protective Services with respect to the final report of the Task Force to Review the Taxi Industry;
- (iv) (November 23, 1998) from Mr. Stan Steiner, Vice President, Toronto Taxicab Owners and Operators Association forwarding a joint response dated November 22, 1998, from Lawrence Eisenberg, President, Toronto Taxicab Owners and Operators Association and Chairman Taxicab Advisory Committee, Stan Steiner, Vice President and Andy Reti, Executive Director, Toronto Taxicab Owners and Operators Association, to the Board of Trade's urgent call for action regarding the implementation of taxi reforms;
- (v) (November 23, 1998) from Mr. Alasdair Moore, Toronto submitting a revised communication with respect to the final report of the Task Force to Review the Taxi Industry; and
- (vi) (undated) from Mr. John Twena, Toronto requesting that Council reject the recommendations with respect to the final report of the Task Force to Review the Taxi Industry.

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

- (i) (November 23, 1998) from Mr. Eli Melnick, Toronto requesting Council to reject the recommendations of the Task Force to Review the Taxi Industry;
- (ii) (November 16, 1998) from Mr. Herbert J. Sporn, Toronto commenting on the final report of the Task Force to Review the Taxi Industry;
- (iii) from the following organizations and individuals in support of the final report of the Task Force to Review the Taxi Industry:
  - (November 25, 1998) Press Release from The Toronto Board of Trade;
  - (November 17, 1998) from The Toronto Board of Trade;

- (November 13, 1998) from the President, The Greater Toronto Hotel Association;
  - (November 10, 1998) from the General Manager, Toronto Airport Marriott Hotel;
  - (November 16, 1998) from the General Manager, Travelodge Hotel Toronto East;
  - (November 13, 1998) from the General Manager, Radisson Plaza Hotel Admiral;
  - (November 10, 1998) from the Regional Vice President Operations, Ontario, and Managing Director, Delta Chelsea Inn Downtown Toronto;
  - (November 12, 1998) from the Director of Operations, Novotel Hotel;
  - (November 11, 1998) from the General Manager, Skydome Hotel;
  - (November 13, 1998) from the General Manager, Best Western Primrose Hotel;
  - (November 13, 1998) from the General Manager, Crowne Plaza Toronto Centre;
  - (November 11, 1998) from the General Manager, Regal Constellations Hotel;
  - (November 10, 1998) from the General Manager, Toronto Don Valley Hotel;
  - (November 10, 1998) from the General Manager, Wyndham Bristol Place Toronto Hotel;
  - (November 11, 1998) from the General Manager, Ramada Hotel;
  - (November 9, 1998) from the General Manager, Cambridge Suites Hotel Toronto;
  - (November 10, 1998) from the Hotel Inter-Continental;
  - (November 16, 1998) from the Regional Vice President and General Manager, Royal York; and
  - (November 16, 1998) from Mr. Ali Bassit, Scarborough;
- (iv) (November 25, 1998) from the Commissioner of Urban Planning and Development Services responding to a number of requests for additional information by the Emergency and Protective Services Committee in its consideration of the Report on the Review of the Toronto Taxicab Industry, as embodied in the foregoing Clause;
- (vi) (undated) from Price Waterhouse Coopers, entitled “Response to Certain Recommendations in the Task Force Report on the Taxicab Industry”;
- (vii) (November 25, 1998) from the Executive Director, ARCH, A Legal Resource Centre for Persons with Disabilities, legal counsel to Transportation Action Now, commenting that the final report of the Task Force to Review the Taxi Industry fails to address the issue of accessible cabs; and
- (viii) (November 23, 1998) from the Executive Director, Transportation Action Now Inc., recommending that 10 percent of all new Ambassador cabs be accessible.

At this point in the proceedings, and with the permission of Council, the Commissioner of Urban Planning and Development Services gave a presentation to the Council in regard to the final report of the Task Force to Review the Taxi Industry, copies of which were distributed to all Members of Council.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1932, 1934, 1939 and 1959.)

- 1930 At this point in the proceedings, and with the permission of Council, Councillor King, seconded by Councillor O'Brien, moved that:

“**WHEREAS** we are deeply saddened to learn of the passing of Mr. Joe Hadbavny, on Tuesday, November 17, 1998; and

**WHEREAS** Mr. Hadbavny was an integral part of the taxi industry for over forty years through Co-op Cabs; and

**WHEREAS** Mr. Hadbavny was a founding member of the TaxiWatch Committee, formerly Taxis on Patrol, and his participation will be sadly missed;

**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 condolence and sincere sympathy to the Hadbavny family and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

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

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

Mayor Lastman resumed the Chair.

- 1931 At this point in the proceedings, Mayor Lastman, with the permission of Council, invited Ms. Krystyna Hoeg, President and Chief Executive Officer, Corby Distilleries, to the podium; advised the Council that Corby Distilleries had relocated their head office to Heintzman Hall on Yonge Street in the City of Toronto; expressed, on behalf of Council, the appreciation of Council to Councillor Rae for his endeavours in this regard, and to Corby Distilleries for their contribution to the City; and, to mark the occasion, presented a scroll to Ms. Hoeg and wished Corby Distilleries prosperity and luck in the future.

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

- 1932 Council resumed its consideration of Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed “Final Report of the Task Force to Review the Taxi Industry”.

(See also Minutes Nos. 1929, 1934, 1939 and 1959.)

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

- (a) Mayor Lastman, in amendment, moved that the foregoing Clause be amended by:
- (1) amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled “Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry”, by deleting Recommendation No. (11) and inserting in lieu thereof the following new Recommendation No. (11):  
  
“(11) new Ambassador Taxicab licenses shall be issued to eligible persons at a rate of 100 licenses annually to be issued from the drivers’ list only;” and
  - (2) adding thereto the following:  
  
“It is further recommended that the General Manager, Toronto Licensing Commission, be requested to:
    - (a) develop a formula to address the future issuance, over and above the 100 new Taxicab licences to be issued annually, and report to the Emergency and Protective Services Committee and Council for approval in one year;
    - (b) monitor changes in plate values, leasing rates, operating costs, and drivers’ incomes;
    - (c) increase enforcement efforts and seek assistance from the Toronto Police Service in order to strictly enforce unlicensed and out-of-town taxicabs that are picking up passengers within the boundaries of the City of Toronto and report to the Emergency and Protective Services Committee on the procedures the Toronto Licensing Commission proposes to implement in this regard; and
    - (d) submit a report to Council, through the Emergency and Protective Services Committee, on the provision of a driver-funded benefits package that includes long-term disability coverage and spousal benefits.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to a disturbance in the Council Chamber, proposed that Council now recess and reconvene in approximately ten minutes.

Council concurred in the foregoing proposal.

Council deferred further consideration of the foregoing Clause until later in the meeting.  
(See also Minutes Nos. 1929, 1934, 1939 and 1959.)

Council recessed at 11:28 a.m.

**11:45 A.M.**

Council reconvened.

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

1933 Members present at the second morning session of the second day of this meeting:

Mayor: Lastman.

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

1934 Council resumed its consideration of Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed "Final Report of the Task Force to Review the Taxi Industry".  
(See also Minutes Nos. 1929, 1932, 1939 and 1959.)

At this point in the proceedings, Councillor Moscoe, with the permission of Council, moved that the taxi drivers who had previously been requested to leave the Council Chamber, be permitted to re-enter the Council Chamber to view the proceedings, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Chow, Davis, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jones, King, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Walker - 34.

Nays: Councillors: Chong, Flint, Mammoliti - 3.

Decided in the affirmative by a majority of 31.



- (b) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended to provide that:
- (1) the Commissioner of Urban Planning and Development Services and the Chief Administrative Officer attempt to establish a flexible time, comprehensive taxi driver education and training program, outlined in Recommendation No. (25) in Appendix 1, through the Community Colleges, so as to allow for greater access to interested parties;
  - (2) this training program be implemented for 1999, or as quickly as possible thereafter;
  - (3) all operators and drivers of taxicabs be required to enroll in these courses within three years of the time that they are offered;
  - (4) all new recipients of City-issued licences be required to have completed the aforementioned training program and be required to drive the taxi for at least five years;
  - (5) City-issued licences be limited to one per lifetime, per individual;
  - (6) after January 1, 2001, the sale or transfers of taxi licences be restricted to persons who have successfully completed the training course, who have a valid taxicab drivers' licence, and who will be able to demonstrate that they are active in the taxi industry;
  - (7) all taxi licence holders be notified that, after 2001, the leasing of taxicabs shall be strictly monitored and that the leasing of plates shall result in immediate revocation of the taxi licence;
  - (8) the age of vehicles recommended in the report be amended so that the maximum age of a vehicle be restricted to six model years for owner driven cabs and five model years for leased vehicles, and that a vehicle of up to four model years be permitted to be placed on the road as a taxicab;
  - (9) the issue of Ambassador taxi plates be referred to the Taxicab Advisory Committee; and
  - (10) the City issue 100 more licences in 1999, and that staff work with the Taxicab Advisory Committee to bring forward a formula for issuing licences in the future.

At this point in the proceedings, Councillor Moscoe moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to provide an opportunity for Councillor Minnan-Wong, Chair

of the Task Force to Review the Taxicab Industry, to speak to this matter, which was carried, more than two-thirds of Members present having voted in the affirmative.

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

“It is further recommended that:

- (1) the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, be adopted, subject to including a provision that Ambassador licences be issued only from the drivers’ list;
- (2) all efforts be made to monitor the income of drivers/owners;
- (3) the new meters being introduced be programmed to monitor the income of drivers, and that it be a requirement that the City of Toronto be provided with this information on an annual basis; and
- (4) By-law No. 20-85 be amended to provide that failure to provide the annual income information to the City of Toronto shall be an offence.”

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minutes Nos. 1929, 1932, 1939 and 1959.)

Council recessed at 12:44 p.m.

**2:11 P.M.**

Council reconvened.

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

- 1935 At the request of Council, the City Clerk called the Roll at 2:12 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair - 37.

- 1936 Members present at the afternoon session of the second day of this meeting:

Mayor: Lastman.

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

- 1937 At this point in the proceedings, Mayor Lastman, with the permission of Council, invited Ms. Fiona Campbell, Advisory Board Chairperson, to the podium; advised the Council that the City of Toronto - West Region (former Cities of Etobicoke and York) had won the National Communities in Bloom Competition; introduced the members of the Communities in Bloom Committee present at this meeting; and, with the assistance of Ms. Campbell, presented scrolls to the members of the Committee to mark the occasion.
- 1938 At this point in the proceedings, Mayor Lastman, with the permission of Council, advised the Council that over three months ago the Financial District of Toronto had been requested by Toronto to launch the Blood Donor Campaign to obtain 10,000 units of blood in a three-month period; that the goal had been not only reached, but exceeded, and that 11,018 units of blood had been donated; expressed, on behalf of Council, the appreciation of Council to all who participated in this drive and extended congratulations to Toronto's Ambulance Service who had won the Emergency Services challenge; and invited Councillor Korwin-Kuczynski to the podium to assist with the presentation of scrolls to all participants.
- 1939 Council resumed its consideration of Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed "Final Report of the Task Force to Review the Taxi Industry".  
(See also Minutes Nos. 1929, 1932, 1934 and 1959.)

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

- (1) Part (2)(a) of the foregoing motion (a) by Mayor Lastman be amended by inserting the word "Ambassador" after the word "new"; and
- (2) the foregoing motion (b) by Councillor Fotinos be referred to the Review Panel for a report thereon to Council, through the Emergency and Protective Services Committee.

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

(e) Councillor Balkissoon, in amendment, moved that the foregoing Clause be amended:

- (1) by adding to Recommendation No. (1)(ii) embodied in the report dated November 25, 1998, from the Commissioner of Urban Planning and

Development Services, entitled "Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry", the words "and that this criteria be only applicable to Standard Licences which elected to accept the new Ambassador Class Designation", so that such recommendation shall now read as follows:

"(ii) the amendment to Recommendation No. (16) in the Report on the Review of the Taxicab Industry, as outlined in Recommendation (d) of the Emergency and Protective Services Committee, not be adopted and that the recommendations, as provided for in the Report on the Review of the Taxicab Industry whereby a Designated Ambassador Cab may abandon its Ambassador Cab Designation and continue to operate as a Standard Licensed Taxicab, be adopted, and that this criteria be only applicable to Standard Licences which elected to accept the new Ambassador Class Designation;"

(2) to provide that Recommendation No. (2) of the Emergency and Protective Services Committee be amended to read as follows:

"(2) Council adopt a firm commitment to having an annual review of this issue by the appropriate City staff and the City Auditor, and that such review be completed, and the reports thereon be submitted to the Emergency and Protective Services Committee and Council, prior to the issuance of the second allotment."; and

(3) by inserting in Recommendation No. (1)(v) embodied in the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled "Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry", after the word "personal", the words "and survivor income", so that such recommendation shall now read as follows:

"(v) an outline of personal and survivor income insurance coverage issues be included in the Ambassador training program and the taxicab industry retraining programs;"

(f) Councillor Prue, seconded by Councillor Shaw, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

(1) in addition to whatever licences are issued under the regular or Ambassador class, 25 additional licences be issued yearly for accessible cabs, and that this provision continue until such time as 10 percent of all taxicabs are accessible,

or until such time as Council is satisfied that community needs have been met; and

- (2) in order to assist the taxicab industry, Council establish a lower license and renewal fee at no more than 50 percent of that charged for regular or Ambassador licenses, or make grants available equivalent to similar amounts.”

(g) Councillor Shiner, in amendment, moved that:

- (1) the foregoing motion (f) by Councillor Prue, seconded by Councillor Shaw, be amended by adding thereto the following:

“(3) the Commissioner of Urban Planning and Development Services be requested to submit a report to the Emergency and Protective Services Committee, in consultation with appropriate City staff, representatives of the disabled community and the taxi industry, within three months, on the issue of accessible taxicabs and mechanisms which could be employed in order to achieve the community’s needs, as outlined in Recommendation No. (1), above.”; and

- (2) the foregoing Clause be amended by striking out Recommendation No. (14)(c) embodied in Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled “Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry”, and inserting in lieu thereof the following:

“(14)(c)(i) leasing of taxicabs and/or taxi licenses be prohibited effective January 1, 2004;

(ii) with the following exception, notwithstanding the general prohibition, that owners/drivers, and in the case of their death, their spouse or other direct family members, be permitted to lease their taxicabs; and

(iii) the Commissioner of Urban Planning and Development Services, in consultation with the appropriate City officials, be directed to submit an implementation plan to the Emergency and Protective Services Committee.”

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

- (1) striking out and referring Recommendations Nos. (14)(b) and (c) embodied in Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled "Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry", to the Taxicab Advisory Committee for further consideration and report thereon within one year; and
- (2) adding thereto the following:

"It is further recommended that the Commissioner of Urban Planning and Development Services be requested consult with various financial institutions, and submit a report to the Emergency and Protective Services Committee on the feasibility of the City of Toronto buying back all outstanding plates with an appropriate financing mechanism, and the City of Toronto subsequently acting as the leasing agent."

- (i) Councillor Bossons, 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 submit a report to the Emergency and Protective Services Committee on a mechanism which would permit the owner of an Ambassador License to designate an alternate driver in the case of a medical or accident emergency, such emergency to be certified by a medical doctor chosen by the Toronto Licensing Commission."

- (j) Councillor Bussin, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (11) embodied in Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled "Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry", the words "in a rate not to exceed" and inserting in lieu thereof the words "at the rate of", so that such recommendation shall now read as follows:

"(11) Ambassador Taxicab licences shall be issued to eligible persons at the rate of 300 licences annually;"

At this point in the proceedings, Councillor Saundercook, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Chong, Disero, Duguid, Fotinos, Jakobek, Jones, Moscoe, Pitfield, Saundercook - 11.

Nays: Councillors: Adams, Balkissoon, Brown, Cho, Chow, Davis, Flint, Gardner, Giansante, Holyday, Kelly, Kinahan, King, Li Preti, McConnell, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Rae, Sgro, Shiner, Silva, Walker - 25.

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

- (k) Councillor Jones, in amendment, moved that Part (1) of the foregoing motion (a) by Mayor Lastman be amended by deleting the words and number "not to exceed 100 licences annually" and inserting in lieu thereof the words and number "of 233 for 1999 and 100 Ambassador plates annually thereafter".
- (l) Councillor Holyday, in amendment, moved that the foregoing Clause be amended to provide that the issue of the new licences be deferred for a period of one year until the results of the implementation of the other recommendations are known; and the Task Force be reconstituted at that time and be requested to revisit the issue of new licences.
- (m) Councillor Miller, in amendment, moved that the foregoing Clause be amended by:
  - (1) amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled "Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry", by adding to Recommendation No. (14)(d) the following new paragraph:

"Standard Licence owners shall not be permitted to sell, transfer, lease or assign a licence to a corporation that owns one licence or more, effective immediately."; and
  - (2) adding thereto the following:

"It is further recommended that the General Manager, Toronto Licensing Commission, be requested to submit a report to Council, through the Emergency and Protective Services Committee, on mechanisms to ensure compliance with Recommendation No. (14)(d) of Appendix 1."
- (n) Councillor Mammoliti, in amendment, moved that the foregoing Clause be amended by amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled "Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry", by deleting from Recommendations Nos. (14)(a) and (b) the words "two years" and inserting in lieu thereof the words "eight years".

- (o) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that training programs for drivers include education on the needs of persons with disabilities, especially those with guide dogs or other working dogs, as well as an emphasis on the fact that drivers cannot refuse to provide service to these individuals and their animals.”
- (p) Councillor Cho, in amendment, moved that the foregoing motion (f) by Councillor Prue, seconded by Councillor Shaw, be amended by deleting the words “in addition to whatever licences” and inserting in lieu thereof the words “in addition to the regular standard licences that”.
- (q) Councillor Chow, in amendment, moved that:
- (1) Part (1) of the foregoing motion (a) by Mayor Lastman be amended by deleting the words “to be issued from the drivers’ list only” and inserting in lieu thereof the words “in the ratio of 90:10”;
  - (2) Part (2) of the foregoing motion (e) by Councillor Balkissoon be referred to the Emergency and Protective Services Committee;
  - (3) Part (2) of the foregoing motion (g) by Councillor Shiner be referred to the Emergency and Protective Services Committee;
  - (4) the foregoing motion (i) by Councillor Bossons be referred to the Emergency and Protective Services Committee; and
  - (5) the foregoing Clause be amended by amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled “Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry”, by deleting from Recommendation No. (27) the words “one to one” and inserting in lieu thereof the words “the ratio of 90:10” and deleting from the end thereof the words “as currently provided for in the By-law”.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minutes Nos. 1929, 1932, 1934 and 1959.)

- 1940 At this point in the proceedings, and with the permission of Council, Councillor Walker moved that, in accordance with subsection 28(2) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(1), which was carried:

**Moved by: Councillor Walker**



**Seconded by: Councillor Adams**

“**WHEREAS** the landlord of the apartment building at 675 Roselawn Avenue made an application to the Committee of Adjustment on September 1, 1998, to seek several variances from the Zoning By-law; and

**WHEREAS** the Committee of Adjustment refused this application as not being reasonable, nor minor; and

**WHEREAS** the Committee of Adjustment recognized ‘that the building already exceeds the maximum coverage allowed and any further increase, in its opinion, would result in an over development of the property and cannot be regarded as desirable, appropriate or within the general intent and purpose of the Zoning By-law’ (see attached); and

**WHEREAS** the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board; and

**WHEREAS** there is an urgency on the part of City Council to respond quickly because the Ontario Municipal Board hearing date has been set for December 8, 1998; and

**WHEREAS** the new *Tenant Protection Act* has created a motivation for landlords to replace existing tenants with new ones upon whom they can charge whatever rent they want, better known as V.D. (Vacancy Decontrol); and

**WHEREAS** in order to do this, the owner must evict the existing tenants because their rents are still controlled by the current legislation; and

**WHEREAS** if approved, this will certainly set a precedent for landlords and developers in our City as an easy mechanism to force tenants who still have rental protection out of their homes; and

**WHEREAS** it is important that the City sends a clear message to the Ontario Municipal Board that there is no way landlords should be allowed to evict tenants through these types of applications for intensification in order to increase their profits; and

**WHEREAS** several residents living at 675 Roselawn Avenue petitioned the City of Toronto for assistance in upholding the Committee of Adjustment decision;

**NOW THEREFORE BE IT RESOLVED THAT** City Council:

- (1) instruct the City Solicitor to attend the Ontario Municipal Board hearing on December 8, 1998, to uphold the decision of the Committee of Adjustment of September 1, 1998, regarding 675 Roselawn; and
- (2) authorize the City Solicitor to retain professional staff as deemed necessary both externally and/or internally for this Ontario Municipal Board hearing.”

Council also had before, during consideration of the foregoing Motion, a communication (September 1, 1998) from Councillor Michael Walker, addressed to the Committee of Adjustment, outlining his concerns with respect to the variances to the Zoning By-law requested by the owners of 675 Roselawn Avenue. (See Attachment No. 9.)

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 2000.)

- 1941 At this point in the proceedings, and with the permission of Council, 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(2), which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Adams**

**Seconded by: Councillor Bossons**

“**WHEREAS** the owner of 170 Roxborough Drive applied for permission to remove one private tree to make room for a two-storey rear addition and a below grade garage with terrace above; and

**WHEREAS** the City’s Committee of Adjustment decision of October 14, 1998, has not been appealed to the Ontario Municipal Board and, therefore, is final and binding; and

**WHEREAS** the applicant is willing to plant four replacement red oak trees on his property; and

**WHEREAS** the 1998 construction season is rapidly coming to an end and any delay in dealing with this application will cause a hardship;

**NOW THEREFORE BE IT RESOLVED THAT** City Council approve the application for a permit to remove the one tree, conditional upon the issuance of a demolition and building permit, and upon the applicant agreeing to plant four replacement red oak trees at least 20 millimetres in diameter on his property.”

Council also had before it, during consideration of the foregoing Motion, a report (August 28, 1998) from the Director of Development and Support, Toronto Parks and

Recreation, outlining options for Council to consider related to the application for a permit to remove one tree to allow for construction at 170 Roxborough Drive. (See Attachment No. 1.)

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

- 1942 At this point in the proceedings, and with the permission of Council, Councillor Silva moved that, in accordance with subsection 28(2) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(3), which was carried:

**Moved by: Councillor Silva**

**Seconded by: Councillor Pantalone**

“**WHEREAS** a report dated November 6, 1998, from Works and Emergency Services, identifies a public safety matter on Churchill Avenue that can be addressed through an amendment to the parking regulations on that street; and

**WHEREAS** this matter needs to be dealt with expeditiously to avoid the onset of winter weather which will increase the risk to public safety;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated November 6, 1998, from the Director, Transportation Services District 1, Works and Emergency Services, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (November 6, 1998) from the Director, Transportation Services District 1, Works and Emergency Services, submitting recommendations to enhance safety when vehicles are entering/exiting the driveway located at Premises No. 2 Churchill Avenue. (See Attachment No. 2.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, and, in so doing, Council adopted, without amendment, the report dated November 6, 1998, from the Director, Transportation Services District 1, Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the parking prohibition at anytime on the south side of Churchill Avenue from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west, be rescinded;

- (2) standing be prohibited at anytime on the south side of Churchill Avenue from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west; and
- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect hereto, including the introduction in Council of any Bills that are required.”

1943 At this point in the proceedings, and with the permission of Council, Councillor Bossons 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 was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Bossons**

**Seconded by: Councillor Adams**

“**WHEREAS** the owner of 416 Russell Hill Road began construction of a decorative wall which included the placement of decorative boulders and a sprinkler system within the City boulevard; and

**WHEREAS** neither a permit, nor an encroachment agreement was obtained from the City; and

**WHEREAS** City Works staff inspected the site and issued a stop work order; and

**WHEREAS** staff are now in agreement with the completion of this work; and

**WHEREAS** the owner has obtained from directly-affected neighbours, their written agreement to this work being completed; and

**WHEREAS** this work needs to be completed before winter freeze-up;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated November 18, 1998, from the Commissioner of Works and Emergency Services, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (November 18, 1998) from the Commissioner of Works and Emergency Services, submitting recommendations in this regard. (See Attachment No. 3.)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, and, in so doing, Council adopted, without amendment, the report dated November 18, 1998, from the Commissioner of Works and Emergency Services, embodying the following recommendation:

“It is recommended that City Council approve the construction of the decorative stone wall, installation of a sprinkler system and maintenance of the feature boulders within the City street allowance fronting 416 Russell Hill Road and on the Kilbarry Road flankage, subject to the owner entering into an agreement with the City of Toronto, as prescribed under Chapter 313 of the former City of Toronto Municipal Code.”

- 1944 At this point in the proceedings, and with the permission of Council, Councillor Minnan-Wong 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), and that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 13 of Report No. 7 of The Corporate Services Committee be re-opened in order to permit Council to give consideration to the motion attached:

**Moved by: Councillor Minnan-Wong**

**Seconded by: Councillor Duguid**

“**WHEREAS** City Council at its meeting held on October 28, 29 and 30, defeated Notice of Motion J(13) (attached) as moved by Councillor Walker and seconded by Councillor Layton, by a vote of 17-15;

**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 be re-opened in order to permit Council to give consideration to the attached motion.”

Council also had before it a Notice of Motion, moved by Councillor Walker, seconded by Councillor Layton, submitting recommendations for amendments to Clause No. 7 of Report No. 13 of The Corporate Services Committee.

Upon the question, “Shall subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the foregoing Notice of Motion, and shall, in accordance with Section 46 of the Council Procedural By-law, Clause No. 13 of Report No. 7 of The Corporate Services Committee be re-opened in order to permit Council to give consideration to the motion attached?”, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bussin, Cho, Chow, Disero, Feldman, Gardner, Layton, Li Preti, Mammoliti, McConnell, Minnan-Wong, Moeser, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Walker - 21.

Nays: Councillors: Altobello, Berger, Bossons, Brown, Chong, Filion, Flint, Holyday, Jones, Kelly, Mahood, Ootes, Prue - 13.

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

- 1945 At this point in the proceedings, and with the permission of Council, 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(7), which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Adams**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** the Assessment and Tax Policy Task Force on November 20, 1998 gave consideration to a report titled ‘City of Toronto 1996 Current Value Assessment’ produced by the Ontario Ministry of Finance, Property Assessment Division; and

**WHEREAS** each copy of the three volumes of the report contains the wording that ‘Any sale or reproduction in whole or in part, without the prior consent of the Division is strictly prohibited’; and

**WHEREAS** the Ministry of Finance has written to the City of Toronto Finance Department to ensure that although the information is for use by City Council, the report is not to be further reproduced or distributed; and

**WHEREAS** there is a concern that the report is not being made readily available to the public and that copies can only be obtained by submitting a request in writing to the Property Assessment Division in Oshawa; and

**WHEREAS** once the request is submitted and reviewed applicants have to travel to Oshawa and pay \$950.00 for Residential Properties Volume I and the price of the other two volumes is \$350.00 each; and

**WHEREAS** the deadline to appeal has been extended to December 31, 1998, and the public has a right to know what is contained in these volumes and should have ready access to this information; and

**WHEREAS** the Assessment and Tax Policy Task Force in its consideration of the various reports before it on November 20, 1998 requested the Chair and the Chief Financial Officer and Treasurer, in consultation with the City Clerk, if necessary, to develop a consolidated response and a request for additional information with respect to the report titled ‘City of Toronto 1996 Current Value Assessment’ taking into consideration the issues discussed during the meeting;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Ontario Minister of Finance to provide a commitment in writing that the information contained in the report titled 'City of Toronto - 1996 Current Value Assessment' will be freely made available at little or no cost to individual taxpayers on request; and that the Minister of Finance provide copies of the report to public libraries."

Council also had before it, during consideration of the foregoing Motion, a report (November 12, 1998) from the Chief Financial Officer and Treasurer, addressed to the Assessment and Tax Policy Task Force, providing a commentary on the documentation dated September 18, 1998, from the Assistant Deputy Minister, Property Assessment Division, Ministry of Finance, respecting property valuation methodologies used for current value assessment. (See Attachment No. 4.)

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

- 1946 At this point in the proceedings, and with the permission of Council, 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(8):

**Moved by: Councillor Adams**

**Seconded by: Councillor Kinahan**

**“WHEREAS** the Assessment and Tax Policy Task Force on November 20, 1998, gave consideration to a report (November 16, 1998) from the City Solicitor and a communication from the Association of Municipalities of Ontario (AMO) regarding Bill 79 - The Fairness for Property Taxpayers Act, 1998; and

**WHEREAS** many of the amendments made by Bill 79 do not apply to the City of Toronto because City Council passed a by-law in July adopting the 2.5 percent cap on the commercial, industrial and multi-residential property classes pursuant to Part XXII.1 of the Municipal Act, as enacted by the Small Business and Charities Protection Act (Bill 16); and

**WHEREAS** this by-law cannot be amended, and the City of Toronto is consequently precluded from adopting the 10-5-5 percent cap pursuant to Bill 79; and

**WHEREAS** the City of Toronto is also precluded from raising the tax rate on any of the capped classes, and must raise the rate on the residential class should it require additional revenue in 1999 or 2000 to meet its estimated expenditures; and

**WHEREAS** while any other municipality opting for the 2.5 percent cap faces the same restrictions, all municipalities other than the City of Toronto have the option

of choosing instead the 10-5-5 percent cap and are thereby not facing such restrictions; and

**WHEREAS** Bill 79 is being considered this week by the Ontario Legislature;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Province to enact legislation or amend Bill 79 so that the City of Toronto is treated equally with municipalities that adopt the 10-5-5 percent cap to permit the City of Toronto to increase the tax rate on the capped property classes if the City of Toronto needs to increase the municipal tax rate.”,

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Filion, Flint, Gardner, Holyday, Jones, Layton, Li Preti, Mammoliti, McConnell, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Walker - 29.

Nays: Councillors: Altobello, Brown, Kelly, Mahood - 4.

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

Council also had before it, during consideration of the foregoing Motion, a report (November 16, 1998) from the City Solicitor, addressed to the Assessment and Tax Policy Task Force, providing an overview of the provisions of Bill 79. (See Attachment No. 5.)

Council deferred further consideration of the foregoing Notice of Motion until later in the meeting. (See Minute No. 2009.)

1947 At this point in the proceedings, and with the permission of Council, Councillor Filion 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), which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Filion**

**Seconded by: Councillor Minnan-Wong**

“**WHEREAS** thousands of residents have purchased tickets from Livent for performances which have been cancelled at the North York Performing Arts Centre; and

**WHEREAS** numerous community theatre groups have paid deposits to Livent for performances at the North York Performing Arts Centre; and



**WHEREAS** the Canadian Imperial Bank of Commerce (CIBC) has effectively seized all of this money as a result of Livent's filing for bankruptcy; and

**WHEREAS** it is customary for such funds to be held in trust so that ticket and deposit money can be refunded if performances are not held; and

**WHEREAS** CIBC should not have had access to this money totalling approximately \$2.0 million; and

**WHEREAS** this money rightfully belongs to the theatre patrons and community groups;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto request the CIBC to return these funds to the North York Performing Arts Centre so that it can be used either to reschedule concerts or return the money to ticket purchasers and community groups."

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

1948 At this point in the proceedings, and with the permission of Council, Councillor Jakobek 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 was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Jakobek

**Seconded by:** Councillor Ootes

**“WHEREAS** the Budget Committee on November 18, 1998, met to review various urgent items referred by Standing Committees; and

**WHEREAS** it was impossible to schedule a Strategic Policies and Priorities Committee meeting to deal with certain emergency items from the Budget Committee, as attached:

- (a) Communication (November 19, 1998) from the City Clerk regarding Solid Waste Management - Marketplace Management Program, Adjustment to Consultants Work Plan and Budget; (See Attachment No. 6.)
- (b) Communication (November 19, 1998) from the City Clerk regarding the award of Tender No. 104-98 - Collection and Transportation of Recyclable Materials, York Community Council Area; (See Attachment No. 6.)

- (c) Communication (November 19, 1998) from the City Clerk regarding the award of Tender No. 358 - Bulk Lift Collection Services, North York and Scarborough Community Council Areas; (See Attachment No. 6.)
- (d) Communication (November 19, 1998) from the City Clerk regarding the added cost of expanding shelter services for the homeless; (See Attachment No. 6.) and
- (e) Communication (November 19, 1998) from the City Clerk regarding the acquisition of the Ontario Hydro Corridor - Kennedy Road to Birchmount Road, (Scarborough City Centre); (See Attachment No. 6.)

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the above-noted reports on an emergency basis at this meeting of Council and that Council adopt the recommendations set out in each of the reports.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, and in so doing, Council adopted the recommendations of the Budget Committee as follows:

- (a) Communication (November 19, 1998) from the City Clerk regarding Solid Waste Management - Marketplace Management Program, Adjustment to Consultants Work Plan and Budget:

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council:

- (1) the adoption of the report (November 3, 1998) from the General Manager, Solid Waste Management Services, with the following amendment:
  - “that the cost of the 3Rs waste diversion/options, as listed in Recommendation No. (1), be included in the existing budget of \$1,142,500.00.”; and
- (2) the use of consultants be scaled back and that the necessary work be carried out in-house and within the budget.

- (b) Communication (November 19, 1998) from the City Clerk regarding the award of Tender No. 104-98 - Collection and Transportation of Recyclable Materials, York Community Council Area:

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the joint report (November 2, 1998) from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.

- (c) Communication (November 19, 1998) from the City Clerk regarding the award of Tender No. 358 - Bulk Lift Collection Services, North York and Scarborough Community Council Areas:

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the joint report (November 2, 1998) from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.

- (d) Communication (November 19, 1998) from the City Clerk regarding the added cost of expanding shelter services for the homeless:

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the joint report (November 2, 1998) from the Commissioner of Community and Neighbourhood Services.

- (e) Communication (November 19, 1998) from the City Clerk regarding the acquisition of the Ontario Hydro Corridor - Kennedy Road to Birchmount Road, (Scarborough City Centre):

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the recommendations of the Corporate Services Committee embodied in the transmittal letter dated November 10, 1998, from the City Clerk, subject to amending Recommendation No. (2) in the report (October 22, 1998) from the General Manager, Water and Wastewater Services, addressed to the Works and Utilities Committee, to read as follows:

- “2. that Council authorize staff to negotiate the purchase of the priority 1 areas identified in the report from XCG Consultants Ltd., and report back.”

At this point in the proceedings, Councillor Pitfield, 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, in order to conclude consideration of the Notices of Motions on the Order Paper for this meeting of Council, which was carried, more than two-thirds of Members present having voted in the affirmative.

- 1949 At this point in the proceedings, and with the permission of Council, Councillor Jakobek 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(11), which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Ootes**

“**WHEREAS** the Budget Committee on November 18, 1998, met to review various urgent items referred by Standing Committees; and

**WHEREAS** it was impossible to schedule a Strategic Policies and Priorities Committee meeting to deal with the following item:

Examination of Service Levels for Road Maintenance and Related Budget Implications; and

**WHEREAS** the Budget Committee dealt with the issue of snow clearing for seniors recommending for the winter season of 1998/1999 providing a sidewalk and windrow clearing service to all senior citizens over the age of 65 and disabled residents residing in single family residences, without any administration fee, from the Corporate Contingency Account;

**NOW THEREFORE BE IT RESOLVED THAT** the seniors and disabled snow clearing, Recommendation No. (1)(a)(v) of the report dated October 15, 1998, from the General Manager, Transportation Services Division, as amended by the Urban Environment and Development Committee, be adopted, and that the balance of the Recommendations embodied in the such report be referred back to the Budget Committee for consideration during the 1999 Operating Budget.”

Council also had before it, during consideration of the foregoing motion, the following communications (See Attachment No. 7):

- (i) (November 19, 1998) from the City Clerk forwarding the recommendations of the Budget Committee pertaining to the service levels for road maintenance recommended by the Urban Environment and Development Committee; and

- (ii) (November 3, 1998) from the City Clerk, addressed to the Budget Committee, forwarding the recommendations of the Urban Environment and Development Committee in regard to the report dated October 15, 1998, from the Commissioner of Works and Emergency Services, on the service levels for road maintenance.

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 2005.)

1950 At this point in the proceedings, and with the permission of Council, 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(12), which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Layton**

**Seconded by: Councillor Jones**

“**WHEREAS** the Province of Ontario will shortly end its consultation regarding the issue of Ontario Hydro’s Stranded Debt; and

**WHEREAS** the Province’s decisions regarding the Stranded Debt issue will have significant implications on the ability of Toronto Hydro and the City of Toronto to offer and support renewable energy initiatives; and

**WHEREAS** the Commissioner of Works and Emergency Services reported to the Environmental Task Force on November 23, 1998 (attached); and

**WHEREAS** the Environmental Task Force at its November 23, 1998 meeting asked City Council to consider the attached recommendations;

**NOW THEREFORE BE IT RESOLVED THAT** City Council:

- (1) express its concern at the high stranded debt approach being adopted by the Province, as this approach seriously compromises environmentally advantageous energy supply sources such as renewables;
- (2) advise the Province that it favours the lowest possible estimate of ‘stranded debt’ to establish fairness and enable a more equal playing field for competition;
- (3) request the Legal Division to investigate actions taken by cities and consumer groups concerning high stranded debt approaches in the United States of America and report back to the Environmental Task Force; and
- (4) express its support for a Renewable Energy Portfolio Standard.”

Council also had before it, during consideration of the foregoing Motion, a communication (November 24, 1998) from the City Clerk, forwarding the recommendations of the Environmental Task Force in this regard.

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 2010.)

