

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

**TUESDAY, FEBRUARY 2, 1999,
WEDNESDAY, FEBRUARY 3, 1999 AND
THURSDAY, FEBRUARY 4, 1999**

City Council met in the Council Chamber, City Hall, Toronto.

CALL TO ORDER

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

The meeting opened with O Canada.

CONFIRMATION OF MINUTES

- 1.1 Councillor Gardner, seconded by Councillor Faubert, moved that the Minutes of the Council meetings held on the 25th, 26th and 27th days of November, 1998, and the 16th and 17th days of December, 1998, be confirmed in the form supplied to the Members.

Councillor Giansante requested that he be granted the permission of Council to change his vote from “No” to “Yes” on motion (a) by Mayor Lastman related to Clause No. 24 of Report No. 15 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”, which would result in a unanimous vote in the affirmative, rather than a vote of 54 in the affirmative and 1 in the negative, and that the Minutes of the Council meeting held on the 16th and 17th days of December, 1998, be amended accordingly.

Council concurred in the foregoing request.

Upon the question of the confirmation of the Minutes of the Council meetings held on the 25th, 26th and 27th days of November, 1998, and the 16th and 17th days of December, 1998, in the form supplied to the Members, as amended by the request of Councillor Giansante, it was carried.

- 1.2 Councillor Shiner moved that Minute No. 1241 from the July 8, 9 and 10, 1998 meeting of Council, pertaining to Clause No. 29 of Report No. 9 of The Corporate Services Committee, headed "Approval of Funding for Real Estate Consulting Firm", be confirmed, which was carried.

PETITIONS AND ENQUIRIES

- 1.3 Council had before it an Enquiry dated November 20, 1998, from Councillor Blake F. Kinahan, Lakeshore-Queensway, addressed to the City Clerk, with respect to renovations to Members' Offices at Toronto City Hall. (See Attachment No. 1).

Council also had before it Answers dated December 14, 1998, and February 1, 1999, from the Commissioner of Corporate Services, addressed to the City Clerk, in response to the aforementioned Enquiry. (See Attachment No. 1).

Deputy Mayor Ootes proposed that consideration of this Enquiry and the Answers thereto be deferred to the next regular meeting of City Council to be held on March 2, 3 and 4, 1999, having regard that Councillor Kinahan had advised that he would be absent from this meeting of Council.

Council concurred in the proposal by Deputy Mayor Ootes.

- 1.4 Council had before it an Enquiry dated January 21, 1999, from Councillor Lindsay Luby, addressed to the City Clerk, with respect to traffic management of events at SkyDome. (See Attachment No. 2).

Council also had before it a memorandum dated April 30, 1998, from Mr. Doug Floyd, addressed to the Chief Administrative Officer, which was attached to the aforementioned Enquiry. (See Attachment No. 2).

Council also had before it an Answer dated January 29, 1999, from the Commissioner, Works and Emergency Services and the Commissioner, Urban Planning and Development Services, addressed to City Council, in response to the aforementioned Enquiry. (See Attachment No. 2).

Motion:

Councillor Lindsay Luby moved that the Enquiry and Answer be referred to the Urban Environment and Development Committee for further consideration.

Vote:

The motion by Councillor Lindsay Luby carried.

PRESENTATION OF REPORTS

1.5 Councillor O'Brien presented the following Reports for consideration by Council:

Report No. 1 of The Urban Environment and Development Committee,
Report No. 1 of The Strategic Policies and Priorities Committee,
Report No. 1 of The Etobicoke Community Council,
Report No. 1 of The Toronto Community Council,
Report No. 1 of The Audit Committee,
Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team,
Report No. 1 of The Community and Neighbourhood Services Committee,
Report No. 1 of The Corporate Services Committee,
Report No. 1 of The Economic Development Committee,
Report No. 1 of The Emergency and Protective Services Committee,
Report No. 2 of The Urban Environment and Development Committee,
Report No. 1 of The Works and Utilities Committee,
Report No. 2 of The Strategic Policies and Priorities Committee,
Report No. 1 of The East York Community Council,
Report No. 2 of The Etobicoke Community Council,
Report No. 1 of The North York Community Council,
Report No. 1 of The Scarborough Community Council,
Report No. 2 of The Toronto Community Council,
Report No. 1 of The York Community Council,
Report No. 1 of The Board of Health, and
Report No. 1 of The Striking Committee,

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

1.6 Councillor Pantalone, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 1 of The Nominating Committee,

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

1.7 **DECLARATIONS OF INTEREST**

Councillor Adams declared his interest in Notice of Motion J(6), moved by Councillor Bossons, seconded by Councillor Rae, regarding a by-law to stop up and close to vehicular traffic a portion of Cottingham Street and a portion of Gange Avenue, in that he and his spouse are the purchasers of one of the subject town homes.

Councillor Kelly declared his interest in Clause No. 14 of Report No. 1 of The Scarborough Community Council, headed "Upcoming Ontario Municipal Board Hearing, Yellow Moon Homes, Ward 16 - Scarborough Highland Creek", in that he owns property in the area.

Councillor Miller declared his interest in Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals", in that he has a financial interest in a company that does business with the Toronto Humane Society in this regard.

Councillor Pitfield declared her interest in Item (k), entitled "Proposed Bank Mergers Update", embodied in Clause No. 11 of Report No. 1 of The Economic Development Committee, headed "Other Items Considered by the Committee", in that her husband is employed by one of the major banks.

**CONSIDERATION OF REPORTS -
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION**

1.8 The following Clauses were held by Council for further consideration:

Report No. 1 of The Urban Environment and Development Committee, Clause No. 1.

Report No. 1 of The Strategic Policies and Priorities Committee, Clause No. 1.

Report No. 1 of The Etobicoke Community Council, Clause No. 1.

Report No. 1 of The Toronto Community Council, Clauses Nos. 1 and 2.

Report No. 1 of The Audit Committee, Clause No. 1.

Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, Clauses Nos. 1, 2 and 3.

Report No. 1 of The Community and Neighbourhood Services Committee, Clauses Nos. 1 and 2.

Report No. 1 of The Corporate Services Committee, Clauses Nos. 1 and 9.

Report No. 1 of The Economic Development Committee, Clauses Nos. 1, 3, 6 and 7.

Report No. 1 of The Emergency and Protective Services Committee, Clause No. 2.

Report No. 2 of The Urban Environment and Development Committee, Clauses Nos. 2, 5, 8 and 9.

Report No. 1 of The Works and Utilities Committee, Clauses Nos. 1, 2, 3, 4 and 7.

Report No. 2 of The Strategic Policies and Priorities Committee, Clauses Nos. 1, 2, 3, 4, 7, 9 and 19.

Report No. 2 of The Etobicoke Community Council, Clause No. 1.

Report No. 1 of The North York Community Council, Clauses Nos. 11 and 23.

Report No. 1 of The Scarborough Community Council, Clauses Nos. 12 and 14.

Report No. 2 of The Toronto Community Council, Clauses Nos. 1, 18, 33, 35 and 39.

Report No. 1 of The York Community Council, Clauses Nos. 4 and 6.

Report No. 1 of The Board of Health, Clauses Nos. 1, 2 and 3.

Report No. 1 of The Striking Committee, Clause No. 1.

Report No. 1 of The Nominating Committee, Clauses Nos. 1, 2 and 3.

The following Clauses which were held by Council for further consideration were subsequently adopted without amendment or further discussion:

Report No. 1 of The Etobicoke Community Council, Clause No. 1.

Report No. 1 of The Toronto Community Council, Clause No. 2.

Report No. 1 of The Audit Committee, Clause No. 1.

Report No. 1 of The Economic Development Committee, Clause No. 3.

Report No. 2 of The Urban Environment and Development Committee, Clause No. 9.

Report No. 1 of The Works and Utilities Committee, Clauses Nos. 1 and 7.

Report No. 2 of The Strategic Policies and Priorities Committee, Clause No. 9.

Report No. 2 of The Etobicoke Community Council, Clause No. 1.

Report No. 2 of The Toronto Community Council, Clause No. 1.

Report No. 1 of The Nominating Committee, Clauses Nos. 1, 2 and 3.

The Clauses not held by Council for further consideration were deemed to have been adopted by Council, without amendment, in accordance with the provisions of the Council Procedural By-law.

**CONSIDERATION OF REPORTS -
CLAUSES WITH MOTIONS, VOTES, ETC.**

- 1.9 **Clause No. 1 of Report No. 1 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)”.**

Motion:

Councillor Jakobek moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on March 2, 3 and 4, 1999.

Vote:

The motion by Councillor Jakobek carried.

- 1.10 **Clause No. 11 of Report No. 1 of The North York Community Council, headed “Stopping Prohibitions - Woodward Avenue - North York Humber”.**

Motion:

Councillor Mammoliti moved that the Clause be amended by deleting from the recommendation embodied in the report dated January 4, 1999, from the Director, Transportation Services, District 3, Works and Emergency Services, the words “Schedule IX” and inserting in lieu thereof the words “Schedules VIII and IX”, so that such recommendation shall now read as follows:

“That Schedules VIII and IX of By-law No. 31001 of the former City of North York, be amended to prohibit stopping at any time on the north side of Woodward Avenue, from Uphill Avenue to the easterly limit of Woodward Avenue.”

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

- 1.11 **Clause No. 33 of Report No. 2 of The Toronto Community Council, headed “Implementation of Enhanced Parking/Standing Regulations - Bremner Boulevard, from York Street to Lake Shore Boulevard West (Downtown)”.**

Motion:

Councillor Chow moved that the Clause be amended by striking out Recommendations Nos. (1) to (6) embodied in the report dated January 6, 1999, from the Director of Transportation Services, District 1, Works and Emergency Services, and inserting in lieu thereof the following new Recommendations Nos. (1) to (7):

- “(1) That the parking prohibition at anytime on both sides of Bremner Boulevard from Lake Shore Boulevard West to York Street, be rescinded;
- (2) that standing be prohibited at anytime:
 - (a) on the south and west sides of Bremner Boulevard from York Street to Lake Shore Boulevard West;
 - (b) on the north side of Bremner Boulevard from York Street to a point 44.0 metres east and from a point 69.0 metres east of York Street to the east end of the east-west leg;
 - (c) on the east side of Bremner Boulevard from the north end of the north-south leg to a point 20.0 metres south; and
 - (d) on the east side of Bremner Boulevard from a point 50.0 metres south of the north end of the north-south leg to Lake Shore Boulevard West;
- (3) that standing be prohibited from 6:00 p.m. to 9:00 a.m. daily, on the east side of Bremner Boulevard from a point 20.0 metres south of the north end of the north-south leg to a point 30.0 metres further south;
- (4) that a Taxicab Stand (4 vehicles), operating between the hours of 6:00 p.m. and 1:00 a.m. daily, be identified on the north side of Bremner Boulevard from a point 44.0 metres east of York Street to a point 25.0 metres further east;
- (5) that parking be allowed for a maximum period of 15 minutes from 9:00 a.m. to 6:00 p.m. daily, on the east side of Bremner Boulevard from a point 20.0 metres south of the north end of the north-south leg to a point 30.0 metres further south;
- (6) that standing be prohibited from 1:00 a.m. to 6:00 p.m. daily, on the north side of Bremner Boulevard from a point 44.0 metres east of York Street to a point 25.0 metres further east; and
- (7) that the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

1.12 **Clause No. 39 of Report No. 2 of The Toronto Community Council, headed “Other Items Considered by the Community Council”.**

Motion:

Councillor Miller moved that the Clause be received as information, subject to striking out and referring Item (b), entitled “8 South Kingsway - Request for Approval of a Variance from Chapter 297, Signs, of The Former City of Toronto Municipal Code (High Park)”, back to the Toronto Community Council for further consideration.