- 1951 At this point in the proceedings, and with the permission of Council, 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(13), which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Feldman**

**Seconded by: Councillor Filion**

“**WHEREAS** The North York Performing Arts Centre Corporation (‘NYPACC’) is a corporation without share capital established through special legislation, to wit, *City of North York Act, 1988 (No. 2)*, (‘Special Act’) obtained by the City of North York (now the City of Toronto) from the Legislative Assembly of the Province of Ontario in 1988; and

**WHEREAS** the Ford Centre for the Performing Arts (‘Ford Centre’) is owned by the City of Toronto; and

**WHEREAS** NYPACC manages and operates the Ford Centre on behalf of the City of Toronto; and

**WHEREAS**, pursuant to subsection 12(1) of the Special Act, all contracts exceeding \$500,000.00 that NYPACC proposes to enter are required to be submitted to Council for its approval; and

**WHEREAS**, pursuant to subsection 12(3) of the Special Act, NYPACC can enter into an agreement with any person to manage, operate or maintain the Ford Centre or any part thereof but the prior approval of Council is required in respect of any proposed agreement to operate the Apotex Theatre of the Ford Centre; and

**WHEREAS**, pursuant to subsection 15(3) of the Special Act, the annual budget of NYPACC is subject to the approval of Council, and, except with the approval of Council, no obligation other than normal operating expenses may be incurred or expenditure may be made by the corporation prior to that approval; and

**WHEREAS**, pursuant to section 16 of the Special Act, NYPACC can requisition Council for any sums of money it requires to carry out its objects and duties, and

Council may approve the sums so requisitioned or such other amounts as it determines; and

**WHEREAS**, pursuant to section 18 of the Special Act, NYPACC cannot incur any indebtedness or obligation, contingent or otherwise, or expend any moneys except as authorized by the Special Act, but, within the limits of its budget, as approved by Council, NYPACC can expend such moneys and incur such obligations as are necessary to carry out its objects, powers and duties; however, NYPACC can, with the approval of Council, incur indebtedness and other obligations and expend moneys in excess of the approved budget for any fiscal period; and

**WHEREAS** NYPACC is in an emergency situation due to the termination, for cause, of its agreements with The Live Entertainment Corporation of Canada, a wholly-owned subsidiary of Livent Inc., (collectively 'Livent') which had managed and operated several facilities in the Ford Centre for NYPACC, and due to the subsequent filing of Livent for court protection under the Companies' Creditors Arrangement Act; and

**WHEREAS** the Chair of the NYPACC Board of Directors has requested the Council of the City of Toronto to assist NYPACC in this transitional period while NYPACC is managing and programming the Ford Centre on an interim basis and in the longer term is looking for a new operator of the Ford Centre in the longer term and is exploring other options; and

**WHEREAS**, for this purpose, the Council desires to establish and appoint an emergency committee of Councillors and delegate to it authority on terms and conditions set out in this motion;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) as a preliminary matter, the formalities set out in the City's Procedural By-law be waived in order for this motion to be presented and proceed;
- (2) a committee be established to assist NYPACC in the transitional period following the termination of its agreements with Livent while NYPACC is managing and programming the Ford Centre on an interim basis and is looking for a new operator of the Ford Centre in the longer term and is exploring other options;
- (3) this committee be an ad hoc committee of Council and be subject to all by-laws, procedures and other laws relating to such committees of Council;
- (4) this committee be called the NYPACC Emergency Committee and consist of six Members of Council;

- (5) the following Members of Council be appointed to the NYPACC Emergency Committee:
  - (a) Councillor Saundercook,
  - (b) Councillor Feldman,
  - (c) Councillor Minnan-Wong
  - (d) Councillor Filion (as Chair)
  - (e) Councillor Berger, and
  - (f) Councillor Augimeri;
  
- (6) the NYPACC Emergency Committee be given the authority to do the following:
  - (a) to authorize NYPACC to make expenditures or incur indebtedness out of the operating budget (including operating reserves) for NYPACC approved by Council earlier this year (or at any other time) where the expenditure or indebtedness was not described or provided for in that operating budget (including operating reserves) and arises in connection with the present emergency situation (which authority may be exercised retroactively), provided that no such expenditure or indebtedness shall exceed \$500,000.00 which expenditure remains subject to prior Council approval in accordance with the Special Act;
  
  - (b) to authorize NYPACC to enter into contracts that were not contemplated when its operating budget (including operating reserves) was approved by Council earlier this year (or at any other time), but are now or in the future proposed to be paid for out of that operating budget (including operating reserves), and that arise in connection with the present emergency situation (which authority may be exercised retroactively), provided that no such contract shall exceed \$500,000.00 and no such contract relates to the hiring of an operator for the Apotex Theatre which contracts remain subject to prior Council approval in accordance with the Special Act; and
  
  - (c) to provide NYPACC with whatever advisory or other non-financial assistance that it may request;
  
- (7) the NYPACC Emergency Committee report to Council at each of its regularly scheduled meetings on the expenditures and contracts that it authorized pursuant to this authority and such other matters as it considers advisable relating to the operation of the Ford Centre;
  
- (8) the NYPACC Emergency Committee continue until such time as it is dissolved by Council; and



- (9) this be effective immediately following the passage of the confirmation by-law for this meeting of Council.”

Council also had before it, during consideration of the foregoing Motion, a communication (November 27, 1998) from the Chairman of the Board, North York Performing Arts Corporation, addressed to Councillor Michael Feldman, confirming his request that City Council establish a task force to work with the Board during the emergency transition period.

Council deferred further consideration of the foregoing Motion until later in the meeting. (See Minute No. 2008.)

- 1952 At this point in the proceedings, and with the permission of Council, Councillor Nunziata moved that, in accordance with subsection 27(4) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(14), which was carried:

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Saundercook**

**“WHEREAS** the former City of York on October 1, 1997, enacted By-law No. 3623-97, being a by-law to amend the City of York General Zoning By-law No. 1-83; and

**WHEREAS** By-law No. 3623-97 provides for amendments to Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 16 and 18 of said By-law No. 1-83 with respect to residential zoning regulations and development standards; and

**WHEREAS** the area of Caesar Avenue, Deakin Avenue and Rockcliffe Boulevard (‘the Rockcliffe Boulevard/Caesar Avenue Area’) is zoned R2-Residential District; and

**WHEREAS** this area has been developed and maintained with one storey detached houses; and

**WHEREAS** the residents in the Rockcliffe Boulevard/Caesar Avenue Area, in Ward 27, York Humber, have expressed concerns regarding the provisions of By-law No. 3623-97 with respect to permitted semi-detached house uses in R2 zones and the by-law regulations regarding their height and density, which impacts negatively on the present character of the area as reflected by the existing homes; and

**WHEREAS** in a report dated November 18, 1998, the Director of Community Planning, West District, advises that it would be prudent to focus a review of the R2 zoning and regulations as they apply to the Rockcliffe Boulevard/Caesar Avenue Area;

**NOW THEREFORE BE IT RESOLVED THAT** City Council, in consideration of the concerns of the residents, direct the Chief Planner and Executive Director of Urban Planning to review the present R2 zoning of the area and the R2 zoning regulations introduced by By-law No. 3623-97 with a view to preserving the area as a single detached house area and to report on the review no later than October 31, 1999;

**AND BE IT FURTHER RESOLVED THAT** City Council grant authority to impose, for a period of one year from passage, interim control restrictions to enact an interim control by-law to give effect hereto, and that authority be granted for the introduction of the necessary bill in Council to give effect thereto.”

Council also had before it, during consideration of the foregoing Motion, a report (November 18, 1998) from the Director of Community Planning - West District providing staff comment on a motion of York Community Council regarding Zoning By-law 3623-97, a general housing by-law amendment adopted in 1997. (See Attachment No. 8.)

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

- 1953 At this point in the proceedings, and with the permission of Council, Councillor McConnell 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), moved by Councillor Mihevc, seconded by Councillor Li Preti, and, in the absence of Councillor Mihevc, moved by Councillor McConnell, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor McConnell**

**Seconded by: Councillor Li Preti**

“**WHEREAS** Hurricane Mitch has had a devastating impact on numerous communities in El Salvador, Guatemala, Honduras and Nicaragua; and

**WHEREAS** over two million people have been made homeless in the aftermath of the hurricane; and

**WHEREAS** Hurricane Mitch has killed over 11,000 people in these countries, with another 15,000 to 20,000 persons missing; and

**WHEREAS** the Hispanic communities in Toronto are an important part of the social fabric of the City; and

**WHEREAS** the Hispanic members of our community have turned to the City of Toronto for assistance in the rebuilding of the countries of their loved ones;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto undertake a broad public appeal for urgently needed cash donations to participate in the international assistance for the victims of Hurricane Mitch;

**AND BE IT FURTHER RESOLVED THAT** the City undertake a ‘Toronto Cares’ campaign of which the immediate focus be a special appeal for cash donations from citizens and the corporate sector in Toronto;

**AND BE IT FURTHER RESOLVED THAT** Toronto residents be encouraged to make donations to the development agencies;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto use all its internal and external communications vehicles, including the City web site, to appeal to the public and to employees;

**AND BE IT FURTHER RESOLVED THAT** all City Councillors be encouraged to undertake activities with the communities in their wards to assist in the relief effort;

**AND BE IT FURTHER RESOLVED THAT** the City co-ordinate its efforts with the federal and provincial governments and the international and local non-governmental organizations working with the affected areas;

**AND BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer be requested to report back to Council on possible longer-term technical works and medical assistance in partnership with agencies, corporations and other levels of government (including the Federation of Canadian Municipalities, Canadian Urban Institute and CIDA) that the City might be able to provide to the municipalities in the four affected countries.”

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

Council recessed at 6:06 p.m.

**8:12 P.M.**

Council reconvened.

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

1954 Members present at the first evening session of the second day of this meeting:

Mayor: Lastman.

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

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

1955 **Clause No. 17 of Report No. 14 of The Toronto Community Council, headed "Hearing - Closing of the Portion of Eastern Avenue - Linking Queen Street East and the Eastern Avenue/Kingston Road Extension and the Public Lane -1641 Queen Street East (East Toronto)".**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the General Manager, Transportation Services Division, reporting, as requested, on a request for a "bump-up" to the Minister of the Environment and Energy respecting the proposal to stop-up and close, as public highway, the redundant section of Eastern Avenue, from the new Eastern Avenue extension to Queen Street East.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Jakobek, in amendment, moved that consideration of the foregoing Clause be deferred to the first meeting of City Council to be held in January, 1999, in order to provide sufficient time for the Minister of the Environment and Energy to issue his decision on the "bump-up" request by the owner of Premises No. 1641 Queen Street East, and that Council also adopt the following motion:

Moved by Councillor Jakobek:

"Recognizing that the elimination of the jogged intersection of Eastern Avenue and Kingston Road at Queen Street East by means of extending Eastern Avenue easterly has resulted in safer and more efficient traffic operations; and

That the planning of this project was ongoing over a three-year period through the land exchange, Rezoning and Plan of Subdivision processes, with public notice provided throughout; and

That the proposed closing of the redundant section of Eastern Avenue is the final stage in the implementation of this longstanding initiative and the closing in itself does not affect traffic patterns, and may arguably improve the urban environment and pedestrian conditions; and

That, with the construction of the proposed motion picture cinema on the property fronting Queen Street East on the east side of the road section to be closed, the business at Premises No. 1641 Queen Street East (Harvey's restaurant) will be exposed to a substantial increase in people in the area; and

That the owner and lessee of Premises No. 1641 Queen Street East did not respond to notice of the proposed road closure sent to them in early July, 1998, pursuant to the screening procedures established under Schedule B of the Class Environmental Assessment for Municipal Road Projects until November, 1998; and

That the property also has direct driveway access from Queen Street East that is not affected by the proposed closure and the City has offered to maintain vehicular access to the current side driveway of the site by means of granting a right-of-way over a portion of the closed road allowance from Queen Street East;

Therefore be it resolved that Toronto City Council:

- (1) respectfully advise the Minister of the Environment and Energy that it feels the request for 'bump-up' of this Schedule B undertaking as set out in the letter of November 17, 1998, from Mr. Stephen F. Waque, Borden & Elliot, Barristers and Solicitors, is without basis, and further that Council strongly objects to the attempts to secure compensation for the proposed road closure;
- (2) respectfully request the Minister to rule on this matter as expeditiously as possible; and
- (3) direct the appropriate City staff to forward to the Minister the necessary background materials to refute the matters raised in the above-noted November 17, 1998 letter."

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

1956 **Clause No. 26 of Report No. 17 of The Corporate Services Committee, headed "Provision of Historic Food Service at Fort York".**

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

1957 **Clause No. 14 of Report No. 17 of The Corporate Services Committee, headed "City-Owned Vacant Lands, Part of the Closed Road Allowance Known as Summerhill Avenue, and Lands Acquired by the City as Part of the Yonge/Summerhill**

**Development Review Process, Declaration as Surplus and Proposed Land Exchange (Ward 23 - Downtown)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Adams, seconded by Councillor Bossons, in amendment, moved that the foregoing Clause be amended by amending the report dated November 4, 1998, from the Commissioner of Corporate Services:

- (1) to provide that Recommendation No. (7) embodied therein shall now read as follows:
  - “(7) (a) the City Solicitor be authorized to complete this transaction according to the terms and conditions to be incorporated in a Land Exchange Agreement between the City and 1209011 Ontario Inc. and pay those costs incidental to the closing with 1209011 Ontario Inc. paying Land Transfer Tax and GST; and
  - (b) the completion of the land exchange is conditional upon 1209011 Ontario Inc. constructing or agreeing to construct the berm and acoustic fence as shown on Appendix D along the south side of the railway right-of-way, and further, provided that 1209011 Ontario Inc:
    - (i) constructs or agrees to construct on the top of the berm along the south side of the railway line, a sound attenuation wall;
    - (ii) provides plants for both the north and south slopes of the berm; and
    - (iii) provides a water line;”;
- (2) to delete from the body of such report, under the heading “Comments”, the following paragraph (a):
  - “(a) revise the construction of the berm to address the concerns of the residents north of the Canadian Pacific Railway Line on the slope of the berm;”;
- (3) to append to such report a new Appendix D, being a sketch depicting measurements and elevations for the acoustic fence.

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

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

1958 **Clause No. 6 of Report No. 13 of The Urban Environment and Development Committee, headed “Revised Terms of Reference for the Toronto Cycling Committee”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding to Part (6), headed “Quorum”, of the Terms of Reference for the Toronto Cycling Committee, the following paragraph:

“Notwithstanding subsection 9(4) of the Council Procedural By-law, if there is no quorum present 30 minutes after the start of the meeting, the Clerk shall call the Roll and record the names of the Members present.”

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.

1959 Council resumed its consideration of Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, headed “Final Report of the Task Force to Review the Taxi Industry”.

(See also Minutes Nos. 1929, 1932, 1934 and 1939.)

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

“that:

- (2) the foregoing motion (b) by Councillor Fotinos be referred to the Review Panel for a report thereon to Council, through the Emergency and Protective Services Committee.”

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair - 43.

Nays: Councillors: Chong, Feldman, Fotinos, Giansante, Holyday, Kelly, King, O’Brien, Shaw - 9.

Decided in the affirmative by a majority of 34.

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

“that the foregoing Clause be amended to provide that the issue of the new licences be deferred for a period of one year until the results of the implementation of the other recommendations are known; and the Task Force be reconstituted at that time and be requested to revisit the issue of new licences.”,

the vote was taken as follows:

Yeas: Councillors: Feldman, Gardner, Giansante, Holyday, King, Shaw - 6.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair - 46.

Decided in the negative by a majority of 40.

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

“that the foregoing Clause be amended by deleting from Recommendation No. (11) embodied in Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, the words ‘in a rate not to exceed’ and inserting in lieu thereof the words ‘at the rate of’, so that such recommendation shall now read as follows:

‘(11) Ambassador Taxicab licences shall be issued to eligible persons at the rate of 300 licences annually;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Bossons, Bussin, Chow, Jones, Kinahan, Layton, Mahood, McConnell, Mihevc, Miller, Moeser, Nunziata, Prue, Rae, Shiner, Silva, Sinclair - 21.

Nays: Mayor: Lastman.  
Councillors: Ashton, Berardinetti, Berger, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby,



Li Preti, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw - 31.

Decided in the negative by a majority of 10.

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

“that Part (1) of the foregoing motion (a) by Mayor Lastman be amended by deleting the words and number ‘not to exceed 100 licences annually’ and inserting in lieu thereof the words and number ‘of 233 for 1999 and 100 Ambassador plates annually thereafter’.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Duguid, Jones, Kinahan, Layton, Mahood, McConnell, Mihevc, Miller, Moeser, Nunziata, Prue, Rae, Shiner, Sinclair - 22.

Nays: Mayor: Lastman.  
Councillors: Ashton, Berardinetti, Berger, Cho, Chong, Davis, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Silva - 30.

Decided in the negative by a majority of 8.

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

“that:

(1) Part (1) of the foregoing motion (a) by Mayor Lastman be amended by deleting the words ‘to be issued from the drivers’ list only’ and inserting in lieu thereof the words ‘in the ratio of 90:10’;”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Berardinetti, Brown, Bussin, Chow, Disero, Holyday, Jakobek, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Minnan-Wong, Nunziata, Rae, Sgro - 19.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berger, Bossons, Cho, Chong, Davis, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jones,

Kelly, Kinahan, King, Lindsay Luby, Mahood, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair - 33.

Decided in the negative by a majority of 14.

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

“that the foregoing Clause be amended by:

- (1) amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, by deleting Recommendation No. (11) and inserting in lieu thereof the following new Recommendation No. (11):

‘(11) new Ambassador Taxicab licenses shall be issued to eligible persons at a rate of 100 licenses annually to be issued from the drivers’ list only;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Fillion, Flint, Gardner, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair - 45.

Nays: Councillors: Feldman, Fotinos, Giansante, Holyday, Kelly, O'Brien, Shaw - 7.

Decided in the affirmative by a majority of 38.

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

“that:

- (1) Part (2)(a) of the foregoing motion (a) by Mayor Lastman be amended by inserting the word ‘Ambassador’ after the word ‘new;’ ”,

it was carried.

Upon the question of the adoption of the balance of the foregoing motion (a) by Mayor Lastman, as amended, viz.:

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that the General Manager, Toronto Licensing Commission, be requested to:

- (a) develop a formula to address the future issuance, over and above the 100 new Ambassador Taxicab licences to be issued annually, and report to the Emergency and Protective Services Committee and Council for approval in one year;
- (b) monitor changes in plate values, leasing rates, operating costs, and drivers’ incomes;
- (c) increase enforcement efforts and seek assistance from the Toronto Police Service in order to strictly enforce unlicensed and out-of-town taxicabs that are picking up passengers within the boundaries of the City of Toronto and report to the Emergency and Protective Services Committee on the procedures the Toronto Licensing Commission proposes to implement in this regard; and
- (d) submit a report to Council, through the Emergency and Protective Services Committee, on the provision of a driver-funded benefits package that includes long-term disability coverage and spousal benefits.’ ”,

it was carried.

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

“that the foregoing Clause be amended by:

- (1) striking out and referring Recommendations Nos. (14)(b) and (c) embodied in Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, to the Taxicab Advisory Committee for further consideration and report thereon within one year;”,

the vote was taken as follows:

Yeas: Councillors: Brown, Chong, Feldman, Fotinos, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, O'Brien, Sgro, Shaw - 13.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Filion, Flint, Jakobek, Jones, Kinahan, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair - 39.

Decided in the negative by a majority of 26.

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

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that the Commissioner of Urban Planning and Development Services be requested to consult with various financial institutions, and submit a report to the Emergency and Protective Services Committee on the feasibility of the City of Toronto buying back all outstanding plates with an appropriate financing mechanism, and the City of Toronto subsequently acting as the leasing agent.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Brown, Cho, Chong, Davis, Disero, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, King, Lindsay Luby, Miller, Moeser, Nunziata, O'Brien, Ootes, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 29.

Nays: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Bossons, Bussin, Chow, Duguid, Filion, Flint, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Prue, Rae - 22.

Decided in the affirmative by a majority of 7.

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

“that:

- (3) Part (2) of the foregoing motion (g) by Councillor Shiner be referred to the Emergency and Protective Services Committee;”

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair - 44.

Nays: Councillors: Balkissoon, Chong, Davis, Feldman, Kelly, Kinahan, Shiner - 7.

Decided in the affirmative by a majority of 37.

Upon the question of the adoption of the foregoing motion (n) by Councillor Mammoliti, and in the absence of Councillor Mammoliti, moved by Councillor Moscoe, viz.:

“that the foregoing Clause be amended by amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, by deleting from Recommendations Nos. (14)(a) and (b) the words ‘two years’ and inserting in lieu thereof the words ‘eight years’.”

the vote was taken as follows:

Yeas: Councillors: Chong, Feldman, Giansante, Kelly - 4.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 47.

Decided in the negative by a majority of 43.

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

“that:

- (2) Part (2) of the foregoing motion (e) by Councillor Balkissoon be referred to the Emergency and Protective Services Committee;”

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Disero, Filion, Gardner, Giansante, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair - 38.

Nays: Councillors: Ashton, Balkissoon, Cho, Chong, Davis, Duguid, Feldman, Flint, Fotinos, Holyday, Kelly, King, Moeser, Shiner - 14.

Decided in the affirmative by a majority of 24.

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

“that the foregoing Clause be amended:

- (1) by adding to Recommendation No. (1)(ii) embodied in the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, the words ‘and that this criteria be only applicable to Standard Licences which elected to accept the new Ambassador Class Designation’, so that such recommendation shall now read as follows:

- ‘(ii) the amendment to Recommendation No. (16) in the Report on the Review of the Taxicab Industry, as outlined in Recommendation (d) of the Emergency and Protective Services Committee, not be adopted and that the recommendations, as provided for in the Report on the Review of the Taxicab Industry whereby a Designated Ambassador Cab may abandon its Ambassador Cab Designation and continue to operate as a Standard Licensed Taxicab, be adopted, and that this

criteria be only applicable to Standard Licences which elected to accept the new Ambassador Class Designation;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Brown, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Giansante, Holyday, Jakobek, Jones, King, Li Preti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Saundercook, Sinclair - 28.

Nays: Mayor: Lastman.  
Councillors: Augimeri, Berger, Bossons, Bussin, Cho, Davis, Fotinos, Gardner, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Miller, Moeser, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva - 24.

Decided in the affirmative by a majority of 4.

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

“that the foregoing Clause be amended:

(3) by inserting in Recommendation No. (1)(v) embodied in the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, after the word ‘personal’, the words ‘and survivor income’, so that such recommendation shall now read as follows:

‘(v) an outline of personal and survivor income insurance coverage issues be included in the Ambassador training program and the taxicab industry retraining programs;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 47.

Nays: Councillors: Bossons, Kelly, Mahood, Moeser, Pantalone - 5.

Decided in the affirmative by a majority of 42.

Upon the question of the adoption of Part (4) of the foregoing motion (q) by Councillor Chow, viz.:

“that:

- (4) the foregoing motion (i) by Councillor Bossons be referred to the Emergency and Protective Services Committee;”

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 45.

Nays: Councillors: Berger, Cho, Fotinos, Gardner, Kelly, Miller, Moeser - 7.

Decided in the affirmative by a majority of 38.

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

“that the foregoing Clause be amended by:

- (1) amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, by adding to Recommendation No. (14)(d) the following new paragraph:

‘Standard Licence owners shall not be permitted to sell, transfer, lease or assign a licence to a corporation that owns one licence or more, effective immediately.’; and

- (2) adding thereto the following:

‘It is further recommended that the General Manager, Toronto Licensing Commission, be requested to submit a report to Council, through the Emergency and Protective Services Committee, on mechanisms to ensure compliance with Recommendation No. (14)(d) of Appendix 1.’ ”,



the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Jones, Kinahan, King, Layton, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Sinclair - 35.

Nays: Mayor: Lastman.  
Councillors: Altobello, Berardinetti, Chong, Davis, Feldman, Gardner, Giansante, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, O'Brien, Ootes, Saundercook, Shaw - 17.

Decided in the affirmative by a majority of 18.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (5) of the foregoing motion (q) by Councillor Chow, declared such motion redundant, viz.:

“that:

- (5) the foregoing Clause be amended by amending Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, by deleting from Recommendation No. (27) the words ‘one to one’ and inserting in lieu thereof the words ‘the ratio of 90:10’ and deleting from the end thereof the words ‘as currently provided for in the By-law’.”

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

“that:

- (1) the foregoing motion (f) by Councillor Prue, seconded by Councillor Shaw, be amended by adding thereto the following:

- (3) the Commissioner of Urban Planning and Development Services be requested to submit a report to the Emergency and Protective Services Committee, in consultation with appropriate City staff, representatives of the disabled community and the taxi industry, within three months, on the issue of accessible taxicabs and mechanisms which could be employed in order to achieve the community’s needs, as outlined in Recommendation No. (1), above.’ ”,

it was carried.

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

“that the foregoing motion (f) by Councillor Prue, seconded by Councillor Shaw, be amended by deleting the words ‘in addition to whatever licences’ and inserting in lieu thereof the words ‘in addition to the regular standard licences that’.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Brown, Cho, Duguid, Feldman, Giansante, Holyday, Kinahan, King, Lindsay Luby, Li Preti, Sgro - 12.

Nays: Mayor: Lastman.  
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Jones, Kelly, Korwin-Kuczynski, Layton, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair - 40.

Decided in the negative by a majority of 28.

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

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

‘It is further recommended that:

- (1) in addition to whatever licences are issued under the regular or Ambassador class, 25 additional licences be issued yearly for accessible cabs, and that this provision continue until such time as 10 percent of all taxicabs are accessible, or until such time as Council is satisfied that community needs have been met;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, 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, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong,

Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 51.

Nay: Councillor: Berardinetti - 1.

Decided in the affirmative by a majority of 50.

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

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

‘It is further recommended that:

- (2) in order to assist the taxicab industry, Council establish a lower license and renewal fee at no more than 50 percent of that charged for regular or Ambassador licenses, or make grants available equivalent to similar amounts.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 47.

Nays: Councillors: Berardinetti, Chong, Flint, Kelly, King, - 5.

Decided in the affirmative by a majority of 42.

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

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

‘It is further recommended that training programs for drivers include education on the needs of persons with disabilities, especially those with guide dogs or other working dogs, as well as an emphasis on the fact that drivers cannot refuse to provide service to these individuals and their animals.’ ”,

the vote was taken as follows:

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

Nay: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of the foregoing motion (c) by Councillor Minnan-Wong, as amended, viz.:

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

‘It is further recommended that:

- (1) the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, be adopted, as amended, subject to including a provision that Ambassador licences be issued only from the drivers’ list;
- (2) all efforts be made to monitor the income of drivers/owners;
- (3) the new meters being introduced be programmed to monitor the income of drivers, and that it be a requirement that the City of Toronto be provided with this information on an annual basis; and
- (4) By-law No. 20-85 be amended to provide that failure to provide the annual income information to the City of Toronto shall be an offence.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero,

Duguid, Filion, Flint, Fotinos, Gardner, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair - 46.

Nays: Councillors: Feldman, Giansante, Holyday, Jakobek, O'Brien, Shaw - 6.

Decided in the affirmative by a majority of 40.

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

“that the foregoing Clause be amended by:

- (1) adopting the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, entitled ‘Response to the Emergency and Protective Services Committee Respecting the Report on the Review of the Taxicab Industry’, subject to including a provision that Ambassador licences be issued only from the drivers’ list, and subject further to:
  - (a) inserting in Recommendation No. (1)(v), after the word ‘personal’, the words ‘and survivor income’, so that such recommendation shall now read as follows:
    - ‘(v) an outline of personal and survivor income insurance coverage issues be included in the Ambassador training program and the taxicab industry retraining programs;’;
  - (b) adding to Recommendation No. (1)(ii) the words ‘and that this criteria be only applicable to Standard Licences which elected to accept the new Ambassador Class Designation’, so that such recommendation shall now read as follows:
    - ‘(ii) the amendment to Recommendation No. (16) in the Report on the Review of the Taxicab Industry, as outlined in Recommendation (d) of the Emergency and Protective Services Committee, not be adopted and that the recommendations, as provided for in the Report on the Review of the Taxicab Industry whereby a Designated Ambassador Cab may abandon its Ambassador Cab Designation and continue to operate as a Standard Licensed Taxicab, be adopted, and that this criteria be only applicable to Standard Licences which elected to accept the new Ambassador Class Designation;’; and

- (c) amending Appendix 1 to such report by:
  - (i) deleting Recommendation No. (11) and inserting in lieu thereof the following new Recommendation No. (11):
    - ‘(11) new Ambassador Taxicab licenses shall be issued to eligible persons at a rate of 100 licenses annually to be issued from the drivers’ list only;’; and
  - (ii) adding to Recommendation (14)(d) the following new paragraph:
    - ‘Standard Licence owners shall not be permitted to sell, transfer, lease or assign a licence to a corporation that owns one licence or more, effective immediately.’;
- (2) adding thereto the following:
  - ‘It is further recommended that:
    - (1) in addition to whatever licences are issued under the regular or Ambassador class, 25 additional licences be issued yearly for accessible cabs, and that this provision continue until such time as 10 percent of all taxicabs are accessible, or until such time as Council is satisfied that community needs have been met; and in order to assist the taxicab industry, Council establish a lower license and renewal fee at no more than 50 percent of that charged for regular or Ambassador licenses, or make grants available equivalent to similar amounts;
    - (2) training programs for drivers include education on the needs of persons with disabilities, especially those with guide dogs or other working dogs, as well as an emphasis on the fact that drivers cannot refuse to provide service to these individuals and their animals;
    - (3) the Commissioner of Urban Planning and Development Services be requested to submit a report to the Emergency and Protective Services Committee, in consultation with appropriate City staff, representatives of the disabled community and the taxi industry, within three months, on the issue of accessible taxicabs and mechanisms which could be employed in order to achieve the community’s needs, as outlined in Recommendation No. (1), above;
    - (4) all efforts be made to monitor the income of drivers/owners;

- (5) the new meters being introduced be programmed to monitor the income of drivers, and that it be a requirement that the City of Toronto be provided with this information on an annual basis;
  - (6) By-law No. 20-85 be amended to provide that failure to provide the annual income information to the City of Toronto shall be an offence;
  - (7) the General Manager, Toronto Licensing Commission be requested to:
    - (a) develop a formula to address the future issuance, over and above the 100 new Ambassador Taxicab licences to be issued annually, and report to the Emergency and Protective Services Committee and Council for approval in one year;
    - (b) monitor changes in plate values, leasing rates, operating costs, and drivers' incomes;
    - (c) increase enforcement efforts and seek assistance from the Toronto Police Service in order to strictly enforce unlicensed and out-of-town taxicabs that are picking up passengers within the boundaries of the City of Toronto and report to the Emergency and Protective Services Committee on the procedures the Toronto Licensing Commission proposes to implement in this regard; and
    - (d) submit reports to Council, through the Emergency and Protective Services Committee, on:
      - (i) mechanisms to ensure compliance with Recommendation No. (14)(d) of Appendix 1; and
      - (ii) the provision of a driver-funded benefits package that includes long-term disability coverage and spousal benefits; and
  - (8) the Commissioner of Urban Planning and Development Services be requested consult with various financial institutions, and submit a report to the Emergency and Protective Services Committee on the feasibility of the City of Toronto buying back all outstanding plates with an appropriate financing mechanism, and the City of Toronto subsequently acting as the leasing agent.'
- (3) referring the following motions to the Emergency and Protective Services Committee:

Moved by Councillor Balkissoon:

‘That the Clause be amended to provide that Recommendation No. (2) of the Emergency and Protective Services Committee be amended to read as follows:

- “(2) Council adopt a firm commitment to having an annual review of this issue by the appropriate City staff and the City Auditor, and that such review be completed, and the reports thereon be submitted to the Emergency and Protective Services Committee and Council, prior to the issuance of the second allotment.” ’

Moved by Councillor Bossons:

‘It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Emergency and Protective Services Committee on a mechanism which would permit the owner of an Ambassador License to designate an alternate driver in the case of a medical or accident emergency, such emergency to be certified by a medical doctor chosen by the Toronto Licensing Commission.’

Moved by Councillor Shiner:

‘That the Clause be amended by striking out Recommendation No. (14)(c) embodied in Appendix 1 to the report dated November 25, 1998, from the Commissioner of Urban Planning and Development Services, and inserting in lieu thereof the following:

- “(14)(c)(i) leasing of taxicabs and/or taxi licenses be prohibited effective January 1, 2004;
- (ii) with the following exception, notwithstanding the general prohibition, that owners/drivers, and in the case of their death, their spouse or other direct family members, be permitted to lease their taxicabs; and
- (iii) the Commissioner of Urban Planning and Development Services, in consultation with the appropriate City officials, be directed to submit an implementation plan to the Emergency and Protective Services Committee.” ’; and



- (4) referring the following motion to the Review Panel for a report thereon to Council, through the Emergency and Protective Services Committee:

Moved by Councillor Fotinos:

‘That:

- (1) the Commissioner of Urban Planning and Development Services and the Chief Administrative Officer attempt to establish a flexible time, comprehensive taxi driver education and training program, outlined in Recommendation No. (25) in Appendix 1, through the Community Colleges, so as to allow for greater access to interested parties;
- (2) this training program be implemented for 1999, or as quickly as possible thereafter;
- (3) all operators and drivers of taxicabs be required to enroll in these courses within three years of the time that they are offered;
- (4) all new recipients of City-issued licences be required to have completed the aforementioned training program and be required to drive the taxi for at least five years;
- (5) City-issued licences be limited to one per lifetime, per individual;
- (6) after January 1, 2001, the sale or transfers of taxi licences be restricted to persons who have successfully completed the training course, who have a valid taxicab drivers’ licence, and who will be able to demonstrate that they are active in the taxi industry;
- (7) all taxi licence holders be notified that, after 2001, the leasing of taxicabs shall be strictly monitored and that the leasing of plates shall result in immediate revocation of the taxi licence;
- (8) the age of vehicles recommended in the report be amended so that the maximum age of a vehicle be restricted to six model years for owner driven cabs and five model years for leased vehicles, and that a vehicle of up to four model years be permitted to be placed on the road as a taxicab;

- (9) the issue of Ambassador taxi plates be referred to the Taxicab Advisory Committee; and
- (10) the City issue 100 more licences in 1999, and that staff work with the Taxicab Advisory Committee to bring forward a formula for issuing licences in the future.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair - 47.

Nays: Councillors: Feldman, Fotinos, Giansante, Holyday, Shaw - 5.

Decided in the affirmative by a majority of 42.

Deputy Mayor Ootes proposed that Council now recess and reconvene in approximately ten minutes.

Council concurred in the foregoing proposal.

Council recessed at 8:54 p.m.

**9:00 P.M.**

Council reconvened.

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

1960 At the request of Council, the City Clerk called the Roll at 9:01 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.  
Councillors: Adams, Ashton, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Holyday, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair - 38.

1961 Members present at the second evening session of the second day of this meeting:

Mayor: Lastman.

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

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

1962 **Clause No. 1 of Joint Report No. 1 of The Community and Neighbourhood Services Committee and The Emergency and Protective Services Committee, headed "Squeegee Diversion Strategy for Street-Involved Homeless Youth".**

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

- (i) (November 24, 1998) from the City Clerk forwarding the comments of the Children and Youth Action Committee with respect to the squeegee diversion strategy for street-involved homeless youth, and urging Council to support the immediate implementation of the support strategy; and
- (ii) (November 24, 1998) from the City Clerk forwarding the recommendations from the Task Force on Community Safety with respect to the squeegee diversion strategy for street-involved homeless youth, and urging Council to support the immediate implementation of the support strategy.

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

- (i) a copy of a statement, headed "Religious Communities Urge Toronto Council to Adopt Non-Punitive Approaches to Supporting Squeegee Youth", submitted by Councillor Mihevc, signed by: President, Catholic Charities of the Archdiocese of Toronto; Executive Assistant to the Anglican Bishop of Toronto; Chair, The Toronto Conference of the United Church of Canada; Presbyterian Minister and Chaplain, University of Toronto; Resident Minister of the Toronto Buddhist Church; Executive Director, Citizens for Public Justice; Al-Huda Lebanese Muslim Society; and Executive Director, Jewish Family and Child Services;
- (ii) communication (November 20, 1998) addressed to Councillor Mihevc, from the Executive Director, All Aboard Youth Ventures Inc., advising that linking a punitive approach to a social services approach is counterproductive; and

- (iii) statistical information with respect to the homeless, youth, and rental unit vacancies and rates, submitted by Councillor Sinclair.

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:
- (1) amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by deleting from the lead-in phrase of Recommendation No. (3) the words "as soon as the Provincial Government enacts the necessary enforcement legislation"; and
  - (2) adding thereto the following:

"It is further recommended that the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services be requested to develop and administer a scheme whereby the City of Toronto will match donations from the private sector, to a maximum of \$1.0 million, to implement programs in the diversion strategy."

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minutes Nos. 1964 and 1975.)

- 1963 At the request of Council, the City Clerk called the Roll at 9:15 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Ashton, Balkissoon, Bossons, Bussin, Cho, Chong, Disero, Duguid, Filion, Fotinos, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mihevc, Miller, Nunziata, O'Brien, Ootes, Pantalone, Rae, Shiner, Silva - 31.

- 1964 Council resumed its consideration of Clause No. 1 of Joint Report No. 1 of The Community and Neighbourhood Services Committee and The Emergency and Protective Services Committee, headed "Squeegee Diversion Strategy for Street-Involved Homeless Youth". (See also Minutes Nos. 1962 and 1975.)

- (b) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended to provide that funding for this program in the amount of \$250,000.00 be given prior budget approval in order for this initiative to be implemented immediately.

- (c) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by deleting Recommendations Nos. (2) and (4).
- (d) Councillor McConnell, in amendment, moved that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by referring Recommendation No. (7) to the Medical Officer of Health for report thereon to the Board of Health.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minutes Nos. 1962 and 1975.)

At this point in the proceedings, Councillor King, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, in order to conclude consideration of the foregoing Clause, the vote upon which was taken as follows:

Yeas: Councillors: Augimeri, Berardinetti, Chow, Disero, Duguid, Flint, Holyday, Jakobek, Kelly, King, Layton, McConnell, Mihevc, Miller, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 25.

Nays: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Brown, Bussin, Cho, Chong, Davis, Jones, Kinahan, Lindsay Luby, Li Preti, Moeser, Moscoe, Prue - 16.

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

1965 At this point in the proceedings, and with the permission of Council, Councillor Berardinetti, seconded by Councillor Walker, moved that leave be granted to introduce:

Bill No. 821 To amend By-law No. 1995-0194, being a "By-law To declare real property to be surplus to the needs of the City", respecting part of premises 28 Bathurst Street.

Bill No. 822 To designate certain lands on a registered plan not subject to Part-Lot Control.

Bill No. 823 To adopt Amendment No. 465 of the Official Plan for the City of North York.

- Bill No. 824 To amend the North York Zoning By-law 7625.
- Bill No. 825 To amend City of North York By-law No. 7625.
- Bill No. 826 To exempt lands municipally known as Nos. 150 to 172 King Street East, Nos. 61 and 63 Jarvis Street and No. 80 George Street from the provisions of subsection 50(5) of the Planning Act.
- Bill No. 827 To stop up and close the public lane north of Scollard Street, extending easterly from Hazelton Avenue, between Nos. 35 and 37 Hazelton Avenue and to authorize the conveyance thereof.
- Bill No. 829 To establish certain lands as a municipal highway.
- Bill No. 830 To adopt Amendment No. 1014 to the Official Plan for the former City of Scarborough.
- Bill No. 831 To amend Scarborough Zoning By-law No. 9396 as amended with respect to the Cliffcrest Community, and Scarborough Zoning By-law No. 24982 as amended with respect to the Knob Hill Employment District.
- Bill No. 832 To amend Scarborough Employment Districts Zoning By-law Number 24982 with respect to Rouge Employment District.
- Bill No. 833 To designate certain lands on a registered plan not subject to Part Lot Control in the Birchcliff Community.
- Bill No. 834 To amend the Employment Districts Zoning By-law No. 24982 (Ellesmere Employment District).
- Bill No. 835 To amend the former City of Toronto Municipal Code Ch. 297, Signs, respecting No. 1 Dundas Street West et al.
- Bill No. 836 To amend the former Municipality of Metropolitan Toronto By-law No. 118 respecting No. 1 Dundas Street West et al.
- Bill No. 837 To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
- Bill No. 838 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
- Bill No. 839 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Adelaide Street West, Earnbridge Street, Margueretta Street, Somerset Avenue.

- Bill No. 840 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosewell Avenue.
- Bill No. 841 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- Bill No. 842 To amend further Metropolitan By-law No. 107-86 respecting parking meters on former Metropolitan Roads.
- Bill No. 843 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- Bill No. 844 To amend further Metropolitan By-law No. 108-86 respecting Pedestrian Crossovers on certain former Metropolitan Roads.
- Bill No. 845 To amend City of York By-law Number 196-84, being a By-law “To Regulate traffic on City of York roads”.
- Bill No. 846 To amend City of York By-law Number 2958-94 being a By-law “To Regulate traffic on City of York roads”.
- Bill No. 847 To adopt Amendment No. 16 to the Official Plan for the former Borough of East York Affecting the Lands Located on the South-West Corner of O’Connor Drive and Northline Road.
- Bill No. 848 To amend Restricted Area Zoning By-law No. 6752, as amended, of the former Township of East York.
- Bill No. 849 To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
- Bill No. 850 To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
- Bill No. 851 To amend By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York.
- Bill No. 852 To amend former City of York By-law Number 1-83.
- Bill No. 853 To amend By-law 31878 of the former City of North York, as amended.
- Bill No. 854 To amend By-law 31001 of the former City of North York, as amended.
- Bill No. 855 To amend By-law No. 31001 of the former City of North York as amended.

- Bill No. 856 To amend By-law No. 31001 of the former City of North York as amended.
- Bill No. 857 To amend By-law No. 31001 of the former City of North York as amended.
- Bill No. 858 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 Bartlett Avenue North by the installation of speed humps between Geary Avenue and Davenport Road.
- Bill No. 859 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 Eastwood Road by the installation of speed humps from Bellhaven Road to Woodbine Avenue.
- Bill No. 860 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 Prescott Avenue by the installation of speed humps from St. Clair Avenue West to Rockwell Avenue.
- Bill No. 861 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Alexander Street, Glen Gordon Road, Oak Park Avenue, Wood Street.
- Bill No. 862 To adopt Amendment No. 65-98 to the Official Plan of the Etobicoke Planning Area in order to redesignate the apartment site from Medium Density Residential to High Density Residential to rectify a ‘technical’ error respecting Map 4, Land Use, of the Etobicoke Official Plan.
- Bill No. 863 To amend the former City of Toronto Municipal Code by adding Chapter 270, Public Squares.
- Bill No. 864 To amend City of York By-law Number 2958-94, being a By-law “To Regulate traffic on City of York roads”.
- Bill No. 865 To amend City of York By-law Number 196-84, being a By-law “To Regulate traffic on City of York roads”.
- Bill No. 866 To further amend Metropolitan Toronto By-law No. 153-89, a by-law “Respecting the regulation of the discharge of sewage and land drainage.”
- Bill No. 867 To establish a schedule of retention periods for records of Toronto Transit Commission.



- Bill No. 868 A By-Law to Exempt Lands from Part Lot Control.
- Bill No. 869 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- Bill No. 870 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 871 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 872 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 873 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- Bill No. 874 A By-Law to Establish Certain Lands as a Municipal Highway.
- Bill No. 875 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 876 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 877 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 878 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 879 To amend By-law No. 92-93, a by-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York.
- Bill No. 880 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as part of No. 123 Eglinton Avenue East.
- Bill No. 881 To amend the General Zoning By-law No. 438-86 with respect to lands known as part of No. 123 Eglinton Avenue East.
- Bill No. 882 To appoint Claire Tucker-Reid as manager of certain City vessels and as signing officer to effect her registration in that capacity.,

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. 822-1998 | To amend By-law No. 1995-0194, being a "By-law To declare real property to be surplus to the needs of the City", respecting part of premises 28 Bathurst Street.                                      |
| By-law No. 823-1998 | To designate certain lands on a registered plan not subject to Part-Lot Control.  |
| By-law No. 824-1998 | To adopt Amendment No. 465 of the Official Plan for the City of North York.   |
| By-law No. 825-1998 | To amend the North York Zoning By-law 7625.   |
| By-law No. 826-1998 | To amend City of North York By-law No. 7625.  |
| By-law No. 827-1998 | To exempt lands municipally known as Nos. 150 to 172 King Street East, Nos. 61 and 63 Jarvis Street and No. 80 George Street from the provisions of subsection 50(5) of the Planning Act.             |
| By-law No. 828-1998 | To stop up and close the public lane north of Scollard Street, extending easterly from Hazelton Avenue, between Nos. 35 and 37 Hazelton Avenue and to authorize the conveyance thereof.               |
| By-law No. 829-1998 | To establish certain lands as a municipal highway.  |
| By-law No. 830-1998 | To adopt Amendment No. 1014 to the Official Plan for the former City of Scarborough.  |
| By-law No. 831-1998 | To amend Scarborough Zoning By-law No. 9396 as amended with respect to the Clifcrest Community, and Scarborough Zoning By-law No. 24982 as amended with respect to the Knob Hill Employment District. |
| By-law No. 832-1998 | To amend Scarborough Employment Districts Zoning By-law Number 24982 with respect to Rouge Employment District.   |
| By-law No. 833-1998 | To designate certain lands on a registered plan not subject to Part Lot Control in the Birchcliff Community.  |
| By-law No. 834-1998 | To amend the Employment Districts Zoning By-law No. 24982 (Ellesmere Employment District).  |

- By-law No. 835-1998 To amend the former City of Toronto Municipal Code Ch. 297, Signs, respecting No. 1 Dundas Street West et al.
- By-law No. 836-1998 To amend the former Municipality of Metropolitan Toronto By-law No. 118 respecting No. 1 Dundas Street West et al.
- By-law No. 837-1998 To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
- By-law No. 838-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
- By-law No. 839-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Adelaide Street West, Earnbridge Street, Margueretta Street, Somerset Avenue.
- By-law No. 840-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosewell Avenue.
- By-law No. 841-1998 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- By-law No. 842-1998 To amend further Metropolitan By-law No. 107-86 respecting parking meters on former Metropolitan Roads.
- By-law No. 843-1998 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- By-law No. 844-1998 To amend further Metropolitan By-law No. 108-86 respecting Pedestrian Crossovers on certain former Metropolitan Roads.
- By-law No. 845-1998 To amend City of York By-law Number 196-84, being a By-law "To Regulate traffic on City of York roads".
- By-law No. 846-1998 To amend City of York By-law Number 2958-94 being a By-law "To Regulate traffic on City of York roads".
- By-law No. 847-1998 To adopt Amendment No. 16 to the Official Plan for the former Borough of East York Affecting the Lands Located on the South-West Corner of O'Connor Drive and Northline Road.

- By-law No. 848-1998 To amend Restricted Area Zoning By-law No. 6752, as amended, of the former Township of East York.
- By-law No. 849-1998 To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
- By-law No. 850-1998 To amend By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
- By-law No. 851-1998 To amend By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York.
- By-law No. 852-1998 To amend former City of York By-law Number 1-83.
- By-law No. 853-1998 To amend By-law 31878 of the former City of North York, as amended.
- By-law No. 854-1998 To amend By-law 31001 of the former City of North York, as amended.
- By-law No. 855-1998 To amend By-law No. 31001 of the former City of North York as amended.
- By-law No. 856-1998 To amend By-law No. 31001 of the former City of North York as amended.
- By-law No. 857-1998 To amend By-law No. 31001 of the former City of North York as amended.
- By-law No. 858-1998 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 Bartlett Avenue North by the installation of speed humps between Geary Avenue and Davenport Road.
- By-law No. 859-1998 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 Eastwood Road by the installation of speed humps from Bellhaven Road to Woodbine Avenue.

- By-law No. 860-1998 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 Prescott Avenue by the installation of speed humps from St. Clair Avenue West to Rockwell Avenue.
- By-law No. 861-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Alexander Street, Glen Gordon Road, Oak Park Avenue, Wood Street.
- By-law No. 862-1998 To adopt Amendment No. 65-98 to the Official Plan of the Etobicoke Planning Area in order to redesignate the apartment site from Medium Density Residential to High Density Residential to rectify a ‘technical’ error respecting Map 4, Land Use, of the Etobicoke Official Plan.
- By-law No. 863-1998 To amend the former City of Toronto Municipal Code by adding Chapter 270, Public Squares.
- By-law No. 864-1998 To amend City of York By-law Number 2958-94, being a By-law “To Regulate traffic on City of York roads”.
- By-law No. 865-1998 To amend City of York By-law Number 196-84, being a By-law “To Regulate traffic on City of York roads”.
- By-law No. 866-1998 To further amend Metropolitan Toronto By-law No. 153-89, a by-law “Respecting the regulation of the discharge of sewage and land drainage.”
- By-law No. 867-1998 To establish a schedule of retention periods for records of Toronto Transit Commission.
- By-law No. 868-1998 A By-Law to Exempt Lands from Part Lot Control.
- By-law No. 869-1998 To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
- By-law No. 870-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- By-law No. 871-1998 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.

By-law No. 872-1998	To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
By-law No. 873-1998	To amend the Etobicoke Municipal Code with respect to Parking - Chapter 183, Article V.
By-law No. 874-1998	A By-Law to Establish Certain Lands as a Municipal Highway.
By-law No. 875-1998	To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
By-law No. 876-1998	To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
By-law No. 877-1998	To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
By-law No. 878-1998	To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
By-law No. 879-1998	To amend By-law No. 92-93, a by-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York.
By-law No. 880-1998	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as part of No. 123 Eglinton Avenue East.
By-law No. 881-1998	To amend the General Zoning By-law No. 438-86 with respect to lands known as part of No. 123 Eglinton Avenue East.
By-law No. 882-1998	To appoint Claire Tucker-Reid as manager of certain City vessels and as signing officer to effect her registration in that capacity.,

it was carried.

1966 Councillor Walker, seconded by Councillor Mihevc, at 9:52 p.m., moved that leave be granted to introduce:

Bill No. 885	To confirm the proceedings of the Council at its meeting held on the 25th and 26th days of November, 1998,
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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. 883-1998                      To confirm the proceedings of the Council at its meeting held on the 25th and 26th days of November, 1998,

the vote was taken as follows:

Yeas: Mayor:                      Lastman.  
Councillors:    Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 44.

Nay:    Nil.

Decided in the affirmative, without dissent.

Council recessed at 9:53 p.m., to reconvene at 9:30 a.m. on Friday, November 27, 1998.

**FRIDAY, NOVEMBER 27, 1998, 9:42 A.M.**

Council reconvened.

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

1967    At the request of Council, the City Clerk called the Roll at 9:43 a.m., those Members present at the call of the Roll being:

Mayor:                      Lastman.  
Councillors:    Altobello, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Holyday, Jakobek, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Silva, Walker - 33.

1968    Members present at the morning session of the third day of this meeting:

Mayor:                      Lastman.  
Councillors:    Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint,

Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 49.

- 1969 At this point in the proceedings, Deputy Mayor Ootes 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 the in-camera portion of this Council meeting be held through the lunch break, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bussin, Chong, Chow, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Sinclair - 29.

Nays: Councillors: Cho, Davis, Disero, Kelly, McConnell, Prue, Walker - 7.

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

- 1970 At this point in the proceedings, Councillor Layton, with the permission of Council, read the following proclamation:

**“WHEREAS** men’s violence against women continues to be a pressing problem in many communities; and

**WHEREAS** the Federation of Canadian Municipalities endorses the ‘1998 White Ribbon Campaign’, which promotes awareness among, and action by, men and boys to help end men’s violence against women; and

**WHEREAS** this week, thousands of men across Canada will be wearing a white ribbon as a pledge never to commit, condone, or remain silent about men’s violence against women;

**NOW THEREFORE BE IT RESOLVED THAT I**, Mel Lastman, Mayor of the City of Toronto, on behalf of City Council, do hereby proclaim November 27 to December 6, 1998, as ‘White Ribbon Week’ and encourage everyone to show their commitment to end violence against women.”

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



- 1971 **Clause No. 22 of Report No. 17 of The Corporate Services Committee, headed “Employment Equity Data for New Hires and Layoffs - Comparison of December 1997 and September 1998”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Executive Director of Human Resources advising that additional time is required to collect historical data of the former City of Toronto and Metropolitan Toronto respecting employment equity for new hires and layoffs.

Council also had before it, during consideration of the foregoing Clause, a report (November 25, 1998) from the Executive Director of Human Resources reporting, as requested, on the relevant employment equity statistics from the former City of Toronto and the former Municipality of Metropolitan Toronto using historical data.

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

- 1972 **Clause No. 13 of Report No. 11 of The Scarborough Community Council, headed “Other Items Considered by the Community Council”.**

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

- 1973 At this point in the proceedings, and with the permission of Council, Councillor Nunziata, seconded by Councillor Jakobek, moved that leave be granted to introduce:

Bill No. 883 To designate an Interim Control Area in the Rockcliffe Boulevard/Caesar Avenue Area of the City (Interim Control),

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. 884-1998 To designate an Interim Control Area in the Rockcliffe Boulevard/Caesar Avenue Area of the City (Interim Control),

it was carried.

- 1974 **Clause No. 4 of Report No. 6 of The Economic Development Committee, headed “1998 Net Operating Surplus, Authorization for Transfer to the Stabilization Reserve Fund - Hummingbird Centre for the Performing Arts”.**

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

- 1975 Council resumed its consideration of Clause No. 1 of Joint Report No. 1 of The Community and Neighbourhood Services Committee and The Emergency and Protective Services Committee, headed "Squeegee Diversion Strategy for Street-Involved Homeless Youth". (See also Minutes Nos. 1962 and 1964.)
- (e) Councillor Kinahan, in amendment, moved that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by adding to Recommendation No. (8) the words "where it is staff's view that it is in the best interest of the youth".
  - (f) Councillor Jakobek, in amendment, moved that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):
    - "(3) Community and Neighbourhood Services' staff, in house, be requested to develop and support an integrated service model for a sub-group of homeless street-involved youth using existing but modified services and report back on any additional funds needed;"
  - (g) Councillor Davis, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
    - "It is further recommended that the Chief Administrative Officer be requested to communicate with other major municipalities with respect to their strategy for dealing with inner-city street youth, and report thereon to the Community and Neighbourhood Services Committee."
  - (h) Councillor Mammoliti, in amendment, moved that the foregoing Clause be amended to provide that the implementation of the enforcement component outlined in Recommendation No. (4) embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, be deferred for further discussion and possible implementation at the meeting of Council to be held in April, 2000.
  - (i) Councillor Berardinetti, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that a copy of this Clause, as amended, be forwarded to all Members of Parliament and Members of Provincial Parliament, whose ridings are located in the City of Toronto.”

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

“It is further recommended that:

- (1) Council request the federal government and the provincial government to provide \$250,000.00 each in order to develop a service delivery model for squeegee kids; and
- (2) Mayor Lastman be requested to approach the private sector to fund-raise the sum of \$250,000.00.”

At this point in the proceedings, Councillor Mihevc, with the permission of Council, withdrew that portion of his foregoing motion (c) pertaining to the deletion of Recommendation No. (4) embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee.

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

“that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by referring Recommendation No. (7) to the Medical Officer of Health for report thereon to the Board of Health.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Feldman, Fillion, Giansante, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Sinclair, Walker - 27.

Nays: Mayor: Lastman.  
Councillors: Balkissoon, Chong, Davis, Flint, Holyday, Jakobek, Kelly, Ootes, Prue, Sgro, Shaw, Shiner - 13.

Decided in the affirmative by a majority of 14.

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

“that the foregoing Clause be amended to provide that the implementation of the enforcement component outlined in Recommendation No. (4) embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, be deferred for further discussion and possible implementation at the meeting of Council to be held in April, 2000.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Berardinetti, Berger, Cho, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Walker - 11.

Nays: Councillors: Altobello, Augimeri, Balkissoon, Bussin, Chong, Chow, Davis, Disero, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Kelly, Kinahan, Layton, Lindsay Luby, Li Preti, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair - 29.

Decided in the negative by a majority of 18.

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

“that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by deleting Recommendation No. (2).”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berger, Cho, Filion, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Shiner, Walker - 16.

Nays: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Bussin, Chong, Chow, Davis, Disero, Feldman, Flint, Giansante, Holyday, Jakobek, Kelly, Kinahan, Lindsay Luby, Li Preti, Ootes, Rae, Sgro, Shaw, Silva, Sinclair - 24.

Decided in the negative by a majority of 8.

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

“that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):

- ‘(3) Community and Neighbourhood Services’ staff, in house, be requested to develop and support an integrated service model for a sub-group of homeless street-involved youth using existing but modified services and report back on any additional funds needed;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Feldman, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Li Preti, Ootes, Sgro, Shaw - 14.

Nays: Councillors: Augimeri, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Filion, Flint, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Walker - 26.

Decided in the negative by a majority of 12.

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

“that the foregoing Clause be amended by:

- (1) amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by deleting from the lead-in phrase of Recommendation No. (3) the words ‘as soon as the Provincial Government enacts the necessary enforcement legislation’;”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Filion, Flint, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes,

Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Walker - 30.

Nays: Mayor: Lastman.  
Councillors: Balkissoon, Disero, Feldman, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Sgro - 10.

Decided in the affirmative by a majority of 20.

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

“that the foregoing Clause be amended to provide that funding for this program in the amount of \$250,000.00 be given prior budget approval in order for this initiative to be implemented immediately.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Duguid, Filion, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Walker - 27.

Nays: Mayor: Lastman.  
Councillors: Balkissoon, Chong, Davis, Feldman, Flint, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Ootes, Sgro, Shaw - 14.

Decided in the affirmative by a majority of 13.

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

“that the foregoing Clause be amended by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, by adding to Recommendation No. (8) the words ‘where it is staff’s view that it is in the best interest of the youth’.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 38.

Nays: Councillors: Balkissoon, Jakobek, Kelly - 3.

Decided in the affirmative by a majority of 35.

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

“that the foregoing Clause be amended by:

(2) adding thereto the following:

‘It is further recommended that the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services be requested to develop and administer a scheme whereby the City of Toronto will match donations from the private sector, to a maximum of \$1.0 million, to implement programs in the diversion strategy.’ ”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Davis, Duguid, Filion, Flint, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Silva, Sinclair, Walker - 27.

Nays: Mayor: Lastman.

Councillors: Altobello, Balkissoon, Chong, Disero, Feldman, Giansante, Holyday, Jakobek, Kelly, Ootes, Sgro, Shaw, Shiner - 14.

Decided in the affirmative by a majority of 13.

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

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

‘It is further recommended that the Chief Administrative Officer be requested to communicate with other major municipalities with respect to their strategy for dealing with inner-city street youth, and report thereon to the Community and Neighbourhood Services Committee.’ ”,

it was carried.

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

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

‘It is further recommended that a copy of this Clause, as amended, be forwarded to all Members of Parliament and Members of Provincial Parliament, whose ridings are located in the City of Toronto.’ ”,

it was carried.

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

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

‘It is further recommended that:

- (1) Council request the federal government and the provincial government to provide \$250,000.00 each in order to develop a service delivery model for squeegee kids; and
- (2) Mayor Lastman be requested to approach the private sector to fund-raise the sum of \$250,000.00.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berger, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Fillion, Giansante, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 36.

Nays: Mayor: Lastman.  
Councillors: Berardinetti, Chong, Flint, Holyday - 5.

Decided in the affirmative by a majority of 31.

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

“that the foregoing Clause be amended:

- (1) by amending the recommendations embodied in the joint report dated October 22, 1998, from the Commissioner of Community and Neighbourhood Services and Commissioner of Works and Emergency Services, as amended by the Joint Committee, as follows:
  - (a) by deleting from the lead-in phrase of Recommendation No. (3) the words ‘as soon as the Provincial Government enacts the necessary enforcement legislation’, so that such recommendation now reads as follows:



- '(3) Council provide \$250,000.00 to develop and support an integrated service model for a subgroup of homeless street-involved youth who are not currently served by the existing service system. This service model will:
- (a) provide a single point of access for homeless street-involved youth in both the east and west ends of the City, recognizing that there are currently no services available in the west end;
  - (b) create a new employment training program that will be specifically targeted to address the unmet and complex needs of homeless street-involved youth and divert them from squeegeeing and panhandling activity; and
  - (c) combine all of the existing and new program elements, including stabilization services, pre-employment training, and specialized employment training initiatives into one overall program;

and that this service model be audited and assessed for its value after twelve months by the City Auditor;';

- (b) by referring Recommendation No. (7) to the Medical Officer of Health for report thereon to the Board of Health, viz:

'(7) Council request the Provincial Government to amend the Mental Health Act to ensure that mentally-ill youth living on the street can be taken into health care at the request of parents and doctors;';

- (c) by adding to Recommendation No. (8) the words 'where it is staff's view that it is in the best interest of the youth', so that such recommendation now reads as follows:

'(8) Council request the Commissioner of Community and Neighbourhood Services to develop a policy which will see every effort being made to contact the parents of youth who are on the street where it is staff's view that it is in the best interest of the youth;';

(2) to provide that funding for this program in the amount of \$250,000.00 be given prior budget approval in order for this initiative to be implemented immediately; and

(3) by adding thereto the following:

‘It is further recommended that:

- (1) Council request the federal government and the provincial government to provide \$250,000.00 each in order to develop a service delivery model for squeegee kids;
- (2) Mayor Lastman be requested to approach the private sector to fund-raise the sum of \$250,000.00;
- (3) the Chief Administrative Officer be requested to communicate with other major municipalities with respect to their strategy for dealing with inner-city street youth, and report thereon to the Community and Neighbourhood Services Committee;
- (4) the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services be requested to develop and administer a scheme whereby the City of Toronto will match donations from the private sector, to a maximum of \$1.0 million, to implement programs in the diversion strategy; and
- (5) a copy of this Clause, as amended, be forwarded to all Members of Parliament and Members of Provincial Parliament, whose ridings are located in the City of Toronto.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Fillion, Giansante, Jakobek, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 34.

Nays: Mayor: Lastman.  
Councillors: Balkissoon, Chong, Flint, Holyday, Kelly, Ootes - 7.

Decided in the affirmative by a majority of 27.

1976 **Clause No. 1 of Report No. 5 of The Economic Development Committee, headed “Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions”.**

Council also had before it, during consideration of the foregoing Clause, a Research Bulletin (undated) entitled “Toronto Small Business Views on Bank Mergers”, submitted by Councillor Chow.

Council also had before it the following motions which had been put forward by Members of Council at the meeting of Council held on October 28, 29 and 30, 1998, for consideration with Clause No. 1 of Report No. 3 of The Economic Development Committee, headed “Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions”:

(1) Moved by Councillor Silva:

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

‘It is further recommended that:

- (1) the report dated September 30, 1998, from the Commissioner of Economic Development, Culture and Tourism, entitled “Brief to the Federal Minister of Finance re Bank Mergers”, be adopted; and
- (2) City Council request the federal government to:
  - (a) create an independent Ombudsman for the banking industry;
  - (b) create a Consumer Protection Agency, in the event of a bank merger;
  - (c) establish a protocol with the major banks within the City of Toronto, in the event of any branch closures, and that advance notice and discussions be held with the appropriate City of Toronto staff and local Councillors prior to the closures; and
  - (d) declare the City of Toronto an International Banking Centre.’ ”

(2) Moved by Councillor Moscoe:

“That:

- (1) the foregoing Clause be received; and

- (2) Council adopt the following recommendation:

‘It is recommended that the Government of Canada be advised that the proposed mergers of the Canadian Imperial Bank of Commerce and the Toronto Dominion Bank, and the Royal Bank of Canada and the Bank of Montreal, are not in the best interests of the people of the City of Toronto.’ ”

- (3) Moved by Councillor Pantalone:

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

‘It is further recommended that City Council request of the Government of Canada that:

- (1) a mechanism be established (such as the Community Reinvestment Act) which would allow access to the banks’ credit information, with a view to achieving accountability; and
- (2) membership on the Boards of Directors of banks be opened up to include representation from sectors such as consumers, shareholders, financial consulting groups, etc., in order to make banks more accountable.’ ”

- (4) Moved by Councillor Korwin-Kuczynski:

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

‘It is further recommended that:

- (1) City Council indicate to the federal government that it has no opinion on bank mergers at this time, pending adequate information being provided to make an informed decision; and
- (2) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development Committee on what impact bank mergers will have on:
  - (a) future bank closures;
  - (b) employment; and
  - (c) small businesses in Canada.’ ”

- (5) Moved by Councillor Prue:

“That the foregoing Clause be struck out and referred to the Mayor, together with all motions moved by Members of Council in this regard, and the Commissioner of

Economic Development, Culture and Tourism be requested to submit a report directly to Council following the release of the report on bank mergers.”

(Council was advised that the foregoing motion was voted on a had been decided in the negative at the October 28, 29 and 30, 1998 meeting of Council.)

(6) Moved by Councillor Miller:

“That Part (1) of the foregoing motion (1) by Councillor Silva be amended by adding thereto the words ‘subject to deleting the first paragraph of the brief prepared by the Commissioner of Economic Development, Culture and Tourism and inserting in lieu thereof the following new paragraph:

“I’m here before your committee today about the megabank mergers to ask you to stop!

It’s crazy.

Literally thousands of people out of work. Hundreds of branches would close. And for what? To let these big banks get even bigger?

Are they nuts??

Small business doesn’t want it.

The residents of Toronto don’t want it.

City Council doesn’t want it.

I don’t want it. Who wants megabanks?

NO BODY!” ’ ”

Deputy Mayor Ootes, in response to Councillor Miller, ruled that the foregoing motion was properly before Council.

(7) Moved by Councillor Ashton:

“That the foregoing motion (5) by Councillor Prue be amended to provide that the Clause, together with the motions moved by Members of Council, be referred back to the Economic Development Committee for further consideration, and the Commissioner of Economic Development, Culture and Tourism be requested to develop a position on this matter which addresses the concerns of Council and report thereon to the Committee.”

(Council was advised that the foregoing motion was voted on a had been decided in the negative at the October 28, 29 and 30, 1998 meeting of Council.)

(8) Moved by Councillor Chow:

“That Part (1) of the foregoing motion (1) by Councillor Silva, be amended to provide that the Mayor’s brief to the Commons and Senate Hearings include the following:

- (1) that the federal government be requested to develop measures to force banks to:
    - (a) disclose more information on lending activities;
    - (b) disclose information on the cost structures of their service charges; and
    - (c) reinvest in their local communities;
  - (2) that the federal government be requested to enhance competition in Canadian banking by broadening access to the Canadian payment system; and
  - (3) that any mention of bank mergers that could lead to employment gains be deleted from the Mayor’s brief.”
- (9) Moved by Councillor Lindsay Luby:

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

‘It is recommended that the Commissioner of Economic Development, Culture and Tourism be requested to prepare a more definitive position for the City of Toronto respecting bank mergers, taking into account the most recent Hearings on this matter, and report thereon to the Economic Development Committee.’ ”

At this point in the proceedings, Deputy Mayor Ootes proposed that, having regard to recent developments at the federal government level pertaining to bank mergers, this Clause, together with all motions put forward by Members of Council, be referred back to the Economic Development Committee for further consideration.

Councillor Miller, rising on a point of order, requested the Deputy Mayor to rule on whether his proposal was in order, having regard that he had not been listed to speak to this matter.

Deputy Mayor Ootes ruled that his proposal was in order.

Mayor Lastman challenged the ruling of the Deputy Mayor.

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

Yeas: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berardinetti, Berger, Chong, Feldman, Giansante, Holyday, Kelly, Lindsay Luby, Li Preti, Ootes, Pantalone, Sgro, Silva, Sinclair - 17.

Nays: Councillors: Augimeri, Bussin, Cho, Davis, Disero, Duguid, Filion, Jakobek, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae, Shaw, Shiner, Walker - 22.

Decided in the negative by a majority of 5.

Council subsequently accepted the foregoing proposal as a referral motion and proceeded to debate the referral.

At this point in the proceedings, Councillor Shiner, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Balkissoon, Berger, Cho, Disero, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Korwin-Kuczynski, Lindsay Luby, McConnell, Nunziata, Ootes, Prue, Sgro, Shiner, Silva, Sinclair - 22.

Nays: Councillors: Augimeri, Berardinetti, Bussin, Chong, Davis, Flint, Kinahan, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Walker - 16.

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

Upon the question of the adoption of the foregoing referral motion by Deputy Mayor Ootes, the vote was taken as follows:

Yeas: Councillors: Altobello, Balkissoon, Berger, Cho, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Li Preti, Mammoliti, Nunziata, Ootes, Sgro, Silva - 18.

Nays: Councillors: Augimeri, Berardinetti, Bussin, Chong, Davis, Disero, Flint, Kinahan, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Shaw, Shiner, Sinclair, Walker - 19.

Decided in the negative by a majority of 1.

Council deferred further consideration of the foregoing Clause until later in the meeting.  
(See Minute No. 1978.)

1977 At the request of Council, the City Clerk called the Roll at 11:56 a.m., those Members present at the call of the Roll being:

Councillors: Altobello, Augimeri, Berardinetti, Berger, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Holyday, Kinahan, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 33.

1978 Council resumed its consideration of Clause No. 1 of Report No. 5 of The Economic Development Committee, headed "Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions".  
(See also Minute No. 1976.)

Deputy Mayor Ootes, having regard that the foregoing referral motion did not carry, called for further motions in this regard.

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

(10) Moved by Councillor Mihevc:

"That the foregoing Clause be amended to provide that:

- (1) City Council communicate to the federal government that it cannot support major bank amalgamation at this time, as the evidence before Council does not demonstrate a clear benefit to Torontonians; and
- (2) any presentation to the federal government reflect this position."

Upon the question of the adoption of the foregoing motion No. (9) by Councillor Lindsay Luby, viz.:

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

'It is recommended that the Commissioner of Economic Development, Culture and Tourism be requested to prepare a more definitive position for the City of Toronto respecting bank mergers, taking into account the most recent Hearings on this matter, and report thereon to the Economic Development Committee.' "



the vote was taken as follows:

Yeas: Councillors: Altobello, Berger, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Fillion, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Li Preti, Minnan-Wong, Ootes, Sgro, Silva - 20.

Nays: Councillors: Augimeri, Chow, Flint, Gardner, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Shiner, Sinclair, Walker - 19.

Decided in the affirmative by a majority of 1.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared the foregoing motions Nos. (1), (2), (3), (4), (6), (8) and (10), by Councillors Silva, Moscoe, Pantalone, Korwin-Kuczynski, Miller, Chow and Mihevc, respectively, redundant.

1979 **Clause No. 2 of Report No. 12 of The Emergency and Protective Services Committee, headed "By-law to Amend By-law No. 20-85 - Accident Towing - Mandatory Drop and Accreditation of Vehicle Repair Facilities".**

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 the City Clerk be requested to ensure that the report previously requested by City Council from the City Auditor on Auto Collision Centres, be brought forward as requested."

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.

1980 **Clause No. 1 of Report No. 12 of The North York Community Council, headed "Process for Disposal of City Property".**

Council also had before it, during consideration of the foregoing Clause, the following Notice of Motion (F):

**Moved by:**                   **Councillor Flint**

**Seconded by:**               **Councillor Feldman**

**“WHEREAS** City Council at its meeting held on October 1 and 2, 1998, reopened and held Clause No. 1 of Report No. 11 of The Corporate Services Committee, headed ‘Acquisition and Disposal of Real Property’; and

**WHEREAS** the acquisition and disposal of small parcels of Real Property can be of special interest and significance to Councillors and Community Councils; and

**WHEREAS** Councillors can often provide beneficial and helpful insight into local real estate matters;

**NOW THEREFORE BE IT RESOLVED THAT** the recommendations in North York Community Council Report No. 12, Clause No. 1, be struck out and the following substituted therefor:

“that the report dated May 11, 1998, from the Commissioner of Corporate Services, as amended by City of Toronto Council at its meeting held on July 29, 30, 31, 1998, be adopted subject to:

- (1) amending Appendix C, embodied therein, entitled ‘Processes for Declaring Properties Surplus’, by:
  - (a) adding to section (1) the following: ‘*(d) identified by a Councillor*’, so that section (1) now reads:
    - ‘(a) corporate asset reviews such as space rationalization;
    - (b) department reorganization, reduction in staffing or program change;
    - (c) a new tax sale property; and
    - (d) identified by a Councillor;’;
  - (b) adding to section (2) the words ‘*the local Councillor(s)*’, so that section (2) now reads: ‘a review to be undertaken by the Facilities and Real Estate Division, consulting with other departments and the local Councillor(s) to determine applicable consideration, ....’;
  - (c) adding to section (4)(a)(i) ‘*and the local Councillor(s)*’, so that it now reads: ‘report is submitted by the Executive Director to Property Management Committee and the local Councillor(s) on submissions of interests.’;

- (d) adding to sections (4)(e)(i) and (4)(e)(ii) the letter 's' to the word owner, so that it now reads: 'and sold to the abutting owners' and 'if the owners are not interested, ...';
  - (e) adding to section (5) the words '*appropriate Community Council*', so that it now reads: 'on the agenda of the appropriate Community Council or the Corporate Services Committee.';
- (2) Amending Appendix D, embodied therein, entitled 'Processes for Acquisition', by:
- (a) adding to section (3)(a)(i) the words '*and local Councillor(s)*', so that it now reads: 'report is submitted by the Commissioner of Corporate Services to the Property Management Committee and the local Councillor(s) on alternatives and recommendations.';
  - (b) adding to section (3)(b)(i) the words '*and the local Councillor(s)*', so that it now reads: 'report is submitted by the Executive Director of Facilities and Real Estate to the Property Management Committee and the local Councillor(s) on alternatives and recommendations.';
  - (c) adding to section (3)(c)(i) the words '*and the local Councillor(s)*', so that it now reads: 'report is submitted by the Executive Director of Facilities and Real Estate to the Property Management Committee and the local Councillor(s) on alternatives and recommendations.';

**AND BE IT FURTHER RESOLVED THAT** the buying and selling of real estate valued up to \$500,000.00 or otherwise deemed by a local Councillor, the Chief Administrative Officer and the Commissioner of Corporate Services to be of local significance, be considered by the appropriate Community Council for recommendation to City Council; and that authorization be granted for the introduction of any Bills necessary to give effect thereto."

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Flint, in amendment, moved that the foregoing Clause be amended in accordance with the foregoing Motion (F), subject to adding to such Motion the following new Operative Paragraph:

**"AND BE IT FURTHER RESOLVED THAT** adoption of this Motion be deemed to be notice to amend the Council Procedural By-law in order to give effect thereto."

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Feldman, Fillion, Flint, Giansante, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 30.

Nays: Councillors: Chong, Davis, Disero, Duguid, Holyday, Jakobek, Kelly, Ootes - 8.

Decided in the affirmative by a majority of 22.

At this point in the proceedings, Deputy Mayor Ootes proposed that Council now recess and reconvene in approximately 20 minutes in the Council Chamber for its in-camera portion of this meeting.

Council concurred in the foregoing proposal.

Council recessed at 12:42 p.m.

**1:18 P.M.**

Council reconvened.

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

1981 At the request of Council, the City Clerk called the Roll at 1:19 p.m., those Members present at the call of the Roll being:

Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Giansante, Holyday, King, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 31.

1982 Members present at the first afternoon session of the third day of this meeting:

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 39.

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

The Committee of the Whole recessed at 1:20 p.m. to meet privately to consider the following confidential matters remaining on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (1) Clause No. 5 of Report No. 16 of The Corporate Services Committee, headed “Other Items Considered by the Committee”;
- (2) Clause No. 6 of Report No. 17 of The Corporate Services Committee, headed “Provision of Food Services at City Hall”;
- (3) Clause No. 27 of Report No. 17 of The Corporate Services Committee, headed “Acquisition of 40 Wabash Avenue for a Municipal Recreation Facility - Request to Proceed with the Acquisition (Ward 19 - High Park)”;
- (4) Confidential joint report dated November 23, 1998, from the Commissioner of Works and Emergency Services and the City Solicitor, in regard to the agreement with Harbour Remediation and Transfer Inc.

**1:58 P.M.**

Committee of the Whole reconvened in the Council Chamber.

Committee of the Whole rose.

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

1983 Members present at the second afternoon session of the third day of this meeting:

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 46.

1984 **Clause No. 5 of Report No. 16 of The Corporate Services Committee, headed “Other Items Considered by the Committee”.**

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

- (i) a report (November 18, 1998) from the City Solicitor reporting on a Court Application by COTAPSAI to quash the decision of Council respecting the agreement with COTAPSAI; and

- (ii) a confidential report (October 8, 1998) from the Commissioner of Urban Planning and Development Services regarding Union Station Negotiations with the Toronto Terminal Railways Company (TTR), such report to remain confidential in accordance with the provisions of the Municipal Act.

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been moved by Members of Council at the in-camera portion of this meeting in connection with the foregoing Clause.

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

1985 **Clause No. 6 of Report No. 17 of The Corporate Services Committee, headed "Provision of Food Services at City Hall".**

Council also had before it, during consideration of the foregoing Clause, a confidential report (November 4, 1998) from the Commissioner of Corporate Services on the status of the legal arrangement in this regard, such report to remain confidential in accordance with the Municipal Act.

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motion had been moved at the in-camera portion of this meeting in connection with the foregoing Clause.

Moved by Councillor Walker:

"That the foregoing Clause be amended by adding thereto the following:

'It is further recommended that the Commissioner of Corporate Services, in consultation with appropriate staff, be requested to submit a report to the Corporate Services Committee at the end of the first 12 consecutive months of operation, on the gross sales and on the City's percentage thereof.' "

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

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

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, further reported that Council, at its in-camera meeting, had issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

- 1986 **Clause No. 27 of Report No. 17 of The Corporate Services Committee, headed “Acquisition of 40 Wabash Avenue for a Municipal Recreation Facility - Request to Proceed with the Acquisition (Ward 19 - High Park)”.**

Council also had before it, during consideration of the foregoing Clause, a confidential communication (November 9, 1998) from the City Clerk, forwarding the recommendations of the Corporate Services Committee in regard to the confidential report dated November 4, 1998, from the Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act.

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been moved by Members of Council at the in-camera portion of this meeting in connection with the foregoing Clause.

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

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

- 1987 **Confidential joint report dated November 23, 1998, from the Commissioner of Works and Emergency Services and the City Solicitor, in regard to the agreement with Harbour Remediation and Transfer Inc. (See also Minute No. 1919.)**

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been moved by Members of Council at the in-camera portion of this meeting in connection with the foregoing report.

Upon the question of the receipt for information of the foregoing confidential report, without amendment, it was carried, such report to remain confidential in accordance with the provisions of the Municipal Act.

- 1988 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. 2 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “Year 2000 Business Continuity Plan”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

**Clause No. 2 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “Year 2000 Business Continuity Plan”.**  
(See also Minute No. 1920.)

Council also had before it, during consideration of the foregoing Clause, a confidential report (November 22, 1998) from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Jakobek, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendation No. (2) embodied in the confidential report dated November 22, 1998, from the City Solicitor, back to the Strategic Policies and Priorities Committee for further consideration, such recommendation to remain confidential in accordance with the provisions of the Municipal Act.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jones, King, Layton, McConnell, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Walker - 30.

Nay: Nil.

Decided in the affirmative, without dissent.

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

1989 Council resumed its consideration of the following enquiry and answer:  
(See also Minute No. 1861.)

Enquiry dated September 30, 1998, from Councillor Howard Moscoe, addressed to the City Solicitor:

“In a memorandum of March 7, 1998, which was before Council, you commented on a matter related to a possible conflict of interest involving the Mayor and a specific matter.

In his memorandum of July 20, 1998, Mayor Lastman, in responding to an enquiry from Councillor Walker, suggests ‘If you have further concerns regarding this matter, I would suggest you deal directly with the City Solicitor.’

I have always been given to understand that the City’s Legal Department had no authority to give advice with regard to conflict of interest and individual members of Council. Indeed, I know several occasions when such advice was refused and Council members have had to spend considerable personal funds to obtain the advice you are now providing to one member of Council.

Would you please help me understand the access all members of Council might expect to elude from the Legal Department on matters related to conflict of interest.



I have tabled this as an enquiry so that you can provide the same understanding to all members of Council at the same time.”

Answer dated November 20, 1998, from the City Solicitor, in response to the foregoing enquiry:

“This memorandum responds to the enquiry of Councillor Moscoe dated September 30, 1998, which was before City Council at its meeting held on October 28, 1998, pursuant to Section 55 of the Council Procedural By-law, seeking clarification as to the role of the City Solicitor in providing advice to members of Council on matters related to conflict of interest.

It has always been my position and that of my predecessors that the Solicitor provides advice to Council and not to its individual members. As a result, the Solicitor cannot provide advice to an individual member as to whether he or she should participate in a vote on any particular issue since Council may later seek advice on this very issue. This would place the Solicitor in an untenable position.