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, was received for information..

1.13 **Clause No. 4 of Report No. 1 of The York Community Council, headed “(i) Retention of Existing Turn Restrictions; and (ii) Reinstatement of Parking Meters in the Cedarvale Area, Ward 28, York Eglinton”.**

Motion:

Councillor Mihevc moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the parking regulations on Eglinton Avenue West between Flanders Road and Bathurst Street be reverted back to the regulations which were in place prior to start of the construction related to the Eglinton Subway; and
- (2) the appropriate by-law(s) be amended accordingly.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

1.14 **Clause No. 1 of Report No. 1 of The Etobicoke Community Council, headed “Application for Amendment to the Etobicoke Zoning Code, Zanini Developments Inc., 112 Evans Avenue and 801 Oxford Street - File No. Z-2268 - Ward 2, Lakeshore-Queensway”.**

Motion:

Councillor Holyday moved that consideration of the Clause be deferred until such time as the applicant has received approval from the Ministry of the Environment to add additional units to this property.

Mayor Lastman in the Chair.

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion by Councillor Holyday:

Yes - 11 Councillors: Berger, Faubert, Fotinos, Gardner, Holyday, Mahood, Mammoliti, Minnan-Wong, Nunziata, Tzekas, Walker
No - 36 Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chow, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair

Lost by a majority of 25.

Adoption of the Clause, without amendment:

<p>Yes - 44 Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bossons, Bussin, Chow, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair</p>
<p>No - 4 Councillors: Holyday, Mammoliti, Tzekas, Walker</p>

Carried by a majority of 41.

1.15 **Clause No. 2 of Report No. 1 of The Toronto Community Council, headed "Possible Precedents for Permitting Vending Within 25 Metres of Business Selling Similar Products (All Wards Within the Former City of Toronto)".**

Motion:

Councillor Bussin moved that the Clause be struck out and referred back to the Toronto Community Council for further consideration.

Vote:

Adoption of motion by Councillor Bussin:

<p>Yes - 15 Councillors: Altobello, Balkissoon, Berger, Bossons, Bussin, Davis, Gardner, Holyday, Jakobek, Korwin-Kuczynski, Minnan-Wong, Nunziata, Pitfield, Sgro, Tzekas</p>
<p>No - 25 Mayor: Lastman. Councillors: Berardinetti, Brown, Chong, Chow, Disero, Faubert, Feldman, Flint, Giansante, Johnston, Kelly, King, Layton, Mahood, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva</p>

Lost by a majority of 10.

Adoption of Clause, without amendment:

Yes - 29 Mayor: Lastman. Councillors: Balkissoon, Berardinetti, Brown, Chong, Chow, Davis, Disero, Faubert, Feldman, Flint, Gardner, Giansante, Johnston, King, Korwin-Kuczynski, Layton, Mahood, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Shaw, Shiner, Silva
No - 9 Councillors: Altobello, Berger, Bossons, Bussin, Holyday, Jakobek, Pitfield, Sgro, Tzekas

Carried by a majority of 20.

1.16 **Clause No. 1 of Report No. 1 of The Audit Committee, headed “Auditor General’s Office”.**

Motion:

- (a) Councillor Minnan-Wong moved that the Clause be amended by striking out the recommendation of the Audit Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the City establish an independent Auditor General’s Office modelled after the federal and provincial Auditors General;
- (2) as part of the Auditor General’s Office, the City establish an ‘integrity watchdog’ for any City officials involved with the Olympic Bid, similar to that set up by the Province of Ontario; and
- (3) the City Auditor be requested to submit a report to the next meeting of Council, through the appropriate Committee, on the terms of reference for the ‘integrity watchdog’.”

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Parts (2) and (3) of motion (a) by Councillor Minnan-Wong, ruled such Parts out of order.

Councillor Minnan-Wong challenged the ruling of the Deputy Mayor.

Vote to uphold the ruling of the Deputy Mayor:

<p>Yes - 33 Mayor: Lastman. Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Gardner, Giansante, Holyday, Johnston, Kelly, King, Layton, Lindsay Luby, Mahood, Moeser, Moscoe, O'Brien, Ootes, Prue, Sgro, Shaw, Shiner, Silva</p>

<p>No - 4 Councillors: Flint, Mihevc, Minnan-Wong, Tzekas</p>
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Carried by a majority of 29.

Motions:

- (b) Councillor Moscoe moved that the Clause be struck out and referred back to the Audit Committee for further consideration, and further, that:
- (1) Councillor Minnan-Wong be requested to provide further information to the Audit Committee in order to clarify his proposed model;
 - (2) City Council direct that the internal audit function reporting to the Audit Committee be maintained in the interim; and
 - (3) the Audit Committee be requested to review the possibility of clarifying the independent status of the Auditor, in order to ensure that the arms-length nature of the Office of the Auditor is maintained and enhanced.
- (c) Councillor Minnan-Wong moved that motion (b) by Councillor Moscoe be amended by adding thereto the following:
- “(4) an independent outside third party be retained to report to the Audit Committee on the merits of an Auditor General.”

Votes on referral motion:

Adoption of motion (c) by Councillor Minnan-Wong:

<p>Yes - 15 Councillors: Adams, Augimeri, Davis, Disero, Flint, Jones, Korwin-Kuczynski, Layton, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, Pitfield, Tzekas</p>
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No - 38
Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Duguid, Faubert, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Moeser, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Walker

Lost by a majority of 23.

Adoption of motion (b) by Councillor Moscoe, without amendment:

Yes - 13
Mayor: Lastman.
Councillors: Ashton, Augimeri, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Pitfield, Saundercook, Sinclair

No - 42
Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Tzekas, Walker

Lost by a majority of 29.

Motions:

- (d) Councillor Augimeri moved that Part (1) of motion (a) by Councillor Minnan-Wong be amended by adding thereto the words "subject to the function of the Audit Committee being retained".
- (e) Councillor Davis moved that the Clause be amended by striking out the recommendation of the Audit Committee and inserting in lieu thereof the following:

"It is recommended that City Council endorse, in principle, the establishment of an independent Auditor General's Office, and should the City lack the authority to do so, the City Solicitor be directed to seek the authority from the provincial

government, and, in the interim, the internal audit function, reporting to the Audit Committee, be maintained.”

Motion that vote be now taken:

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

<p>Yes - 25 Councillors: Berardinetti, Bossons, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Gardner, Giansante, Kelly, Lindsay Luby, Li Preti, Mahood, Moeser, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas</p>
<p>No - 21 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Walker</p>

Lost, less than two-thirds of the Members present voted in the affirmative.

Votes:

Adoption of motion (e) by Councillor Davis, which was moved by Councillor Augimeri in the absence of Councillor Davis:

<p>Yes - 8 Councillors: Augimeri, Balkissoon, Korwin-Kuczynski, Layton, McConnell, Minnan-Wong, Moscoe, Tzekas</p>
<p>No - 40 Councillors: Altobello, Ashton, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker</p>

Lost by a majority of 32.

Adoption of motion (d) by Councillor Augimeri:

Yes - 26 Councillors: Ashton, Augimeri, Bossons, Chow, Disero, Duguid, Flint, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Shaw, Tzekas, Walker
No - 23 Councillors: Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chong, Faubert, Gardner, Giansante, Holyday, Johnston, Kelly, Mahood, Mammoliti, Mihevc, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair

Carried by a majority of 3.

Adoption of Part (1) of motion (a) by Councillor Minnan-Wong, as amended:

Yes - 8 Councillors: Augimeri, Flint, Korwin-Kuczynski, Layton, McConnell, Miller, Minnan-Wong, Moscoe
No - 40 Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Moeser, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker

Lost by a majority of 32.

Adoption of the Clause, without amendment:

Yes - 42

Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas

No - 7

Councillors: Augimeri, Johnston, Korwin-Kuczynski, Layton, McConnell, Moscoe, Walker

Carried by a majority of 35.

1.17 Clause No. 4 of Report No. 1 of The Works and Utilities Committee, headed “Industrial Waste Surcharge Agreement - Pizza Pizza Limited”.

Motion:

Councillor Sgro moved that the Clause be struck out and referred back to the Commissioner of Works and Emergency Services for further consideration and report thereon to the Works and Utilities Committee; and Council direct that the Commissioner of Works and Emergency Services also submit a copy of such report to the Economic Development Committee for comment thereon to the Works and Utilities Committee.

Vote:

The motion by Councillor Sgro carried.

1.18 Clause No. 7 of Report No. 1 of The Economic Development Committee, headed “Feasibility of Establishing a Telecommunications Authority and Related Matters Respecting Rights-Of-Way Access and Use”.

Motion:

Councillor Fotinos moved that the Clause be amended by:

- (1) deleting from the recommendation of the Economic Development Committee, the number “three” and inserting in lieu thereof the number “five”, so that such recommendation shall now read as follows:

“The Economic Development Committee recommends the adoption of the report (January 11, 1999) from the Chief Administrative Officer subject to amending Recommendation (3) to read:

‘(3) the CAO be authorized, as previously recommended, to establish the inter-departmental Working Group given the Corporate-wide and strategic purpose of its tasks and that a Steering Committee to the Working Group consisting of five City Councillors be established and that the Striking Committee be requested to recommend Council representation having regard to the fact that Councillors Silva, Moscoe and Fotinos have indicated in interest in serving on this Steering Committee;’ ”; and

(2) adding thereto the following:

“It is further recommended that the Striking Committee be advised that Councillor Davis has also indicated an interest in serving on the Steering Committee.”

Vote:

The motion by Councillor Fotinos carried.

The Clause, as amended, carried.

1.19 **Clause No. 1 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Revisions to the Council-Committee Structure”.**

Motions:

(a) Councillor Miller moved that the Clause be amended by:

(1) amending Recommendation No. (1) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, to provide that the following additional principle be added to the section of the report entitled “Guiding Principles”:

“The Council-Committee structure should continue to be flexible and responsive to changing needs in the communities.”;

(2) amending Recommendation No. (8) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, as amended by the Special Committee to Review the Final Report of the Toronto Transition Team, by deleting the proposed “Appointments Committee”, and retaining in lieu thereof separate Striking and Nominating Committees;

- (3) adopting Recommendation No. (11) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, subject to deleting the words "Appointments Committee", and inserting in lieu thereof the words "Striking Committee", so that such recommendation shall now read as follows:

"(11) the Mayor recommend the membership of the Striking Committee to Council, and the Mayor or Deputy Mayor, if so assigned by the Mayor, serve as the Chair of the Striking Committee;"

- (4) striking out Recommendation No. (10) and inserting in lieu thereof the following new Recommendation No. (10):

"(10) (a) the Policy and Finance Committee shall be composed of eleven (11) Members of Council, as follows:

- the Mayor;
- the Deputy Mayor;
- one Member of each of the following Standing Committees, who is not the Chair of that Committee:
 - Corporate Administrative Committee;
 - Urban Planning and Development Committee;
 - Economic Development Committee;
 - Works and Environment Committee;
 - Community and Neighbourhood Services Committee; and
- four (4) Members of Council who are not Members of any other Standing Committee of Council or of the Audit Committee;

(b) a member of the Policy and Finance Committee shall chair the Budget Advisory Committee;