In the memo dated March 17, 1998, to which you refer, I responded to a direct enquiry made of me by Councillor Walker not Mayor Lastman, which I took to be in the nature of a review of Mayor Lastman’s decision for the consideration of Council. As you will note, the issue of a possible interest on the part of the Mayor was only one of a number of questions raised by Councillor Walker to which I responded with regard to the Union Station matter at that time. I have been working with Commissioner West on the Union Station file and questions of a legal nature are routinely referred to my attention. The Mayor’s suggestion in his July 20th memo that Councillor Walker contact me directly with ‘further concerns’ was not acted upon and so I cannot speculate as to whether those concerns would have been appropriate for my response or not.

I trust this clarifies my position.”

Upon the question of the receipt for information of the foregoing Enquiry and Answer, without amendment, Councillor Moscoe, in amendment, moved that the foregoing Enquiry and Answer be referred to the Corporate Services Committee for further consideration.

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

- 1990 Council resumed its consideration of Clause No. 5 of Report No. 17 of The Corporate Services Committee, headed “Property Tax Bill Designs”.  
(See also Minutes Nos. 1879 and 1889.)

Council also had before it, during consideration of the foregoing Clause, a report (November 25, 1998) from the Chief Financial Officer and Treasurer forwarding the amendments proposed by the work group of interested Members of Council pertaining to the design of the tax bills.

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

“That the foregoing Clause be amended to provide that the Ward numbers and names be deleted from the Interim and Supplementary tax bills.”

Councillor Adams requested that he be granted an additional opportunity to speak to this matter.

Council concurred in the foregoing request.

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

“It is further recommended that the report dated November 25, 1998, from the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘The Work Group recommends that the Interim and Supplementary Tax Bill Designs be adopted with the following amendments, and that staff be directed to continue work and focus group testing on the design of the Final Tax Bill:

- (1) the Ward Number be included on the bills, provided that staff is able to ensure reasonable accuracy;
- (2) “arrows” be added to each end of the directional lines;
- (3) “+” signs be added where appropriate to show where figures are being added together;
- (4) the following statement be added to the Interim Tax Bill, just below the assessment and tax rate information:

“This rate is \_\_\_\_% of the rate used for total 1998 taxes.”;

- (5) the following statement be added to the first box on the side flap of the Interim Tax Bill:

“Assessment x Interim Rate = Interim Tax.”;

- (6) the following statement be added to the first box on the side flap of the Supplementary Tax Bill:

“Assessment x City Tax Rate = City Taxes.”;

- (7) the following statement be added to the second box on the side flap of the Supplementary Tax Bill:

“Assessment x Education Tax Rate = Education Taxes.”;

- (8) the description for line “B” on the Interim Tax Bill be deleted and line “B” be customized to read “50% of Increases to be Phased-In in future years” or “50% of Decreases to be Phased-In in future years”; and
- (9) the description for line “D” on the Supplementary Tax Bill be deleted and line “D” be customized to read “Increases to be Phased-In in future years” or “Decreases to be Phased In in future years.” ’ ”

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

“that the foregoing Clause be amended by striking out that portion of the Clause pertaining to the design of the Final Tax Bill, and referring it back to the Assessment and Tax Policy Task Force for further consideration.”,

it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor Miller, and, in the absence of Councillor Miller, moved by Councillor Korwin-Kuczynski, viz.:

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

‘It is further recommended that, in addition to the current languages used on public brochures produced by the Finance Department, Ukrainian translations be added for any brochure which contains languages in addition to English and French.’ ”,

it was carried.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Walker - 32.

Nays: Councillors: Layton, Moscoe, Silva - 3.

Decided in the affirmative by a majority of 29.

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

1991 **Clause No. 3 of Report No. 6 of The Economic Development Committee, headed "Revision to Parkland Naming Policy".**

Council also had before it, during consideration of the foregoing Clause, a report (November 23, 1998) from the Commissioner of Economic Development, Culture and Tourism forwarding a supplementary report and recommendations with respect to the parkland renaming policy.

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

- (a) Councillor King, in amendment, moved that the foregoing Clause be amended in accordance with the following recommendations embodied in the report dated November 23, 1998, from the Commissioner of Economic Development, Culture and Tourism:

"It is recommended that:

- (1) the policy for parkland naming be amended as follows:
  - (a) the contributions of the individual or group must be well documented and broadly acknowledged within the community and staff will contact the relevant professional, religious, fraternal, philanthropic, social, recreational or other organizations to verify this information;
  - (b) a direct relationship should exist between one place of residence/activity of an individual/group and the park named;
  - (c) City Parks and Recreation staff will exercise due diligence in researching and providing detailed background information to members of the local community, including ratepayer associations and any other interested persons who would have direct input into the naming process;

- (d) the agreement of the individual or next of kin in the case of deceased individuals, and of the duly-elected senior representatives, in the case of groups, shall be obtained;
  - (e) name duplication, similar sounding or cumbersome names should be avoided. Names which may be interpreted as an advertisement or being either discriminatory or connoting political affiliation must not be used;
  - (f) existing parks named after individuals shall not be altered or changed;
  - (g) the advice of the relative municipal heritage organization and other relevant individuals or organizations shall be obtained;
  - (h) the process of naming and renaming parks should be within the purview of the Community Councils to recommend; and
- (2) the appropriate City Officials take the necessary action to give effect thereto.”
- (b) Councillor Bussin, 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 forward a copy of the letter to the Editor of the Beaches Town Crier respecting the denial of a request that a park be named after an individual, to the Anti-Hate and Anti-Racism Committee, with a request that it determine whether such letter should be forwarded to the Hate Crimes Unit of the Toronto Police Services.”

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

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

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

1992 At this point in the proceedings, Councillor Davis, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 8 of Report No. 14 of The York Community Council, headed “Other Items Considered by the Community Council”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

**Clause No. 8 of Report No. 14 of The York Community Council, headed “Other Items Considered by the Community Council”.**

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Davis, in amendment, moved that the foregoing Clause be received as information, subject to striking out and referring Item (b), entitled “Official Plan Policies and Related By-laws regarding the Conversion to Condominium and Demolition of Rental Housing”, embodied therein, back to the York Community Council for further consideration.

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

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

**1993 Clause No. 1 of Report No. 13 of The Toronto Community Council, headed “Construction at 411 Duplex Avenue/33 Orchard Park Boulevard (North Toronto)”.**

Having regard that Recommendations Nos. (1) and (2) of the Toronto Community Council were ruled out of order, Councillor Walker moved that Council adopt the following Recommendation No. (3) of the Toronto Community Council:

“The Toronto Community Council recommends that:

- (3) officials from the City Works and Emergency Services, Noise Section, Urban Planning and Development Services, Inspections Division and Public Health be instructed to give the issues raised by the tenants at the public meeting held on October 6, 1998, the highest priority by dedicating staff to bringing the intolerable situation to an end.”

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

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

**1994 Clause No. 8 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “Disposition of ‘Property Houses’ Owned by the City of Toronto”.**

Council also had before it, during consideration of the foregoing Clause, a report (November 20, 1998) from the City Solicitor advising on various financial and other implications if City Council adopts the recommendations of the Strategic Policies and Priorities Committee or, alternatively, if it were to adopt the initial recommendations of the Corporate Services Committee.

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

- (a) Councillor Feldman, in amendment, moved that:
- (1) the foregoing Clause be struck out and referred back to the Corporate Services Committee for further consideration at its meeting to be held in January, 1999; and
  - (2) Council also adopt the following recommendations:  
“It is recommended that:
    - (a) the Chief Operating Officer of the Toronto Housing Company be requested to submit a report to the Corporate Services Committee, for consideration with this matter, on the number and type of houses that would have to be retained in the portfolio in order to allow the Company to rent as many units as possible to low income tenants; and
    - (b) none of the ‘Property Houses’ be sold until Council has considered the report of the Chief Operating Officer.”
- (b) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by adding thereto the following:  
“It is further recommended that, in the event that City Council adopts the recommendations of the Strategic Policies and Priorities Committee, then Recommendation Option (A) embodied in the report dated November 20, 1998, from the City Solicitor, be adopted.”

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

Yeas: Councillors: Adams, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pitfield, Rae, Sinclair, Walker - 29.

Nays: Councillors: Holyday, Jakobek, Ootes, Pantalone, Saundercook, Sgro - 6.

Decided in the affirmative by a majority of 23.

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

- 1995 **Clause No. 28 of Report No. 17 of The Corporate Services Committee, headed “Other Items Considered by the Committee”.**

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

- 1996 **Clause No. 20 of Report No. 17 of The Corporate Services Committee, headed “Request for Proposal for Microcomputer Hardware, Software and Services”.**

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

“It is further recommended that the Commissioner of Corporate Services be requested to submit a further report to the Economic Development Committee on the hardware and systems configuration.”

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.

- 1997 **Clause No. 3 of Report No. 17 of The Corporate Services Committee, headed “Legal Counsel - Coroner’s Inquest Into the Death of Edmond Yu”.**

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 Council urge the Police Services Board to consider sending separate legal counsel to the Edmond Yu inquest after the Divisional Court decision.”

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.

- 1998 At this point in the proceedings, Councillor Chow, with the permission of Council, introduced the members of the family of Edmund Yu, present at this meeting.

- 1999 **Clause No. 22 of Report No. 13 of The North York Community Council, headed “Official Plan and Zoning Amendment Application UDOZ-95-17 - Albert De Luca - 129 Willowdale Avenue - Ontario Municipal Board Appeal - Retention of Outside Planning Consultant - North York Centre”.**



Council also had before it, during consideration of the foregoing Clause, a report (November 24, 1998) from the Chief Financial Officer and Treasurer identifying a funding source for the retention of an outside planning consultant, if required, with respect to the Ontario Municipal Board appeal on 129 Willowdale Avenue.

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

- (a) Councillor Filion, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

“It is recommended that a maximum of \$10,000.00 be allocated to the Legal Division from the Corporate Contingency Account to retain a planning witness with respect to the pending Ontario Municipal Board appeal on 129 Willowdale Avenue.”

- (b) Councillor Giansante, 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, in consultation with the City Solicitor, be requested to:

- (1) identify any requests for outside consultants and planners prior to Council meetings and notify Council accordingly; and
- (2) submit a report to the Urban Environment and Development Committee on a policy of how to handle requests for hire outside planners and/or solicitors to appear at Ontario Municipal Board hearings to support Council’s actions when the City Planner has recommended action contrary to the intention of Council.”

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

“It is further recommended that the issue with respect to the allocation of funds be referred to the Budget Committee for review and the Commissioner of Finance and Treasurer be requested to identify an appropriate source of funding to which related costs should be charged.”

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing motion (b) by Councillor Giansante, ruled such motion out of order.

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

“It is further recommended that when a staff report is submitted which recommends that funds be provided from the Corporate Contingency Account, the Chief Financial Officer and Treasurer be requested to submit a report on the appropriateness of that funding source.”

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

At this point in the proceedings, Councillor Mammoliti, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Chong, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Jones, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Walker - 28.

Nays: Councillors: Chow, Holyday, Kinahan, Layton, Miller - 5.

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

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Chow, Davis, Duguid, Feldman, Filion, Flint, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 34.

Nays: Councillors: Chong, Giansante - 2.

Decided in the affirmative by a majority of 32.

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, viz.:

“that the foregoing Clause be amended by:

- (1) striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

‘It is recommended that a maximum of \$10,000.00 be allocated to the Legal Division from the Corporate Contingency Account to retain a planning witness with respect to the pending Ontario Municipal Board appeal on 129 Willowdale Avenue.’; and

(2) adding thereto the following:

‘It is further recommended that when a staff report is submitted which recommends that funds be provided from the Corporate Contingency Account, the Chief Financial Officer and Treasurer be requested to submit a report on the appropriateness of that funding source.’ ”,

it was carried.

2000 Council resumed its consideration of the following Motion J(1):

**Moved by: Councillor Walker**

**Seconded by: Councillor Adams**

“**WHEREAS** the landlord of the apartment building at 675 Roselawn Avenue made an application to the Committee of Adjustment on September 1, 1998, to seek several variances from the Zoning By-law; and

**WHEREAS** the Committee of Adjustment refused this application as not being reasonable, nor minor; and

**WHEREAS** the Committee of Adjustment recognized ‘that the building already exceeds the maximum coverage allowed and any further increase, in its opinion, would result in an over development of the property and cannot be regarded as desirable, appropriate or within the general intent and purpose of the Zoning By-law’ (see attached); and

**WHEREAS** the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board; and

**WHEREAS** there is an urgency on the part of City Council to respond quickly because the Ontario Municipal Board hearing date has been set for December 8, 1998; and

**WHEREAS** the new Tenant Protection Act has created a motivation for landlords to replace existing tenants with new ones upon whom they can charge whatever rent they want, better known as V.D. (Vacancy Decontrol); and

**WHEREAS** in order to do this, the owner must evict the existing tenants because their rents are still controlled by the current legislation; and

**WHEREAS** if approved, this will certainly set a precedent for landlords and developers in our City as an easy mechanism to force tenants who still have rental protection out of their homes; and

**WHEREAS** it is important that the City sends a clear message to the Ontario Municipal Board that there is no way landlords should be allowed to evict tenants through these types of applications for intensification in order to increase their profits; and

**WHEREAS** several residents living at 675 Roselawn Avenue petitioned the City of Toronto for assistance in upholding the Committee of Adjustment decision;

**NOW THEREFORE BE IT RESOLVED THAT** City Council:

- (1) instruct the City Solicitor to attend the Ontario Municipal Board hearing on December 8, 1998, to uphold the decision of the Committee of Adjustment of September 1, 1998, regarding 675 Roselawn; and
- (2) authorize the City Solicitor to retain professional staff as deemed necessary both externally and/or internally for this Ontario Municipal Board hearing.”

Council also had before, during consideration of the foregoing Motion, a communication (September 1, 1998) from Councillor Michael Walker, addressed to the Committee of Adjustment, outlining his concerns with respect to the variances to the Zoning By-law requested by the owners of 675 Roselawn Avenue. (See Attachment No. 9.)

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Rae, in amendment, moved that the foregoing Motion be adopted, subject to adding to the Operative Paragraph, the following new Recommendation No. (3):

- “(3) authorize an expenditure of up to a maximum of \$10,000.00 from the Corporate Contingency Account to retain outside professional staff.”

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 Motion, as amended, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Chong, Chow, Davis, Duguid, Feldman, Fillion, Flint, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes,

Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 36.

Nay: Councillor: Giansante - 1.

Decided in the affirmative by a majority of 35.

2001 **Clause No. 3 of Report No. 8 of The Striking Committee, headed “1999 Schedule of Meetings”.**

(See also Minutes Nos. 2004 and 2007.)

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 recommendations of the Striking Committee and inserting in lieu thereof the following:

“It is recommended that, in light of the fact that the issue of the Council-Committee governance structure has not yet been resolved, as an interim measure it is recommended that Recommendations Nos. (1), (2) and (6) embodied in the report dated November 12, 1998, from the City Clerk be adopted, subject to amending Recommendation No. (1) to provide that City Council approve the status quo four-week meeting cycle for 1999, as outlined in the attached Appendix ‘I’, providing for City Council meetings on Tuesday, Wednesday and Thursday, so that such recommendations shall now read as follows:

‘It is recommended that:

- (1) City Council approve the status quo four-week meeting cycle for 1999, as outlined in the attached Appendix “I”, providing for City Council meetings on Tuesday, Wednesday and Thursday;
  - (2) a copy of the 1999 Schedule of Meetings for 1999 be circulated to the City’s agencies, boards, commissions, Council-appointed task forces, special committees and sub-committees with a request that wherever possible, they avoid scheduling meetings which conflict with City Council meetings and the Standing Committees to which they report; and
  - (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’ ”
- (b) Councillor Berardinetti, in amendment, moved that the foregoing Clause be struck out and referred to the Strategic Policies and Priorities Committee for further consideration.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Davis, Feldman, Filion, Giansante, Holyday, Jones, Kelly, King, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Nunziata, Rae, Walker - 24.

Nays: Councillors: Fotinos, Kinahan, Korwin-Kuczynski, Ootes, Pantalone, Prue, Shaw - 7.

Decided in the affirmative by a majority of 17.

At this point in the proceedings, Councillor Moscoe moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. recess, and that Council continue in session until 4:30 p.m., the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Brown, Chong, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Kinahan, King, Korwin-Kuczynski, Layton, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw - 27.

Nays: Councillors: Altobello, Bussin, Cho, Jones, Mammoliti, Miller - 6.

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

2002 At this point in the proceedings, and with the permission of Council, Councillor Adams, seconded by Councillor Mihevc, moved that the absence of Councillors Johnston and Tzekas be excused from this Council meeting, which was carried.

2003 Councillor King, seconded by Councillor Kinahan, at 4:00 p.m., moved that leave be granted to introduce:

Bill No. 886 To confirm the proceedings of the Council at its meeting held on the 25th, 26th and 27th days of November, 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. 885-1998 To confirm the proceedings of the Council at its meeting held on the 25th, 26th and 27th days of November, 1998,

it was carried.

- 2004 At this point in the proceedings, Councillor Rae, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 8 of The Striking Committee, headed "1999 Schedule of Meetings", be re-opened for further consideration, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chong, Davis, Duguid, Feldman, Fotinos, Giansante, Holyday, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Shaw - 27.

Nays: Councillors: Altobello, Mammoliti, Pantalone - 3.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative. (See also Minutes Nos. 2001 and 2007.)

- 2005 Council resumed its consideration of the following Motion J(11):

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Ootes**

**"WHEREAS** the Budget Committee on November 18, 1998, met to review various urgent items referred by Standing Committees; and

**WHEREAS** it was impossible to schedule a Strategic Policies and Priorities Committee meeting to deal with the following item:

Examination of Service Levels for Road Maintenance and Related Budget Implications; and

**WHEREAS** the Budget Committee dealt with the issue of snow clearing for seniors recommending for the winter season of 1998/1999 providing a sidewalk and windrow clearing service to all senior citizens over the age of 65 and disabled residents residing in single family residences, without any administration fee, from the Corporate Contingency Account;

**NOW THEREFORE BE IT RESOLVED THAT** the seniors and disabled snow clearing, Recommendation No. (1)(a)(v) of the report dated October 15, 1998, from the General Manager, Transportation Services Division, as amended by the Urban Environment and Development Committee, be adopted, and that the balance of the Recommendations embodied in the such report be referred back to the Budget Committee for consideration during the 1999 Operating Budget."

Council also had before it, during consideration of the foregoing motion, the following communications (See Attachment No. 7):

- (i) (November 19, 1998) from the City Clerk forwarding the recommendations of the Budget Committee pertaining to the service levels for road maintenance recommended by the Urban Environment and Development Committee; and
- (ii) (November 3, 1998) from the City Clerk, addressed to the Budget Committee, forwarding the recommendations of the Urban Environment and Development Committee in regard to the report dated October 15, 1998, from the Commissioner of Works and Emergency Services, on the service levels for road maintenance.

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

- (a) Councillor Prue, in amendment, moved that the foregoing Motion be adopted, subject to striking out the Operative Paragraph and inserting in lieu thereof the following:

**“NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the seniors and disabled snow clearing, Recommendation No. (1)(a)(v) of the report dated October 15, 1998, from the General Manager, Transportation Services Division, as amended by the Urban Environment and Development Committee, be adopted, viz.:
  - ‘(1)(a)(v) The City provide a sidewalk and windrow clearing service to all senior citizens over the age of 65 years, and disabled residents residing in single-family residences. This service is subject to no other occupant who is under the age of 65 years residing in the same house and who is capable of removing snow. This service to be provided at no charge to eligible recipients.’;
- (2) the balance of the Recommendations embodied in such report be referred to the Budget Committee for consideration;
- (3) the Chief Financial Officer and Treasurer, in consultation with the Commissioner of Works and Emergency Services, be requested to submit a report to the Budget Committee, for consideration therewith, on ways and costs of adopting a uniform program, to commence on January 1, 1999, for all residents in the City of Toronto; and
- (4) the Budget Committee be requested to submit a report to Council for its meeting to be held on December 16, 1998, outlining their recommendations in this regard.”



- (b) Councillor Pantalone, in amendment, moved that Part (2) of the foregoing motion (a) by Councillor Prue be referred to the Urban Environment and Development Committee for further consideration at such time as this issue is again before the Committee for consideration.
- (c) Councillor Moscoe, in amendment, moved that Part (2) of the foregoing motion (a) by Councillor Prue be amended by adding thereto the words “ with the provision that no citizen will suffer a reduction in snow removal services as a result of this referral”.

At this point in the proceedings, Councillor Saundercook, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jones, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 30.

Nays: Councillors: Berardinetti, Chow, Kinahan, Layton, Mammoliti, Miller, Pantalone - 7.

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 (b) by Councillor Pantalone, the vote was taken as follows:

Yeas: Councillors: Altobello, Balkissoon, Berardinetti, Brown, Bussin, Cho, Duguid, Feldman, Holyday, Ootes, Pantalone, Sgro, Shaw, Silva - 14.

Nays: Councillors: Adams, Augimeri, Chong, Chow, Davis, Disero, Filion, Flint, Fotinos, Giansante, Jones, Kinahan, King, Layton, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Saundercook, Walker - 25.

Decided in the negative by a majority of 11.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Jones, Kelly, King, Layton, Mammoliti, Mihevc, Moscoe, Nunziata, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 30.

Nays: Councillors: Brown, Bussin, Cho, Davis, Giansante, Holyday, Lindsay Luby, Miller, Ootes, Pantalone - 10.

Decided in the affirmative by a majority of 20.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Fotinos, Giansante, Jones, Layton, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 30.

Nays: Councillors: Brown, Flint, Holyday, King, Mammoliti, Ootes, Pantalone, Sgro - 8.

Decided in the affirmative by a majority of 22.

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

“that the foregoing Motion be adopted, subject to striking out the Operative Paragraph and inserting in lieu thereof the following:

**‘NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the seniors and disabled snow clearing, Recommendation No. (1)(a)(v) of the report dated October 15, 1998, from the General Manager, Transportation Services Division, as amended by the Urban Environment and Development Committee, be adopted, viz.:

“(1)(a)(v) The City provide a sidewalk and windrow clearing service to all senior citizens over the age of 65 years, and disabled residents residing in single-family residences. This service is subject to no other occupant who is under the age of 65 years residing in the same house and who is capable of removing snow. This service to be provided at no charge to eligible recipients.”;

- (2) the balance of the Recommendations embodied in such report be referred to the Budget Committee for consideration, with the provision that no citizen will suffer a reduction in snow removal services as a result of this referral;

- (3) the Chief Financial Officer and Treasurer, in consultation with the Commissioner of Works and Emergency Services, be requested to submit a report to the Budget Committee, for consideration therewith, on ways and costs of adopting a uniform program, to commence on January 1, 1999, for all residents in the City of Toronto; and
- (4) the Budget Committee be requested to submit a report to Council for its meeting to be held on December 16, 1998, outlining their recommendations in this regard.’ ”,

it was carried.

2006 **Clause No. 6 of Report No. 14 of The York Community Council, headed “ Program for Seniors and the Disabled, Ward 27, York Humber and Ward 28, York Eglinton”.**

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

- (a) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by amending the recommendations of the York Community Council to read as follows:  
  
“The York Community Council recommends that:
  - (1) the current method of snow removal for seniors and the disabled through its Snow Link Program be endorsed for the 1998/1999 winter season;
  - (2) the current Snow Link Program be endorsed as the preferred method for providing winter maintenance services for seniors and the disabled for future winter seasons; and
  - (3) the Snow Link Program continue to be administered by the York Fairbank Centre for Seniors, the York Community Services and the George S. Syme Seniors’ Centre for York for 1998/1999.”
- (b) Councillor Davis, in amendment, moved that the foregoing motion (a) by Councillor Mihevc be amended by inserting in Part (2), after the word “preferred”, the word “additional”.
- (c) Councillor Jones, in amendment, moved that the foregoing motion (a) by Councillor Mihevc be amended by adding thereto the following new recommendation:  
  
“(4) consideration be given to expanding the snow removal program for the former City of Toronto and Borough of East York areas of the new City of Toronto.”

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, Brown, Cho, Chow, Davis, Disero, Duguid, Filion, Fotinos, Holyday, Jones, King, Korwin-Kuczynski, Mammoliti, Moscoe, Ootes, Prue, Saundercook, Sgro, Shaw, Silva - 23.

Nays: Councillors: Altobello, Berardinetti, Bussin, Feldman, Flint, Giansante, Kinahan, Layton, Lindsay Luby, Mihevc, Miller, Nunziata, Pantalone, Pitfield, Rae, Walker - 16.

Decided in the affirmative by a majority of 7.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Brown, Bussin, Chow, Disero, Filion, Fotinos, Jones, Korwin-Kuczynski, Layton, Mammoliti, Mihevc, Miller, Nunziata, Ootes, Pitfield, Silva, Sinclair, Walker - 22.

Nays: Councillors: Balkissoon, Cho, Davis, Duguid, Feldman, Flint, Giansante, Holyday, Lindsay Luby, Pantalone, Rae, Sgro, Shaw - 13.

Decided in the affirmative by a majority of 9.

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

“that the foregoing Clause be amended by amending the recommendations of the York Community Council to read as follows:

‘The York Community Council recommends that:

- (1) the current method of snow removal for seniors and the disabled through its Snow Link Program be endorsed for the 1998/1999 winter season;
- (2) the current Snow Link Program be endorsed as the preferred additional method for providing winter maintenance services for seniors and the disabled for future winter seasons;

- (3) the Snow Link Program continue to be administered by the York Fairbank Centre for Seniors, the York Community Services and the George S. Syme Seniors' Centre for York for 1998/1999; and
- (4) consideration be given to expanding the snow removal program for the former City of Toronto and Borough of East York areas of the new City of Toronto.' ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Filion, Fotinos, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker - 33.

Nays: Councillors: Feldman, Flint, Giansante, Holyday, Lindsay Luby - 5.

Decided in the affirmative by a majority of 28.

2007 **Clause No. 3 of Report No. 8 of The Striking Committee, headed “1999 Schedule of Meetings”.**

(See also Minutes Nos. 2001 and 2004.)

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 recommendations of the Striking Committee and inserting in lieu thereof the following:

“It is recommended that, in light of the fact that the issue of the Council-Committee governance structure has not yet been resolved, as an interim measure it is recommended that Recommendations Nos. (1), (2) and (6) embodied in the report dated November 12, 1998, from the City Clerk be adopted, subject to amending Recommendation No. (1) to provide that City Council approve the status quo four-week meeting cycle for 1999, as outlined in the attached Appendix ‘I’, providing for City Council meetings on Tuesday, Wednesday and Thursday, so that such recommendations shall now read as follows:

‘It is recommended that:

- (1) City Council approve the status quo four-week meeting cycle for 1999, as outlined in the attached Appendix “I”, providing for City Council meetings on Tuesday, Wednesday and Thursday;

- 
- (2) a copy of the 1999 Schedule of Meetings for 1999 be circulated to the City's agencies, boards, commissions, Council-appointed task forces, special committees and sub-committees with a request that wherever possible, they avoid scheduling meetings which conflict with City Council meetings and the Standing Committees to which they report; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.' "
- (b) Councillor Rae, in amendment, moved that:
- (1) the foregoing motion (a) by Councillor Lindsay Luby be amended to provide that Council approve the Schedule of Meetings for the first four months of 1999 only; and
- (2) the foregoing Clause be amended by adding thereto the following:
- "It is further recommended that the balance of the 1999 Schedule of Meetings be referred to the next meeting of the Strategic Policies and Priorities Committee to be held on December 15, 1998, for consideration."
- (c) Councillor Layton, in amendment, moved that the foregoing motion (a) by Councillor Lindsay Luby be amended to provide that the Council meeting scheduled to be held on Thursday, March 4, 1999, be cancelled, in order to accommodate the Board Meeting of the Federation of Canadian Municipalities.

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

Yeas: Councillors: Adams, Augimeri, Berardinetti, Cho, Chow, Filion, Fotinos, Layton, Mihevc, Miller, Moscoe, Nunziata, Rae, Saundercook, Shaw, Walker - 16.

Nays: Councillors: Altobello, Brown, Bussin, Disero, Duguid, Feldman, Giansante, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Ootes, Pantalone, Silva, Sinclair - 17.

Decided in the negative by a majority of 1.

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

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

“that the foregoing Clause be amended by:

- (1) striking out the recommendations of the Striking Committee and inserting in lieu thereof the following:

‘It is recommended that, in light of the fact that the issue of the Council-Committee governance structure has not yet been resolved, as an interim measure it is recommended that Recommendations Nos. (1), (2) and (6) embodied in the report dated November 12, 1998, from the City Clerk be adopted, subject to amending Recommendation No. (1) to provide that City Council approve the status quo four-week meeting cycle for the first four months of 1999, as outlined in the attached Appendix ‘I’, providing for City Council meetings on Tuesday, Wednesday and Thursday, so that such recommendations shall now read as follows:

“It is recommended that:

- (1) City Council approve the status quo four-week meeting cycle for the first four months of 1999, as outlined in the attached Appendix “I”, providing for City Council meetings on Tuesday, Wednesday and Thursday;
- (2) a copy of the 1999 Schedule of Meetings for the first four months of 1999 be circulated to the City’s agencies, boards, commissions, Council-appointed task forces, special committees and sub-committees with a request that wherever possible, they avoid scheduling meetings which conflict with City Council meetings and the Standing Committees to which they report; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.” ’; and

- (2) adding thereto the following:

‘It is further recommended that the balance of the 1999 Schedule of Meetings be referred to the next meeting of the Strategic Policies and Priorities Committee to be held on December 15, 1998, for consideration.’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Berardinetti, Brown, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Miller,

Moscoe, Nunziata, Ootes, Pitfield, Rae, Saundercook, Sgro, Silva, Sinclair, Walker - 30.

Nays: Councillors: Augimeri, Kinahan, King, Layton, Pantalone, Shaw - 6.

Decided in the affirmative by a majority of 24.

2008 Council resumed its consideration of the following Motion J(13):

**Moved by: Councillor Feldman**

**Seconded by: Councillor Fillion**

“**WHEREAS** The North York Performing Arts Centre Corporation (‘NYPACC’) is a corporation without share capital established through special legislation, to wit, *City of North York Act, 1988 (No. 2)*, (‘Special Act’) obtained by the City of North York (now the City of Toronto) from the Legislative Assembly of the Province of Ontario in 1988; and

**WHEREAS** the Ford Centre for the Performing Arts (‘Ford Centre’) is owned by the City of Toronto; and

**WHEREAS** NYPACC manages and operates the Ford Centre on behalf of the City of Toronto; and

**WHEREAS**, pursuant to subsection 12(1) of the Special Act, all contracts exceeding \$500,000.00 that NYPACC proposes to enter are required to be submitted to Council for its approval; and

**WHEREAS**, pursuant to subsection 12(3) of the Special Act, NYPACC can enter into an agreement with any person to manage, operate or maintain the Ford Centre or any part thereof but the prior approval of Council is required in respect of any proposed agreement to operate the Apotex Theatre of the Ford Centre; and

**WHEREAS**, pursuant to subsection 15(3) of the Special Act, the annual budget of NYPACC is subject to the approval of Council, and, except with the approval of Council, no obligation other than normal operating expenses may be incurred or expenditure may be made by the corporation prior to that approval; and

**WHEREAS**, pursuant to section 16 of the Special Act, NYPACC can requisition Council for any sums of money it requires to carry out its objects and duties, and Council may approve the sums so requisitioned or such other amounts as it determines; and



**WHEREAS**, pursuant to section 18 of the Special Act, NYPACC cannot incur any indebtedness or obligation, contingent or otherwise, or expend any moneys except as authorized by the Special Act, but, within the limits of its budget, as approved by Council, NYPACC can expend such moneys and incur such obligations as are necessary to carry out its objects, powers and duties; however, NYPACC can, with the approval of Council, incur indebtedness and other obligations and expend moneys in excess of the approved budget for any fiscal period; and

**WHEREAS** NYPACC is in an emergency situation due to the termination, for cause, of its agreements with The Live Entertainment Corporation of Canada, a wholly-owned subsidiary of Livent Inc., (collectively 'Livent') which had managed and operated several facilities in the Ford Centre for NYPACC, and due to the subsequent filing of Livent for court protection under the Companies' Creditors Arrangement Act; and

**WHEREAS** the Chair of the NYPACC Board of Directors has requested the Council of the City of Toronto to assist NYPACC in this transitional period while NYPACC is managing and programming the Ford Centre on an interim basis and in the longer term is looking for a new operator of the Ford Centre in the longer term and is exploring other options; and

**WHEREAS**, for this purpose, the Council desires to establish and appoint an emergency committee of Councillors and delegate to it authority on terms and conditions set out in this motion;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) as a preliminary matter, the formalities set out in the City's Procedural By-law be waived in order for this motion to be presented and proceed;
- (2) a committee be established to assist NYPACC in the transitional period following the termination of its agreements with Livent while NYPACC is managing and programming the Ford Centre on an interim basis and is looking for a new operator of the Ford Centre in the longer term and is exploring other options;
- (3) this committee be an ad hoc committee of Council and be subject to all by-laws, procedures and other laws relating to such committees of Council;
- (4) this committee be called the NYPACC Emergency Committee and consist of six Members of Council;
- (5) the following Members of Council be appointed to the NYPACC Emergency Committee:

- (a) Councillor Saundercook,
  - (b) Councillor Feldman,
  - (c) Councillor Minnan-Wong
  - (d) Councillor Fillion (as Chair)
  - (e) Councillor Berger, and
  - (f) Councillor Augimeri;
- (6) the NYPACC Emergency Committee be given the authority to do the following:
- (a) to authorize NYPACC to make expenditures or incur indebtedness out of the operating budget (including operating reserves) for NYPACC approved by Council earlier this year (or at any other time) where the expenditure or indebtedness was not described or provided for in that operating budget (including operating reserves) and arises in connection with the present emergency situation (which authority may be exercised retroactively), provided that no such expenditure or indebtedness shall exceed \$500,000.00 which expenditure remains subject to prior Council approval in accordance with the Special Act;
  - (b) to authorize NYPACC to enter into contracts that were not contemplated when its operating budget (including operating reserves) was approved by Council earlier this year (or at any other time), but are now or in the future proposed to be paid for out of that operating budget (including operating reserves), and that arise in connection with the present emergency situation (which authority may be exercised retroactively), provided that no such contract shall exceed \$500,000.00 and no such contract relates to the hiring of an operator for the Apotex Theatre which contracts remain subject to prior Council approval in accordance with the Special Act; and
  - (c) to provide NYPACC with whatever advisory or other non-financial assistance that it may request;
- (7) the NYPACC Emergency Committee report to Council at each of its regularly scheduled meetings on the expenditures and contracts that it authorized pursuant to this authority and such other matters as it considers advisable relating to the operation of the Ford Centre;
- (8) the NYPACC Emergency Committee continue until such time as it is dissolved by Council; and
- (9) this be effective immediately following the passage of the confirmation by-law for this meeting of Council.”

Council also had before it, during consideration of the foregoing Motion, a communication (November 27, 1998) from the Chairman of the Board, North York Performing Arts Corporation, addressed to Councillor Michael Feldman, confirming his request that City Council establish a task force to work with the Board during the emergency transition period.

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

2009 Council resumed its consideration of the following Motion J(8):

**Moved by: Councillor Adams**

**Seconded by: Councillor Kinahan**

“**WHEREAS** the Assessment and Tax Policy Task Force on November 20, 1998, gave consideration to a report (November 16, 1998) from the City Solicitor and a communication from the Association of Municipalities of Ontario (AMO) regarding Bill 79 - The Fairness for Property Taxpayers Act, 1998; and

**WHEREAS** many of the amendments made by Bill 79 do not apply to the City of Toronto because City Council passed a by-law in July adopting the 2.5 percent cap on the commercial, industrial and multi-residential property classes pursuant to Part XXII.1 of the Municipal Act, as enacted by the Small Business and Charities Protection Act (Bill 16); and

**WHEREAS** this by-law cannot be amended, and the City of Toronto is consequently precluded from adopting the 10-5-5 percent cap pursuant to Bill 79; and

**WHEREAS** the City of Toronto is also precluded from raising the tax rate on any of the capped classes, and must raise the rate on the residential class should it require additional revenue in 1999 or 2000 to meet its estimated expenditures; and

**WHEREAS** while any other municipality opting for the 2.5 percent cap faces the same restrictions, all municipalities other than the City of Toronto have the option of choosing instead the 10-5-5 percent cap and are thereby not facing such restrictions; and

**WHEREAS** Bill 79 is being considered this week by the Ontario Legislation;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Province to enact legislation or amend Bill 79 so that the City of Toronto is treated equally with municipalities that adopt the 10-5-5 percent cap to permit the City of Toronto to increase the tax rate on the capped property classes if the City of Toronto needs to increase the municipal tax rate.”

Council also had before it, during consideration of the foregoing Motion, a report (November 16, 1998) from the City Solicitor, addressed to the Assessment and Tax Policy Task Force, providing an overview of the provisions of Bill 79. (See Attachment No. 5.)

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Adams, in amendment, moved that the foregoing Motion be referred to the Chief Financial Officer and Treasurer for a report thereon to the next meeting of Council to be held on December 16, 1998.

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

- 2010 At this point in the proceedings, Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on December 16, 1998:

REPORT NO. 24 OF THE STRATEGIC POLICIES AND PRIORITIES COMMITTEE

Clause No. 9 - "Tenant Tax Notification".

REPORT NO. 14 OF THE TORONTO COMMUNITY COUNCIL

Clause No. 6 - "Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 40 Bay Street (Downtown)".

NOTICE OF MOTION

J(12) Moved by Councillor Layton, seconded by Councillor Jones, respecting Ontario Hydro's Stranded Debt.

Council concurred in the foregoing proposal.

- 2011 Councillor Duguid, seconded by Councillor Sinclair, at 4:28 p.m., moved that leave be granted to introduce:

Bill No. 887 To confirm the proceedings of the Council at its meeting held on the 25th, 26th and 27th days of November, 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. 886-1998                      To confirm the proceedings of the Council at its meeting held  
on the 25th, 26th and 27th days of November, 1998,

the vote was taken as follows:

Yeas: Councillors:    Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho,  
Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Giansante,  
Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby,  
Mammoliti, McConnell, Miller, Moscoe, Nunziata, Ootes, Pitfield,  
Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair - 35.

Nay:    Councillor:    Pantalone - 1.

Decided in the affirmative by a majority of 34.

Council adjourned at 4:29 p.m.

**MEL LASTMAN,**  
Mayor

**NOVINA WONG,**  
City Clerk

### **Attachment No. 1**

(Report dated August 28, 1998, from the Director of Development and Support - Toronto Parks and Recreation, City Hall Office, entitled "170 Roxborough Drive, Toronto, Ward 23 [Midtown] - Municipal Code, Chapter 331, Article III, Trees" - See Minute No. 1941.)

#### Purpose:

An application for a permit to remove one tree on private property in order to construct a new house has been filed by Mr. Davide Carnevale, The Tree Specialists Inc., 1081 Manchester Crescent, Oakville, Ontario, L6M 1G2, agent for the owner of 170 Roxborough Drive.

#### Recommendations:

Either 1 or 2 below.

- (1) Refuse to issue a permit to remove the tree requiring the applicant to redesign or abandon his plans for construction of a new house.
- (2) Issue a permit for removal of the tree conditional on (i) the issuance of a demolition and building permit and (ii) the applicant agreeing to plant two replacement eighty millimetre caliper red oak trees.

#### Comments:

The tree in question is an eighty-two centimetre diameter red oak in fair condition. The arborist report prepared by the Tree Specialists that accompanies this application states that the red oak is in fair condition with minor deadwood throughout its crown. The report states that the tree is located at the rear of the property and that it is growing within the proposed building envelope and, therefore, not possible to preserve. The oak tree is perfectly healthy and if it remains it will live for several more decades. If the tree is not removed, its location prevents any construction activity from taking place to the north of the existing house. It is important that any proposed construction allocate space for the planting of two replacement oak trees, in the event that a permit for tree removal is granted.

A notice of application sign was posted on the property for the required 14 day posting period, in order to notify the neighbourhood and provide an opportunity for objection to the application. No written objections were received in response to the application to remove the tree in question.

Contact Name: Richard Ubbens  
Telephone: (416) 392-1894  
Facsimile: (416) 392-6657  
e-mail: rubbens@city.toronto.on.ca

**Attachment No. 2**

(Report dated November 6, 1998, from the Director, Transportation Services District 1, Works and Emergency Services, entitled "Churchill Avenue, South Side, West of Ossington Avenue - Amendments to the Parking Regulations. [Trinity-Niagara]" - See Minute No. 1942.)

Purpose:

This proposal is intended to enhance safety when vehicles are entering/exiting the driveway located at Premises No. 2 Churchill Avenue.

Funding Sources, Financial Implications and Impact Statement:

Not applicable.

Recommendations:

It is recommended that:

- (1) the parking prohibition at anytime on the south side of Churchill Avenue from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west, be rescinded;
- (2) standing be prohibited at anytime on the south side of Churchill Avenue from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west; and
- (3) the appropriate City Officials be requested to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that are required.

Comments:

At the request of Councillor Mario Silva, I have investigated prohibiting standing on the south side of Churchill Avenue from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west, to deter illegal parking and enhance safety on Churchill Avenue near Premises No. 2.

Churchill Avenue, from Ossington Avenue to Dovercourt Road, operates one-way eastbound on a pavement width which varies from 6.1 metres to 7.0 metres. Parking is prohibited at anytime on the north side of Churchill Avenue from Ossington Avenue to Dovercourt Road and on the south side from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west. The permit parking system is in effect elsewhere on the south side of Churchill Avenue from 12:01 a.m. to 7:00 a.m. daily, otherwise parking is allowed for a maximum period of three hours.

The narrowness (6.1 metres), curvature and descending grade of the roadway combined with parking on the south side creates some difficulty for a motorist entering or exiting the driveway at Premises No. 2 and reduces sight lines between eastbound motorists and the motorist entering/exiting the driveway. Although parking is currently prohibited opposite Premises No. 2, complaints have been

received on a regular basis indicating vehicles park illegally for long periods of time thereby defeating the purpose of the current parking prohibition. I also note that vehicles displaying disabled persons parking permits may legally park in this area.

Based on our review of parking conditions on Churchill Avenue, it is feasible to replace the parking prohibition on the south side of Churchill Avenue from a point 31.2 metres west of Ossington Avenue to a point 10.8 metres further west with a standing prohibition. This will allow vehicles to stop while actually engaged in loading and/or unloading but will prohibit parking of all vehicles including those displaying disabled persons parking permits.

The implementation of this proposal would not eliminate any existing parking spaces on Churchill Avenue from Ossington Avenue to Dovercourt Road and might act as a greater deterrent to illegal parking.

Staff have been advised by Trinity-Niagara Councillors Joe Pantalone and Mario Silva that they support this proposal.

Contact Name and Telephone Number:

Bob Runnings, 392-7771



**Attachment No. 3**

(Report dated November 18, 1998, from the General Manager, Transportation Services Division, Works and Emergency Services, entitled "Various Encroachments - 416 Russell Hill Road and on the Kilbarry Road Flankage [Midtown] - See Minute No. 1943.)

Purpose:

To report on the homeowner's request to construct a decorative stone wall, install a sprinkler system and maintain feature boulders within the City street allowance. The decorative wall exceeds the maximum height permitted under the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, and the feature boulders and sprinkler system do not meet the required setback from the rear edge of the City sidewalk and City curb as required in the former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks.

Funding Sources, Financial Implications and Impact Statement:

Not applicable.

Recommendation:

It is recommended that City Council approve the construction of the decorative stone wall, installation of a sprinkler system and maintenance of the feature boulders within the City street allowance fronting 416 Russell Hill Road and on the Kilbarry Road flankage, subject to the owner entering into an agreement with the City of Toronto, as prescribed under Chapter 313 of the former City of Toronto Municipal Code.

Background:

Councillor Bossons has requested me to report directly to Council on this matter as the applicant has already started construction and is anxious to complete all work before the colder weather set in.

Comments:

Gulf Breeze Contracting Limited, acting on behalf of Mr. Lou Rocca, owner of 416 Russell Hill Road, Toronto, Ontario, M5P 2S3, submitted an application on November 3, 1998, requesting permission to construct a decorative stone wall, install a sprinkler system and maintain feature boulders within the City street allowance fronting 416 Russell Hill Road and on the Kilbarry Road flankage.

The decorative wall ranges in height from 0.83 metres to 1.4 metres fronting 416 Russell Hill Road rather than the maximum height of 1.0 metres allowed in Chapter 313 of the former City of Toronto Municipal Code. The feature boulders are set back 0.91 metres from the rear edge of the City curb and the sprinkler system would be situated immediately back from the City curb on the Kilbarry Road flankage and immediately back of the City sidewalk fronting Russell Hill Road rather than

2.1 metres from the City curb and 0.46 metres from the rear edge of the City sidewalk, as prescribed in Chapter 313 of the former City of Toronto Municipal Code. In a letter dated November 6, 1998, the owner has requested an exemption to the by-law and has submitted the findings of a neighbourhood canvass where no objections were found.

Staff have also inspected the area in the immediate vicinity of this property and have determined that these installations will not impact negatively on the public right-of-way.

Details of these encroachments and the letter from the owner are retained on file with this department.

Conclusions:

As these encroachments do not impact negatively on the public right-of-way, these installations should be permitted.

Contact Name and Telephone Number:

Fani Lauzon  
Supervisor, Encroachments and Construction Section  
Toronto Community Council Area  
Transportation Services Division  
Works and Emergency Services

Phone (416) 392-7894  
Fax (416) 392-0816  
e-mail "flauzon@city.toronto.on.ca"

**Attachment No. 4**

(Report dated November 12, 1998, from the Chief Financial Officer and Treasurer, addressed to the Assessment and Tax Policy Task Force, entitled "Current Value Assessment Methodology and Valuation Models" - See Minute No. 1945.)

Purpose:

To provide a commentary on the documentation (September 18, 1998) from the Assistant Deputy Minister, Property Assessment Division, Ministry of Finance, respecting property valuation methodologies used for current value assessment.

Funding Sources, Financial Implications and Funding Impact:

There are no financial implications to the City as a result of this report.

Recommendation:

It is recommended this report be received for information.

Council Reference:

At its meeting on March 3, 1998, the Assessment and Tax Policy Task Force requested the Chief Financial Officer and Treasurer to conduct an independent audit of the quality of the reassessment that was carried out by the Province.

On March 4, 1998, by adoption of Clause No. 3 of Report No. 3 of The Strategic Policies and Priorities Committee, headed "Reassessment and Tax Policy Information and Communications Plan", Council directed the City Clerk to request the Property Assessment Division of the Ministry of Finance to:

- (i) make public the valuation models used, neighbourhood by neighbourhood, to value residential properties in the City of Toronto, including any statistical regression equations that were used;
- (ii) make public the quality control studies that were used to evaluate the accuracy of these valuation models, including assessment-to-sale ratios, co-efficients of variation and dispersion, and full listing of property characteristics for properties in the ratio studies (including addresses and roll number); and
- (iii) provide to the City of Toronto, in as much detail as possible, information on the valuation models used to assess properties in the other property classes (multi-residential, commercial and industrial) along with the results of accuracy tests used for these classes.

In a report dated April 2, 1998, to the Assessment and Tax Policy Task Force, and subsequently considered by City Council on April 28, 1998 (Clause No. 27 of Report No. 4A of The Strategic Policies and Priorities Committee, headed “Independent Review of Provincial Current Value Assessments”), the Chief Financial Officer and Treasurer advised that an independent review and evaluation of the quality and accuracy of the new provincial current value assessments in Toronto would be a lengthy undertaking, which could conceivably require funding of approximately \$1.0 million, and recommended against engaging a consultant, given that such a study could not be completed in a timely manner for Council to consider.

At its meeting on October 22, 1998, the Assessment and Tax Policy Task Force requested staff to provide a commentary on the communication and documentation (September 18, 1998) from the Assistant Deputy Minister, Property Assessment Division, Ministry of Finance, responding to the request of City Council.

Background:

The Fair Municipal Finance Act, which came into force on December 1, 1997, along with its companion legislation, instituted fundamental changes to the property assessment and taxation system. One of the more significant of changes was the establishment of the Ontario Fair Assessment System (OFAS), whereby property assessments are now to be based on current value. Current value means, in relation to land, the amount of money the fee simple, if unencumbered, would realize if sold at arm’s length by a willing seller to a willing buyer. The value of both land and building is included. Although the term “market value” is not used, the principles that determine current value are based on market value considerations.

The OFAS is to be based on a more systematic and objective process than the previous system, in which up to 30 factors - such as a property’s lot size, building size, location, type of construction, number of rooms and general condition and age of the building - are used to determine a property’s value. The intent of the OFAS is that assessment will be fair and consistent throughout the province, and updated annually (after the year 2003). For the years 1998, 1999, and 2000, the day as of which property is valued is June 30, 1996.

Such a reassessment is a major undertaking. In the City of Toronto, this involved the reassessment of more than a half-million assessment portions, as shown in the following table.

Property Class	No. of Assessment Portions
Residential	535,931
Multi-Residential	4,121
Commercial	37,848
Industrial	6,503
Farmlands	15
Total	584,459

In order to complete such a mass appraisal in the short time frame, the Property Assessment Division of the Ministry of Finance utilized a statistical technique known as Multiple Regression Analysis (MRA) to develop property valuation models for the purpose of explaining or predicting the current value of properties from real estate data compiled by the Ministry. MRA provides an objective means to relate the value of a property to the quantifiable characteristics of the property. Ministry analysis suggests that approximately 85 percent of the current value of a property can be attributed to five key characteristics: building area, quality, age, land (lot size or frontage and depth) and location.

#### Current Value Assessment Methodology:

Market value of a property involves determining the price that a person would pay for it in its present condition. The value of any piece of property is determined by what similar properties are selling for, the cost to replace it, how much it takes to operate and keep it in repair, what rent it may earn, as well as other cost factors such as utility (i.e., hydro) and borrowing rates.

Property valuation systems should be designed to maximize equity among property owners and visibility or openness, while minimizing administrative complexity and confusion. The International Association of Assessing Officers (IAAO) support appraisals based on current market value of a property, to which they recommend three different approaches: a sales comparison approach; a cost approach; and an income approach.

#### Sales Comparison Approach:

The sales comparison approach, also known as a market data approach, compares a property to others that have recently sold. This method estimates the current value of a property by adjusting the sales prices of comparable properties for differences between the comparables and the subject property. This method is considered the best valuation method for residential property by the appraisal industry, and is recommended by the IAAO, the Appraisal Institute of Canada (AIC), and the Uniform Standards of Professional Appraisal Practice (USPAP).

The sales comparison approach was also used for the valuation of some strip stores.

#### Cost Approach:

The cost approach values a property based on how much it would take, at current material and labour costs, to replace the property with one similar. It is based on the theory that the current value of an improved parcel can be estimated as the sum of the land value and the depreciated value of the improvements. This valuation method involves:

- o Estimating the vacant land value
- o Estimating the replacement cost of new improvements
- o Estimating depreciation
- o Deducting of the replacement cost from the depreciated cost of new improvements

- o Adding the estimated land value to the total cost of improvements to determine the current value of a property

The cost approach was used for the valuation of some strip stores and some miscellaneous commercial properties (i.e., big box retail, bank branches, service stations, etc.).

#### Income Approach:

The income approach values a property based on how much income it would produce if it were rented out. Effectively, this method involves the capitalization of net operating income to produce an estimate of current value. The income approach method involves:

- o Collection of income and expense data
- o Development of annual fair market rents from data collected
- o Development of vacancy and collection allowances from market studies
- o Development of capitalization rates based on properties sold within the target time period
- o Calculation of net operating income and application of capitalization rate to produce an estimate of the current value of the property

The income approach was used for the valuation of office buildings, shopping centres, commercial condominiums, multi-residential properties, hotels, motels, and nursing and retirement homes.

#### Residential Property Valuation

For the estimation of the current value of residential properties in Toronto, two types of models were developed from multiple regression analysis of real estate data – additive models and multiplicative models. Additive models were applied to all single-family residential homes, while multiplicative models were applied to some high-rise condominiums in some areas of the city.

#### Additive Model – Single Family Residential Properties:

Additive models were applied to all single-family residential properties. Under an additive model, each property begins with a base value to which the model adds or deducts values for specific property characteristics. The base value and adjustments are determined from MRA. These adjustments are usually in the form of a dollar per square foot rate, a dollar per unit amount, or flat dollar amount. The general form regression equation is:

The coefficients a, b, ..., n, provide the adjustments for various property characteristics. For example, MRA suggests that air conditioning has a positive influence on property value in the range of \$5,000-\$7,000, while electric heating has a negative influence on property value in the range of \$1.00-\$5.00 per square foot of building area.

In order to develop the adjustments used in the model, different market areas within the city were identified. In theory, these market areas are geographic areas which are subject to the same economic influences, where properties tend to move up or down in value together. For single-family and two-family residential properties in the City of Toronto, 24 different market areas were identified.

Within each market area, locational (homogeneous) neighbourhoods were further established which, in theory, reflect the locational desirability of neighbourhoods within a market area. Properties have been combined into the same neighbourhood whenever lots of given size and site amenities would command similar values. A locational neighbourhood may span across wards.

#### Model Parameters:

Current value models were developed for each of the twenty-four market areas, encompassing 222 homogeneous neighbourhoods. Valuation models were constructed for each of these homogeneous neighbourhoods by regressing known sales values (the dependent variable) against more than thirty property characteristics (the independent variables). The detailed models for single-family residential properties are contained in Volume 1 of the Current Value Assessment documentation (September 18) provided by the Ministry of Finance. A summary of the models, by market area, is shown in Appendix 1 of this report.

An example of the application of the model is shown in Table 1. A property for which a valid sale was transacted during 1996 was selected at random, to which the appropriate MRA model was applied. The model indicated a current value of \$217,832.34, and the actual sale price was \$222,500.00, or the CVA reflected 97.9 percent of the sale price. Several other random samples were tested in other market areas, with similar results.

The data provided in the returned roll and the CD-OASYS does not allow for a full evaluation of all the models. The primary difficulty is that the nuisance/premium adjustment variables are not contained in these data sets.

Table 1 – Example of Application of CVA Model – Single Family Residential Property  
(Sample Property - Scarborough Ward 17, Homogeneous Neighbourhood C61, 2-Story Detached)

Market Area:	116		
Model:	11UR062		
Locational Neighbourhood:	NB027 includes Homogeneous Neighbourhood C61		
<u>Property Characteristic</u>	<u>Comment</u>	<u>Unit Adjustment</u>	<u>Total Adjustment</u>
Base Value:			\$86,934.00
Neighbourhood Locational Adjustment:			\$0.00
Primary Structure:			
Class 6.5 Quality Building Area 1 <sup>st</sup> Floor		\$55.13 x 905 ft <sup>2</sup>	\$49,892.65
Class 6.5 Quality Building Area 2 <sup>nd</sup> Floor		\$41.24 x 905 ft <sup>2</sup>	\$37,322.20
Baths	1 x 2	\$4,991.78 x 2.0	\$9983.56
Air Conditioning	No	\$5,281.71 x 0	\$0.00
Basement Area		\$17.09 x 905 ft <sup>2</sup>	\$15,466.45
Fireplaces	One	\$3,526.58 x 1	\$3,526.58
Finished Basement Area	No	\$4.24 x 0 ft <sup>2</sup>	\$0.00
Heating Adjustment	Electric	(\$10,273.38)	(\$10,273.38)
Design Adjustment	Detached	\$0.00	\$0.00
Depreciation:			
Effective Age x Building Area	1972	25 yrs x 1810 ft <sup>2</sup> x (-0.33/ ft <sup>2</sup> )	(\$14,335.2)
Secondary Structures:			
Inground Pool	No	\$6,889.58 x 0	\$0.00
Attached Garage (per space Q6.5)	One	\$8,961.65 x 1	\$8,961.65
Nuisance Factor Adjustment:			
Abuts Comm./Ind. Property	No	(\$7,681.66) x 0	\$0.00
Abuts highway/hydro corr.	No	(\$6,930.53) x 0	\$0.00
Land Component:			
Square Root of Lot Size	45.87 f/146.83 d	\$384.42 x sqrt(45.87 x 146.83)	<u>\$31,548.43</u>
Current Value per MRA model			<u>\$217,832.34</u>
			Rounded Down \$217,000.00

Notes: Property Sold for \$222,500 on 96/02  
CVA per preliminary roll \$217,000  
Sales Ratio \$217,832.34/\$222,500 = 0.979



#### Accuracy Measure:

The accuracy of these models was assessed using a sales ratio study. This ratio is calculated by dividing the current value predicted by the model by the known sales price. The sales database consisted of more than twenty-four thousand valid sales as the dependent variable, which was regressed against more than thirty property characteristics as the independent variable. As in the example, if a particular property sold for \$222,500.00, and the current value predicted by the model was \$217,000.00, then the sales ratio would be 0.979. The dispersion of this ratio from a number of transactions of properties within the locational neighbourhood provides an overall measure accuracy of the model for that neighbourhood. A narrower the dispersion means that the CVA as determined from the model is of closer proximity to the observed sales value.

The Ministry of Finance has developed objectives for sales ratio studies. These objectives are listed below, along with the international standards developed by the IAAO. To meet the provincial objective, the median average sales ratio as samples within a locational neighbourhood must fall within 0.98 and 1.02, and the co-efficient of dispersion (COD) less than or equal to 10.0 percent for newer areas or less than or equal to 15.0 percent for older areas. The COD provides a standardized measure of the variability of the results (mathematically, it is the ratio of the standard deviation of the sales ratio to the median sales ratio). If the average sales ratio for a particular neighbourhood is 1.00, and the COD is 10.0 percent, then the statistical measure indicates that 68 percent (1 standard deviation) of the sample sales ratios fell within the range 0.90 and 1.10 (plus or minus 10 percent), or alternatively, 32 percent of the samples were outside of this range. Two standard deviations indicate the range for 95 percent of the sample population, which in this example would represent a sales ratio range between 0.80 and 1.20 (plus or minus 20 percent). The Ministry standards are more stringent than the international standards.

#### Provincial Sales Ratio Objectives Single-Family Residential Properties

Type of Property	Sales Ratio Median	Coefficient of Dispersion %	Sales Ratio for 68 Percent (1 Std. Dev.) of Sample within	Sales Ratio for 95 Percent (2 Std. Dev.) of Sample within
Provincial Objectives:				
Newer Area	0.98-1.02	10.0	0.88-1.12	0.78-1.22
Older Area	0.98-1.02	15.0	0.83-1.17	0.69-1.33
International Standards:				
Newer Area	0.90-1.10	10.0	0.81-1.21	0.72-1.32
Older Area	0.90-1.10	15.0	0.77-1.21	0.63-1.43

Appendix 2 provides a summary of the results of the statistical accuracy measure for each market area. While the statistical measures for all market areas exceeded the international standards, the measures for several homogenous neighbourhoods may be questionable, as the number of sales transactions required in the regression analysis was small. Sample sizes less than 30 require careful interpretation.

Equity Measure:

A second aspect of the sales ratio study was to ensure that equity has been achieved. Horizontal equity exists when properties of similar situations (for example, similarly sized properties in similar neighbourhoods) are similarly assessed. Vertical equity exists when properties of differing situation (for example, a smaller and larger property, or an older and newer home) are fairly assessed. The statistical measure for equity used was price-related differential (PRD), and the results similarly exceeded all international standards.

The Ministry indicates that all models are undergoing a process of “fine-tuning” to ensure that a fair and equitable assessment has been placed on each property, and may involve valuation staff discussing the value estimate with property owners.

Multiplicative Model – High Rise Condominiums:

Multiplicative models have been applied to high-rise condominiums in some areas of the city. Multiplicative models also begin with a base value, but the adjustments for differences in property characteristics between properties are based on the product of such adjustments. Additional values, in some cases, have been added for special features, such as parking spaces and storage lockers.

The general form regression equation is:

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The models were based on condominium plans. As per Volume 2 of the Current Value Assessment Documentation (September 18), 121 condominium plans are identified for which the multiplicative model is applicable. An example of the application of the model is shown in Table 2.

Table 2 – Example of Application of CVA Model – Condominium High-rise  
(Sample Property - Toronto, Condominium Plan 59, 3 bedroom, 8<sup>th</sup> floor unit)

Condominium Plan:	CP59	
<u>Property Characteristic</u>	<u>Comment</u>	<u>Adjustment</u>
Base Value:		\$533.87
Adjustments:		
Condominium Plan Adjustment Coefficient		0.61
Floor Area	1113 ft <sup>2</sup>	0.83
Two Story Unit	Yes	1.10
Parking Space	One	\$2,500
Current Value = \$533.87 x 0.61 x (1113) <sup>0.83</sup> x 1.10 + \$2,500 =		<u>\$123,489.87</u>
	Rounded Down	\$123,000.00

Notes: Property sold for \$127,500 on 96/03  
CVA per preliminary roll \$123,000  
Sales Ratio \$123,489.87/\$127,500 = 0.969

The same provincial sales ratio objectives for accuracy and equity used for single-family residential properties were also used for condominium high-rises. Across condominium plans, the median sales ratio ranged from 0.63 to 1.21, and the COD ranged from 0.00 to 18.29. The large variability in these measures suggests that, for some condominium plans, the CVA may differ substantially from observed sales prices. Presumably, ongoing “fine-tuning” will narrow this variability. The overall average database median sales ratio was 1.00, with the COD being 7.88.

### Commercial Property Valuation

#### Office Buildings:

Both the comparative sales approach and the income approach were used for the valuation of office buildings. The income approach was used for buildings showing a positive net operating income. Generally, these buildings included the newer, larger buildings in prime locations. A combination of oversupply of office space and corporate downsizing in the early 1990’s caused many office-building tenants to move to better quality buildings. This resulted in higher vacancy rates and lower rents in the older, less desirably located buildings, which led to negative cash flow situations in these buildings. In the absence of a positive income to capitalize into an estimate of value, valuation was based on comparative sales to arrive at current value estimates.

Under the income approach, a property’s value is estimated by the direct capitalization of the annual net operating income. The annual net operating income (NOI) is calculated by subtracting vacancy and collection losses and property operating expenses, including property insurance and property

taxes, from an income property's gross potential rental income. It should be noted that the potential impact of commercial taxation as a result of reassessment was not factored into the estimation of operating expenses, and this could have a significant impact on net operating income and thus property value.

The Ministry indicates that collection and vacancy allowances were determined from an analysis of actual vacancies reported. The allowance ranged from 7.0 to 25.0 percent of gross potential rental income. Operating Expenses was estimated at a flat 5.0 percent. The capitalization rate was determined by dividing the net operating income of a property by the sale price, which suggests the rate of return currently required by investors. The capitalization rate ranged from 7.5 to 9.0 percent. These figures were derived as an average from a sample of actual sales, not on a property-by-property basis. An independent consulting firm was retained by the Ministry to assist with the development of these capitalization rates.

The sales comparison approach in conjunction with MRA was used for older buildings, generally of the "B", "C" and "D" class. One hundred and twenty-two valid sales formed the basis of the model. The model indicated that building size (total rentable area), building location (economic area), building classification ("B", "C" or "D") and building type (medical/dental or other) were predominant factors influencing the sale prices.

With respect to accuracy measures, the median sales ratio under the income approach was 1.059 based on 60 sales. The COD was 29.38 percent. Under the comparative sales approach, the median sales ratio and COD were 1.011 and 11.51 percent, respectively, based on 122 sales. The COD under the income approach was wider than the provincial and international standard of 15.00 percent. The small number of sales relative to the number of economic areas would make statistical modelling difficult.

Neither the returned roll nor the CD-OASYS contains all the information necessary to test the model for office buildings.

#### Strip Stores:

The sales comparison approach in conjunction with multiplicative MRA was primarily used for the valuation of strip stores. In the former City of Scarborough and the former Borough of East York, the cost approach was used to value all strip stores. Analysis indicated that sales prices were predominantly influenced by actual frontage, depth, actual coverage, effective age (in Toronto), side street location and rear access (in North York, corner in Toronto and Etobicoke), and location. Interestingly enough, proximity to subway was found to have an insignificant influence on price.

With respect to accuracy measures, the median sales ratio under the comparative sales approach was 0.994 based on 967 sales. The COD was 13.13 percent. Under the cost approach, the median sales ratio and COD were 0.986 and 9.89 percent, respectively, based on 66 sales. The accuracy measures in both cases achieved international ratio standards.

Neither the returned roll nor the CD-OASYS contains all the information necessary to test the model for strip stores.

#### Multi-Residential Property Valuation

Multi-residential properties contain seven or more self-contained units, and include apartments and town home type structures. The income approach was used for the valuation of multi-residential properties. However, rather than the direct capitalization of net operating income (NOI), a gross income multiplier (GIM) technique was used to arrive at a property's value. The GIM is an earnings ratio that relates the current gross income (as opposed to NOI) of a property to its market value. The GIM is calculated by dividing the sale price of a property that has sold by the property's gross income. Gross income is based on the determination of the median actual rent received by each suite, adjusted for typical utility costs for the area. If the tenant pays for utilities, a standard cost is added to the gross income for the property (\$38.00 per suite if tenant in a bachelor suite pays for heat only, to \$150.00 if tenant pays for heat and hydro in a three or more bedroom suite).

Properties were stratified by location, and in some cases a locational adjustment was necessary, and by property type (high/medium high-rise, low rise, town home).

Based on 267 observed sales across the city, the GIM ranged from 4.35 to 6.75, depending on location and property type. With respect to accuracy measures, the median sales ratio under the GIM technique was 0.99. The COD was 19.78 percent. The COD did not achieve the international ratio standard of 15.00 percent targeted for other income-producing properties, indicating that, for a number of properties, the CVA may differ significantly from the observed sales prices.

Neither the returned roll nor the CD-OASYS contains all the information necessary to test the model for multi-residential properties.

#### Industrial Property Valuation

All three valuation methods (comparative sales, income, and cost approach) were employed for industrial properties.

The cost approach using the Ontario Cost Manual was used for standard and heavy industrial properties, and industrial warehousing. Land was valued on an acreage basis using land value tables.

The direct income capitalization approach was used for the valuation of industrial malls. Observed capitalization rates from 13 sales between 1994 and 1996 ranged from 9.37 percent to 16.41 percent. The median capitalization rate of 11.0 percent was used for valuation purposes.

The sales comparison approach was used for the valuation of industrial condominiums. Sales were examined using a per-square-foot comparison, building and locational attributes.

With respect to accuracy measures, the median sales ratio from the modelling was found to be 0.98, and the COD was 14.84, which are within the international ratio standards. The database contained 1,167 sales covering the period 1994 to 1996. The Ministry notes that for “a myriad of reasons”, some not connected with trying to achieve the highest price may influence the reported sales prices. Furthermore, some properties tend to be user-specific, with limited buyers.

The Ministry cautions that “fine-tuning” is ongoing with the industrial properties based on re-inspections and taxpayer inquiry and discussion.

No detailed modelling information is provided for industrial properties.

Conclusion:

Property reassessment as established under the Ontario Fair Assessment System is a major undertaking, requiring the reassessment of approximately 600,000 assessment portions in the City of Toronto. Finding the current value of a property involves determining the price that most people would pay for it in its present condition. The Ministry used three basic valuation techniques, which are recommended and utilized by the appraisal industry. These included: the sales comparison approach; the cost approach; and the income approach.

To facilitate the reassessment, the Ministry of Finance, Assessment Division employed a statistical technique known as multiple regression analysis (MRA). This technique attempts to find the relationship between what a property sells for and objective property characteristics responsible for influencing the selling price, which is essentially a mechanistic approach to what an appraiser would do. Ministry analysis suggests that 85 percent of a property’s value can be attributed to five key characteristics: building area, quality, age, land, and location.

The sales comparison approach in conjunction with MRA was employed to develop valuation models for the residential, multi-residential property classes, and some commercial properties. While not perfect, the models provided reasonable and objective values for properties. On average, the ratio of current value indicated by the models to the actual sales price for those properties that sold in the target period was within the international ratio standard of 0.90 to 1.10, which when projected across all properties, suggests that the CVA is within plus-or-minus 10.0 percent of observed sales prices for 68 percent of properties (one standard deviation), or plus-or minus 20.0 percent for 95 percent of properties (two standard deviations).

Application of the models on several randomly selected residential properties indicated a current value of within 3.0 percent of selling price. The coefficient of dispersion of the sales ratio generally ranged from 5.0 percent to 15.0 percent, indicating that many properties may have a current value significantly different than a comparable property’s selling price. The Ministry’s ongoing “fine-tuning” process, which includes inspections and property owner inquiry and discussion, is intended to improve upon the accuracy measures of the models, and any resulting current value assessment changes are not reflected the model results provided to the City.

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(Note: Appendices and other attachments to the foregoing report are on file in the office of the City Clerk.)

## **Attachment No. 5**

(Report dated November 16, 1998, from the City Solicitor, addressed to the Assessment and Tax Policy Task Force, entitled “Bill 79 - The Fairness for Property Taxpayers Act, 1998” - See Minutes Nos. 1946 and 2009.)

### Purpose:

To provide an overview of the provisions of Bill 79, and to provide information regarding their relevance to the City of Toronto.

### Recommendation:

It is recommended that this report be received for information.

### Council Reference/Background/History:

Bill 79 (the Fairness for Property Taxpayers Act, 1998) was introduced for first reading in the legislature on November 5, 1998. The Ministry of Finance advises that Bill 79 is scheduled for second reading the week of November 23, 1998, for committee hearings the week of November 30, 1998, and for third reading and Royal Assent the week of December 7, 1998.

Bill 79 further amends the Assessment Act, the taxation provisions of the Municipal Act, and other legislation. This report is intended to provide an overview of the bill and to highlight issues of relevance to the City of Toronto.

### Comments and/or Discussion and/or Justification:

Bill 79 is intended to implement the measures announced by the Minister of Finance on October 23, 1998. In his October 23rd announcement, the Minister stated that “We will introduce legislation that, if passed, would guarantee that no commercial or industrial property owner will face a tax increase related to property tax reform of more than 10 percent in 1998, and a further 5 percent in each of 1999 and 2000.”

#### (1) Capping:

The objective announced by the Minister is largely achieved by adding a new Part XXII.2 to the Municipal Act, which part is divided into three divisions. None of the three divisions of this part of Bill 79 apply to the City of Toronto because City Council adopted the 2.5 percent cap under the Bill 16 scheme.

Division A requires local municipalities to maintain frozen assessment listings for 1998, 1999, and 2000 for commercial and industrial property. Division B allows an upper-tier or single-tier



municipality to opt to cap taxes on commercial and industrial properties for 1998, 1999, and 2000, or any combination of those years. This scheme is similar to the capping provisions under Part XXII.1 of the Municipal Act (the capping provisions of Bill 16, the Small Business and Charities Protection Act) but differs in that it provides for caps of 10 percent in 1998 and 5 percent in each of 1999 and 2000 (the “10-5-5 cap”). Division C provides that, where a municipality has not opted to have Division B apply, any taxes that exceed the maximum (10 percent increase in 1998, and 5 percent increase in 1999 and 2000 over the 1997 level-taxes) will be reduced by the excess. This means that a municipality which does not opt for the 10-5-5 cap is still prohibited from increasing taxes on the commercial and industrial property classes beyond the 10-5-5 limits.

The “Backgrounder” document to Bill 79 released by the Ministry indicates that the Minister of Finance intends to introduce an amendment at the Standing Committee to extend the 10-5-5 cap to the multi-residential property class.

(2) Application of the 10-5-5 Cap to the City of Toronto:

The 10-5-5 cap under Bill 79 is not available to the City of Toronto because City Council adopted the 2.5 percent cap under Bill 16.

Bill 79 prohibits the amending of a by-law, enacted prior to Bill 79 coming into force, which adopted the optional capping provisions of Bill 16 (subsection 28(1)). Furthermore, the 10-5-5 cap cannot apply to the commercial or industrial classes in a municipality where the 2.5 percent cap already applies to those classes (section 37, enacting subsection 447.37 of the Municipal Act).

Therefore, as the by-law adopting the 2.5 percent cap for commercial, industrial, and multi-residential properties in the City of Toronto was passed in July, City Council is precluded from amending the capping by-law and moving to the 10-5-5 capping scheme.

(3) Differences Between 10-5-5 Cap (Part XXII.2) and the City of Toronto’s Cap (Part XXII.1):

Other than the difference on the cap’s limits (2.5 percent over three years versus 10 percent in 1998, and 5 percent in each of 1999 and 2000), the significant difference between the two schemes is that a municipality which adopts the 10-5-5 cap is permitted to increase the tax rate on the capped property classes if it needs to increase the municipal tax rate.

Under the Bill 16 scheme adopted by City Council, the tax rate cannot be raised on the capped classes during the duration of the three year cap. This is because adjustments can only be made to the 1997-level taxes in respect of “reductions” in taxes for municipal purposes (subsection 447.15(1), paragraph 5). Under the Bill 79 scheme, adjustments can be made in respect of “changes” in such taxes, thereby including both reductions and increases (section 37, enacting subsection 447.47(1), paragraph 5).

Consequently, City Council remains unable to raise the tax rate on the commercial, industrial or multi-residential property classes until the year 2001, and if it needs to raise the tax rate to meet its

estimated expenditures for the year 1999 or 2000, it must raise the required revenue solely by increasing the tax rate on the residential property class. Municipalities which avail themselves of the 10-5-5 cap are not similarly restricted.

(4) Other Means of Achieving Minister's Announced Objective:

(a) Optional Property Classes  
(Amendments to Section 2 of the Assessment Act):

The deadline for opting to have the optional property classes apply is extended for 1998 to December 31, 1998 or such later deadline as the Minister may order for the municipality. Similarly, the deadline for 1999 is extended to March 31, 1999 or such later deadline as the Minister may prescribe (subsection 1(2)).

(b) Setting Tax Ratios  
(Amendments to Section 363 of the Municipal Act):

A council which passed a by-law establishing tax ratios for 1998, may, in certain circumstances, pass a by-law establishing new tax ratios for 1998 (subsection 11(4), enacting subsection 363(31) of the Municipal Act). Restrictions are imposed on the establishment of tax ratios for 1999 and 2000 (subsection 11(4), enacting subsection 363(32) of the Municipal Act). Furthermore, new delegations of the power to set tax ratios to lower tier municipalities are prohibited for 1998, 1999, and 2000.

(c) Phase-Ins  
(Amendments to Section 372 of the Municipal Act):

A phase-in by-law may now be passed on or before December 31, 1998, or such later deadline as the Minister may prescribe (subsection 18(1)).

(d) Rebates for Commercial or Industrial Properties  
(Amendments to Section 442.2 and 366/368 of the Municipal Act):

The council of a municipality, other than a lower-tier municipality, may provide rebates for all or part of the eligible amount on properties in the commercial or industrial property classes by passing a by-law on or before February 1 of the year to which it relates (subsection 23(1)). The deadline for 1998 is extended to December 31, 1998, and can be further extended by regulation (subsection 23(6)). The "eligible amount" is the amount by which the taxes for the year exceed the maximum taxes under Division C, and no rebate may be made where either the 2.5 percent cap or the 10-5-5 cap are adopted (subsection 23(7)).

Such a rebate by-law is of no effect until the Minister of Finance informs the municipality in writing that the costs of the rebate will be shared by school boards (subsection 23(2)). Any rebate by-law passed prior to Bill 79 coming into force is repealed (subsection 23(6)).

The tax rate on the commercial or industrial property class, as the case may be, shall be raised to fund the rebate of taxes within that class (subsection 13(2) and section 14).

(e) Rebates for Charities

(Amendments to Section 442.1 of the Municipal Act):

The amount of rebate required with respect to properties occupied by registered charities to which the 10-5-5 cap applies, shall be determined in accordance with regulations (section 22). However, where commercial or industrial properties occupied by registered charities are subject to the 2.5 percent cap under the Bill 16 scheme, no rebate is required.

(f) 2.5 percent Cap under Part XXII.1 of the Municipal Act

(Amendments to Section 447.3 - 447. of the Municipal Act):

The deadline for passing a by-law to opt-in to the 2.5 percent cap is extended to December 31, 1998, or such later deadline as the Minister may order for the municipality (subsection 27(2)).

The Minister may make regulations exempting property from the application of Part XXII.1, and such exempt property shall be deemed not to be included in the commercial and industrial property class (subsection 27(4)). Part XXII.1 does not apply to property in the farmland awaiting development subclass (subsection 27(1)).

Other technical amendments are made to the operation of Part XXII.1 in municipalities which have opted for the 2.5 percent cap. These amendments clarify how adjustments can be made to the frozen assessment listing.

(5) 1998 Taxes

(Enacting Sections 368.0.1, 368.0.2 and 368.0.3 of the Municipal Act):

Municipalities which, after Bill 79 comes into force, use the optional property classes, tax ratios, graduated tax rates, or rebates under section 442.2, must pass a new 1998 levy by-law (section 15, enacting section 368.0.1 of the Municipal Act).

Furthermore, if a new 1998 levy is made, or a by-law is passed relating to the phasing-in of 1998 assessment-related tax changes, the opting in to the 2.5 percent cap, the opting in to the 10-5-5 cap, the issuance of rebates under section 442.2, or the reduction of excess taxes under Division C of Part XXII.2 of the Municipal Act, the municipality may either issue supplementary tax notices for the 1998 taxation year or increase the taxes payable on a tax notice for the 1999 taxation year (section 15, enacting section 368.0.2 of the Municipal Act).

The council of a municipality is prohibited from levying tax rates for 1999 before December 31, 1998, or such later date as the Minister may prescribe (section 15, enacting subsection 368.0.3(1),

paragraph 1). No council may levy tax rates for 1999 until any obligations to do a new 1998 levy on a property class are satisfied (section 15, enacting subsection 368.0.3(1), paragraph 2).

The prohibition against levying 1999 taxes before December 31, 1998, as it currently reads, would preclude City Council from passing the 1999 interim levy by-law in December. However, staff at the Ministry of Finance advise that an amendment excluding the City of Toronto from the application of this section will be forthcoming prior to City Council's meeting scheduled for December 16, 1998.

(6) Other Changes:

(a) Appeal Deadline

(Amending sections 35 and 40 of the Assessment Act):

The deadline for complaining to the Assessment Review Board with respect to 1998 taxes under the Assessment Act, is extended to December 31, 1998 (sections 7 and 8, amending sections 35 and 40 of the Assessment Act).

(b) Form of Tax Notices

(Amending section 393 of the Municipal Act):

The Minister of Finance may require that tax notices be in a form approved by the Minister, and if such a form is approved, a municipality shall not vary the form unless the variation is expressly authorized by the Minister (section 21, enacting subsection 393.1(1) of the Municipal Act). The Minister may further make regulations prescribing the information that must or that may be included on tax notices, and prohibiting other information from being included on the notice without the express authorization of the Minister. The Minister may also make regulations respecting the giving of tax notices (section 21, enacting subsection 393.1(2) of the Municipal Act).

(c) Gross Lease Notices

(Amending sections 444.1 and 444.2 of the Municipal Act):

Various changes are made to the provisions of the Municipal Act which permit landlords to pass on taxes and business improvement area charges to gross lease tenants.