(c) in addition to the Mayor who shall continue to be an ex-officio member of all Committees of Council, the Urban Planning and Development Committee and the Community and Neighbourhood Services Committee shall each be composed of eleven (11) Members of Council, and the Corporate Administration Committee, the Economic Development Committee and the Works and Environment Committee shall each be composed of ten (10) Members of Council; and

(d) with the exception of the Mayor, who is an ex-officio member of all Committees of Council, and a single member of each

Standing Committee, as defined in Part (a) of this recommendation, no Member of Council shall be a member of more than one of the six policy/issue-based Standing Committees (not including the Striking, Nominating and Audit Committees) described in figure 6 of this report, as amended;”;

- (5) adopting Recommendations Nos. (5) and (16) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, and referring Recommendation No. (4) to the Mayor and the Chair of the Special Committee to Review the Final Report of the Toronto Transition Team for report thereon to the next meeting of Council to be held on March 2, 3 and 4, 1999; and
- (6) adding thereto the following:

“It is further recommended that the report dated February 1, 1999, from the City Clerk, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Council agenda management remain the responsibility of the Mayor, as co-ordinated by the City Clerk through the Mayor’s agenda briefing, and may be assigned by the Mayor to the Deputy Mayor;
- (2) Standing Committees and Community Councils be requested to indicate in their reports if a specific item requires priority or time-specific consideration by City Council;
- (3) Council Members be requested to submit to the City Clerk two business days before the Council meeting their requests, in writing and with the reason for the request, for special time slots for items being considered by Council;
- (4) the City Clerk be authorized to submit to Council, through the Mayor’s agenda briefing, a consolidated list of key items which should receive priority consideration at Council, together with any special time slots that may be required for specific items, and that Council follow this list as the order of business for the meeting unless decided otherwise by Council; and

- (5) the City Solicitor be authorized to prepare and introduce the necessary bill into Council to give effect to these recommendations.’ ”
- (b) Councillor Moscoe moved that:
 - (1) the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to develop strict guidelines for the writing of staff reports which include:

 - (a) clarity of language and the omission of jargon;
 - (b) some reasonable limits on the length of reports;
 - (c) a format that makes recommendations easy to understand; and
 - (d) the incorporation of a brief Executive Summary in bold print at a fixed location within each report.”;
 - (2) the Clause be amended to provide that:
 - (a) the name of the “Urban Environment and Development Committee” be changed to the “Planning Committee”; and
 - (b) the name of the “Works and Environment Committee” be changed to the “Works Committee”; and
 - (3) Part (4) of motion (a) by Councillor Miller be amended by adding thereto the words “except as appointed to represent the Mayor in an ex-officio capacity”.
- (c) Councillor McConnell moved that the Clause be amended to provide that:
 - (1) the name of the “Policy and Finance Committee” be changed to the “Financial Policy Committee”;
 - (2) the Financial Policy Committee shall have status equal to the other Standing Committees, and therefore:
 - (a) all Standing Committees shall have exclusive jurisdiction over setting policy in their respective areas of responsibility. The Financial Policy Committee shall limit its activities to matters that affect corporate financial issues and broad, corporate and intergovernmental affairs;

- (b) the Financial Policy Committee shall be responsible for co-ordinating the Strategic Plan, in consultation with the other Standing Committees, which will have primary responsibility for developing their respective elements of the Strategic Plan; and
- (c) the Financial Policy Committee, like any Standing Committee, may review and comment on the elements of a decision that affect their area of responsibility, however, all Standing Committees shall report directly to Council and matters can only be referred to the Financial Policy Committee by Council, or by the Standing Committees.
- (d) Councillor Mihevc moved that the Clause be amended to provide that Recommendation No. (7) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, be adopted, viz.:
 - “(7) appointments to Standing Committees and Community Councils continue to be made for each half-term of Council and, with the exception of the Mayor, no Member of Council Chair the same Standing Committee or Community Council in consecutive half-terms of the same Council;”.
- (e) Councillor Duguid moved that the Clause be amended to provide that the Emergency and Protective Services Committee be maintained with its current responsibilities (that being Emergency Planning, Fire, Ambulance, Licensing and By-law Enforcement), and that issues and policies pertaining to Community Safety, Police Services Board policies, and matters concerning emergency services related to Year 2000 preparation efforts, be included as additional responsibilities, and that the appropriate adjustments to the size of the Committee be made in order to accommodate these changes.
- (f) Councillor Cho moved that the Clause be amended to provide that:
 - (1) the Members of the Striking Committee may submit their names for appointment to the following Boards, but such Members may only serve on one Board at a time:
 - the Police Services Board;
 - the Board of Directors of The Hummingbird Centre for the Performing Arts; and
 - the Greater Toronto Services Board;
 - (2) the newly elected Chair of the Grants Review Committee be requested to resign from such position if he/she is a Member of the Striking Committee; or alternatively, should the Chair choose to remain as Chair of the Grants

Review Committee, he/she be requested to resign as a Member of the Striking Committee; and

- (3) the number of Members of the Economic Development Committee be increased from 10 to 11.
- (g) Councillor Silva moved that the Clause be amended to provide that:
- (1) the name of the “Economic Development Committee” be changed to the “Economic Development and Parks Committee”; and
 - (2) the Board of Health be considered as a Standing Committee of Council.
- (h) Councillor Sinclair moved that the Clause be amended by amending Recommendation No. (8) embodied the report dated November 26, 1998, from the Chief Administrative Officer, to provide that the names of the proposed Standing Committees be changed as follows:
- “Policy and Finance Committee” to “Financial Policy Committee”;
 - “Corporate Administration Committee” to “Administration Committee”;
 - “Urban Planning and Development Committee” to “Planning Committee”;
 - “Works and Environment Committee” to “Works Committee”; and
 - “Community and Neighbourhood Services Committee” to “Community Services Committee”.
- (i) Councillor Chong moved that motion (d) by Councillor Mihevc be amended to provide that the words “and, with the exception of the Mayor, no Member of Council Chair the same Standing Committee or Community Council in consecutive half-terms of the same Council” be deleted from Recommendation No. (7) embodied in the report dated November 26, 1998, from the Chief Administrative Officer.
- (j) Councillor Jakobek moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Administrative Officer be requested to review the workloads of the proposed Standing Committees and submit a report to Council, through the appropriate Committee, on any changes in reporting procedures which would ensure a more balanced workload among the Committees.”
- (k) Councillor Fotinos moved that motion (a) by Councillor Miller be amended by:
- (1) deleting from Recommendation No. (10)(b) embodied in Part (4) the words “Budget Advisory Committee” and inserting in lieu thereof the words “Budget Sub-Committee”; and

- (2) adding to Part (5), the words “and consideration be given to selecting the Members of the Budget Advisory Committee from the membership of the Policy and Finance Committee”.
- (1) Councillor Pantalone moved that Part (2) of motion (b) by Councillor Moscoe be amended by inserting the words “and Transportation” between the words “Planning” and “Committee”, so that the name of the Committee shall now be the “Planning and Transportation Committee”.

Rulings by Deputy Mayor:

Councillor Filion requested Deputy Mayor Ootes to rule on whether Part (2) of motion (g) by Councillor Silva was in order.

Deputy Mayor Ootes, having regard to the nature of Part (2) of motion (g) by Councillor Silva, ruled such Part out of order.

Deputy Mayor Ootes further declared Part (1) of motion (b) by Councillor Moscoe redundant, having regard that the request outlined therein is work that is currently in progress.

Votes:

Adoption of motion (1) by Councillor Pantalone:

Yes - 45 Mayor: Lastman. Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Walker
No - 8 Councillors: Ashton, Brown, Chong, Filion, Layton, McConnell, Moscoe, Shiner

Carried by a majority of 37.

Part (2) of motion (b) by Councillor Moscoe, insofar as it pertains to changing the name of the “Works and Environment Committee” to the “Works Committee”, carried.

Adoption of Part (3) of motion (b) by Councillor Moscoe:

<p>Yes - 10 Councillors: Filion, Jakobek, Korwin-Kuczynski, Layton, Li Preti, Moscoe, Nunziata, Ootes, Pitfield, Saundercook</p>
<p>No - 43 Mayor: Lastman. Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, O'Brien, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker</p>

Lost by a majority of 33.

Adoption of Part (1) of motion (k) by Councillor Fotinos:

<p>Yes - 26 Mayor: Lastman. Councillors: Ashton, Augimeri, Berardinetti, Berger, Bussin, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, King, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Nunziata, Ootes, Saundercook, Silva</p>
<p>No - 27 Councillors: Altobello, Balkissoon, Bossons, Brown, Cho, Flint, Gardner, Johnston, Jones, Korwin-Kuczynski, Layton, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Sinclair, Walker</p>

Lost by a majority of 1.

Adoption of Part (2) of motion (k) by Councillor Fotinos:

<p>Yes - 13 Councillors: Altobello, Ashton, Berardinetti, Berger, Bussin, Cho, Feldman, Fotinos, Jakobek, Nunziata, Ootes, Saundercook, Silva</p>

No - 40 Mayor: Lastman. Councillors: Augimeri, Balkissoon, Bossons, Brown, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Sinclair, Walker
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Lost by a majority of 27.

Adoption of Part (1) of motion (c) by Councillor McConnell:

Yes - 12 Councillors: Augimeri, Berger, Bossons, Bussin, Chong, McConnell, Moscoe, Pantalone, Sgro, Shaw, Silva, Sinclair
No - 41 Mayor: Lastman. Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Brown, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner, Walker

Lost by a majority of 29.

Adoption of Part (2)(a) of motion (c) by Councillor McConnell:

Yes - 24 Councillors: Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chow, Duguid, Filion, Jones, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Prue, Rae, Sgro, Sinclair, Walker
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<p>No - 29 Mayor: Lastman. Councillors: Ashton, Berardinetti, Chong, Disero, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Shaw, Shiner, Silva</p>
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Lost by a majority of 5.

Adoption of Part (2)(b) of motion (c) by Councillor McConnell:

<p>Yes - 37 Mayor: Lastman. Councillors: Ashton, Augimeri, Berger, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Sgro, Shiner, Sinclair, Walker</p>

<p>No - 16 Councillors: Altobello, Balkissoon, Berardinetti, Bossons, Faubert, Gardner, Giansante, Holyday, Johnston, Li Preti, Mahood, O'Brien, Prue, Saundercook, Shaw, Silva</p>
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Carried by a majority of 21.

Adoption of Part (2)(c) of motion (c) by Councillor McConnell:

<p>Yes - 18 Councillors: Augimeri, Berger, Bossons, Brown, Bussin, Chow, Filion, Flint, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Prue, Rae, Shiner, Walker</p>
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<p>No - 35 Mayor: Lastman. Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chong, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Saundercook, Sgro, Shaw, Silva, Sinclair</p>

Lost by a majority of 17.

Adoption of motion (e) by Councillor Duguid:

Yes - 14 Councillors: Ashton, Berger, Cho, Disero, Duguid, Faubert, Flint, Gardner, Holyday, Jakobek, Layton, Minnan-Wong, Nunziata, Silva
No - 39 Mayor: Lastman. Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Feldman, Filion, Fotinos, Giansante, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Walker

Lost by a majority of 25.

Part (1) of motion (g) by Councillor Silva carried.

Adoption of motion (i) by Councillor Chong:

Yes - 25 Mayor: Lastman. Councillors: Ashton, Berardinetti, Berger, Cho, Chong, Disero, Feldman, Filion, Fotinos, Gardner, Giansante, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Mahood, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw
No - 28 Councillors: Altobello, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Duguid, Faubert, Flint, Holyday, Jakobek, Jones, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Prue, Shiner, Silva, Sinclair, Walker

Lost by a majority of 3.

Adoption of motion (d) by Councillor Mihevc:

Yes - 28
Councillors: Altobello, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Duguid, Feldman, Flint, Jones, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Prue, Sgro, Shiner, Silva, Sinclair, Walker

No - 25
Mayor: Lastman.
Councillors: Ashton, Berardinetti, Berger, Chong, Disero, Faubert, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Mahood, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shaw

Carried by a majority of 3.

Adoption of Part (1) of motion (f) by Councillor Cho:

Yes - 36
Councillors: Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Jakobek, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Sgro, Shiner, Silva, Sinclair, Walker

No - 17
Mayor: Lastman.
Councillors: Altobello, Balkissoon, Berardinetti, Brown, Chong, Faubert, Gardner, Giansante, Holyday, Johnston, Korwin-Kuczynski, O'Brien, Ootes, Rae, Saundercook, Shaw

Carried by a majority of 19.

Adoption of Part (2) of motion (f) by Councillor Cho:

Yes - 10
Councillors: Berger, Cho, Flint, Johnston, Li Preti, Mammoliti, Pitfield, Shiner, Sinclair, Walker

No - 43
Mayor: Lastman.
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva

Lost by a majority of 33.

Councillor Cho, with the permission of Council, withdrew Part (3) of his motion (f).

Motion (h) by Councillor Sinclair, insofar as it pertains to changing the name of the "Corporate Administration Committee" to the "Administration Committee", and changing the name of the "Community and Neighbourhood Services Committee" to the "Community Services Committee", carried.

Motion (j) by Councillor Jakobek carried.

Adoption of motion (a) by Councillor Miller, as amended, viz.:

"that the foregoing Clause be amended:

- (1) by amending the recommendations of the Special Committee to Review the Final Report of the Transition Team to provide that:
 - (a) Recommendation No. (4) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, be referred to the Mayor and Chair of the Special Committee to Review the Final Report of the Toronto Transition Team, with a request that they submit a report thereon to the next meeting of City Council scheduled to be held on March 2, 3 and 4, 1999, viz.:
 - '(4) the Chief Administrative Officer and the Chief Financial Officer and Treasurer report further on the concept of a time-limited Budget Advisory Committee as described in the section of this report, entitled "A Mechanism to Set Council Priorities and Achieve Financial Control";';

(b) Recommendations Nos. (5), (7) and (16) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, be adopted, viz.:

‘(5) the proposed Policy and Finance Committee be chaired by the Mayor;

(7) appointments to Standing Committees and Community Councils continue to be made for each half-term of Council and, with the exception of the Mayor, no Member of Council Chair the same Standing Committee or Community Council in consecutive half-terms of the same Council;

(16) the Mayor may assign to the Deputy Mayor the role of manager of the Council meeting Agenda, as described in the section of this report entitled ‘A Mechanism to Manage Council’s Agenda’, and the City Clerk and City Solicitor be requested to report further on how this recommendation can be implemented;’; and

(c) Recommendation No. (11) embodied in the report dated November 26, 1998, from the Chief Administrative Officer, be adopted, subject to deleting the words ‘Appointments Committee’, and inserting in lieu thereof the words ‘Striking Committee’, so that such recommendation shall now read as follows:

‘(11) the Mayor recommend the membership of the Striking Committee to Council, and the Mayor or Deputy Mayor, if so assigned by the Mayor, serve as the Chair of the Striking Committee;’;

(2) by amending the report dated November 26, 1998, from the Chief Administrative Officer by:

(a) amending Recommendation No. (1) to provide that the following additional principle be added to the section of the report entitled ‘Guiding Principles’:

‘The Council-Committee structure should continue to be flexible and responsive to changing needs in the communities.’;

(b) adding to the end of Recommendation No. (2) the words ‘with such Policy and Finance Committee having status equal to the other Standing Committees, and being responsible for co-ordinating the Strategic Plan, in consultation with the other Standing Committees,

which will have primary responsibility for developing their respective elements of the Strategic Plan', so that such recommendation shall now read as follows:

- '(2) effective June 1, 1999, a Policy and Finance Committee, as illustrated in figure 5 in the section of this report entitled "A Mechanism to Set Council Priorities and Achieve Financial Control", be established to replace the Strategic Policies and Priorities Committee and the Budget Committee, with such Policy and Finance Committee having status equal to the other Standing Committees, and being responsible for co-ordinating the Strategic Plan, in consultation with the other Standing Committees, which will have primary responsibility for developing their respective elements of the Strategic Plan;';
- (c) amending Recommendation No. (8):
 - (i) by deleting the proposed 'Appointments Committee', and retaining in lieu thereof separate Striking and Nominating Committees; and
 - (ii) to provide that the names of the proposed Standing Committees now be as follows:
 - the 'Community and Neighbourhood Services Committee' be the 'Community Services Committee';
 - the 'Corporate Administration Committee' be the 'Administration Committee';
 - the 'Economic Development Committee' be the 'Economic Development and Parks Committee';
 - the 'Urban Environment and Development Committee' be the 'Planning and Transportation Committee'; and
 - the 'Works and Environment Committee' be the 'Works Committee'; and
- (d) striking out Recommendation No. (10) and inserting in lieu thereof the following new Recommendation No. (10):

- (10) (a) the Policy and Finance Committee shall be composed of eleven (11) Members of Council, as follows:
- the Mayor;
 - the Deputy Mayor;
 - one Member of each of the following Standing Committees, who is not the Chair of that Committee:
 - Administration Committee;
 - Community Services Committee;
 - Economic Development and Parks Committee;
 - Planning and Transportation Committee; and
 - Works Committee; and
 - four (4) Members of Council who are not Members of any other Standing Committee of Council or of the Audit Committee;
- (b) a member of the Policy and Finance Committee shall chair the Budget Advisory Committee;
- (c) in addition to the Mayor who shall continue to be an ex-officio member of all Committees of Council, the Community Services Committee and the Planning and Transportation Committee shall each be composed of eleven (11) Members of Council, and the Administration Committee, the Economic Development and Parks Committee and the Works Committee shall each be composed of ten (10) Members of Council; and
- (d) with the exception of the Mayor, who is an ex-officio member of all Committees of Council, and a single member of each Standing Committee, as defined in Part (a) of this recommendation, no Member of Council shall be a member of more than one of the six policy/issue-based Standing Committees (not including the Striking, Nominating and Audit Committees) described in figure 6 of this report, as amended;’;
- (3) to provide that the Members of the Striking Committee may submit their names for appointment to the following Boards, but such Members may only serve on one Board at a time:

- the Police Services Board;
- the Board of Directors of The Hummingbird Centre for the Performing Arts; and
- the Greater Toronto Services Board; and

(4) by adding thereto the following:

‘It is further recommended that:

- (a) the report dated February 1, 1999, from the City Clerk, embodying the following recommendations, be adopted:

“It is recommended that:

- (1) the Council agenda management remain the responsibility of the Mayor, as co-ordinated by the City Clerk through the Mayor’s agenda briefing, and may be assigned by the Mayor to the Deputy Mayor;
 - (2) Standing Committees and Community Councils be requested to indicate in their reports if a specific item requires priority or time-specific consideration by City Council;
 - (3) Council Members be requested to submit to the City Clerk two business days before the Council meeting their requests, in writing and with the reason for the request, for special time slots for items being considered by Council;
 - (4) the City Clerk be authorized to submit to Council, through the Mayor’s agenda briefing, a consolidated list of key items which should receive priority consideration at Council, together with any special time slots that may be required for specific items, and that Council follow this list as the order of business for the meeting unless decided otherwise by Council; and
 - (5) the City Solicitor be authorized to prepare and introduce the necessary bill into Council to give effect to these recommendations.”; and
- (b) the Chief Administrative Officer be requested to review the workloads of the proposed Standing Committees, and submit a report to Council, through the appropriate Committee, on any changes in reporting procedures which would ensure a more balanced workload among the Committees.’ ”,

<p>Yes - 52 Mayor: Lastman. Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker</p>
<p>No - 1 Councillor: O'Brien</p>

Carried by a majority of 51.

1.20 **Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee, headed “Proposed Speed Limit Reduction on Sheppard Avenue East Between Bayview Avenue and Hawksbury Drive (Wards 9 and 12 - North York Centre South and Seneca Heights)”.**

Mayor Lastman in the Chair.

Motion:

Councillor Shiner moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

‘WHEREAS the construction of the Sheppard Subway has created traffic congestion at certain locations along Sheppard Avenue East; and

WHEREAS one of the most affected areas is the intersection of Sheppard Avenue East with Bayview Avenue, and, as a result, some traffic is diverted onto the adjacent roads and intersections, such as Hawksbury Drive and Bayview Mews Lane; and

WHEREAS speed reductions on Sheppard Avenue East, which are required to accommodate subway-related lane changes and modifications between Hawksbury Drive and Bayview Avenue could divert further traffic onto the adjacent local roads;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the westbound right turns, from Sheppard Avenue East to Hawksbury Drive, be restricted from 7:00 a.m. to 9:00 a.m., Monday to Friday; and
- (2) the appropriate City officials be authorized to take the necessary action to give effect thereto, including the introduction in Council of any Bills that are required;

AND BE IT FURTHER RESOLVED THAT the General Manager, Transportation Services, Works and Emergency Services, be requested to submit a report to the Urban Environment and Development Committee, within six months, on whether there is a need to continue this prohibition.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

1.21 **Clause No. 6 of Report No. 1 of The York Community Council, headed “Other Items Considered by the Community Council”.**

Motion:

Councillor Nunziata moved that the Clause be received as information, subject to adding thereto the following:

“It is further recommended that, notwithstanding subsection 128(5) of the Council Procedural By-law, the following Resolution embodied in Item (n), entitled ‘2446-2448 Bloor Street West, “The Fan” and “Billy Bob’s”, Application for Extension of Liquor Licence to Include an Outdoor Patio Area’, be adopted by City Council:

‘**WHEREAS** the Alcohol and Gaming Commission of Ontario will be considering an application for a liquor licence from an establishment located at 2446-2448 Bloor Street West, known as “The Fan” and “Billy Bob’s”, to serve 26 additional customers; and

WHEREAS this establishment currently has a capacity of approximately 730 customers, well above the approximate maximum of 100 customers for other licensed establishments in the neighbourhood; and

WHEREAS some local residents do not support any further expansions to this establishment, such as a sidewalk cafe that would narrow the walkway along Bloor Street West; and

WHEREAS subsection 6(2)(h) of the Liquor Licence Act provides that an applicant is entitled to be issued a licence to sell liquor except if the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

WHEREAS section 7.1 of Regulation 710 under the Liquor Licence Act states that, in the absence of receiving submissions to the contrary, the Board shall consider a Resolution of the Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of subsection 6(2)(h) of the Act; and

WHEREAS the date for the Alcohol and Gaming Commission of Ontario hearing is scheduled prior to City Council considering this matter on February 2, 3 and 4, 1999;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the York Community Council advise the Alcohol and Gaming Commission of Ontario that the issuance of a liquor licence with respect to “The Fan” and “Billy Bob’s”, 2446-2448 Bloor Street West, is not in the public interest, having regard to the needs and wishes of the residents of the municipality; and
- (2) the City Solicitor be authorized to attend the hearing to seek an adjournment on this matter, if the hearing occurs prior to the City Council meeting on February 2, 3 and 4, 1999.’ ”

Votes:

The motion by Councillor Nunziata carried, more than two-thirds of Members present having voted in the affirmative.

The Clause, as amended, was received for information.