For 1998, instead of giving the two notices required under subsection 444.1(5), a landlord can give a tenant a single notice which must be given by December 15, 1998 (subsection 24(9), enacting subsection 444.1(14.2), paragraph 1).

Provisions are also made to allow for situations where the final tax notices for 1998 have not been delivered prior to November 17, 1998, and to allow for re-billing of tenants if the 1998 taxes are changed due to Bill 79. Similar amendments are made to section 444.2 with respect to passing on business improvement area charges to gross lease tenants.

(d) Assessment Review Board Powers  
(Section 8.2 of the Assessment Review Board Act)

The Assessment Review Board Act is amended to provide that the Board may dismiss a complaint if:

- it is of the opinion that the proceeding is frivolous or vexatious, is commenced in bad faith or is commenced only for the purpose of delay;
- it is of the opinion that the reasons set out in the complaint do not disclose any apparent statutory ground on which the Board can make a decision; or
- the complaint has not responded to a request by the Board for further information within the time specified by the Board (section 38).

(e) Amendments to the Education Act  
(Section 257.12.2. of the Education Act):

Various amendments are made to the Education Act, including the addition of section 257.12.2 which ensures that tax rates for school purposes for commercial and industrial property will not exceed 3.3 per cent in 2005 and thereafter. In a municipality where the tax rates for school purposes before 2005 exceed 3.3 percent, this section also provides for regular annual reductions in those tax rates. This section applies to all municipalities including the City of Toronto.

Conclusions:

Many of the amendments made by Bill 79 do not apply to the City of Toronto because City Council passed a by-law in July adopting the 2.5 percent cap on the commercial, industrial and multi-residential property classes pursuant to Part XXII.1 of the Municipal Act, as enacted by the Small Business and Charities Protection Act (Bill 16). This by-law cannot be amended, and the City of Toronto is consequently precluded from adopting the 10-5-5 cap pursuant to Bill 79.

The City of Toronto is also precluded from raising the tax rate on any of the capped classes, and must raise the rate on the residential class should it require additional revenue in 1999 or 2000 to meet its estimated expenditures. While any other municipality opting for the 2.5% cap faces the same restrictions, all municipalities other than the City of Toronto have the option of choosing instead the 10-5-5 cap and thereby not facing such restrictions.

(Note: Attachment to the foregoing report is on file in the office of the City Clerk.)

Contact Name:

Christina Hueniken  
392-8429  
**Attachment No. 6**

(Communication dated November 19, 1998, from the City Clerk, entitled “Solid Waste Management - Marketplace Management Program, Adjustment to Consultants Work Plan and Budget” - See Minute No. 1948.)

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council:

- (1) the adoption of the report (November 3, 1998) from the General Manager, Solid Waste Management Services, with the following amendment:

“that the cost of the 3Rs waste diversion/options, as listed in Recommendation No. (1), be included in the existing budget of \$1,142,500.00.”; and

- (2) the use of consultants be scaled back and that the necessary work be carried out in-house and within the budget.

Background:

The Budget Committee on November 18, 1998, had before it a transmittal letter (November 4, 1998) from the City Clerk forwarding the recommendations of the Works and Utilities Committee with respect to the subject matter.

*(Transmittal letter dated November 4, 1998 addressed  
to the Budget Committee from the City Clerk.)*

Recommendation:

The Works and Utilities Committee on November 4, 1998 recommended to the Budget Committee the adoption of the report dated November 3, 1998, from the General Manager, Solid Waste Management Services.

The Works and Utilities Committee reports, for the information of the Budget Committee and Council, having directed that Proctor & Redfern Limited be requested to make a presentation to the Toronto 3Rs Sub-Committee with respect to its work on this project.

*(Report dated November 3, 1998, addressed to the Works and Utilities Committee  
from the General Manager, Solid Waste Management Services.)*

Purpose:

The purpose of this report is to provide recommendations regarding adjustments to our consultant's workplan related to long-term solid waste management and associated budget, in order to accommodate Council's direction to engage the marketplace to identify waste diversion options in addition to long-term solid waste disposal capacity options.

Recommendations:

It is recommended that:

- (1) the workplan for Proctor & Redfern Limited, related to the engagement of the marketplace to acquire new long-term solid waste disposal capacity, be amended to include:
  - (i) modification of the Request for Expressions of Interest to include requests for diversion approaches/technologies as well as new and emerging technologies and other associated modifications as outlined in the body of this report; and
  - (ii) engagement to undertake an assessment of Request for Expressions of Interest responses on diversion and new and emerging technologies, and other associated modifications as outlined in the body of this report; and
- (2) subject to the approval of Recommendation No. (1), it is recommended that the approved budget for Proctor & Redfern Limited be adjusted by the addition of \$82,510.00, including GST, to fund the additional workplan items listed in Recommendation No. (1).

Funding Sources, Financial Implications and Impact Statement:

This project is included in the approved 1998-2000 Solid Waste Management Division Capital Works Program and proposed 1999-2001 program. Funds are available under Waste Management Capital Account No. C-SW168 (Waste Management Planning). The identified cost of the undertaking was previously approved by Council on October 2, 1998, in the amount of \$1,142,500.00. This figure includes funds for external legal counsel and contingency funds, in addition to funds for the main project consultant. With the addition of the additional workplan items as recommended in this report, the total identified cost is \$1,225,010.00. Related expenditures in 1998 are estimated to be approximately \$300,000.00.

Council Reference/Background History:

On October 2, 1998, City Council had before it Clause No. 2 of Report No. 8 of The Works and Utilities Committee, entitled “Planning for Long-Term Solid Waste Disposal Capacity”. This report contained a series of motions related to planning for long-term solid waste disposal capacity. During the course of Council’s consideration of the item, the Clause was amended to include the identification of waste diversion options in addition to disposal capacity options through the engagement of the marketplace. The adopted motion, with the amendment, reads as follows:

“The City of Toronto immediately proceed to engage the marketplace to secure solid waste management options including waste diversion and disposal capacity to meet the City’s long-term requirements through a Request for Expressions of Interest and Request for Proposals process based on the work undertaken in the planning process to date, but without proceeding to the submission of an environmental assessment.”

Funds for the identification and analysis of 3Rs waste diversion options were not included in the funding request.

Discussed below are the impacts of the amendment on the consultant’s workplan and the project budget.

Discussion and Justification:

The Commissioner of Works and Emergency Services submitted a report, dated September 30, 1998, to City Council on October 2, 1998, on the subject of “Long-Term Solid Waste Disposal Capacity – Request for Proposals Process and Implementation Timeframe”. The Commissioner’s report contained a number of recommendations, including a recommendation to retain the firm of Proctor & Redfern Limited, at a cost not to exceed \$722,500.00 including GST, and including a contingency allowance of \$200,000.00, including GST, in order to assist staff in the proposal call process, including the preparation and issuance of a Request for Expressions of Interest (“REOI”) and Request for Proposals (“RFP”), analysis of responses, due diligence, and report preparation. This work was linked to engagement of the marketplace to provide disposal capacity. It did not include provision for Proctor & Redfern to assist in the engagement of the marketplace to identify waste diversion options.

While a substantive contingency allowance has been identified and approved by Council for the project, it is linked to potential specific undertakings that may arise, including carrying out due diligence reviews of top-qualified disposal proponents, beyond three top-qualified disposal sites that have been budgeted for, and design of a detailed performance specification if one of the short-listed submissions proposes a new Energy from Waste facility.

In order to respond to Council’s direction to engage the marketplace to identify waste diversion options in addition to disposal options, we are recommending that the REOI be designed to facilitate submission of waste diversion and waste disposal options. Proponents would be required to identify



the type of waste management system they are offering at the time of their REOI submission. After receipt of the REOI submissions, they would be pooled in either a “disposal” category or a “diversion” category, which includes new and emerging technologies, which are not easily classified as disposal or diversion. A review of the submissions would then be undertaken.

Following a review and analysis of the submissions in the disposal category, a short-list would be created. Proponents on the short-list would then be invited to submit more detailed responses at the RFP stage. It is important to pool the waste disposal proposals in one category in order to engage the marketplace in a manner which creates a competitive environment that offers clear direction in order to receive detailed and comprehensive submissions.

Similar to the approach taken to acquire the City’s needed disposal capacity, proponents offering waste diversion options would undergo review and analysis. Following analysis, recommendations for future action would be made, which could include: (i) issuance of an RFP for diversion options; (ii) continuing with the planning process arrived at through the RIS 3Rs Strategy report which features a small-scale mixed waste material recovery facility as a key planning step; or (iii) a hybrid of the two. Included in the analysis of waste diversion options will be a review of new and emerging technologies that are proposed through the REOI.

Linked to this proposed course of action is the need to establish a long-term diversion strategy. For planning purposes, a target of 50 percent by 2006 increasing to 75 percent diversion by the year 2022 has been identified. A recommendation regarding the establishment of a long-term diversion target through Council resolution will be the subject of a future report.

The specific tasks to be undertaken by Proctor & Redfern Limited, related to the incorporation of diversion proposals in the REOI and assessment of REOI responses on diversion and new and emerging technologies, are as follows:

- modify the REOI to include requests for diversion approaches/technologies as well as new and emerging technologies;
- consult with stakeholders on the inclusion of waste diversion initiatives in the REOI process (waste management industry, public);
- liaison with the City of Toronto staff regarding waste diversion;
- prepare draft and final REOI components on waste diversion and new and emerging technologies;
- answer questions of clarification during the REOI response period;
- receive and review the REOI responses;

- evaluate the REOI responses according to mandatory qualification criteria and potential comparative evaluation criteria;
- classify the REOI responses (diversion technology, new and emerging technology, tonnes managed, etc.);
- prepare document summarizing evaluation and classification process including recommendations for future action; and
- liaison with Toronto staff, Works and Utilities Committee, and public stakeholders.

Conclusions:

In order to respond to Council's direction to include waste diversion options in the REOI in addition to disposal options, we are recommending an adjustment in the work plan and associated budget of our project consultant, Proctor & Redfern Limited. We are recommending that Proctor & Redfern Limited be engaged to modify the REOI to include requests for diversion approaches and technologies, as well as new and emerging technologies, and undertake an assessment of the REOI responses on diversion and new and emerging technologies.

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(Communication dated November 19, 1998, from the City Clerk, entitled "Award of Tender No. 104-98 - Collection and Transportation of Recyclable Materials, York Community Council Area." - See Minute No. 1948.)

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the joint report (November 2, 1998) from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.

Background:

The Budget Committee on November 18, 1998, had before it a joint report (November 2, 1998) from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer entitled, "Collection and Transporting of Recyclable Materials from Residential Dwelling Units and Certain Multiple Unit Residential Buildings, Institutions and Commercial Locations within the York Community Council Area (Tender No. 104-1998)".

*(Transmittal letter dated November 4, 1998 addressed to the Budget Committee from the City Clerk.)*

Recommendation:

The Works and Utilities Committee on November 4, 1998, recommended to the Budget Committee the adoption of the joint report dated November 2, 1998, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer respecting the award of Tender No. 104-1998 for the collection and transportation of recyclable materials from residential dwelling units and certain multiple unit residential buildings, institutions and commercial locations within the York Community Council area.

*(Joint report dated November 2, 1998, addressed to the Works and Utilities Committee from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.)*

Purpose:

The purpose of this report is to advise of the results of the bids received for Tender No. 104-1998 for the collection and transporting of recyclable materials from residential dwelling units and certain multiple unit residential buildings, institutions and commercial locations within the York Community Council area, and to request the authority to issue a contract to the recommended bidder.

Funding Sources, Financial Implications and Impact Statement:

Adoption of the recommendations contained in this report will result in the award of a tender for the collection and transportation of recyclable materials from approved locations in the York Community Council area. The estimated cost of providing the services in 1998 including GST will be approximately \$321,000.00 or \$60.00 per tonne. The term of Contract No. 104-98 is three years with a one and/or two-year renewal option, with an annual cost of \$642,481.50 or \$120.09 per tonne, including GST. The award of this contract will result in an estimated annual increased expenditure of approximately \$321,000.00 or \$60.09 per tonne including GST over the 1998 estimated actual cost of the existing recyclable collection service. The increase in the cost is likely the result of less competition within the marketplace for the supply of this service. It should be noted that the per tonne price is subject to change for the second and third years of the contract based on the Toronto

All-Items Consumers Price Index Formula which will be applied for the 2000 and 2001 calendar years' unit price. Sufficient funds to provide these services will be requested in the 1999 operating budget process.

For comparison purposes, the contracted recycling collection costs in the Etobicoke Community Council area are approximately \$77.00 per tonne including GST, and in the East York Community Council area, they are approximately \$107.00 per tonne including GST.

Recommendations:

It is recommended that:

- (1) Miller Waste Systems, a division of Miller Paving Limited, be awarded Tender No. 104-1998 in the total annual estimated amount of \$642,481.50 including GST, for the collection and transportation of recyclable materials from residential dwelling units and certain multiple unit residential buildings, institutions and commercial locations within the York Community Council area for a three-year period, subject to adjustment in the price for years two and three of the contract based on the Toronto All-Items Consumers Price Index Formula with an option to renew for a fourth and/or fifth year, should the terms and conditions be agreeable to both parties;
- (2) the appropriate officials be authorized to complete the necessary contract documents; and
- (3) this report be forwarded to Council for information.

Council Reference/Background/History:

Council, at its meeting on May 13 and 14, 1998, had before it the report dated April 9, 1998, entitled "Procedures for Retendering Existing Contracts for Waste Collection and Provision of Opportunity of the City's Unionized Workers to Propose Having this Work Carried Out on an In-House Basis". The Works and Utilities Committee recommended that Council adopt the aforementioned report which provided the status and tender schedule for all outstanding waste collection contracts. Council adopted the report with no amendments. The following recommendations were included in the report:

- "(2) authorization be given to call tenders for all waste collection contracts which expire in 1998 and 1999, excluding the Toronto and York bulk lift contracts ..."; and
- "(3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

Based on the above recommendations and the expiration date of the existing contract, a tender for recycling collection in the York Community Council area was issued on September 9, 1998, and

closed on October 1, 1998. The new contract, if awarded, will commence on January 4, 1999, and expire on December 31, 2001 (unless an option to renew for a further year or two-year period is accepted by both parties), in accordance with specifications required by the Works and Emergency Services Department.

The summary of bids received for this contract is shown on Table 1.

Comments and/or Discussion/or Justification:

Table 1  
Summary of Bid Prices

Firm Name	Option No. 1 1 Year Term, 2 <sup>nd</sup> and 3 <sup>rd</sup> Year Renewal Option - Annual Cost Including GST	Option No. 2 3 Year Term, 3 <sup>rd</sup> and 4 <sup>th</sup> Renewal Option - Annual Cost Including GST	Total Estimated 3 Year Contract Cost For Option No. 2 (Excluding Renewal Options and CPI Adjustments) Including GST
Canadian Waste Services Inc.	\$681,376.00	\$652,486.00	\$1,957,458.00
Miller Waste Systems	\$770,988.50	\$642,481.50	\$1,927,444.50

Option No. 2 is being recommended since it results in the lowest annual cost over the life of the contract.

Miller Waste Systems currently provides curbside garbage collection services to the York Community Council area. Their service delivery has been acceptable, they are familiar with the area and staff are confident that Miller Waste Systems is capable of fulfilling the terms of this contract.

Conclusions:

This report requests authority for the appropriate officials to complete the necessary documents for the award of Tender No. 104-1998 to the lowest bidder, Miller Waste Systems, in accordance with specifications required by the Works and Emergency Services Department.

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Contact Name:

Steve Whitter, Director  
Solid Waste Collections, Districts 1 and 2  
Solid Waste Management Services  
Phone: (416) 392-1950

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(Communication dated November 19, 1998, from the City Clerk, entitled "Award of Contract No. 358 - Bulk Lift Collection Services, North York and Scarborough Community Council Areas - See Minute No. 1948.)

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the joint report (November 2, 1998) from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.

Background:

The Budget Committee on November 18, 1998, had before it a joint report (November 2, 1998) from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer entitled, "A Supplementary Report Re: Tender of Contract No. 358 - 'Refuse, bulky items and recyclable collection from multi-residential apartment buildings, multi-residential townhouse locations, municipal, institutional, and commercial establishments located in the North York and Scarborough Community Council Areas'".

*(Transmittal letter dated November 5, 1998 addressed  
to the Budget Committee from the City Clerk.)*

Recommendation:

The Works and Utilities Committee recommends the adoption of the joint report dated November 2, 1998, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.

Background:

The Works and Utilities Committee on November 4, 1998, had before it a report (October 22, 1998) from the General Manager, Solid Waste Management Services, respecting the Tender for Contract No. 358, for refuse, bulky items and recyclable collection from multi-residential apartment buildings, multi-residential townhouse locations, municipal, institutional, and commercial establishments located in Districts 3 and 4; advising that the Tender does not close until October 28,

1998; and recommending that this report be received for information, pending the submission of a handout supplementary report at the Works and Utilities Committee which will contain specific recommendations respecting the Tender award.

The Committee also had before it a joint report (November 2, 1998), from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, recommending that:

- (1) bulk lift service be harmonized across the City by using one person collection vehicles;
- (2) J & F Waste Systems Inc., utilizing one person collection vehicles, be awarded Contract No. 358 in the total estimated annual amount of \$1,546,865.40 including GST for the provision of bulk collection services for all designated areas within the North York and Scarborough Community Council areas for a three-year period, subject to adjustment in the price for years two and three of the contract based on the average percentage increase/decrease of the Statistic Canada's Employment Earnings and Hours for the previous year, with an option to extend for two years should the terms and conditions be agreeable to both parties;
- (3) the Commissioner of Works and Emergency Services notify all property management companies responsible for locations in the North York and Scarborough Community Council areas of the change in collection requirements and ensure that all locations are compliant;
- (4) the appropriate officials be authorized to complete the necessary contract documents; and
- (5) this report be forwarded to Council for approval.

*(Joint report dated November 2, 1998, addressed to the Works and Utilities Committee from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.)*

Purpose:

To advise of the results of the bids received for Contract No. 358, "Refuse, bulky items and recyclable collection from multi-residential apartment buildings, multi-residential townhouse locations, municipal, institutional, and commercial establishments located in Districts 3 and 4", and to recommend a contractor to provide this service in the North York Community Council Area and the Scarborough Community Council Area and to request the authority to award the contract to the recommended bidder.

Funding Sources, Financial Implications and Impact Statement:

Adoption of the recommendations contained in this report will result in the award of tender for the provision of bulk lift refuse, bulky item and recycling collection services to approved locations in the Scarborough and North York Community Council areas. The actual cost, exclusive of GST, in 1998, of providing this service will be approximately \$1,971,400.00. The term of Contract No. 358

is three years, with a two-year extension option, if the terms and conditions are agreeable to both parties and with an annual cost of \$1,546,865.40 (plus GST). It should be noted that this figure will increase as new multi-residential units are supplied with garbage and bulky item collection. In addition, the following two years will be adjusted based on the average percentage increase/decrease of the Statistic Canada's Employment Earnings and Hours for the previous year. Sufficient funds to provide this service will be requested in the 1999 operating budget process.

The award of this contract, in conjunction with bulk collection services provided by City staff, will result in an annual cost savings of approximately \$252,535.00 from the 1998 estimated actual cost of the existing bulk collection services being provided by private and public sector forces.

Recommendations:

It is recommended that:

- (1) bulk lift service be harmonized across the City by using one person collection vehicles;
- (2) J & F Waste Systems Inc., utilizing one person collection vehicles, be awarded Contract No. 358 in the total estimated annual amount of \$1,546,865.40 including GST for the provision of bulk collection services for all designated areas within the North York and Scarborough Community Council areas for a three-year period, subject to adjustment in the price for years two and three of the contract based on the average percentage increase/decrease of the Statistic Canada's Employment Earnings and Hours for the previous year, with an option to extend for two years should the terms and conditions be agreeable to both parties;
- (3) the Commissioner of Works and Emergency Services notify all property management companies responsible for locations in the North York and Scarborough Community Council areas of the change in collection requirements and ensure that all locations are compliant;
- (4) the appropriate officials be authorized to complete the necessary contract documents; and
- (5) this report be forwarded to Council for approval.

Council Reference/Background/History:

Council, at its meeting on May 13 and 14, 1998, had before it the report dated April 9, 1998, entitled "Procedures for Retendering Existing Contracts for Waste Collection and Provision of Opportunity of the City's Unionized Workers to Propose Having This Work Carried Out on an In-House Basis". The Works and Utilities Committee recommended that Council adopt the aforementioned report which provided the status and tender schedule for all outstanding waste collection contracts. Council adopted the report with no amendments. The following recommendations were included in the report:



- “(2) authorization be given to call tenders for all waste collection contracts which expire in 1998 and 1999, excluding the Toronto and York bulk lift contracts ...”; and
- “(3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Based on the above recommendations and expiration of existing contracts, a combined tender to provide bulk collection in the North York and Scarborough Community Council areas was issued on October 14, 1998, and closed on October 28, 1998. The contract will commence on February 1, 1999, and expire on January 31, 2002 (unless an option to renew for a further one or two-year period is accepted by both parties), in accordance with specifications as required by the Works and Emergency Services Department.

Comments and/or Discussion and/or Justification:

A. Service Harmonization:

All bulk lift service in the City of Toronto is provided by one person collection vehicles, except in North York. In North York, the limited in-house service and the contract service is provided by two person collection vehicles.

With one person collection, it is the responsibility of the property management company to ensure that the bins are placed out appropriately. With two person collection, a second person is available to exit the vehicle and to move the bins as necessary to facilitate collection.

Due to these differences, the tender document specifically requested costs for both a two person and one person collection vehicle in North York. These costs were reviewed and evaluated based on cost effectiveness. Table 1 summarizes the tendered costs, by contractor, for the collection of refuse and bulky items using either a one person or a two person collection vehicle.

Historically, recycling collection from apartments and townhouse locations in Scarborough has been provided under the bulk contract. With the exception of the type of collection system, this same service is provided by City staff in North York. Beginning on February 1, 1999, at the commencement of Contract No. 358, the collection of multi-residential recyclables will be provided by City staff using existing City-owned bulk lift collection vehicles. This will enable staff to proactively monitor participation and contamination in multi-residential locations.

B. Summary of Bids Received for the Tender of Contract No. 358:

Table 1

District/ Area **	Collection System	J & F Waste Systems Inc.	Miller Waste	BSD Environmental Solutions	Browning Ferris Industries Ltd.	Canadian Waste Services Inc.
3A	1 person collection vehicle	\$480,193.56	\$548,163.52 *	\$805,734.48	\$1,000,686.12	\$796,456.44
	2 person collection vehicle	\$585,517.08	\$747,770.56 *	\$1,091,336.88	\$1,272,252.40	\$1,009,325.40
3B	1 person collection vehicle	\$433,410.60	\$502,786.54 *	\$673,578.36	\$889,956.24	\$618,156.36
	2 person collection vehicle	\$528,469.80	\$682,836.30 *	\$889,866.60	\$1,137,387.36	\$801,831.36
4A	1 person collection vehicle	\$332,888.40 *	\$454,865.74 *	\$683,246.88	\$908,472.00 *	\$593,221.92
4B	1 person collection vehicle	\$300,372.96	\$377,017.10 *	\$606,726.60	\$766,247.52	\$510,546.96
Annual Total - 1 person collection vehicle		\$1,546,865.40	\$1,882,832.80	\$2,769,286.24	\$3,565,361.80	\$2,518,381.68
2 person collection vehicle		\$1,747,248.10	\$2,262,489.60	\$3,271,176.88	\$4,084,359.20	\$2,914,925.64
3 Year Total - 1 person collection vehicle		\$4,640,596.20	\$5,648,498.40	\$8,307,858.72	\$10,696,085.00	\$7,555,145.04
2 person collection vehicle		\$5,241,744.30	\$6,787,468.80	\$9,813,530.64	\$12,253,077.00	\$ 8,744,776.92

Note: \* Denotes an adjustment in the number due to error in the calculation in the Unit Pricing Schedules within the Tender document.

Purchasing and Materials Management Division has reviewed the tender documents and confirmed that errors in calculation did occur.

\*\* Districts were subdivided for the purposes of issuing the tender.

C. Recommended Contractor:

The lowest bid was offered by J & F Waste Systems Inc. Based on the tenders submitted, and as summarized in Table 1, one person collection vehicles in both the North York and Scarborough Community Council areas will provide the most cost-effective service. The award of this contract utilizing one person collection vehicles in the North York Community Council area will lower annual contract costs in that Community Council area by \$200,383.00. Further to the financial benefits, service level inequities will be harmonized across the City. To facilitate a smooth transition, staff will notify all property management companies responsible for locations within the North York and Scarborough Community

Council areas, informing them of the change in collection requirements, and will work proactively to ensure all locations are compliant.

J & F Waste Systems Inc. is currently the contractor for the Scarborough Community Council area bulk collection contract. This contractor has provided satisfactory waste collection service for the City. Staff feel confident that, with the proper supervision, J & F Waste Systems Inc. is capable of fulfilling the terms of this contract.

Conclusions:

This report requests authority for the appropriate officials to complete the necessary documents for the award of Contract No. 358, with work to commence on February 1, 1999, in accordance with specifications, as required by the Works and Emergency Services Department, and utilizing one person collection vehicles, to the lowest bidder, J & F Waste Systems Inc.

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Contact Name:

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*(Report dated October 22, 1998, addressed to the Works and Utilities Committee  
from the General Manager, Solid Waste Management Services.)*

Purpose:

To provide Committee Members with a summary of the Tender of Contract No. 358.

Funding Sources, Financial Implications and Impact Statement:

The award of this contract will have financial implications on the Solid Waste Management Services operating budget. As the tender does not close until October 28, 1998, the actual dollar amount has yet to be determined. A supplementary report will be provided to Committee Members at the November 4, 1998 meeting of the Works and Utilities Committee that will detail financial impacts.

Recommendation:

That this report be received for information, pending the submission of a handout supplementary report at the Works and Utilities Committee which will contain specific recommendations respecting the tender award.

Council Reference/Background/History:

Currently, District 3 (North York) and District 4 (Scarborough) contract out the bulk collection of garbage and limited recyclables from apartments, townhouses, municipal, commercial and institutional locations within those boundaries. The Scarborough contract will expire on February 1, 1999, and the North York contract will expire on March 1, 1999.

A combined tender to provide this service in District 3 and District 4 was open to bidders on October 14, 1998, and will close on October 28, 1998. The contract has been broken into four service areas. Tenders will be received for any or all of the areas. As such, up to four contracts may be awarded to service both districts. Bulk collection will consist of refuse and bulky items (i.e., mattresses, non-metal furniture items) from both districts, and recyclables from the recycling depots located in District 4. The remainder of bulk recyclables will continue to be collected by City forces.

Conclusions:

A supplementary report will be provided to members of the Works and Utilities Committee at its meeting on November 4, 1998, which will summarize bids received and recommend the award of tender.

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(Communication dated November 19, 1998 from the City Clerk, entitled "Added Cost of Expanding Shelter Services for the Homeless" - See Minute No. 1948.)

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the joint report (November 2, 1998) from the Commissioner of Community and Neighbourhood Services.

The Budget Committee reports having requested the Commissioner of Community and Neighbourhood Services to report back to the next meeting of the Budget Committee scheduled for December 8, 1998, on:

- (1) all the grants processed through the Municipal Grants Review Committee and whether they would be better dealt with in a global sense as homeless initiatives;
- (2) a list of any requests for capital dollars for non-profit organizations who are attempting to assist the homeless; and
- (3) the possibility of grants to non-profit organizations being cost-shared 80-20 with the Provincial Government.

Background:

The Budget Committee on November 18, 1998, had before it a joint report (November 2, 1998) from the Commissioner of Community and Neighbourhood Services regarding the added cost of expanding shelter services for the homeless.

*(Transmittal letter dated November 5, 1998 addressed to the Budget Committee from the City Clerk.)*

Recommendation:

The Community and Neighbourhood Services Committee on November 5, 1998, recommended to the Budget Committee, and Council, the adoption of the attached report (November 2, 1998) from the Commissioner of Community and Neighbourhood Services respecting the added cost of expanding shelter services for the homeless.

The Community and Neighbourhood Services Committee reports, for the information of the Budget Committee, and Council, having requested Mayor Mel Lastman, Councillor Chris Korwin-Kuczynski, Chair of the Community and Neighbourhood Services Committee, and Councillor Gordon Chong to negotiate with the Provincial Minister of Community and Social Services, and that the Commissioner of Community and Neighbourhood Services work with the appropriate Provincial staff, to ensure that the City of Toronto receives 80 percent of the true costs of shelter services.

Councillor Jack Layton, Don River, appeared before the Community and Neighbourhood Services Committee in connection with the foregoing matter; and provided an update on the situation with regard to Doctors Hospital.

*(Report dated September 2, 1998 addressed to the Community and Neighbourhood Services Committee from the Commissioner of Community Services.)*

Purpose:

This report provides Committee with an estimate of the financial impact of expanding shelter services to deal with the homeless crisis in Toronto. This information shows the impact this will have on both 1998 and 1999 expenditures.

Funding Sources, Financial Implications and Impact Statement:

It now appears that net operating costs for the City will exceed the 1998 hostel budget by about \$0.5 million, or about 3.5 percent. However, there is sufficient underspending in the Department as a whole to cover this cost.

The real impact will occur in 1999 as our estimates show an increase in net cost for the City of \$4.6 million or about 29 percent over the 1998 budget level. This sharp increase is partially related to our growing caseload (12 percent), but is mostly caused by the cap on the Provincial subsidy for hostels. This report has been reviewed with Finance staff who concur with the directions outlined.

Recommendations:

It is recommended that:

- (1) the 1999 budget request for hostel services be revised to reflect the increased costs related to the expanded homeless caseload;
- (2) the Commissioner of Community and Neighbourhood Services be directed to meet with provincial officials to explore improved cost-sharing arrangements;
- (3) the Department be authorized to commit up to \$540,000.00 in one-time start-up costs in 1998 to ensure that new and expanded shelter sites open as quickly as possible; and
- (4) the appropriate City officials be authorized to take the necessary action to give effect thereto.

Council Reference/Background/History:

Recent reports show unexpected demands on shelters for the homeless and the need for expanded shelter services. City Council debated this matter at length at its regular session on October 28, 1998. Today's report describes the financial impact this is having on the City.

Comments and/or Discussion and/or Justification:

- (a) Impact on the Current 1998 Expenditures:

The following schedule gives a clear overview of what is happening this year:

(000's)	Approved 1998	Revised 1998	Variance	
	Budget	Forecast	\$	%
Gross Expenditure	\$59,188.0	\$61,163.0	\$1,975.0	3.3
City's Net Cost	\$16,091.0	\$16,642.0	\$551.0	3.4
Daily Occupancy (people)	3,507	3,736	229	6.5
Average Unit Cost * (one person for one day)	\$38.72	\$37.76	(\$0.96)	(2.5)

(\* Only relates to the unit cost of providing shelter beds, and does not include the cost of boarding homes, personal needs allowance, night emergency services, and head office which are also covered in the gross expenditure figures.)

The average unit cost in 1998 will fall a little because we maximized our use of motels for families. Motels are somewhat less expensive than regular shelters. The Province allows the City to average its unit cost across the system for subsidy purposes. Currently, the Province pays a maximum of \$27.60 per day (based on 80 percent of \$34.50). This formula clearly does not reflect the true cost of shelter services in Toronto. As a result, the provincial share of the cost is now about 73 percent and falling. This cap on the Provincial rate has been in place for many years (since 1992).

The revised 1998 forecast of expenditures includes \$540,000.00 in one-time start-up costs. These expenditures are necessary immediately in order that the new sites selected for emergency expansion can open. Start-up costs include beds, furniture, equipment, supplies, showers and fire safety. Because such start-up costs are not normally covered by Provincial per diem subsidies, staff have approached officials at the Ministry of Community and Social Services for one-time assistance.

(b) Impact on the 1999 Estimated Budget:

The recent decision to open a number of City buildings and other sites to respond to the growing homeless crisis will significantly impact the 1999 estimated budget. The following schedule shows the change:

(000's)	Original 1999	Revised 1999	Variance	
	Budget Request	Budget Request	\$	%
Gross Expenditure	\$65,433.0	\$68,426.0	\$2,993.0	4.6
City's Net Cost	\$19,289.0	\$20,758.0	\$1,469.0	7.6
Daily Occupancy (people)	3,788	3,934	146	3.9
Averaged Unit Cost * (one person for one day)	\$39.92	\$40.29	\$0.37	0.9

(\* Only relates to the unit cost of providing shelter beds, and does not include the cost of boarding homes, personal needs allowance, night emergency services, and head office which are also covered in the gross expenditure figures.)

The above information only shows the difference between the original request for 1999 and the revised request based on recent expansion plans. Most of this new expansion will focus on single homeless youth and adults. These services are more costly than family programs and thereby increase the averaged unit cost for the system. The inadequacy of the Provincial subsidy formula is obvious at the margins. The provincial payment, which is capped at \$27.60, therefore would represent only 68.5 percent of our estimated 1999 cost of \$40.29. (The payment is based on 80 percent of \$34.50 maximum and is an Ontario-wide rate.)

The Provincial Task Force on the Homeless has recommended that some existing hostel subsidies be redirected to other service activities. The Ministry of Community and Social Services is currently developing guidelines which would allow some flexibility in this regard. Hopefully, this change will allow the City to obtain 80 percent subsidy for some non-bedded program costs in the existing hostel system. However, this change may not provide much relief from the growing subsidy gap for basic hostel expenditures.

Conclusions:

The Department expects to shelter 427 more people per day in 1999. This is a 12 percent increase in the homeless caseload. Because of the cap on the provincial subsidy, the City's share of the cost is expected to increase by 29 percent. Staff will be discussing with provincial officials to seek improvements to the cost-sharing arrangements.

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(Communication dated November 19, 1998 from the City Clerk, entitled "Acquisition of the Ontario Hydro Corridor - Kennedy Road to Birchmount Road, [Scarborough City Centre] - See Minute No. 1948.)

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council the adoption of the report (October 22, 1998) from the General Manager, Water and Wastewater Services, subject to amending Recommendation No. (2) to read as follows:



- “2. that Council authorize staff to negotiate the purchase of the priority 1 areas identified in the report from XCG Consultants Ltd., and report back.”

The Budget Committee reports having requested:

- (1) the Commissioner of Corporate Services to provide a report to the Works and Utilities Committee on the acquisition of lands for watercourse purposes; and
- (2) the Chief Financial Officer and Treasurer to provide a report to the Budget Committee on the use of the Water Reserve and the final amount of funding required.

Background:

The Budget Committee on November 18, 1998, had before it a transmittal letter (November 10, 1998) from the City Clerk forwarding the recommendations of the Works and Utilities Committee with respect to the subject matter.

*(Transmittal letter dated November 10, 1998 addressed to  
the Budget Committee from the City Clerk.)*

Recommendation:

The Corporate Services Committee on November 9, 1998, recommended to the Budget Committee and Council the adoption of the recommendations of the Works and Utilities Committee embodied in the communication (November 4, 1998) from the City Clerk, subject to amending Recommendation No. (3) by deleting the words “Water Reserve” and inserting in lieu thereof the words “Water and Sewer Capital Expenditure Reserve”, so that such recommendation now reads as follows:

- “(3) that Council agree in principle to use the funds from the Water and Sewer Capital Expenditure Reserve for the acquisition of the enhanced watercourse lands as part of the ongoing Watercourse Land Acquisition Program;”.

Background:

The Corporate Services Committee on November 9, 1998, had before it a communication (November 4, 1998) from the City Clerk, advising that the Works and Utilities Committee on November 4, 1998:

- (A) recommended to the Corporate Services Committee, for consideration at its meeting to be held on November 9, 1998, the adoption of the report dated October 22, 1998, from the General Manager, Water and Wastewater Services, respecting acquisition of lands in the Ontario Hydro corridor from Kennedy Road to Birchmount Road (Scarborough City Centre), such report containing the following recommendations:

- “(1) That Council endorse the conclusions in the report prepared by XCG Consultants Ltd. and Hough Woodland Naylor Dance Leinster and Anthony Usher Planning Consultant entitled ‘Ontario Hydro Corridor (West Highland Creek) Investigation of Stormwater Management, Naturalization and Open Space Opportunities’;
- (2) that Council authorize staff to negotiate the purchase of the highest priority area south of Highway 401 identified by the XCG report, Kennedy Road to Birchmount Road, and report back; and
- (3) that Council agree in principle to use the funds from the Water Reserve for the acquisition of the enhanced watercourse lands as part of the ongoing Watercourse Land Acquisition Program”; and
- (B) referred this matter to the Storm Water Group for its information and any input as the project unfolds.

Councillor Lorenzo Berardinetti, Scarborough City Centre, appeared before the Corporate Services Committee in connection with the foregoing matter.

*(Communication dated November 4, 1998 addressed to the Corporate Services Committee from the City Clerk.)*

Recommendation:

The Works and Utilities Committee on November 4, 1998, recommended to the Corporate Services Committee, for consideration at its meeting to be held on November 9, 1998, the adoption of the report dated October 22, 1998, from the General Manager, Water and Wastewater Services, respecting acquisition of lands in the Ontario Hydro corridor from Kennedy Road to Birchmount Road (Scarborough City Centre).

The Works and Utilities Committee reports, for the information of the Corporate Services Committee and Council, having requested that this matter also be referred to the Storm Water Group for its information and any input as the project unfolds.

*(Report dated October 22, 1998, addressed to the Works and Utilities Committee from the General Manager, Water and Wastewater Services.)*

Purpose:

The Ontario Hydro corridor, between Kennedy Road and Birchmount Road, is being considered for urban development. The recently completed regional flood plain map shows significant flooding on the Hydro lands and the adjacent Dorset Park community. If the City could acquire the Dorset Park portion of the Hydro corridor (about 5 hectares/12 acres), the City could enhance stormwater management facilities to protect existing development vulnerable to flooding.

Funding Sources, Financial Implications and Impact Statement:

The XCG Consultants Ltd. report, commissioned at the request of Council, describes a number of funding options, one of which is for the City to purchase the lands. If City Council approves the recommendations in this report, the Wastewater 1999-2003 Capital Works Program will be amended to identify the required funding. (Currently, an amount of \$1.45 million has been included in the request under the Watercourse Improvements Project.)

Recommendations:

- (1) That Council endorse the conclusions in the report prepared by XCG Consultants Ltd. and Hough Woodland Naylor Dance Leinster and Anthony Usher Planning Consultant entitled "Ontario Hydro Corridor (West Highland Creek) Investigation of Stormwater Management, Naturalization and Open Space Opportunities";
- (2) that Council authorize staff to negotiate the purchase of the highest priority area south of Highway 401 identified by the XCG report, Kennedy Road to Birchmount Road, and report back; and
- (3) that Council agree in principle to use the funds from the Water Reserve for the acquisition of the enhanced watercourse lands as part of the ongoing Watercourse Land Acquisition Program.

Council Reference/Background/History:

Ontario Hydro determined that the transmission corridor, comprising about 65 hectares (160 acres) running from Lawrence Avenue north to McNicoll Avenue, was surplus to their requirements. In 1996, Scarborough Council endorsed a preliminary study process to review the redevelopment alternatives for the lands. After a series of Planning reports, Council adopted an official plan amendment to designate the lands "Open Space" in late 1997.

Ontario Hydro sold the lands north of Highway 401 to Graywood Investments Ltd. Graywood proposes to develop the lands, largely as residential and appealed their application to the Ontario Municipal Board (OMB). The hearing on this matter began October 5, 1998.

Ontario Hydro has conditionally sold the Hydro lands south of Highway 401 to Norstar Development Corporation. Norstar have applied for low density residential development and have appealed their applications to the Ontario Municipal Board. The OMB has set February 22, 1999, to begin the hearing, with a pre-hearing in early December 1998.