- 1.22 **Clause No. 1 of Report No. 1 of The Urban Environment and Development Committee, headed “Scarborough Group Home Zoning By-law No. 25225 and Appeals to the Ontario Municipal Board by the Former Municipality of Metropolitan Toronto, the Catholic Children’s Aid Society, and the St. Leonard’s Society of Metropolitan Toronto (All Wards)”.**

Motion:

Councillor Mahood moved that the Clause be amended by amending the action taken by the Urban Environment and Development Committee to read as follows:

“The Urban Environment and Development Committee reports having requested the Commissioner of Urban Planning and Development Services to review, as part of the Official Plan Review, the Group Home By-laws of all of the former area municipalities with the objective of achieving conformity within the City of Toronto, and submit a report thereon to Council, through the Urban Environment and Development Committee, within six months.”

Votes:

The motion by Councillor Mahood carried.

The Clause, as amended, carried.

1.23 **Clause No. 3 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Creation of No-Smoking Area, Glass House, City Hall (Ward 24)”.**

Motion:

- (a) Councillor Johnston moved that the Clause be struck out and referred to the Corporate Services Committee for further consideration.

Vote on referral motion:

Adoption of motion (a) by Councillor Johnston:

Yes - 12 Mayor: Lastman. Councillors: Bossons, Brown, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Mammoliti, Miller, Moscoe, Nunziata, Pitfield
No - 32 Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Cho, Chong, Chow, Davis, Faubert, Feldman, Filion, Giansante, Holyday, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, Mihevc, Minnan-Wong, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Walker

Lost by a majority of 20.

Motions:

- (b) Councillor Korwin-Kuczynski moved that the Clause be amended by striking out the recommendation of the Special Committee to Review the Final Report of the Toronto Transition Team, and inserting in lieu thereof the following:
- “It is recommended that City of Toronto staff be requested to smoke no less than 10 metres (30 feet), from any entrance to either the parking garage or City Hall.”
- (c) Councillor Davis moved that:
- (1) the Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Administrative Officer be requested to enforce the existing workplace Smoking By-law and policy for Toronto City Hall.”; and
- (2) motion (b) by Councillor Korwin-Kuczynski be amended by deleting the words “10 metres (30 feet)” and inserting in lieu thereof the words “30 metres”.
- (d) Councillor Prue moved that the Clause be amended by deleting from the recommendation of the Sub-Committee on the Relocation of All Members of Council to City Hall, the date “January 1, 1999”, and inserting in lieu thereof the date “April 1, 1999”.
- (e) Councillor Mammoliti moved that the Clause be amended by adding thereto the following:
- “It is further recommended that Councillor Moeser be requested to meet with smokers and non-smokers in order to identify an alternative location where smoking could be permitted.”
- (f) Councillor Moscoe moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Corporate Services be requested to locate a fully enclosed area for smokers so that they can poison themselves without poisoning others.”
- (g) Councillor Gardner moved that the Clause be amended by deleting from the recommendation of the Sub-Committee on the Relocation of All Members of Council to City Hall, the words “as of January 1, 1999” and by adding to the end

thereof the words “and that the prohibition not be enforced until an alternative location has been designated for smoking”, so that such recommendation shall now read as follows:

“The Sub-Committee on the Relocation of All Members of Council to City Hall recommends that Council declare the area at City Hall, adjacent to the Glass House, the Official Garage, and the employee garage, to be no-smoking areas, and that notices advising staff of this be posted, along with ‘no smoking’ signs; and that the prohibition not be enforced until an alternative location has been designated for smoking.”

- (h) Councillor Bossons moved that the Clause be amended by:
 - (1) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to install additional ashtrays around the perimeter of City Hall.”; and
 - (2) deleting from the recommendation of the Sub-Committee on the Relocation of All Members of Council to City Hall, the date “ January 1, 1999”, and inserting in lieu thereof the date “March 21, 1999”.
- (i) Councillor King moved that the Clause be amended by striking out the recommendation of the Sub-Committee on the Relocation of All Members of Council to City Hall, and inserting in lieu thereof the following:

“It is recommended that Council declare the Official Garage as a smoke-free area as of March 1, 1999, and that the Commissioner of Corporate Services be requested to post no-smoking notices accordingly.”
- (j) Councillor Tzekas moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

 - (1) the Commissioner of Corporate Services be requested to enforce the workplace smoking policy for Toronto City Hall; and
 - (2) the City Solicitor be instructed to prepare an amending by-law which re-defines ‘workplace’ to include the taxi tunnel, the Official Parking Garage, the Glass House and the main Employee Parking Garage.”
- (k) Councillor Bussin moved that the Clause be amended by adding thereto the following:

“It is further recommended that City Council deem the Official Parking Garage to be an enclosed space in order that such space can be included under the provisions of the Smoking By-law.”

Motion that vote be now taken:

Councillor Chow 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:

<p>Yes - 29 Mayor: Lastman. Councillors: Adams, Augimeri, Balkissoon, Berger, Bussin, Cho, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Lindsay Luby, Li Preti, Mammoliti, McConnell, Moeser, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair</p>
<p>No - 15 Councillors: Altobello, Brown, Chong, Giansante, Holyday, Jones, King, Korwin-Kuczynski, Layton, Mahood, Moscoe, Pantalone, Shiner, Tzekas, Walker</p>

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

Motion:

- (1) Councillor Jones moved that the Clause be amended by adding thereto the following:

“It is further recommended that the policy be clarified to prohibit smoking in any garage of Toronto City Hall which would be classified as a workplace.”

Votes:

Adoption of Part (2) of motion (c) by Councillor Davis:

<p>Yes - 23 Mayor: Lastman. Councillors: Adams, Augimeri, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Holyday, Jakobek, Layton, Mammoliti, McConnell, Moscoe, Nunziata, O'Brien, Shaw, Shiner, Sinclair, Tzekas, Walker</p>
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No - 30
Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Faubert, Filion, Fotinos, Giansante, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Miller, Moeser, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Silva

Lost by a majority of 7.

Adoption of motion (b) by Councillor Korwin-Kuczynski:

Yes - 16
Councillors: Bossons, Brown, Disero, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Mammoliti, Nunziata, O'Brien, Pantalone, Pitfield

No - 37
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, King, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker

Lost by a majority of 21.

Adoption of motion (g) by Councillor Gardner:

Yes - 11
Mayor: Lastman.
Councillors: Brown, Disero, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Miller, Nunziata, Pitfield

No - 44
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker

Lost by a majority of 33.

Adoption of motion (i) by Councillor King, save and except the date "March 1, 1999":

<p>Yes - 40 Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Feldman, Filion, Flint, Giansante, Holyday, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 15 Mayor: Lastman. Councillors: Adams, Augimeri, Brown, Duguid, Faubert, Fotinos, Gardner, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Nunziata, Ootes, Pitfield</p>

Carried by a majority of 25.

Adoption of motion (i) by Councillor King, insofar as it pertains to the date "March 1, 1999":

<p>Yes - 36 Mayor: Lastman. Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Giansante, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 20 Councillors: Ashton, Bossons, Brown, Disero, Faubert, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Mammoliti, Miller, Moeser, Moscoe, Nunziata, Pitfield</p>

Carried by a majority of 16.

Ruling by the Mayor:

Mayor Lastman, having regard to the decision of Council in regard to motion (i) by Councillor King, declared the motion (d) by Councillor Prue and Part (2) of motion (h) by Councillor Bossons, redundant.

Votes:

Adoption of Part (1) of motion (c) by Councillor Davis:

Yes - 44 Mayor: Lastman. Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker
No - 11 Councillors: Brown, Chong, Disero, Faubert, Fotinos, Gardner, Johnston, Kelly, Korwin-Kuczynski, Nunziata, Pitfield

Carried by a majority of 33.

Ruling by the Mayor:

Mayor Lastman, having regard to the decision of Council on Part (1) of motion (c) by Councillor Davis, declared Part (1) of motion (j) by Councillor Tzekas, redundant.

Votes:

Adoption of motion (e) by Councillor Mammoliti:

Yes - 20 Mayor: Lastman. Councillors: Ashton, Bossons, Brown, Chow, Faubert, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Layton, Mammoliti, Miller, Moscoe, Nunziata, O'Brien, Pitfield, Tzekas, Walker
No - 35 Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kelly, King, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moeser, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva

Lost by a majority of 15.

Adoption of motion (f) by Councillor Moscoe:

<p>Yes - 21 Mayor: Lastman. Councillors: Adams, Augimeri, Brown, Chong, Duguid, Fotinos, Gardner, Giansante, Jakobek, Johnston, Korwin-Kuczynski, Mammoliti, McConnell, Miller, Moscoe, Nunziata, Pitfield, Rae, Shaw, Walker</p>
<p>No - 34 Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Faubert, Feldman, Filion, Flint, Holyday, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shiner, Silva, Tzekas</p>

Lost by a majority of 13.

Adoption of Part (1) of motion (h) by Councillor Bossons:

<p>Yes - 42 Mayor: Lastman. Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Chong, Chow, Davis, Disero, Duguid, Faubert, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Sgro, Shaw, Silva</p>
<p>No - 13 Councillors: Berger, Bussin, Cho, Feldman, Filion, Flint, Jones, Mammoliti, Pantalone, Rae, Shiner, Tzekas, Walker</p>

Carried by a majority of 29.

Adoption of Part (2) of motion (j) by Councillor Tzekas:

Yes - 43 Mayor: Lastman. Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker
No - 11 Councillors: Ashton, Bossons, Brown, Disero, Duguid, Fotinos, Johnston, Korwin-Kuczynski, Li Preti, Nunziata, Pitfield

Carried by a majority of 32.

Adoption of motion (k) by Councillor Bussin:

Yes - 37 Mayor: Lastman. Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Faubert, Feldman, Filion, Flint, Jones, King, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Tzekas, Walker
No - 17 Councillors: Brown, Disero, Duguid, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Mahood, Nunziata, O'Brien, Pitfield, Saundercook

Carried by a majority of 20.

Ruling by the Mayor:

Mayor Lastman, having regard to the nature of motion (l) by Councillor Jones, ruled such motion out of order.

Vote on Clause as amended:

Adoption of the Clause, as amended, viz.:

“that the foregoing Clause be amended by:

- (1) striking out the recommendation of the Sub-Committee on the Relocation of All Members of Council to City Hall, and inserting in lieu thereof the following:

‘It is recommended that Council declare the Official Garage as a smoke-free area as of March 1, 1999, and that the Commissioner of Corporate Services be requested to post no-smoking notices accordingly.’; and

- (2) adding thereto the following:

‘It is further recommended that:

- (a) the Chief Administrative Officer be requested to enforce the existing workplace Smoking By-law and policy for Toronto City Hall;
- (b) City Council deem the Official Parking Garage to be an enclosed space in order that such space can be included under the provisions of the smoking by-law;
- (c) the City Solicitor be instructed to prepare an amending by-law which re-defines “workplace” to include the taxi tunnel, the Official Parking Garage, the Glass House and the main Employee Parking Garage; and
- (d) the Commissioner of Corporate Services be requested to install additional ashtrays around the perimeter of City Hall.’ ”,

Yes - 44

Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker

No - 11

Councillors: Ashton, Brown, Disero, Fotinos, Gardner, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Nunziata, Pitfield

Carried by a majority of 33.

1.24 **Clause No. 2 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Council Legislative Process Review - Deputations at Committee Meetings”.**

Deputy Mayor Ootes in the Chair.