In July 1998, Council directed "the Commissioner of Works and Emergency Services to initiate a study to determine what lands, if any, are required or desirable for acquisition by the City or appropriate public body, to implement modern stormwater quantity and quality standards and opportunities for renaturalization".

Staff hired a team of consultants led by XCG Consultants Ltd. (environmental engineering specialists) and Hough Woodland Naylor Dance Leinster (design and environmental planning consultants) and Anthony Usher Planning Consultant. The consultants prepared the report “Ontario Hydro Corridor (West Highland Creek) Investigation of Stormwater Management, Naturalization and Open Space Opportunities”.

XCG concluded that the Ontario Hydro corridor represents a significant opportunity to protect lands for watershed management, naturalization, open space and trail linkages. Protection of lands in the Ontario Hydro corridor will have local, community and regional benefits. The report suggests there are several options. One is the full open space option which would require the acquisition of the whole corridor. A second option, “Essential Open Space” identifies features that will be of significant benefit in addressing local and regional stormwater management and open space issues. The report included two maps which identified priority areas (see Figures ES 3 and ES 4 attached). The pages of the report entitled “Conclusion” are attached.

Comments and/or Discussion and/or Justification:

In July of this year, we received completed flood plain mapping commissioned by the former City of Scarborough for the Dorset Park Branch of Highland Creek. This watercourse abuts the easterly edge of the Hydro corridor. The flood plain mapping indicates part of the Hydro property would be flooded during a regional storm rainfall event as well as significant lands adjacent to the corridor. See attached flood plain map. To provide protection from a regional storm event, the Ontario Hydro corridor could be acquired to enhance stormwater management facilities in Dorset Park for adjacent residential properties.

These Hydro lands provide a unique opportunity to construct stormwater management facilities, and could also incorporate natural enhancement features thereby creating a community asset.

Conclusions:

The Ontario Hydro corridor, from Birchmount Road to Kennedy Road, represents a significant opportunity to address flooding from a regional storm. The adjacent residential area is within the flood plain of the creek.

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(Note: Attachments to the foregoing report are on file in the office of the City Clerk.)

**Attachment No. 7**

(Communication dated November 19, 1998, from the City Clerk, entitled “Examination of Service Levels for Road Maintenance and Related Budget Implications - See Minute No. 1949 and 2005.)

Recommendation:

The Budget Committee on November 18, 1998, recommended to the Strategic Policies and Priorities Committee and Council:

- (1) the adoption of the report (October 15, 1998) from the General Manager, Transportation Services Division, as amended by the Urban Environment and Development Committee at its meeting on November 2, 1998; and
- (2) the necessary funding for this program be taken from the Corporate Contingency Account.

Background:

The Budget Committee on November 18, 1998, had before it a transmittal letter (November 3, 1998) from the City Clerk forwarding amendments of the Urban Environment and Development Committee to a report (October 15, 1998) from the General Manager, Transportation Services, entitled, “Examination of Service Levels for road Maintenance and Related Budget Implications”.

*(Transmittal letter dated November 3, 1998, addressed to  
the Budget Committee from the City Clerk.)*

Recommendations:

The Urban Environment and Development Committee on November 2, 1998, recommended to the Budget Committee and the Strategic Policies and Priorities Committee:

- (1) the adoption of the attached report (October 15, 1998) from the General Manager, Transportation Services Division, subject to:
  - (a) amending Recommendation No. (1)(a)(ii) by striking out the words “continue to”, and adding the word “Etobicoke” after the word “Scarborough,”; so that the Recommendation shall now read as follows:

“(1)(a)(ii) the City clear the windrows of snow from single-family residential driveways in the North York, Scarborough, Etobicoke and Forest Hill communities;”;
  - (b) amending Recommendation No. (1)(a)(v) to provide that all senior citizens over the age of 65 years immediately receive the services outlined therein for the 1998/1999 winter season, viz:

- “(1)(a)(v) the City provide a sidewalk and windrow clearing service to all senior citizens over the age of 65 years, and disabled residents residing in single-family residences. This service is subject to no other occupant who is under the age of 65 years residing in the same house and who is capable of removing snow. This service to be provided at no charge to eligible recipients.”; and
- (c) amending Recommendation No. (4)(i) by adding thereto the words “with the exception of the former Cities of Etobicoke and Scarborough where the current level of leaf pick-up services would continue to be provided in the 1999 fall season”; so that the recommendation shall now read as follows:
- “(4)(i) starting in the fall of 1999 residents in all areas be required to bag leaves from their property to be collected by the Solid Waste Management Services Division, with the exception of the former Cities of Etobicoke and Scarborough where the current level of leaf pick-up services would continue to be provided in the 1999 fall season;”;
- (2) that there be no loss in snow removal service to individual properties for the 1998/1999 winter season, as recommended in Recommendations Nos. (1)(a)(ii) and (iii); and
- (3) that this matter be submitted to Council for its meeting scheduled to be held on November 25, 1998.

The Urban Environment and Development Committee reports, for the information of the Budget Committee, having:

- (A) requested the Chief Administrative Officer to submit a report either to the November 10, 1998 meeting of the Budget Committee, if possible, or directly to the November 25, 1998 meeting of Council, on
- (1) the establishment of a reserve in the area of road maintenance and related services whereby operating savings are placed in such reserve and used to equalize service levels in 1999 and 2000; and
- (2) an envelope program whereby services can vary between the former municipalities but the total expenditures are somewhat equalized; and
- (B) requested the Chief Financial Officer and Treasurer to submit a report to the November 10, 1998 meeting of the Budget Committee on the source of funding for the \$125,000.00 that would be required to provide the services outlined in Recommendation No. (1)(a)(v) for the 1998/1999 Winter Season.

Background:

The Urban Environment and Development Committee had before it a report (October 15, 1998) from the General Manager, Transportation Services regarding the harmonization of service levels for road maintenance throughout the new City of Toronto.

Mr. Gary H. Welsh, Director, Transportation Services, District Four, made an overhead presentation to the Urban Environment and Development Committee in connection with the foregoing matter.

The following Members of Council appeared before the Urban Environment and Development Committee in connection with the foregoing matter:

- Councillor Mario Giansante, Kingsway-Humber;
- Councillor Joe Mihevc, York-Eglinton; and
- Councillor Frances Nunziata, York-Humber.

*(Report dated October 15, 1998, addressed to the Urban Environment and Development Committee from the General Manager, Transportation Services.)*

Purpose:

To report on existing service levels for winter maintenance, sweeping and flushing of pavements, sidewalk litter removal and fall leaf collection, and to assess options for service levelling and the consequent budget implications.

Financial Implications:

The review of this report by the Committee and subsequently City Council and the resultant decisions on service levels will affect the 1999 Operating Budget.

Recommendations:

It is recommended that road maintenance service levels be harmonized in a phased manner (Option D) as follows:

- (1)(a) Road and Sidewalk Winter Maintenance, Phase I  
(1999/2000 Winter Season):
  - (i) salting/sanding and ploughing pavement operations follow the general service guideline shown on Table 1;
  - (ii) the City continue to clear the windrows of snow from single-family residential driveways in the North York, Scarborough, and Forest Hill communities;

- (iii) the City continue to clear snow and ice from sidewalks as per Table 4, attached;
- (iv) staff be directed to prepare a consolidated snow-clearing by-law to require property owners to remove snow and ice from sidewalks adjacent to their property to replace the five existing snow-clearing by-laws;
- (v) the City provide a sidewalk and windrow-clearing service to all senior citizens over the age of 65 years, and disabled residents residing in single-family residences. This service is subject to no other occupant who is under the age of 65 years residing in the same house and who is capable of removing snow. This service to be provided at no charge to eligible recipients;
- (vi) the above recommendations not be implemented until the 1999/2000 winter season; and
- (vii) the above recommendations be subject to 1999 Current Budget approval;

(1)(b) Road and Sidewalk Winter Maintenance, Phase II:

Staff be directed to continue to analyze the sidewalk clearing program, and removing windrows from residential driveways, and report to Committee in the fall of 1999 on a harmonization proposal for these activities;

(2) Sweeping and Flushing of Pavements:

- (i) sweeping and flushing operations follow the general service guideline shown in Table 10;
- (ii) a further review be carried out based on the experience in 1999 in order to determine whether any changes are required to the general service guideline presented in Table 10, and to prepare for the Year 2000 budget;
- (iii) the costs of providing sweeping and flushing services for special events be identified and considered as part of the 1999 current budget process; and
- (iv) an annual City-wide anti-litter campaign be developed and that a further report be brought forward to outline the requirements, content and costs of such a campaign;

(3) Sidewalk Litter Removal:

- (i) sidewalk litter removal operations follow the general service guideline shown in Table 12;



- (ii) a methodology be developed for the measurement of litter removal requirements and services in order to establish performance measures and to assess value for expenditure for this activity; and
  - (iii) the service guideline presented in Table 12 be reviewed once the methodology noted in (ii) above has been developed; and
- (4) Leaf Collection from Roadways:
- (i) starting in the fall of 1999 residents in all areas be required to bag leaves from their property to be collected by the Solid Waste Management Services Division;
  - (ii) a communication program be developed in conjunction with the Solid Waste Management Services Division and implemented for all residents encouraging them not to rake leaves to the ditch or curb, to compost leaves as much as possible, and to bag the remainder for pick-up; and
  - (iii) the appropriate by-laws be amended accordingly.

Executive Summary:

There are four particular services in road operations that have varied service levels among the former seven municipal jurisdictions, and which are financially significant and very visible. These are:

Service	<u>Annual Current Budget</u>
<b>Winter Maintenance</b>	
- salting/sanding and ploughing pavements	
- removal of windrows of snow from driveways	
- clearing of sidewalks	
- Senior and disabled person program	
	\$32,288,000.00
Sweeping and Flushing Pavements	\$ 9,612,000.00
Sidewalk Litter Removal	\$ 8,602,500.00
Leaf Collection	<u>\$ 2,300,000.00</u>
Total:	<u>\$52,802,500.00</u>

The levels of service provided by the former municipalities in some cases were relatively similar, i.e., salting/sanding and ploughing pavements. Other service levels differed significantly, i.e., clearing of snow from sidewalks and driveway windrows.

The derivation and assessment of level of service options involves a number of basic questions including the following:

- defining minimum service levels with acceptable risk to the Corporation and/or that are commensurate with basic responsibilities of the Corporation;

- assessing public and political acceptability particularly for services that are elective and not safety related;
- defining what is affordable;
- deriving an acceptable balance between the apparent desire for uniform service levels versus the need for varied service levels depending on differing requirements; and
- ensuring that the respective implementation schedule for changes is realistic relative to constraints but is also sufficiently aggressive relative to corporate expenditure reduction objectives.

The assessment of the service level options for each activity considered the following:

- basic level of service which must be provided;
- lowest existing level of service;
- highest existing level of service; and
- proposed level of service.

Level of Service Options:

Five overall level of service options which could be considered are:

(A) Basic Operational Requirements:

This option would provide for a level of service which should be provided by the City to ensure safe winter driving conditions, plus cleaning of the public right-of-way. The following services would be provided:

- salting/sanding and ploughing pavements;
- sweeping and flushing streets; and
- sidewalk litter removal.

This level of service would eliminate all sidewalk snow clearing, windrow clearing, the senior or disabled snow clearing program, and the vacuuming of leaves raked from private property. The cost savings would amount to \$8,847,000. These services are not considered essential to operating the City, but in many cases meet the particular needs of many of the City's residents.

(B) Retain Existing Service Levels:

The present varying levels of service would be retained. The method of delivery would change in some cases because of the amalgamation of the former local municipalities and

Metro operations. Funding requirements would remain the same except for productivity increases which could occur in the future through combining operations.

(C) Make Service Level Adjustments to Selected Activities:

This option would consist of harmonizing the level of service for the following activities as follows:

- the salting/sanding and ploughing of pavements to follow the general service guidelines shown in Table 1;
- clearing of snow from sidewalks for Seniors or Disabled Citizens free of charge;
- sweeping and flushing operations to follow the general service guidelines shown in Table 10;
- sidewalk Litter Program to follow the general service guidelines shown in Table 12; and
- residents in all areas would be required to bag leaves from their property to be collected by the Solid Waste Management Services Division.

The levels of service provided by the City for these activities would be consistent throughout the City. The service level changes could be implemented in the spring of 1999 for sweeping and flushing, and sidewalk litter removal programs. The changes in the leaf collection program could be implemented for the fall of 1999. The winter maintenance changes could be co-ordinated for the 1999/2000 winter season. The combined annual savings would be \$265,000.00.

The current practice of clearing driveway windrows in North York, Scarborough, and Forest Hill would continue. The varying levels of service for clearing snow and ice from sidewalks would be delivered as noted in Table 4.

(D) Phased-in Service Level Changes:

This option would consist of implementing the service level changes as stated in Option C as Phase I. Phase II would consist of adjusting service levels for the following activities over a three to five year period:

- clearing snow and ice from sidewalks; and
- removing windrows from residential driveways.

The level of service provided for sidewalk snow clearing and driveway windrow removal would be determined after further analysis of these activities, including an assessment of the amount of surplus funding available for these activities and possible budget savings from productivity improvements from harmonization of winter maintenance and street cleaning activities.

(E) Winter Sidewalk Clearing and Driveway Windrow Adjustments:

This option would consist of the following activities:

- the salting/sanding and ploughing of pavements to follow the general service guidelines shown in Table 1;
- clearing of snow from sidewalks for Seniors or Disabled citizens free of charge;
- sweeping and flushing operations to follow the general service guidelines shown in Table 10;
- Sidewalk Litter Program to follow the general service guidelines shown in Table 12;
- residents in all areas would be required to bag leaves from their property to be collected by the Solid Waste Management Service Division;
- expand the windrow opening program to include all suburban areas (former Etobicoke, North York and Scarborough communities); and
- the sidewalk snow clearing program be limited to all main roads (plus municipal properties and reverse frontages).

This option is similar to Option D except a decision is made now to modify the extent of windrow opening and sidewalk clearing elements without the benefit of further analysis. The estimated additional cost is approximately \$762,000.00.

Background:

One of the more challenging issues associated with the amalgamation from both a management and political perspective is the question of service levelling. Not only are the financial implications significant in terms of either cost increases or decreases but the public concern and reaction to changes can be severe.

There are four particular services in road operations that have had varied service levels among the former seven municipal jurisdictions and which are financially significant and very visible. These are:

<u>Service</u>	<u>Annual Current Budget</u>
Winter Maintenance	\$32,288,000
Sweeping and Flushing of Pavements	9,612,000
Sidewalk Litter Removal	8,602,500
Leaf Collection	<u>2,300,000</u> <sup>1</sup>
Total	<u>\$52,802,500</u>

<sup>1</sup> Excludes Solid Waste Costs

The total above represents 31 percent of the total annual budget of the new Transportation Services Division.

It was recognized during the 1998 Budget preparation that the service levelling question or, conversely, the question of whether or to what extent the different service levels are to continue, will be a central issue in the preparation of the 1999 Budget. The intent of this report is therefore to

provide a framework for discussion and decision making regarding the preparation of the 1999 Budget and hence any service level changes. In this regard, the Strategic Policies and Priorities Committee has approved the report dated September 18, 1998, from the Chief Administrative Officer, entitled "Service Level Harmonization", wherein it was recommended that:

- "(1) the appropriate Standing Committee review service level variations including an option of harmonization with no budgetary impact; and
- (2) the input from the Standing Committees be used by departments for preparation of the 1999 budget estimates."

Discussion:

Definitions:

For the purpose of this report, an explanation of each of the aforementioned services is necessary as well as an explanation of each road type. It is important to note that the following activities under each service have not been necessarily carried out by all former municipalities.

Winter Maintenance:

Carried out between November and April and can involve the following activities related to snow removal:

- Salting/sanding and ploughing pavements.
- Clearing windrows of snow from the end of driveways that result from ploughing pavements.
- Clearing sidewalks using small mechanized equipment or in some cases manual shovelling.
- Seniors' and disabled program for removing snow from sidewalks and in some cases driveways/windrows.
- Clearing of snow around bus stops and at crosswalks.
- Occasional haulage of snow from specific locations or in general after a major storm or alternatively using mobile snow melting equipment.

Sweeping and Flushing of Pavements:

- Sweeping dust and debris from pavement is carried out using special mechanized equipment mostly in the non-winter months. In the central area and other areas with parked vehicles, accumulated dust and debris is removed by hand from the gutter.
- Flushing of pavements is carried out using special tanker trucks with high pressure water sprays.

Sidewalk Litter Removal:

- Litter is removed by hand or mechanized equipment from sidewalks particularly in heavy pedestrian areas.

Leaf Collection:

- The collection of leaves in late fall from pavements, boulevards, and ditches of heavily treed areas is carried out using either mobile vacuum equipment or front end loaders.

Road Classification:

Service levels can vary by different road types by virtue of the different function of each type. Road types in the City of Toronto can be defined as follows:

- Freeways
  - multi-lane high speed facilities with access restricted to other freeways or major arterial roads. There is no direct property access and parking, pedestrians and cyclists are prohibited. There are three freeways in the road system:  
  
Don Valley Parkway, F. G. Gardiner Expressway, W. R. Allen Road.
- Arterials
  - mostly with four to seven lanes consisting of the former Metro roads plus some major roads of the former local municipalities, the primary function of which is to facilitate the movement of traffic (private and public vehicles) (e.g., King Street, Eglinton Avenue, Evans Avenue); and
  - segregated into minor and major arterials whereby minor are typically four through lanes plus turning lanes where vehicular access to property and on-street parking are more predominant, whereas major arterials are typically five to seven lanes where parking controls are more stringent and vehicular access to property is less frequent.
- Collectors
  - typically two or three-lane industrial or residential streets where traffic movement and property access is of equal importance (e.g., Yonge Boulevard, Brimorton Drive, Duplex Avenue).
- Local Roads
  - typically two-lane roads servicing residential or industrial/commercial areas, where property access is the primary consideration.
- Lanes
  - usually services the rear of properties to gain access to garages or for deliveries.

Level of Service:

From an operational perspective, the maintenance of roads is driven by a fundamental objective to attain the minimum acceptable service level at the highest possible quality for the lowest overall cost. There is an obvious relationship among these three elements. The type and level of service has a direct bearing on the methods or techniques that can be utilized to discharge the service which, in turn, has an influence on the cost. For example, large mechanized equipment can be utilized to clear snow from the end of driveways in suburban locations (i.e., Etobicoke, North York and Scarborough) which have few if any on-street parked vehicles, but in central areas it would be largely impossible to use such equipment. In these areas the snow removal operation would have to be carried out using either small mechanized equipment or hand shovelling, either of which is much more costly.

Different roads require different levels of service depending on a variety of factors, therefore, the notion of achieving a uniform level of service is somewhat misleading. For example, arterial roads require a higher level of service for snow removal than local roads to ensure continued mobility on the major road system during and after a storm. Furthermore, depending on the severity of a particular storm in different areas of the city, some arterial roads may need more attention than others.

The following factors relate to the determination of the minimum acceptable level of service:

- System Characteristics:
  - different road types have different functions and therefore require different levels of service.
- Geography:
  - weather and temperature variations in winter months throughout the City.
- Land Use:
  - higher pedestrian and tourism activity in some areas demand higher service levels such as sweeping and flushing; and
  - industrial areas require less 'housekeeping' services.
- Legislation:
  - under recent amendments to the Municipal Act, municipalities are required to sustain a minimum service standard in order to avoid liability in the event of an occurrence.
- Operations:
  - resource allocation/availability; and
  - balance between minimizing expenditure vs. acceptable risk.

- Public Acceptability:
  - the demands of the community as a result of historic service levels, real or perceived inequities or higher expectations.

An examination of the service levels among the former seven jurisdictions for the five aforementioned services revealed a wide range of different service levels for the same type of road in similar geographic and land use environments. It must be recognized that it has been extremely difficult to compare work methodologies and unit costs for the same type of service because of different accounting methods and definitions. Once Transportation Services adopts a common Maintenance Management System and the four new Districts become fully operational, these accounting problems will be minimized.

Nevertheless, there has been a concerted effort to establish a process and propose changes that will eventually result in more uniform service levels for similar types of roads in similar areas across the City. In some cases, it is proposed that a particular service level decrease in certain areas and increase in other areas, which results in a more equitable allocation of expenditures relative to needs. It must also be recognized that it could require some time before changes are fully implemented, given the constraints imposed by existing contracts, organizational restructuring and the current union structure. Furthermore, a process of incremental change is desirable from a management perspective in order to adapt to the changes without major problems, train staff, to test the results as the changes are implemented, as well as allow for opportunity for residents to adjust to the new service protocols.

#### Winter Maintenance:

Winter maintenance requires the largest activity budget allocation of \$32,288,000.00 in the Transportation Services' Operating Budget. By virtue of the public safety, public mobility and economic requirements, winter maintenance generally necessitates the highest level of response relative to other road maintenance activities. This is particularly important for the freeways and arterials which are utilized predominantly for major traffic movement, emergency vehicles, surface transit vehicles and goods movement. If these major routes are not kept clear then the City virtually shuts down. The response capability to the freeways and arterials is analogous to emergency services operations. As outlined below, longer response times are possible for local roads and even longer for lanes.

As noted at the beginning of this report, winter maintenance operations can be categorized into a number of basic activities. The four activities which involve a wide variation in current service levels are: salting/sanding and ploughing pavements, removal of windrows of snow at the end of driveways that result from the ploughing of pavements, ploughing and sometimes salting and/or sanding of sidewalks and lastly, programs for qualified seniors and disabled persons who own or occupy a single family residential unit.

There has been a significant variation in the level of service among the former seven jurisdictions relative to most of these activities. The following sections deal with each activity separately. There are a number of possible options for service levelling, particularly for the latter three, since they are



either not absolutely essential from an operational perspective or there are other reasonable methods available.

#### Salting/Sanding and Ploughing Pavements:

The removal of snow from pavements is generally carried out using a two stage operation. First, salt/sand is applied at a rate and at a time that is set by Transportation staff depending on the nature of the snowfall or storm. This could vary from one area to another and also depends on the type of road and the day of the week and time of day. For major snowfalls, ploughs are then activated when weather conditions are such that salting/sanding is no longer going to be effective. Decisions as to when and where to plough are made by field personnel based on guidelines and observations during the snowfall.

As a general rule, the level of service is highest for expressways and progressively lower for arterials, collectors, local roads and lanes. The corresponding response times are generally shorter for expressways and progressively longer for the other road types. Response times have a direct relationship to standby requirements, which was the subject of a recent report dated July 29, 1998, to the Budget Committee, entitled "Winter Maintenance Standby", and appended as Appendix "A".

The major difference in service levels among the former seven municipalities has been the requirement for the highest level of response capability for the freeways and arterials. In contrast, the service levels for local roads and lanes have been lower and, in fact, were reasonably consistent. It is essential to sustain the highest level of service for the freeways and arterials whereas it is possible to have lower service levels for each of the other road types: collectors, local roads and lanes. Table 1 lists service objectives for each road type, which generally exist today for each former jurisdiction. Efforts are underway to achieve even greater consistency particularly for the local roads. In this regard, during this past winter season, information regarding the activation of salters and ploughs was collected at a central location to assist with efforts to achieve greater consistency of equipment response throughout the new City. Further fine-tuning is underway in preparation for the forthcoming winter.

However, there have been major differences in operational methods among the former seven jurisdictions. Some have employed contractors, in whole or in part, and some have delivered the service entirely with in-house staff and equipment. Some have used only salt whereas some have used a sand/salt mix. North York preferred to plough snow from local roads after 5 centimetres of snowfall while the other municipalities preferred to use sand/salt until snowfall reached a greater depth. Former Metro and North York have used snow melting equipment, others have used snow dumps, and so on. Staff are continuing to analyze these different methods and operating styles to determine those which are most efficient and thereby to identify cost savings. In addition, a comprehensive route optimization analysis is underway to determine the most efficient routing system for the deployment of salters and ploughs. Given the timing and complexity of the organizational restructuring process as well as the existing contractual obligations, it appears at this stage that it will not be possible to make any major changes this forthcoming winter season. In this regard, Table 2 includes information about the use of contractors by each former jurisdiction and the corresponding renewal dates of each contract. If any cost saving changes are possible this winter season without risking the effective delivery of the service, then they will be implemented. The

liability associated with this activity is such that extreme care must be taken to ensure that public safety is not compromised. However, staff are confident that through efficiencies in work methods and practices eventually there will be savings, subject to any fluctuation in tender prices.

One further note. Impressions have been created that a former Metro salter or plough and a former area municipal salter or plough are driving along the same road and therefore there has been (and is) a duplication of service. Such equipment does utilize the same road, but there has never been a duplication of service. As noted above, it is essential to clear the freeways and arterials as quickly as possible, otherwise, late deployment of resources could result in snow removal equipment being caught in traffic congestion created by the storm. A later response time is possible for local roads and therefore similar equipment travels along the main arterials at a later time to gain access to the respective residential or industrial areas. This situation will continue. In addition, sometimes it is necessary for salters and ploughs on the arterials to turn around at the end of their route on local roads and vice versa, perhaps creating the impression of duplication of service. Again, this will prevail at different times during a storm clean-up operation as a result of different service levels, but there is no duplication of service.

It is therefore proposed that a further report be brought forward in 1999 regarding potential cost savings through efficiencies in the organization of services and work methods as well as the timing and consolidation of contracts.

#### Windrow Opening:

When snow is ploughed during a heavy snowfall, windrows of snow are created along the curb and edge of boulevards. These windrows also fill in the end of driveways. Main roads, such as the former Metro roads, are wider and therefore the windrows are typically larger than those on local two-lane roads. During a major storm, it is possible that the roads are ploughed two or even three times and many residential property owners complain that as fast as they dig out one windrow, another is created.

Three of the former seven jurisdictions have provided a windrow opening program for residential properties. North York has had a program since 1985, and the cost to open about 97,000 driveways six times a season is about \$1.2 million. This program does not include driveways on former Metro roads. The method employed by North York is to use a second plough equipped with a special blade which follows behind the first plough. Scarborough started its program this past winter season and the annual cost to clear about 93,000 driveways about four times was \$1.6 million. This program includes driveways on former Metro roads. Equipment similar to that used by North York was not available and therefore a variety of equipment is used including small tractors and front end loaders, which are more labour intensive. Both North York and Scarborough employ contractors for the work. The former City of Toronto has cleared the end of driveways in Forest Hill for the past six years. This was accommodated as part of an annual ploughing contract. A separate contract has been called for the forthcoming winter season.

In addition, North York has had a program to subsidize seniors or disabled persons to clear windrows on former Metro roads since residential properties on local roads are cleared anyway. The cost for the North York program is about \$5,000.00. The cost for the Etobicoke program is

included in the seniors and disabled special sidewalk program. This is detailed further in a later section of the report.

The cost to extend the windrow program city-wide would be very significant for three basic reasons. First, of course, is the fact that only two of the former seven jurisdictions have had a full program. Second, the number of ploughs required to employ the same method as North York is not available within the local contracting companies. Therefore, a more labour intensive operation similar to Scarborough would have to be utilized at a unit cost that is more than double the unit cost in North York. Third, and even more costly, is that only small equipment and even manual snow shovelling would have to be employed in most of the former City of Toronto, York and East York jurisdictions due to constraints resulting from on-street parking and virtually no boulevard space. As a result of the latter, snow would have to be either hauled away or relocated on-site which adds significantly to the cost.

Nine options have been developed for consideration. These include:

- (a) Cancel existing programs.
- (b) Status Quo - retain Scarborough, North York and Forest Hill programs.
- (c) Reduced Status Quo - as in (b) but reduce the number of clearances per season in North York from six to four, in order to match Scarborough and eliminate Forest Hill.
- (d)
  - (i) Add Etobicoke to option (c) so that the former outer three municipal jurisdictions have the same service at four clearances per season including the main arterials.
  - (ii) Similar to option (d)(i) but with six clearances per season.
- (e)
  - (i) City-wide program (including former Toronto, East York and York) at four clearances per season.
  - (ii) Similar to (e)(i) but with six clearances per season.
- (f)
  - (i) Main roads only in the outer three municipalities with a few sections of main roads in former East York, York and Toronto, at four clearances per season. Main roads are defined as the former Metro arterial roads, former arterials under area municipal jurisdiction, plus any surface transit routes not included with the arterials. (This is similar to the approach taken by Scarborough for sidewalk snow removal).
  - (ii) Similar to option (f)(i) but with six clearances per season.

Table 3 outlines these options. It should be noted that the service only applies to single family residential properties, and under option (b) and (c) driveways are not cleared on former Metro roads in North York. Because of the significant cost of providing the service on a city wide basis, options (d)(i) and (d)(ii) are included which encompass the three former outer municipalities,

Etobicoke, North York and Scarborough. Four clearances per season is the current Scarborough level of service versus six clearances for the North York service level. Four clearances basically includes the bigger winter storms, and therefore if there are fewer than four large storms then there could be a saving. The three former inner municipalities, East York, Toronto and York have better access to transit operations and tend not to rely as much on private vehicles for transportation.

It must be emphasized that no substantial changes could be made to the existing contracts in North York and Scarborough for the forthcoming winter season. Both contracts expire in March 2000; however, it could be possible to eliminate the 1999/2000 winter season from the Scarborough contract provided there is sufficient notice to the contractors. Furthermore, it would be impossible to organize any additional programs for the forthcoming winter by the time the budget is approved. If a decision is made to expand the current services for the 1999/2000 winter season, then the amounts to be included in the 1999 Budget would be a portion of what is shown in Table 3, since those figures are annualized costs. As a matter of interest, it should also be noted that Etobicoke had a windrow clearing program for a number of years. The service was cancelled in 1993 for an annual saving of \$500,000.00.

The clearing of windrows from the end of driveways is considered to be a discretionary service. The retention or expansion of this service requires a Committee decision. It is proposed that the selection from the options presented in Table 3 should be made in conjunction with the discretionary options presented for sidewalk clearing. A combination of options is presented in the summary of this report.

#### Sidewalk Clearing:

The annual cost of clearing snow from sidewalks amounts to \$4,285,000.00 for the former six area municipalities. This is exclusive of programs for seniors and disabled persons which will be outlined in the next section of this report. Area municipalities maintained sidewalks on the former Metro roads, which was a statutory requirement under the former Metropolitan Toronto Act.

Each former area municipality has had a sidewalk clearing service but the extent and level of service varied significantly. Also, each former municipality, except North York, has had a by-law requiring property owners to keep sidewalks adjacent to their property clear of snow and ice. Table 4 outlines the existing types of services by municipality and the corresponding service levels. Etobicoke and Toronto have had the lowest service levels which involve clearing some municipal properties, sidewalks on reverse frontages, bus stops, pedestrian crosswalks and Wheel Trans locations. This is considered to be the lowest possible service level in order to fulfill an obligation to maintain municipal property and to set an example for others to follow. The highest service level is North York which started its service in 1964 whereby today all sidewalks are cleared an average 14 times per season. North York utilizes contractors for this work and the current contract expires in March 1999. In the mid-range are Scarborough and York which cleared sidewalks on main roads and transit routes up to eight times per season. Scarborough also utilizes contractors and the current contract expires in March 2000.

Three options were developed in addition to the status quo.

These are:

(A) City Facilities and Reverse Frontages:

As noted above, this is considered to be essential as a basic municipal service. The reverse frontages would only apply in Etobicoke, North York, Scarborough and Toronto. This would be comparable to the existing Toronto and Etobicoke services.

(B) Main Roads:

This would be comparable to the Scarborough and York existing services. Sidewalks on arterials, transit routes and reverse frontages would be cleared eight times per season to a width of 1 to 1.5 metres.

(C) All Roads:

This would be comparable to the North York and East York services. Two sub-options are presented: one, (c)(1), for eight clearances per year which compares to the existing Scarborough service level and the second, (c)(2), at 14 clearances per year which compares to the existing North York service level.

Table 5 presents the results of the analysis for these options. The last three columns of the table show the net cost of options (c)(1) and (c)(2) after taking into account the savings associated with not having to continue with the seniors and disabled program. It should be noted that a portion of the seniors and disabled costs would not apply if Option B were selected since some of the applicable sidewalk sections are on the main roads, therefore, the net cost of Option B would be slightly less. Table 5 also shows the savings or additional costs relative to the status quo.

It will not be possible to implement any major changes for the forthcoming winter season by the time Council makes a decision concerning this report and the budget. Changes could be possible for the 1999/2000 winter season depending on which option is selected, except for Scarborough whose contract expires in March 2000, therefore, the 1999 Operating Budget could be affected as a result of changes that would commence in late 1999. Regardless of whether the City provides a sidewalk snow removal service or not, it is essential to consolidate the existing by-laws that require property owners to remove snow and ice from sidewalks in front of their property.

As noted above, Option A is considered to be required as an essential municipal service. Higher service levels are considered to be discretionary and therefore a decision is required whether to reduce, retain or expand this service. It is proposed that the selection from options presented in Table 5 should be made in conjunction with the discretionary options presented for windrow clearing in the previous section. A combination of options is presented for consideration in the summary of this report.

Seniors and Disabled Sidewalk and Windrow Clearing Programs:

Each former area municipality, except North York, has had a special sidewalk clearing program for seniors and disabled individuals. Since North York has had a regular sidewalk clearing service for all sidewalks at about 14 clearances per winter season, there has been no need for a special seniors and disabled program for sidewalks. However, North York has had a special program for windrows on former Metro roads. In the case of Etobicoke, the windrows are cleared along with the sidewalks for seniors and disabled individuals.

No other former area municipality includes windrows in its special program. Eligibility for all programs includes the following:

- owner or occupant of single family residences (i.e., multiple unit buildings, industrial, commercial properties not applicable);
- 65 years of age or older and no other occupant capable of removing snow; or
- disabled and no other occupant capable of removing snow.

The combined annual cost of the programs for the former six area municipalities amounts to \$1,647,000.00. In the case of Scarborough and York, which have had regular sidewalk clearing services on main roads at about eight clearances per season, the special program in each case applies to sidewalks on other roads. In the case of East York, which has had a regular sidewalk clearing service at about five clearances per season, the special program has basically supplemented its regular program. For Toronto and Etobicoke which have had no regular sidewalk clearing service, the special program has applied to all sidewalks.

Table 6 summarizes the existing seniors and disabled sidewalk and windrow clearing programs. Although all programs have had the same basic eligibility, there are variations in fees, annual registration requirements, service delivery, number of clearances per season, etc. It should also be emphasized that administrative costs of these programs have been high as a result of annual registration as well as numerous calls for service or complaints during and after a storm. This is partially offset in Etobicoke and East York through the collection of fees.

Given the predominance of these special programs, there is an apparent need to continue with this service. However, it is clear that there is a need to develop a uniform approach. In this regard there are three key inter-related factors to determine:

- eligibility;
- whether to charge a fee and, if so, at what level; and
- service delivery and level of service.

With respect to eligibility, most of the existing programs apply to persons 65 years of age or older. While it is true that a number of seniors are on limited incomes, there are many seniors who have pensions or alternative incomes. An alternative approach would be that only those seniors who receive the Guaranteed Annual Income Supplement (GAINS) should be eligible, which is similar to the approach taken in East York. Similarly, only disabled individuals who receive benefits under

the Family Benefits Act (FBA) or the General Welfare Assistance Act (GWA) would be eligible, but regardless of age.

The following options are therefore presented for consideration and are outlined in Table 7.

- A.1 Limit eligibility to persons 65 years of age or older who are in receipt of GAINS and disabled individuals under FBA or GWA, with no fee. Transportation Services provide the service when snow accumulates to a prescribed level.
- A.2 Same as A.1 but charge a fee for the service.
- A.3 Same as A.1, but pay a subsidy to the individual at a predetermined amount per eligible snow fall, with a maximum total per season. The individual is responsible to arrange his/her snow removal service. Note that York now pays a maximum of \$65.00 subsidy to eligible individuals based on a submitted claim form that identifies the number of clearances and respective amounts paid.
- B.1 All persons over 65 and all disabled persons are eligible, with no fee. Transportation Services provide the service when snow accumulates to a prescribed level.
- B.2 Similar to B.1 but charge a fee for the service.
- B.3 Similar to B.1 but a subsidy is paid to the individual as per A.3. The individual is responsible to arrange his/her service.
- C.1 All persons over 65 are eligible, but there is no fee for seniors who receive GAINS or disabled individuals under FBA or GWA, whereas there is a fee for all others. Transportation Services provide the service when snow accumulates to a prescribed level.
- C.2 Same as C.1 except that instead of charging a fee for others, a subsidy be paid to the individual as per A.3, and the individual is responsible for arranging the service. Transportation Services provide the service only for seniors on GAINS or disabled individuals under FBA or GWA.
- C.3 All persons over 65 and all disabled persons are eligible, but with a two-tier fee structure similar to East York. Those seniors who do not receive GAINS or disabled persons not in receipt of FBA or GWA pay a regular fee whereas those who do receive GAINS or FBA or GWA pay a lower fee. Transportation Services provides the service.
- C.4 Same as C.3, but a two-tiered subsidy is paid to the individuals, with those on GAINS or FBA or GWA receiving a higher subsidy, and the individual is responsible for arranging the service.

As noted in Table 6, only Etobicoke and East York have charged a fee. Whereas the fee has assisted in offsetting administration costs for registration in Etobicoke, it has raised expectations from the

applicant's perspective about the immediacy and frequency of service. Consequently, numerous calls and complaints are received during and after a snowfall which further increases administration costs. Conversely, with the subsidy arrangement in York, the applicant is responsible for arranging the snow removal service which virtually eliminates the kind of complaints that Etobicoke has experienced. The fees are higher in East York compared to Etobicoke but the service delivery is managed through a non-profit Neighbourhood Information Centre which has received a sum of \$15,000.00 from East York to cover administration costs. This arrangement has appeared to work well but it does rely on the continuation of the community based agency. Also noted in Table 6 is that North York, Scarborough and Toronto do not charge fees.

Given the fact that the predominant approach has been either not to charge a fee or a nominal fee, it would probably be difficult to start charging fees where none has existed or, if it were possible, the fee probably would be nominal. As per the Etobicoke experience, a nominal fee would give rise to higher expectations about service delivery and therefore generate more complaints which are costly to administer, thereby somewhat negating the benefit of the revenue.

The alternative of the subsidy arrangement as per the former City of York approach raises a number of administrative complications and is therefore not considered to be desirable approach. Problems arise when the expense claims are finally submitted as to whether a particular snow fall and therefore sidewalk clearing is eligible for a subsidy. In the final analysis, this arrangement would probably result in providing a payout of the maximum amount per year to each applicant which eventually could increase the number of applicants by a substantial amount. Also, the administrative costs for this arrangement are expected to be higher because of the processing of claims and payments to the applicants.

If this service is to continue, it is suggested that consideration be given to providing the service at no cost to the applicant. Annual registration would still be required in order to ensure that service is provided at an "eligible" location. Even though complaints from applicants are not expected to be eliminated, the volume of such complaints should be substantially less than if there were a fee, which thereby assists in minimizing administrative costs. The financial effect of this approach would be to basically eliminate the combined revenue of about \$125,000.00 for Etobicoke and East York. However, as noted above, there would be administrative savings which would partially offset this revenue loss.

The other remaining question is eligibility and this requires discussion with the Committee. Option B.1 in Table 7 is basically the status quo with all persons over 65 and all disabled persons being eligible. Option A.1 limits eligibility to seniors who are in receipt of GAINS and disabled persons under FBA or GWA, and is therefore a more stringent approach which could reduce the cost of this program. However, this type of approach could be costly to administer and initiate a two-tiered level of service. For these reasons it is not recommended.