Motions:

- (a) Councillor Adams moved that the Clause be amended by deleting Recommendation No. (1)(f) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, viz.:

“(1)(f) subject matter is considered and debated by Committee Members only;”.

- (b) Councillor Moscoe moved that the Clause be amended by amending Recommendation No. (2) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, by:

- (1) inserting after the words “Committee meetings”, the words “in the case of meeting facilities where electronic voting is provided”; and
- (2) deleting the words “by lottery”, and inserting in lieu thereof the words “by the members of the Committee at their first meeting of each new session (i.e. the term of each new Committee);

so that such recommendation shall now read as follows:

“(2) the Procedural By-law be amended to provide that seating in the Committee meetings, in the case of meeting facilities where electronic voting is provided, shall be determined by the members of the Committee at their first meeting of each new session (i.e. the term of each new Committee) and shall ensure that the public can clearly distinguish Committee Members from Non-Committee Members in attendance;”.

- (c) Councillor Bossons moved that the Clause be amended by deleting Recommendations Nos. (1)(d) and (1)(g) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor.

- (d) Councillor Moeser moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, be adopted; and
- (2) the City Clerk be requested to evaluate these amendments to the Council Procedural By-law and report thereon, in October, 1999, to the appropriate Committee of Council.”
- (e) Councillor McConnell moved that the Clause be amended by deleting from Recommendation No. (1)(d) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, the words “as deputants” and inserting in lieu thereof the word “first”, so that such recommendation shall now read as follows:
- “(1)(d) Non-Committee Members who wish to address the Committee are then permitted to speak first;”.
- (f) Councillor Mihevc moved that the Clause be amended by amending Recommendation No. (1)(f) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, to read as follows:
- “(1)(f) subject matter is considered and debated by Committee and Non-Committee Members;”.

Councillor Adams, with the permission of Council, withdrew his motion (a).

Votes:

Adoption of motion (c) by Councillor Bossons, insofar as it pertains to Recommendation No. (1)(d):

<p>Yes - 21 Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Cho, Chong, Davis, Duguid, Faubert, Holyday, Johnston, Korwin-Kuczynski, McConnell, Moscoe, O'Brien, Pantalone, Prue, Sgro, Silva, Walker</p>
<p>No - 17 Councillors: Brown, Feldman, Flint, Giansante, Jones, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Moeser, Ootes, Rae, Shaw, Shiner</p>

Carried by a majority of 4.

Adoption of motion (c) by Councillor Bossons, insofar as it pertains to Recommendation No. (1)(g):

Yes - 28 Councillors: Adams, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Holyday, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Silva, Walker
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No - 11 Councillors: Berger, Faubert, Flint, Giansante, Jones, Li Preti, Mammoliti, Moeser, Saundercook, Shaw, Shiner
--

Carried by a majority of 17.

Adoption of motion (f) by Councillor Mihevc:

Yes - 29 Councillors: Adams, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Faubert, Holyday, Johnston, King, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Walker
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No - 10 Councillors: Berger, Flint, Giansante, Jones, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Shaw
--

Carried by a majority of 19.

Adoption of motion (b) by Councillor Moscoe:

Yes - 18 Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Chong, Duguid, Flint, Holyday, Jones, King, Lindsay Luby, Mahood, McConnell, Moscoe, Prue, Saundercook, Shaw

No - 21 Councillors: Brown, Bussin, Cho, Davis, Faubert, Giansante, Johnston, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Miller, Moeser, O'Brien, Ootes, Pantalone, Rae, Sgro, Shiner, Silva, Walker

Lost by a majority of 3.

At this point in the proceedings, Councillor Moscoe, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Council re-open consideration of his motion (b) and that the vote thereon be again taken, which was carried, without dissent.

Second vote on motion (b) by Councillor Moscoe:

<p>Yes - 17 Councillors: Adams, Augimeri, Balkissoon, Berger, Brown, Chong, Duguid, Flint, Holyday, Jones, King, Lindsay Luby, McConnell, Miller, Moscoe, Prue, Shaw</p>
<p>No - 21 Councillors: Bossons, Bussin, Cho, Davis, Faubert, Giansante, Johnston, Korwin-Kuczynski, Li Preti, Mahood, Mihevc, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shiner, Silva, Walker</p>

Lost by a majority of 4.

Councillor McConnell, with the permission of Council, requested that her motion (e) be placed before Council as an additional recommendation to the Clause.

Council concurred in the request by Councillor McConnell.

Adoption of motion (e) by Councillor McConnell as an additional recommendation to the Clause:

<p>Yes - 32 Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Holyday, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Silva, Walker</p>
<p>No - 8 Councillors: Flint, Giansante, Jones, Li Preti, Mammoliti, Pantalone, Sgro, Shiner</p>

Carried by a majority of 24.

Motion (d) by Councillor Moeser, as amended, save and except Recommendation No. (2) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, carried.

Adoption of motion (d) by Councillor Moeser, as amended, insofar as it pertains to Recommendation No. (2) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, up to the words "by lottery":

Yes - 18 Councillors: Berger, Bussin, Chong, Davis, Disero, Faubert, Giansante, Holyday, Jones, King, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook
No - 24 Councillors: Adams, Augimeri, Balkissoon, Bossons, Brown, Cho, Duguid, Flint, Jakobek, Johnston, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Miller, Moscoe, Rae, Sgro, Shaw, Shiner, Silva, Walker

Lost by a majority of 6.

Councillor Moscoe, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Council re-open consideration of Recommendation No. (2) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor, the vote upon which was taken as follows:

Yes - 34 Councillors: Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Silva
No - 7 Councillors: Bussin, Flint, Johnston, Korwin-Kuczynski, Rae, Shiner, Walker

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

Additional motion by Councillor Moscoe:

Councillor Moscoe, with the permission of Council, moved that the Clause be amended by:

- (1) deleting Recommendation No. (2) embodied in the joint report dated December 15, 1998, from the City Clerk and the City Solicitor; and
- (2) adding thereto the following:

“It is further recommended that the City Clerk be requested to consult with the Chair of each Standing Committee and present a proposed seating plan to the next meeting of each Standing Committee for approval.”

Adoption of the additional motion by Councillor Moscoe:

<p>Yes - 34 Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Chong, Davis, Duguid, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Silva</p>
<p>No - 7 Councillors: Cho, Chow, Walker, Johnston, Korwin-Kuczynski, Rae, Mahood</p>

Carried by a majority of 27.

The Clause, as amended, carried, viz.:

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

‘It is further recommended that:

- (1) the joint report dated December 15, 1998, from the City Clerk and the City Solicitor be adopted, subject to:
 - (a) striking out Recommendation No. (1)(d), and inserting in lieu thereof the following new Recommendation No. (1)(d):

“(d) Non-Committee Members who wish to address the Committee are then permitted to speak first;”;
 - (b) inserting the words “and Non-Committee” after the words “by Committee” in Recommendation No. (1)(f), and deleting therefrom the word “only”, so that such recommendation shall now read as follows:

- “(f) subject matter is considered and debated by Committee and Non-Committee Members;”;
- (c) striking out Recommendation No. (1)(g), viz.:
 - “(g) once debate has commenced, Non-Committee Members may only question Committee Members with the permission of the Committee through the Committee Chair;”;and
- (d) striking out Recommendation No. (2), viz.:
 - “(2) the Procedural By-law be amended to provide that seating in Committee meetings shall be determined by lottery and shall ensure that the public can clearly distinguish Committee Members from Non-Committee Members in attendance;”;

and renumbering the remaining recommendations accordingly, so that such recommendations shall now read as follows:

“It is recommended that:

- (1) the Procedural By-law be amended to incorporate the following procedure for hearing deputations from the public and from Councillors at Standing Committee meetings who are not members of the Committee:
 - (a) introduction of the subject matter by the Committee Chair;
 - (b) deputant(s) appear before Committee on the subject matter;
 - (c) Committee Members and Non-Committee Members may ask questions of deputant(s) through the Committee Chair;
 - (d) Non-Committee Members who wish to address the Committee are then permitted to speak first;
 - (e) following deputations, Committee and Non-Committee Members may ask questions of staff;

-
- (f) subject matter is considered and debated by Committee and Non-Committee Members; and
 - (g) Committee makes a decision; and
 - (2) the appropriate officials be authorized to take any action necessary to give effect thereto, including the introduction of the necessary Bill in Council.”; and
 - (2) the City Clerk be requested to:
 - (a) evaluate these amendments to the Council Procedural By-law and report thereon, in October, 1999, to the appropriate Committee of Council; and
 - (2) consult with the Chair of each Standing Committee and present a proposed seating plan to the next meeting of each Standing Committee for approval.’ ”

1.25 Clause No. 1 of Report No. 1 of The Economic Development Committee, headed “Toronto Small Business Enterprise Centre/MEDTT/Public and Private Sector Partnership”.

Motion:

Councillor Prue moved that the Clause be amended by adding to Recommendation No. (3) of the Economic Development Committee, the words “and in the East York Civic Centre for the new media village”, so that such recommendation shall now read as follows:

- “(3) that ground floor space also be allocated in Scarborough and Etobicoke Civic Centres for small business services, and in the East York Civic Centre for the new media village.”

Vote:

The motion by Councillor Prue carried.

The Clause, as amended, carried.

1.26 Clause No. 9 of Report No. 1 of The Corporate Services Committee, headed “Installation of Micro-Wave Dishes, Antennas and Monitoring Equipment on the City-Owned Water Tower at Leslie Street/Lake Shore Boulevard East (East Toronto - Ward 26)”.

Motion:

Councillor Moscoe moved that the Clause be amended by adding to Condition No. (23) of the terms and conditions of the License Agreement with Clearnet PCS Inc., the words “and should such sublet or assignment be for value or consideration, the assignment or sublet will be subject to a separate agreement wherein the City of Toronto shares in the revenue from such assignment or sublet to the satisfaction of City Council”, so that such condition shall now read as follows:

“(23) Clearnet shall not sublet or assign without the written consent from the City of Toronto, such consent may be arbitrarily withheld. Notwithstanding the foregoing, Clearnet may, upon given notice to the City of Toronto, assign, sublet or license to a parent, subsidiary or affiliated corporation provided the purpose and use remain the same, and should such sublet or assignment be for value or consideration, the assignment or sublet will be subject to a separate agreement wherein the City of Toronto shares in the revenue from such assignment or sublet to the satisfaction of City Council;”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

1.27 **Clause No. 1 of Report No. 1 of The Community and Neighbourhood Services Committee, headed “Resolutions for the Upcoming FCM National Board of Directors Meeting or FCM Annual Conference”.**

Motion:

Councillor Layton moved that the Clause be amended by adding thereto the following:

“It is further recommended that the following FCM Draft Resolution be adopted:

Moved by: Councillor Layton

Seconded by: Councillor Feldman

‘WHEREAS the federal government has announced that it will retain responsibility for program administration of 20,000 co-operative housing units in Ontario, while it proceeds with other housing devolution; and

WHEREAS the federal government has not yet announced that it will similarly retain responsibility for administration of the 44,500 non-profit housing units in Ontario, which, if they are devolved to Ontario, will be subsequently downloaded onto the municipal sector, thus adding to the administrative costs and financial risks faced by municipal governments; and

WHEREAS the federal government has not reached housing devolution agreements with British Columbia, Alberta, Ontario, Quebec and PEI; and

WHEREAS the ongoing federal involvement in housing programs that it currently funds and administers, with manageable debt, rent supplement agreements, and original capital grants for development, will not impede the proposed program reform of municipally funded social housing in Ontario, and is compatible with the new housing supply proposals emerging from the Big City Mayors' Caucus of the FCM; and

WHEREAS housing needs are rising, as shown by increasing hostel usage, growing affordability problems for tenants, rising rents in Toronto and other communities, and the fact that 1.1 million Canadian tenant households are in Core Housing Need; and

WHEREAS there is a federal responsibility to ensure the social well-being of Canadians, including adequate housing for low and moderate-income people; and

WHEREAS federal involvement has been central over the past 50 years in meeting the housing needs of low and moderate-income Canadians, and ongoing federal involvement has been urged by many parties including Toronto's Homelessness Action Task Force chaired by Ms. Anne Golden;

NOW THEREFORE BE IT RESOLVED THAT the FCM commend the federal government on its recent announcement not to devolve the administration of the unilaterally funded co-op program to Ontario;

AND BE IT FURTHER RESOLVED THAT the FCM urge the federal government not to devolve the administration of the non-profit housing programs it currently administers in Ontario, British Columbia, Alberta, Quebec and PEI;

AND BE IT FURTHER RESOLVED THAT the FCM urge the federal government to use the housing programs it currently funds and administers, or similar programs that it chooses to create, to fund much-needed new affordable rental units in partnership with other governments and the private and non-profit sectors;

AND BE IT FURTHER RESOLVED THAT the City of Toronto send this motion to other municipalities in Ontario who will be paying for social housing, urging them to press the federal minister to retain administrative responsibility for unilaterally funded non-profits.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

1.28 **Clause No. 2 of Report No. 1 of The Community and Neighbourhood Services Committee, headed "Toronto Children's Charter".**

Motions:

- (a) Councillor Balkissoon moved that the Clause be amended by striking out the recommendation of the Community and Neighbourhood Services Committee, and inserting in lieu thereof the following:

"It is recommended that:

- (1) City Council support, in principle, the statements contained in the 'Toronto Children's Charter', as set out in the communication dated December 3, 1998, from the City Clerk, subject to adding the following new statement as No. (10) and renumbering the original No. (10) accordingly:

'(10) All Toronto children have the right to be protected from child abuse in or out of the home';

- (2) such statements, as amended, be incorporated into the City's Strategic Plan; and

- (3) the 'Goals for the City of Toronto', as set out in the communication dated December 3, 1998, from the City Clerk, be referred to the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, for incorporation into both the Community and Neighbourhood Services Department's Business Plan, and a future report outlining the partnerships, timeframes, costs, and policies associated with the implementation of the aforementioned Toronto Children's Charter."

- (b) Councillor Augimeri moved that motion (a) by Councillor Balkissoon be amended to provide that Statement No. (10) be amended by deleting the words "in or out" after the words "child abuse" and inserting in lieu thereof the words "both in and out", so that such statement shall now read as follows:

"(10) All Toronto children have the right to be protected from child abuse both in and out of the home;"

- (c) Councillor Sinclair moved that motion (a) by Councillor Balkissoon be amended to provide that Statement No. (10) be amended by deleting the word "child" after the

words “protected from” and inserting in lieu thereof the words “physical, psychological and sexual”, so that such statement shall now read as follows:

- “(10) All Toronto children have the right to be protected from physical, psychological and sexual abuse in or out of the home;”.

Votes:

Adoption of the Clause, as amended by motions (a), (b) and (c) by Councillors Balkissoon, Augimeri and Sinclair, respectively, viz.:

“that the foregoing Clause be amended by striking out the recommendation of the Community and Neighbourhood Services Committee, and inserting in lieu thereof the following:

‘It is recommended that:

- (1) City Council support, in principle, the statements contained in the “Toronto Children’s Charter”, as set out in the communication dated December 3, 1998, from the City Clerk, subject to adding the following new statement as No. (10) and renumbering the original No. (10) accordingly:

“(10) All Toronto children have the right to be protected from physical, psychological and sexual abuse both in and out of the home;”;
- (2) such statements, as amended, be incorporated into the City’s Strategic Plan; and
- (3) the “Goals for the City of Toronto”, as set out in the communication dated December 3, 1998, from the City Clerk, be referred to the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, for incorporation into both the Community and Neighbourhood Services Department’s Business Plan, and a future report outlining the partnerships, timeframes, costs, and policies associated with the implementation of the aforementioned Toronto Children’s Charter.’ ”,

Yes - 38 Mayor: Lastman. Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Faubert, Feldman, Flint, Gardner, Giansante, Holyday, Johnston, Jones, King, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Shaw, Shiner, Tzekas, Walker
No: - 0

Carried, without dissent.

1.29 **Clause No. 8 of Report No. 2 of The Urban Environment and Development Committee, headed "Proposed Amendments to By-laws Concerning Snow Emergency Periods".**

Motion:

Councillor Adams moved that the Clause be amended by adding thereto the following:

"It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Urban Environment and Development Committee on the concept of seeking authority to deputize Toronto Transit Commission vehicle operators and/or inspectors during snow emergency situations, in order to allow them to act as temporary parking enforcement officers with the authority to ticket and tow vehicles which are blocking TTC vehicles."

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

1.30 **Clause No. 2 of Report No. 1 of The Works and Utilities Committee, headed "Liquor and Wine Container Deposit/Return By-law".**

Council also had before it, during consideration of the Clause, the following Notice of Motion I:

Moved by: Mayor Lastman

Seconded by: Councillor Disero

“**WHEREAS** the Ontario Ministry of Environment is offering Ontario municipalities \$4.0 million in Blue Box program funding for liquor and wine containers in each of 1998 and 1999; and potential funding up to 50 percent of the Blue Box program by the year 2000; and

WHEREAS the City’s cost of recycling and disposing of empty liquor and wine bottles is at least \$1.0 million per year; and

WHEREAS the City of Toronto should be eligible for its fair share - \$1.0 million of the funding in each of 1998 and 1999; and

WHEREAS the City has adopted a by-law requiring liquor and wine stores to implement a deposit/return system effective January 1, 1999; and

WHEREAS the Minister of the Environment has indicated that the City will not be eligible for the Blue Box funding if it proceeds with the deposit/return by-law;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 6 of The Works and Utilities Committee, headed ‘Banning of Wine and Spirit Containers from the Blue Box Program and Landfill Sites’, which was adopted, as amended, by City Council at its meeting held on July 8, 9 and 10, 1998, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT By-law No. 448-1998 be repealed effective December 31, 1998, subject to receipt of confirmation from the Minister of the Environment, prior to the date of repeal, of agreement to provide the City of Toronto with funds in the amount of \$1.0 million in each of the 1998 and 1999 calendar years;

AND BE IT FURTHER RESOLVED THAT re-enactment of By-law No. 448-1998 be considered in one year’s time, subject to a staff report on the successful negotiations with the Ministry of the Environment, such negotiations to include:

- (1) the examination of the requirement that the industry’s 50 percent voluntary contribution for product stewardship become mandatory;
- (2) discussions on providing substantial assistance for City of Toronto diversion projects, including the processing of organics and household hazardous waste; and
- (3) an increase of municipal representation on the proposed Waste Diversion Organization.”

Council also had before it, during consideration of the Clause, a communication (December 18, 1998) from the Minister of Municipal Affairs and Housing addressed to Mayor Lastman regarding an amendment to a regulation under the Municipal Act with respect to municipal powers concerning alcoholic beverage containers.

Vote to re-open previous decision of Council:

The first Operative Paragraph embodied in Notice of Motion I, pertaining to the re-opening of Clause No. 1 of Report No. 6 of The Works and Utilities Committee, headed "Banning of Wine and Spirit Containers from the Blue Box Program and Landfill Sites", which was adopted, as amended, by City Council at its meeting held on July 8, 9 and 10, 1998, carried, more than two-thirds of Members present having voted in the affirmative.

Motions:

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

"It is further recommended that:

- (1) the City of Toronto reaffirm its support for deposit/return systems as the preferred mechanism for maximizing diversion and lowering municipal costs;
- (2) the Province of Ontario be requested to supply to the City Clerk, all correspondence from 1996 to present related to waste diversion between the Corporations Supporting Recycling (and their member organizations) and the Province of Ontario (specifically the Office of the Premier, the Minister of the Environment, and Consumer and Commercial Relations); and should this information not be forthcoming by March 1, 1999, the City Solicitor be directed to make a Freedom of Information Request in this regard;
- (3) the City Clerk request the Minister of the Environment to appoint a Member of City Council who is a Member of the City's Works and Utilities Committee, in addition to any representation which may be provided by the Association of Municipalities of Ontario (AMO), to sit on the Province's Waste Diversion Organization, in order to ensure that the interests of the City of Toronto are considered; and
- (4) the Premier of Ontario and the Minister of the Environment be advised of Council's strong objection to:
 - (a) having the Corporations Supporting Recycling (CSR) provide executive, professional and administrative services to the Waste Diversion Organization (WDO); and

(b) the apparent back-sliding in funding for the WDO.”

- (b) Mayor Lastman moved that the Clause be amended by inserting in Recommendation No. (2) of the Works and Utilities Committee, the words “in 1998, and \$1.0 million in 1999” after the words “\$1.0 million”, so that such recommendation shall now read as follows:

“(2) that the Minister of the Environment be requested to provide the City of Toronto with the \$1.0 million in 1998, and \$1.0 million in 1999 previously offered, in order to assist the City in its disposal of the continued flow of Liquor Control Board of Ontario (LCBO) bottles in the Blue Boxes;”.

Votes:

Adoption of Part (1) of motion (a) by Councillor Layton:

<p>Yes - 33 Mayor: Lastman. Councillors: Altobello, Augimeri, Bossons, Brown, Chow, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Miller, Minnan-Wong, Moscoe, Pantalone, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 8 Councillors: Chong, Holyday, Kelly, King, Lindsay Luby, Mammoliti, O'Brien, Ootes</p>

Carried by a majority of 25.

Part (2) of motion (a) by Councillor Layton carried.

Part (3) of motion (a) by Councillor Layton carried.

Adoption of Part (4) of motion (a) by Councillor Layton:

Yes - 35 Mayor: Lastman. Councillors: Altobello, Ashton, Augimeri, Bossons, Brown, Chow, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Giansante, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker
No - 7 Councillors: Chong, Gardner, Holyday, King, Lindsay Luby, O'Brien, Shaw

Carried by a majority of 28.

Adoption of Recommendation No. (1) of the Works and Utilities Committee:

Yes - 27 Mayor: Lastman. Councillors: Altobello, Ashton, Augimeri, Bossons, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, O'Brien, Ootes, Prue, Sgro, Silva, Tzekas
No - 14 Councillors: Brown, Chow, Flint, Johnston, Jones, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Shaw, Shiner, Sinclair, Walker

Carried by a majority of 13.

Motion (b) by Mayor Lastman carried.

Adoption of Recommendation No. (2) of the Works and Utilities Committee, as amended:

<p>Yes - 33 Mayor: Lastman. Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Chow, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Minnan-Wong, O'Brien, Ootes, Pantalone, Prue, Sgro, Shaw, Silva, Tzekas</p>
<p>No - 9 Councillors: Brown, Flint, Johnston, Miller, Moscoe, Rae, Shiner, Sinclair, Walker</p>

Carried by a majority of 24.

Recommendation No. (3) of the Works and Utilities Committee carried.