As can be seen from Table 6, there have been various approaches to service delivery including the utilization of in-house resources, contractors and a non-profit community based agency. Staff will continue to review the service delivery aspects in order to achieve the most cost-effective approach.

Sweeping and Flushing of Pavements:



The sweeping and flushing of roads provides a clean environment for residents and visitors and assists with road drainage by preventing dirt and debris from blocking catch basins and sewer lines. The total cost of sweeping is about \$8,423,000.00 per year and for flushing is \$1,185,000.00 per year. The services are provided with in-house resources supplemented with contractor's equipment and operators. As shown on the attached Tables 8 and 9, the former City of Toronto and Borough of East York have provided year-round sweeping operations while the other former local municipalities have provided sweeping service between April and November. Former Metro arterial roads outside the City of Toronto have been swept by Metro Transportation using contractors once in the spring and then the former local municipalities took over this responsibility for the balance of the season. The City of Toronto undertook the responsibility of sweeping Metro arterial roads in the City throughout the year. Freeways have been swept exclusively by former Metro.

Flushing on both local and arterial roads has been carried out by the former local municipalities with the exception of York and East York which did not provide this service. Freeways have been flushed exclusively by former Metro. Also shown on the attached Tables 8 and 9 is the wide range of service levels provided by the former seven jurisdictions.

For sweeping, the number of passes on arterial roads has varied from a high of seven per week in the City of Toronto to a low of once every three weeks in East York. For roads in commercial and industrial areas, the top of the range again has been the City of Toronto with seven per week to a low of once every two weeks in Scarborough. For local residential streets the high end has been the City of Toronto with once per week to a low of once every six weeks in Etobicoke and Scarborough.

For flushing on arterials, the top of the range was the City of Toronto and North York at two per week to a low of zero in York and East York. For commercial and industrial roads, the high end has been the City of Toronto at two per week to a low of zero again for York and East York. For local residential streets, the high end has been once every two weeks for the City of Toronto and North York and the low end has been zero again for York and East York.

Generally, the City of Toronto has had the highest level of service for sweeping and Scarborough has had the lowest. For flushing, the City of Toronto has had the highest and York and East York have had the lowest (no flushing).

It is important to recognize that some areas require more sweeping and flushing than others as a result of heavy pedestrian traffic. The prime example is the Central Business District of the former City of Toronto which experiences significant pedestrian movements as a result of the concentration of commercial space, retail trade, tourism and residents who also work downtown. Furthermore, particularly in the case of the central area, mechanical sweeping along the curb is not feasible due to parked vehicles. The debris accumulated between the cars and the curb is manually cleaned with a push broom and shovel by in-house staff. In some cases, this method has been employed up to eight times per year. As a result, the annual cost for hand sweeping is about one-third of the total cost of \$5,254,000.00 for sweeping in the City of Toronto.

To provide a frame of reference for the determination of an appropriate level of service throughout the new City, the additional cost to level up and savings to level down were calculated.

For sweeping, the additional annual cost to bring all areas up to the former City of Toronto service level (i.e., the highest) would be about \$10,400,000.00, or more than double the current expenditure level. The savings associated to bring all areas down to the City of Scarborough (i.e., the lowest) would be about \$4,500,000.00 per year, which is about 53 percent of the current expenditure level. In levelling up, the increased frequency would not be noticeable in most areas outside the central business district due to the significantly lesser volume of litter and debris. In levelling down, however, the change would be very noticeable especially in the central business district.

For flushing, the additional cost to level up to the City of Toronto (i.e., the highest) would be about \$1,300,000.00, or about 110 percent more than the current expenditure. Although not practical, the savings associated with levelling down to the lowest (i.e., zero service in East York and York) would of course be the total current expenditure of about \$1,185,000.00. Similar to the sweeping situation, levelling up would not be cost-effective and levelling down to no service would be impractical.

Clearly, to continue with the status quo would not be acceptable because of the obvious inequities. Moreover, it would probably not be publicly acceptable to drastically change the level of service at this time, particularly to a much lower level of service. Also, organizational restructuring itself imposes limitations on the pace that internal operational changes can be accommodated. Under the circumstances, the proposed approach is to adopt a new service guideline for the whole road system whereby level of service varies according to road type and level of pedestrian activity, and to phase in this new guideline in 1999. This approach removes the obvious inequities in current service levels but in so doing, will increase service levels in some areas and decrease levels in others. As the implementation of this new guideline proceeds, experience will provide the opportunity for modifications to reduce costs further.

Table 10 shows the proposed sweeping and flushing general levels of service guideline. The guideline takes into consideration that there are high pedestrian activity areas such as the central business district that generate a significant volume of debris. In other areas, the present level of service is satisfactory and is not changed. A lowering of service levels is possible in certain areas without drastically affecting the appearance of the road. This approach would also provide for flushing in York and East York areas where currently flushing is not carried out. It is important to note that Table 10 is a guideline and shows the highest levels of service that will be applied. Levels of service may vary somewhat from that indicated depending on the land use and pedestrian activity along a particular road. Staff will determine the appropriate service level based on field conditions and the new guideline.

For sweeping activities, the new guideline would generally decrease present levels of service in North York, York and some of the roads in the former City of Toronto while increasing service levels in Etobicoke, Scarborough and East York. However, it is anticipated that for areas with lower service levels, the degree of change is not significant enough to dramatically affect the appearance of the streets. Annual savings have been estimated at this stage at \$285,000.00 which represents three percent of the total sweeping budget.

For flushing activities, levels of service would decrease for North York and some roads in Etobicoke and the former City of Toronto, but would not drastically affect the appearance of the streets.

Increased service levels for Scarborough, East York and York should, however, improve the appearance of streets in these areas. Freeway service levels remain the same. There will be an initial shortfall of about \$10,000.00 to accommodate these changes, which is about one percent more than the annual current budget for flushing.

Taken together, the overall savings for a full year of operation for sweeping and flushing is projected to be \$275,000.00, based on savings from sweeping of \$285,000.00 and additional cost of flushing of \$10,000.00. As noted above, staff are confident that costs can be reduced further as the new guideline is applied. However, in addition to normal operations, there is an increasing requirement to provide this service prior to and after special events such as Caribana and the Indy Car Race. The number of events is putting a strain on available resources with the result that additional funding may be required or the normal level of service may have to be decreased.

In an attempt to reduce the amount of litter, the former City of Toronto conducted an annual advertising anti-litter campaign a number of years ago. Although funding has not continued, there appears to have been some positive results from this effort and therefore it is suggested that consideration be given to introducing a new campaign city-wide.

It is therefore proposed that:

- (1) sweeping and flushing operations follow the general service guideline shown in Table 10;
- (2) as the new guideline is implemented, results be monitored and that modifications be instituted during this process to correct any deficiencies and to realize further cost savings;
- (3) a further review be carried out based on the experience in 1999 in order to determine whether any changes are required to the general service guideline presented in Table 10 and to prepare for the year 2000 budget;
- (4) the costs of providing sweeping and flushing services for special events be considered as part of the 1999 current budget process; and
- (5) an annual City wide anti-litter campaign be considered and that a further report be brought forward to outline the requirements, content and costs of such a campaign.

Sidewalk Litter Removal:

The annual cost of removing litter from sidewalks is \$8,602,500.00, of which 85 percent of this expenditure is within the former City of Toronto. Similar to other services related to sidewalks, the former area municipalities were responsible for removing litter on sidewalks on former Metro roads.

Unlike most other street cleaning functions, sidewalk litter removal is carried out year-round, weather permitting. This activity also includes the removal of litter and debris from transit shelters (where this is not done by a transit shelter contractor), public telephone booths, tree and flower planters, and the removal of illegal posters from utility poles and street furniture in areas where

sidewalk litter removal is carried out. The major areas that generate sidewalk litter are business areas, tourist areas, transit stops, fast-food establishments and ethnic areas such as Chinatown, Greek Town and India Bazaar areas, most of which are in main streets. This service has been provided with the use of in-house resources by the Transportation divisions in the former municipalities, with the exception of East York where the service has been provided by the Solid Waste group.

The extent and frequency of services varied significantly among the former municipalities. Table 11 includes information concerning the frequency of service, method of cleaning, the estimated volume of work and the estimated annual cost for each former municipality.

There has been no objective method in use for measuring the extent and nature of sidewalk litter, largely because of the difficulty associated with measuring litter itself. Furthermore, in some of the former municipalities, the number of kilometres cleaned has not been recorded. Therefore, at the present time it is not possible to undertake an accurate comparison of unit costs in order to evaluate the most cost efficient and effective approach. In this respect, the cost per kilometre cleaned is not a reliable performance measure since there is no standard reference point such as the area cleaned relative to the volume or weight of litter collected. Levels of service have been established largely on the basis of subjective judgments by staff and elected representatives concerning the appearance of the sidewalk. Clearly a more objective approach is desirable particularly in order to establish performance measures and to assess value for expenditure for this activity. It is therefore proposed that a methodology for measuring sidewalk litter removal requirements and services be developed.

At this point in time, there are three basic options with regard to the service levelling question:

**Option A - Retain Existing Service Levels:**

Some of the existing high litter generating areas are not serviced as well as other comparable areas. The status quo would not remove these inequities in current service levels.

**Option B - Decrease Service Levels to Reduce Costs:**

The impact of this option would of course depend on the extent to which expenditures are decreased. It is felt that sizeable expenditure reductions would no doubt have the greatest effect on the former City of Toronto. This would lead to a decline in appearance particularly in areas of high pedestrian activity which would affect tourism as well as sending the wrong signals to the community at large about discouraging litter.

**Option C - Adjust Levels of Service Within the Existing Budget:**

This option would assist in removing the current inequities with the current situation. This is similar to the approach suggested for the sweeping and flushing of pavements. Some adjustments would be necessary to the current highly serviced areas but not to the extent that there will be noticeable differences in appearance. Table 12 presents a guideline for the frequency of litter removal depending on high, medium or low volumes of litter. The actual level of service could vary along

a particular main road depending on specific circumstances. The guideline would be utilized by field staff who would make individual judgements about each area.

Option C is the proposed preferred approach. It is proposed that the guideline be in place on an interim basis until the methodology noted above has been developed, at which time a revised guideline or standard would also be developed. The development of the methodology for the measurement of requirements and services will facilitate an examination of service delivery options and opportunities to reduce costs in the future.

In addition to developing the most efficient and effective methods to remove litter, it is important to discourage litter as much as possible. The primary causes of litter are:

- poor public co-operation;
- improper use of receptacles;
- improper packaging of garbage set out for collection; and
- lack of public education.

People's attitudes can be changed by publicity and by example. The anti-litter campaign proposed under the sweeping and flushing section would be of assistance in this regard.

It is therefore proposed that:

- (1) Option C, which is to adjust service levels within the existing budget, be the preferred approach at this time;
- (2) sidewalk litter removal operations follow the general service guideline shown in Table 12;
- (3) a methodology be developed for the measurement of litter removal requirements and services in order to establish performance measures and to assess value for expenditure for this activity; and
- (4) the service guideline presented in Table 12 be reviewed once the methodology noted in (3) has been developed.

Leaf Collection:

The fall leaf collection program has been designed to pick up leaves that accumulate on residential properties, ditches and pavements. Leaves that accumulate in ditches and pavements create ponding and flooding problems as a result of blocked culverts and catch-basins and therefore it is important to remove the leaves in a timely fashion.

All former municipalities have had a bag pick-up service for residential property owners who bag leaves from their property, although there is some variation in the extent of this service as outlined below. This service is provided by Solid Waste Management Services and bagged leaves are delivered to Keele Valley for composting.

Each former municipality also has had a program to collect leaves that accumulate in ditches and pavements. The bagging programs attempt to minimize and eliminate where possible the raking of leaves onto the roadway. Even if all property owners bag their leaves, it will be necessary to continue with a program to clean the ditches and pavements in heavily treed areas. This service is provided by Transportation Services and the collected leaves are also taken to composting sites. Currently, residential bagging account for approximately 50 percent of the total combined leaf pick-up. Leaves that collect in ditches are removed with mobile vacuum machines which are very labour intensive because of the raking, machine operation, dump truck operation and vehicle flagging requirements. It is estimated that this costs at least twice as much as collecting bags of leaves on a per tonne basis.

In general, leaves that collect on pavements are removed with front end loaders or road sweepers. For the City of Toronto, this method is estimated to cost at least 50 percent more than bagging leaves on a per tonne basis. Any accumulation of leaves on the former Metro roads were removed by the former local municipalities.

Past practices of each of the former local municipalities are summarized as follows:

- East York never had a residential leaf vacuum collection system and all residents must bag their leaves. Front end loaders are used for bulk collection of loose leaves on roads in heavily treed areas.
- Toronto has used front end loaders to pick up loose leaves on roads. Residents have been encouraged not to rake their leaves to the curb and are required to bag.
- North York has used road sweepers and to a minor extent front end loaders for the removal of leaves on the road in curbed areas. Residents are not allowed to rake their leaves to the street and must bag to receive municipal collection.
- Etobicoke operates 18 leaf vacuums. Heavily treed or ditched areas have been vacuumed once and in some areas twice during the five-week program when residents can rake leaves to the curb or ditch. Residents receiving this service have been expected to bag their leaves during the balance of the leaf season, while all other residents have been required to bag leaves from their property.
- York has utilized a front end loader for bulk collection of loose leaves for two heavily treed areas only, during a three-week period starting in early November. During this time only, residents can rake their leaves to curbside. All residents in the remaining areas have been required to bag their leaves at all times.
- Scarborough residents have been encouraged not to rake their leaves to the curb and have been required to bag. Over the last three years, Scarborough Council cancelled its leaf vacuum program since it was not consistent throughout the municipality and resources were not sufficient to expand the vacuum service.

It should be noted that as a result of Councillor Moeser's request during the 1998 Budget process, the new City Council approved the reinstatement of the fall leaf vacuum removal program (i.e., bagging not required) in the West Rouge and Guildwood areas for the fall of 1998 with no additional funding being provided, subject to a service review of all programs. The additional cost to provide this service is \$40,000.00. The former Scarborough Council had moved to a uniform bagging program in 1996 and 1997 with a total saving of about \$200,000.00.

To summarize, the former jurisdictions of North York, Scarborough, Toronto and East York have required all residents to bag leaves. York has allowed residents to rake leaves to the curb, instead of the normal bagging requirement, only during a three-week period for two heavily treed areas. Etobicoke has vacuumed leaves once or twice over a five-week period in heavily treed or ditched areas.

The raking of leaves by residents onto the public right-of-way will in some situations create safety concerns. High mounds of leaves will block sightlines for pedestrians and vehicle operators. They also provide an attraction for children to play. Raked leaves will often block catch basins and reduce the width of the traveled portion of the road.

Given the predominant method of requiring residents to bag leaves from their property at a demonstrated cost saving, it is the opinion of staff that the requirement to bag leaves should be standardized across the City. This would result in reducing annual Transportation Services costs in Etobicoke from \$600,000.00 to \$450,000.00 and in York from \$250,000.00 to \$175,000.00. About one-half of these savings would be offset by additional Solid Waste Management Services collection costs, and so the net savings will be about \$115,000.00.

While this does not appear to be a substantial saving at this time, the longer term (five-year) objective is to increase the bagging component to 80 percent of all leaves removed whereby the resultant net savings could be in the order of \$300,000.00. This can only be achieved through an aggressive public information/education program for a service that would have to be seen to be equitable and uniform in order to be successful.

Conversely, if exceptions to the bagging requirement are continued, the number of such exceptions would no doubt increase and costs would increase accordingly. There is evidence that this has occurred in Etobicoke. It is estimated that the total net increase in costs to the Corporation to eliminate the bagging requirement would be in the order of \$6,500,000.00.

Given the imminent fall months, it will not be possible to effectively communicate to the public and therefore the status quo will prevail this year.

It is therefore proposed that:

- (1) starting next fall (1999) residents in all areas be required to bag leaves from their property to be collected by the Solid Waste Management Services Division;

- (2) a communication program be implemented for all residents encouraging them not to rake leaves to the ditch or curb, to compost leaves as much as possible and to bag the remainder for pick-up; and
- (3) appropriate by-laws be amended accordingly.

Conclusions and Summary:

Toronto enjoys an international reputation as a clean, well-maintained City. This is instrumental in the City's livability, desirability as a major tourist destination and no doubt plays a key role in the attraction and retention of commerce and investment. This reputation is due, in no small part, to the extensive care and willingness to direct significant resources to keeping the streets and sidewalks in good repair, clean and free of litter and debris.

Municipal roads provide for the movement of people and goods, property access and the accommodation of utilities. With the considerable and on-going pressures on the City's financial resources, against the backdrop of vastly differing services levels for various transportation-related maintenance activities, it is imperative to develop strategies to deliver these services in a consistent, cost-efficient manner.

The challenge is to balance the increasingly complex technical and operational needs of the system against the often competing community, planning and environmental interests. The day-to-day maintenance of the system is a critical part of this equation and whereas there is a tendency to take maintenance for granted, it is an increasingly complex area of activity. Maintenance activities involve, among other things, the assessment of:

- the optimal mix of labour and equipment;
- the state of "readiness" required for any particular activity;
- the optimal amount of supplies and material to keep in stock;
- the extent of in-house versus contracting of labour and/or equipment;
- the most efficient method of organizing services that involve fees;
- the level of service that is adequate from a risk management perspective;
- the extent of contingency resources required to respond to unforeseen circumstances;
- the cost-effectiveness of incorporating technological improvements;
- the scheduling of maintenance activities to achieve an acceptable balance between the mobility needs of the community at large and the need for minimal disruption to local areas;
- the optimal arrangement between investing in day-to-day maintenance and periodic preventative rehabilitation; and
- measures that achieve cost effective results in meeting environmental protection objectives.

These and other factors are taken into account in order to realize the overall objective of attaining the minimum acceptable service level at the highest possible quality for the lowest overall cost. In the final analysis, the appearance, cleanliness, operational effectiveness and structural integrity of the road system says a lot about civic pride and the commitment of the City to protect the investment in its infrastructure toward the attainment of its social, economic, and environmental sustainability



objectives. There have been impressions that equipment from former municipal jurisdictions have been driving along the same road and there has been (and is) a duplication of service. Such equipment does utilize the same road but there never has been a duplication of service.

This report includes an examination of four key maintenance activities which are financially significant and publicly visible. These are winter maintenance, sweeping and flushing of pavements, sidewalk litter removal and leaf collection. For the purpose of this report, winter maintenance is comprised of four sub-categories: salting/sanding and ploughing of pavements; windrow clearing from the end of driveways; sidewalk snow removal; seniors and disabled persons program. The current level of annual expenditure for these activities amounts to \$52,802,500.00 which is about 31 percent of the total annual budget of the Transportation Services budget.

The examination of the service levels among the former seven jurisdictions for these services revealed in most cases a wide range of service levels for the same type of road in similar geographic and land use environments. It must be emphasized that it has been extremely difficult to compare work practices and unit costs for the same type of service because of different accounting methods and definitions. Once the Division adopts a common Maintenance Management System these problems will be minimized. The analysis has therefore concentrated mostly on the examination of service levels and not service delivery issues. Further work is underway to examine current work practices and service delivery options in order to achieve the most efficient and effective service delivery approach for these activities.

Notwithstanding the data limitations, there has been a concerted effort to propose short-term changes and to establish a process of ongoing review that will eventually result in more uniform service levels for similar road types in similar areas across the City. It is also important to focus on "outcome" as much as "activity" when considering the service levelling proposals. Using the example of street or sidewalk cleanliness, it will require significantly more resources in some areas of the City than others to maintain the same degree of cleanliness, simply due to the intensity of activity and the nature and form of the various areas. This is particularly prevalent between the central core and the suburban areas. Furthermore, in some cases, it is proposed that a particular service level decrease in certain areas and increase in other areas, which results in a more equitable allocation of expenditures relative to needs. In other cases, options are presented for the consideration of City Council, particularly given recent political decisions for services that are considered discretionary. It must also be recognized that it could require some time before changes are fully implemented given the constraints imposed by existing contracts, organizational restructuring and the current union structure. Furthermore, a process of incremental change to ensure a smooth transition in order to adapt to the changes without major problems, train staff, and to test the results as the changes are implemented.

There are also a number of specific conclusions and proposals related to each activity as follows:

Winter Maintenance:

Salting/Sanding and Ploughing:

- this essential service requires the highest level of response relative to other activities;

- different road types require different service levels, but there are no significant differences among the former seven jurisdictions in this regard;
- there have been significant differences in operational methods among the former seven jurisdictions;
- potential savings can be realized through operational efficiencies which will be implemented incrementally;
- it is not possible to estimate the scale of savings nor the precise timing of the savings at this time; and
- a further report will be brought forward in 1999.

Windrow Opening (for residential properties only):

- only the former municipalities of North York, and recently Scarborough, provided this service community-wide;
- this service is not essential from an operational perspective;
- greater interest in this service has been evident in the suburban areas by virtue of wider pavements and propensity for drifting snow; the service is also less costly in the suburban areas because of the snow storage capability on boulevards and the relative absence of street parking;
- options range (see Table 3) from the cancellation of existing programs for an annual saving of \$2,800,000.00 to a City-wide program at the highest existing service level for an annual cost of about \$18,000,000.00 (or additional cost of about \$15,200,000.00);
- almost half the cost of a City-wide program is associated with the relatively higher costs of introducing this service in the former City of Toronto; and
- if this service is continued in any way, the public would expect windrows to be opened every time the pavement is ploughed;

Sidewalk Clearing:

- there have been significant differences in service levels among the former six area municipalities (see Table 4);
- all former area municipalities, except North York, had a by-law requiring property owners to keep the sidewalk in front of their property clear of ice and snow;
- this service is not essential from an operational perspective other than the requirement to clear sidewalks in front of municipal property and reverse frontage lots;
- options range (see Table 5) from the cancellation of most of the existing services (except for municipal property and reverse frontages) for an annual saving of about \$4,000,000.00 to a City-wide program at the highest existing service level for an annual cost of about \$17,488,000.00 (or additional cost of about \$13,203,000.00);
- almost 58 percent of the cost of the City-wide program is associated with introducing this service in the former City of Toronto;
- the existing seniors and disabled programs would not be necessary with the City-wide program at the highest level, for an annual saving of about \$1,600,000.00;

- the reduction, retention or expansion of this service requires a Committee decision (see suggested combination of options later in this summary).

#### Seniors and Disabled Program:

- for owners and occupants of single family units only where no other person is capable of removing the snow;
- although the eligibility for programs has been reasonably consistent among the former six area municipalities, there have been substantial differences in the existing programs (see Table 6);
- this program is not essential from an operational perspective;
- the program options are defined by different combinations of inter-related factors: eligibility, fee/subsidy and service delivery (see Table 7);
- it has not been possible to estimate the costs of each option at this time due to the lack of data, although it is probably reasonable to conclude that the cost of most options could increase in the future as a result of the increase in seniors relative to other age groups;
- it is proposed that if this service is to continue, no fee be applied given that the predominant current approach is not to charge a fee plus the administrative costs associated with other options; and
- it is also proposed that Council retain the existing eligibility (over 65 or disabled persons regardless of age).

#### Sweeping and Flushing of Pavements:

- there have been significant differences in service levels among the former seven jurisdictions (Tables 8 and 9);
- this service is considered to be essential because it assists road drainage by preventing dirt and debris from blocking catch basins and it provides a clean environment for residents and visitors;
- some areas require a higher service level than others as a result of heavy pedestrian traffic such as the Central Business District;
- for sweeping, the annual cost to bring all areas up to the highest existing service level would be about \$18,800,000.00 (an additional cost of about \$10,400,000.00); the cost associated with bringing all areas down to the lowest service level is about \$3,900,000.00 (a saving of about \$4,500,000.00);
- for flushing, the annual cost to bring all areas up to the highest existing service level would be about \$2,500,000.00 (an additional cost of \$1,300,000.00); the saving associated with reducing all areas to the lowest service level (i.e, zero service) is about \$1,200,000.00;
- increasing service levels to the highest in all areas is not cost-effective; nor is it practical to reduce service levels to the lowest because of the significant negative effect in high pedestrian areas;

- the proposed approach is to adopt a new service guideline (Table 10) for the entire road system whereby service levels vary according to road type and level of pedestrian activity;
- the new guideline will be phased in during 1999; it is anticipated that experience with the new approach will provide opportunities for further cost savings;
- the overall initial annual savings from the new guideline is estimated to be about \$275,000.00 or three percent of the budget for this activity; and
- an annual city wide anti-litter campaign be considered and it is proposed that a report be brought forward to outline such a campaign.

Sidewalk Litter Removal:

- there have been significant differences in service levels among the former six local municipalities (see Table 11);
- there has been no method in use for measuring sidewalk litter removal requirements and services, and therefore it is proposed that a methodology be developed in order to establish performance measures and to assess value for expenditure for this activity; and
- the preferred approach at this time is to adjust service levels slightly within the existing budget to provide a more equitable distribution of services, and in this regard an interim service guideline is proposed (see Table 12).

Leaf Collection:

- most of the former six area municipalities required that residents bag leaves for pick-up by Solid Waste Services;
- given this predominant approach, it is proposed that the bagging of leaves become a uniform requirement for the 1999 leaf pick-up service; this would result in an annual saving of \$115,000.00 at the present time;
- the longer term objective is to increase the proportion of leaves bagged from the current 50 percent to 80 percent of all leaves removed by weight for further savings; and
- regardless of the extent of bagging, it will still be necessary to collect leaves that fall on the road right-of-way to avoid clogged drains and sewer lines.

The fundamental question is what service level changes should be made on the basis of the options and proposals contained in this report. In this regard, it is clear that, based on system needs and functional requirements, service levels for a particular activity will vary.

The most problematic activity to resolve is winter maintenance. Service levels for salting/sanding and ploughing of pavements is dictated by public safety requirements and the related liability associated with ensuring the operational integrity of the system. However, apart from the obligation of the City to clear sidewalks in front of municipal property and reverse frontages, the windrow opening, sidewalk snow removal and seniors and disabled programs are not essential from an operational perspective. In this respect, it should be noted that regardless of whether the City

provides a sidewalk snow removal service or not, it is essential to consolidate the five existing by-laws that require property owners to remove snow and ice from sidewalks in front of their property. North York did not have such a by-law but should be included when a new by-law is approved if North York service levels are changed.

Levelling up to the highest existing service level for both windrow opening and sidewalk clearing would cost \$35,428,000.00 (or an additional \$28,343,000.00). Cancelling the existing programs would result in an annual saving of about \$6,900,000.00. There are a number of combinations of options between these extremes, and it is important to recognize the relationship between the seniors and disabled program and the other two activities in the development of these combinations. For example, if the highest service level of sidewalk clearing were selected, then a senior and disabled program would not be necessary. This is similar to the current situation in North York. On the other hand, if sidewalk clearing were only to take place on main roads, then a seniors and disabled program could be required for sidewalks on all other roads.

#### Level of Service Options:

Five overall level of service options which could be considered are:

##### (A) Basic Operational Requirements:

This option would provide for a level of service which should be provided by the City to ensure safe winter driving conditions, plus cleaning of the public right-of-way. The following services would be provided:

- salting/sanding and ploughing pavements;
- sweeping and flushing streets; and
- sidewalk litter removal.

This level of service would eliminate all sidewalk snow clearing, windrow clearing, the senior or disabled snow clearing program, and the vacuuming of leaves raked from private property. The cost savings would amount to \$8,847,000.00. These services are not considered essential to operating the City, but in many cases meet the particular needs of many of the City's residents.

##### (B) Retain Existing Service Levels:

The present varying levels of service would be retained. The method of delivery would change in some cases because of the amalgamation of the former local municipalities and Metro operations. Funding requirements would remain the same except for productivity increases which could occur in the future through combining operations.

##### (C) Make Service Level Adjustments to selected Activities:

This option would consist of harmonizing the level of service for the following activities as follows:

- the salting/sanding and ploughing of pavements to follow the general service guidelines shown in Table 1;
- clearing of snow from sidewalks for Seniors or Disabled Citizens free of charge;
- sweeping and flushing operations to follow the general service guidelines shown in Table 10;
- Sidewalk Litter Program to follow the general service guidelines shown in Table 12; and
- residents in all areas would be required to bag leaves from their property to be collected by the Solid Waste Management Services Division.

The levels of service provided by the City for these activities would be consistent throughout the City. The service level changes could be implemented in the spring of 1999 for sweeping and flushing, and sidewalk litter removal programs. The changes in the leaf collection program could be implemented for the fall of 1999. The winter maintenance changes could be co-ordinated for the 1999/2000 winter season. The combined annual savings would be \$265,000.00.

The current practice of clearing driveway windrows in North York, Scarborough, and Forest Hill would continue. The varying levels of service for clearing snow and ice from sidewalks would be delivered as noted in Table 4.

(D) Phased-in Service Level Changes:

This option would consist of implementing the service level changes as stated in Option C as Phase I. Phase II would consist of adjusting service levels for the following activities over a three to five year period:

- clearing snow and ice from sidewalks; and
- removing windrows from residential driveways.

The level of service provided for sidewalk snow clearing and driveway windrow removal would be determined after further analysis of these activities, including an assessment of the amount of surplus funding available for these activities and possible budget savings from productivity improvements from harmonization of winter maintenance and street cleaning activities.

(E) Winter Sidewalk Clearing and Driveway Windrow Adjustments:

This option would consist of the following activities:

- the salting/sanding and ploughing of pavements to follow the general service guidelines shown in Table 1;

- clearing of snow from sidewalks for Seniors or Disabled citizens free of charge;
- sweeping and flushing operations to follow the general service guidelines shown in Table 10;
- Sidewalk Litter Program to follow the general service guidelines shown in Table 12;
- residents in all areas would be required to bag leaves from their property to be collected by the Solid Waste Management Service Division;
- expand the windrow opening program to include all suburban areas (former Etobicoke, North York and Scarborough communities); and
- the sidewalk snow clearing program be limited to all main roads (plus municipal properties and reverse frontages).

As noted in the report, there appears to be greater interest in windrow opening services in suburban locations by virtue of the greater amount of snow ploughed from pavements that are generally wider than older roads in the former inner three municipalities and the generally lower level of transit service available as an alternate to automobile use. It is also clear that the cost of a windrow clearing program in the former inner three municipalities would be prohibitive because of the need to use hand shovelling and there is no snow storage capability since there are virtually no boulevards. Under this combination, the proposed service would therefore apply to the suburban areas of North York, Scarborough and Etobicoke, at a level of service that is equivalent to Scarborough's existing service. The Etobicoke area would therefore gain a new service, the North York service level would decrease slightly and Scarborough's service would remain the same. The Toronto, York and East York areas would not have this service. The estimate annual cost of this new arrangement would be about \$3,900,000.00 (or an additional cost of \$1,100,000.00).

Sidewalks on main roads are at least cleared by former North York, Scarborough, York and East York jurisdictions. The proposed service level would be equivalent to Scarborough and York at eight clearances per year. Main roads under this approach would constitute about 32 percent of the entire road system. Therefore, under this combination, the Etobicoke and Toronto areas would receive a new service, the current North York service level would decrease and sidewalks on local roads would no longer be cleared, the service level in East York would increase except sidewalks on local roads would no longer be cleared, and the existing Scarborough and York services would continue. The annual cost of this new arrangement would be about \$4,200,000.00 which is slightly less than the existing service. Overall this option would cost an additional \$762,000.00.

Contact Name:

Mr. Gary H. Welsh, Director, Transportation Services, District 4, 396-7842, Fax:396-5681.

(A copy of Tables 1-12, referred to in the foregoing report, has been forwarded to all Members of Council, and a copy thereof is also on file in the office of the City Clerk.)

## **Attachment No. 8**

(Report dated November 18, 1998, from the Director of Community Planning - West District, entitled "Former City of York Zoning By-law 3623-97 [General Housing By-law Amendment] File: 10/4/124, Ward 27 - York Humber" - See Minute No. 1952.)

### Purpose:

To provide staff comment on a motion of York Community Council regarding Zoning By-law 3623-97, a general housing by-law amendment adopted in 1997.

### Funding Sources, Financial Implications and Impact Statement:

City funding is not required. There are no impacts on Capital or Operating Budgets.

### Recommendation:

It is recommended that Council receive this report for information.

### Background:

On September 28, 1998, a consent application for 11 Caesar Avenue was to be considered by the Committee of Adjustment panel for the former City of York. The "new" R2-Residential Zone, as established by Zoning By-law 3623-97, is in effect for this property and surrounding neighbourhood. The consent application proposed to sever the existing 12.2 metre (40 ft.) wide property into two 6.1 metre (20 ft.) wide properties, on which the applicant was to build a pair of three storey, semi-detached houses, each with a gross floor area of 177.9 m<sup>2</sup> (1915 ft<sup>2</sup>). At the Committee of Adjustment meeting, concern was raised by neighbouring residents that the proposed development was not in character with the surrounding one-storey bungalows in the area of Rockcliffe Boulevard, Deakin Avenue and Caesar Avenue (the Rockcliffe Boulevard/Caesar Avenue Area). As a result of these concerns, and at the applicant's request, the Committee deferred the application for three months.

The severance of 11 Caesar Avenue and the proposed semi-detached houses comply with the regulations of the "new" R2 -Residential Zone set out in By-law No. 3623-97 as enacted by the former City of York Council in 1997, which allows semi-detached houses to be constructed to a maximum height of three storeys and at a maximum floor space index of 0.8. Semi-detached houses have been permitted in this area for many years under the former R2 zoning. Under this zone, semi-detached houses were restricted to a maximum floor space index of 0.6 and a height restriction of one storey.

At the November 12, 1998 York Community Council meeting, residents of the Rockcliffe Boulevard/Caesar Avenue area made deputations regarding the proposed severance and development of 11 Caesar Avenue. Upon considering the deputations, Community Council adopted a resolution requesting the Director of Community Planning for the West District to undertake a



review of By-law No. 3623-97 as to its appropriateness in terms of its ability to promote compatible development within residential neighbourhoods, and that a report be submitted directly to City Council on this matter (see Appendix 1).

Comment:

Zoning By-law No. 3623-97 was enacted to implement the Official Plan housing objectives and policies adopted by the former City of York Council in 1995, which, among other matters, seek to “reduce the necessity and frequency of amendments or variance applications”.

Zoning By-law No. 3623-97 generally permits increases in floor space indices for various housing types. With the exception of detached houses in R2 zones, the maximum floor space indices established by Zoning By-law No. 3623-97 are based upon the average floor space indices approved by the Committee of Adjustment between 1992 and 1995 derived from a broad sample of minor variance applications. As a result, York residents may recognize an increase in residential renewal and investment in the form of both new homes and additions to existing homes. In contrast to recent years, more of this development would be allowed to proceed without the need for constant Committee of Adjustment approvals.

Appeals of Zoning By-law No. 3623-97 have been made to the Ontario Municipal Board by two residents in the Baby Point neighbourhood and by the Warren Park Ratepayers Association. As a result, the proposed R1-Residential Zoning regulations, as they apply to the entire former City of York, and the R2-Residential Zoning regulations, as they apply in those R2-zoned lands west of Jane Street and south of Dundas Street West, are not in force and effect. A Board hearing has been scheduled for January 11, 1999, to consider these appeals.

In response to issues raised at Ontario Municipal Board Pre-Hearings by the appellants noted above, staff are currently reviewing potential amendments to the residential zoning regulations for R1 and R2 zones established by Zoning By-law No. 3623-97. One proposed amendment will address the issue of inappropriately long rear additions and new houses by introducing new minimum rear yard depth regulations which will reduce the length of building envelopes in low density residential areas and maintain more rear yard open space over what is currently required.

The second amendment will address the concern that, under Zoning By-law No. 3623-97, the maximum floor space index for detached houses in R2 zones has inappropriately increased from 0.4 to 0.8. A staff report on these matters will be tabled with Community Council in December for a Planning Act Public Meeting early in the new year.

Staff will also be organizing a community meeting in the Baby Point and Warren Park neighbourhoods to discuss Zoning By-law No. 3623-97 and the proposed amendments noted above. The community meeting is in response to a request, by one of the parties at an upcoming Ontario Municipal Board Hearing on Zoning By-law No. 3623-97, that the Baby Point and Warren Park neighbourhoods be given a presentation on the By-law.

Conclusion:

While staff are reviewing some of the standards in the adopted by-law, to undertake a comprehensive review of By-law No. 3623-97 at the current time would involve a substantial time commitment of up to a year and staffing requirements beyond the resources of the West District Planning Division. Staff also note that there are few appeals to By-law No. 3623-97, and many projects submitted in accordance with the By-law, are in process for building permits.

Staff, therefore, suggest in addition to the initiatives currently underway, if Council wishes to proceed with such a review, it should focus on the Rockcliffe Boulevard/Caesar Avenue area by reviewing the present R2 zoning of the area and the R2 regulations introduced by By-law No. 3623-97 with a view to preserving the area for single detached houses. Such a focused review would be appropriate given the homogeneous character of the area as reflected in the existing development of one storey detached houses. Such a review could be undertaken with existing resources. It is further suggested that staff monitor Committee of Adjustment files to review any concerns with the by-law for one year, and report further on the need for any additional refinements to By-law No. 3623-97.

Contact Name:

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York Civic Service Centre

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Attachments: Appendix 1 - Resolution of Community Council

**Attachment No. 9**

(Communication dated September 1, 1998, from Councillor Walker, addressed to the Committee of Adjustment - See Minute No. 1940 and 2000.)

Re: 675 Roselawn Avenue

It has been brought to my attention that an application has been made to your Committee to seek variances from the Zoning By-law for the above mentioned address. I have serious concerns over both the variances and the intent of the owner in requesting them, and I would like to register my strenuous objection to the application.

The variances in question constitute an excessive over development of a small site. In short, they are not minor and in my opinion are not in keeping with the general intent of the By-laws in question.

I have serious concerns as to the variance from the permitted depth of the structure allowed under the Zoning By-law. The variance is 25.9 metres in excess of the maximum allowed depth of 14 metres, or 2.75 times deeper than what is allowed. In my opinion this is not in keeping with the general intent of the By-law, nor the scale of development in the community.

The setback on the site lot line is 2.33 metres. This represents only 31 percent of the required setback of 7.5 metres. The setback on the rear lot line is 1.72 metres. This represents only 23 percent of the required setback of 7.5 metres. Approval of these variances would cause significant encroachment on the side and rear yards of the adjacent properties. In my opinion these variances cannot be considered minor and are unacceptable.

Finally, the owners are requesting an exemption from the By-law which requires a minimum 12 square metres of residential amenity space. I cannot understand how requesting an exemption from this By-law could still be considered "in keeping with its general intent" and should be rejected on this basis alone. Furthermore, once renovations are complete, returning tenants would be asked to pay more money for a smaller unit devoid of amenity space which is required by law.

I would like to point out that the variances requested by the owner will not improve the building, but rather will reduce the size of the units; increase the density; reduce the size of parking spaces; and get rid of the required amenity space. Bill 106: the new "Tenant Protection Act" removes rent controls on units where there are new tenants. As would be the case with 675 Roselawn Avenue, the rental units could be reduced in size and value and still cost much more to rent than before.

Clearly, the motivation here is profit, not improvement. The Tenant Protection Act has created a motivation for landlords to replace existing tenants with new ones upon whom they can charge whatever rent they want. In order to do this, the owner must evict the existing tenants whose rents are still controlled. I find this to be unacceptable.

If approved, this application will likely set a precedent for landlords and developers in the City as an easy way to oust tenants who still have rental protection. It is important that a clear message is sent out from the Committee that it will not be used as a mechanism to evict tenants in order to increase the profit margin for landlords and developers.

To conclude, this application is neither reasonable nor minor, makes things worse for the tenants thus, should be refused.

Note: Attachments to the foregoing are on file with the office of the City Clerk.