1.31 **Clause No. 3 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "Proposed 1999 Operating Budget Process and Schedule".**

Motions:

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

"It is further recommended that:

- (1) the Budget Committee and City staff working on the budget, be requested:
 - (a) to distribute the agendas for currently scheduled meetings of the Budget Committee, five business days in advance, in accordance with the normal practice for the distribution of Standing Committee agendas;
 - (b) when calling meetings of the Budget Committee which are in addition to those meetings currently scheduled, to provide 48 hours notice of such meeting, with the notice period starting at the time of the distribution of the agenda; and
 - (c) to circulate any additional agenda items to all Members of Council 48 hours in advance of meetings: and

(2) the Budget Committee not consider reports which are “walked-in” or have not been distributed 48 hours in advance of any meeting.”

(b) Councillor Berardinetti moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report dated February 1, 1999, from the Chief Financial Officer and Treasurer, embodying the following recommendation, be adopted:

‘It is recommended that the proposed amended 1999 Operating Budget Process and Schedule, as detailed in Appendix A, be approved.’ ”

(c) Councillor O’Brien moved that motion (b) by Councillor Berardinetti be amended by adding thereto the words “subject to the meeting of the Corporate Services Committee scheduled to be held on Monday, April 26, 1999, at 9:30 a.m., being rescheduled to Monday, April 19, 1999, at 2:00 p.m., in order to accommodate the Special Meeting of City Council to consider the 1999 Operating Budget”.

Ruling by Deputy Mayor:

At this point in the proceedings, the City Clerk advised that an amendment to the Council Procedural By-law would be required to implement motion (a) by Councillor Mihevc.

Deputy Mayor Ootes ruled that motion (a) by Councillor Mihevc was out of order, having regard that it would require the submission of a Notice of Motion on the Order Paper for Council.

Councillor Mihevc challenged the ruling of the Deputy Mayor.

Vote to uphold the ruling of the Deputy Mayor:

Yes - 30
Mayor: Lastman.
Councillors: Adams, Altobello, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Disero, Faubert, Fotinos, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Moeser, Ootes, Rae, Sgro, Shaw, Silva, Walker

No - 12

Councillors: Augimeri, Chow, Duguid, Flint, Jones, Mammoliti,
McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone

Carried by a majority of 18.

- (d) Councillor Jakobek, with the permission of Council, moved that motion (a) by Councillor Mihevc be referred to the Budget Committee with a request that the Committee attempt to adhere to the requests outlined therein.

Motion (d) by Councillor Jakobek carried.

Motion (c) by Councillor O'Brien carried.

Motion (b) by Councillor Berardinetti, as amended, carried.

The Clause, as amended, carried, viz.:

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

‘It is further recommended that:

- (1) the report dated February 1, 1999, from the Chief Financial Officer and Treasurer, embodying the following recommendation, be adopted, subject to the meeting of the Corporate Services Committee scheduled to be held on Monday, April 26, 1999, at 9:30 a.m., being rescheduled to Monday, April 19, 1999, at 2:00 p.m., in order to accommodate the Special Meeting of City Council to consider the 1999 Operating Budget:

“It is recommended that the proposed amended 1999 Operating Budget Process and Schedule, as detailed in Appendix A, be approved.”; and

- (2) the following motion be referred to the Budget Committee with a request that the Committee attempt to adhere to the requests outlined therein:

Moved by Councillor Mihevc:

“It is recommended that:

- (a) the Budget Committee and City staff working on the budget, be requested:

- (i) to distribute the agendas for currently scheduled meetings of the Budget Committee, five business days in advance, in accordance with the normal practice for the distribution of Standing Committee agendas;
 - (ii) when calling meetings of the Budget Committee which are in addition to those meetings currently scheduled, to provide 48 hours notice of such meeting, with the notice period starting at the time of the distribution of the agenda; and
 - (iii) to circulate any additional agenda items to all Members of Council 48 hours in advance of meetings: and
- (b) the Budget Committee not consider reports which are ‘walked-in’ or have not been distributed 48 hours in advance of any meeting.” ’ ”

1.32 **Clause No. 1 of Report No. 1 of The Corporate Services Committee, headed “Bill 79 - The Fairness for Property Taxpayers Act, 1998”.**

Motion:

Councillor Adams moved that the Clause be amended by striking out the Operative Paragraph embodied in the recommendation of the Corporate Services Committee, and inserting in lieu thereof the following:

Moved by: Councillor Adams

Seconded by: Councillor King

“NOW THEREFORE BE IT RESOLVED THAT City Council, as well as the Association of Municipalities of Ontario (AMO), petition the Ontario government and the Ontario Legislature to amend the Current Value Assessment legislation to allow any municipality using either of the capping provisions such that the capping provisions apply only to the assessment-related changes in property taxes.”

Votes:

Adoption of the motion by Councillor Adams:

Yes - 33 Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Johnston, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moeser, O'Brien, Pantalone, Rae, Shaw, Shiner, Tzekas, Walker
No - 1 Councillor: Ootes

Carried by a majority of 32.

The Clause, as amended, carried.

Councillor Ootes requested that his opposition to the adoption of the Clause, as amended, be noted in the Minutes of this meeting.

1.33 Clause No. 23 of Report No. 1 of The North York Community Council, headed "City of Toronto 1999-2003 - Capital Works Program".

Motion:

Councillor Adams moved that the Clause be struck out and referred to the Budget Committee for consideration with the 1999-2003 Capital Budget.

Vote:

The motion by Councillor Adams carried.

1.34 Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals".

Motions:

(a) Councillor Mammoliti moved that the Clause be amended by:

- (1) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by:

- (a) deleting from Part II, Section 4, the words “dogs, cats” and inserting in lieu thereof the words “dogs or cats (maximum of two of each class)”;
- (b) deleting from Part IV, Section 17, the words “three (3)” and inserting in lieu thereof the words “two (2)”;
- (c) adding to Part IV, Section 13(1), the following:
 - “(i) should an offence be acknowledged by the Medical Officer of Health, the dog owner be given written warning on a first and second offence of the By-law; and
 - (ii) should a third offence be acknowledged by the Medical Officer of Health, that a fine be set for the dog owner at a minimum fine of \$1,000.00.”; and
- (d) striking out Part V, Section 19, and inserting in lieu thereof the following:
 - “19. (1) No owner of a cat shall cause or permit the cat to be at-large in the City, and where in the opinion of the Medical Officer of Health, the cat is at-large, that:
 - (i) the cat owner be given written warning on a first and second offence of the by-law; and
 - (ii) should a third offence be acknowledged by the Medical Officer of Health, that a fine be set for the cat owner at a minimum fine of \$1,000.00.
 - (2) No person shall keep a cat off the premises of the owner, other than on a leash, which shall not exceed two (2) metres in length except where consent is given by the person owning the property where the cat is found.”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Medical Officer of Health be requested to actively and stringently enforce the provisions of the By-law and take possession and impound, in a humane fashion, any cat at-large contrary to the provisions of this by-law; and

- (b) the North York Poop Patrol Program be reinstated and extended throughout the City of Toronto.”
- (b) Councillor Pantalone moved that the Clause be amended by:
- (1) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by deleting from Schedule B the words “CNE Grounds” and inserting in lieu thereof the words “Exhibition Place”, to reflect the proper legal description of those lands; and
 - (2) adding thereto the following:

“It is further recommended that the Medical Officer of Health be requested to submit a report to the Budget Committee, in time for City Council’s consideration of the 1999 Operating Budget, on anticipated revenues and expenditures resulting from the By-law Respecting Animals.”
- (c) Councillor Prue moved that the Clause be amended by amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by deleting from Part V, headed “Cats”, all of Section 19 and inserting in lieu thereof the following new Section 19:
- “19. The Medical Officer of Health may take possession of and impound any cat found at-large where,
- (a) in the opinion of the Medical Officer of Health and the owner of the property the cat is deemed to be causing damage or creating a nuisance; or
 - (b) in the opinion of the Medical Officer of Health, the cat is in distress, injured and/or unidentifiable.”
- (d) Councillor Walker moved that the Clause be amended by amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by:
- (1) deleting Section 19 from the proposed By-law; and
 - (2) adding to Schedule A, entitled “Prohibited Animals”, the following:

“Proboscidae (elephants);
Pinnipedia (such as seals, sea lions, walruses);
Cetacea (such as beluga whales, orca whales, dolphins);
Falconiformes (hawks, eagles, vultures);
Strigiformes (owls);

Red-eared sliders with a carapace (shell) less than 10 centimetres;
Testudines (turtles, tortoises and terrapins) with a carapace less than 10 centimetres, except those derived from a captive-bred, self-sustaining population;
Iguana iguana (Green Iguanas) that are smaller than 75 centimetres; and
All animals that have been taken from the wild after the date of passage of this By-law at any stage of development including eggs and embryos.”

- (e) Councillor Layton moved that the Clause be amended by amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by:

- (1) adding the following new section to Part V, “Cats”:

“The City of Toronto consents to the presence of cats on City property.”; and

- (2) referring Sections 19 and 20 back to the Board of Health, with a request that the Board examine possible amendments which could prohibit cat abandonment and which would define and/or regulate, in an appropriate way, nuisance activities by cats.

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

“It is further recommended that:

- (1) the City Solicitor be requested to include a clause in the By-law that would provide an exemption for persons who:
- (a) on the date of the passage of the by-law, were lawfully keeping animals listed in Schedule A, headed “Prohibited Animals”, until such time as the animal has died or is otherwise disposed of; and
- (b) have registered the animals referred to in Part (a), above, with the Medical Officer of Health by September 1, 1999; and
- (2) the following motion be referred to the City Solicitor for a report thereon to the Board of Health, in consultation with the Medical Officer of Health:

‘**WHEREAS** the animal control by-law prohibits large numbers of animals from being owned by one owner, whether they be dedicated amateurs and hobbyists who are contributing to the notion of these animals and their biology;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto adopt a permit system to allow the ownership of animals that would otherwise be prohibited, subject to the payment of a permit fee sufficient to cover the costs of such a program, and verification by a qualified veterinarian licensed to practice in the Province of Ontario, that the individual applicant has the knowledge, resources and facilities to maintain such animals at no risk to the general public.’ ”

- (g) Councillor Brown moved that the Clause be amended by:
- (1) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, to provide that:
 - (a) the fees set out in Section 10 of Schedule C, and in Section 18 of Schedule D, come into effect on July 1, 1999, for any and all new registrations, or in the case of previously registered cats and dogs, on the expiry date of any existing licence and/or registration; and
 - (b) any licence or tag issued to any owner for a specific dog or cat cannot be transferred to another dog or cat; and
 - (2) adding thereto the following:

“It is further recommended that the question of the prohibition of usual domesticated farm animals on lands not zoned ‘Agricultural’, be referred to the Commissioner of Urban Planning and Development Services, with a request that she, in consultation with the City Solicitor, submit a report to the Board of Health on the effect of subsection (3)(11) under Part II, headed ‘Prohibited Animals’, on the City’s existing farms, and whether or not there should be a grandfathering clause for lands, regardless of their current zoning, that have historically been, and are currently being, used as active farms.”
- (h) Councillor Bossons moved that the Clause be amended by amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by:
- (1) striking out Section 19, and inserting in lieu thereof the following:

“19. A cat found on a property other than its owner’s may, upon request by that property owner, be seized by the Medical Officer of Health, if in his/her opinion the cat creates a nuisance or threat.”;

- (2) striking out Section 20(1), and inserting in lieu thereof the following:
 - “(1) The Medical Officer of Health must make all reasonable efforts to locate the owner of a cat seized under Section 19, and if unsuccessful, the Medical Officer of Health may impound such cat and euthanize such cat.”;
- (3) deleting from Section 20(3), the word “five (5)” and inserting in lieu thereof the word “ten (10)”;
- (4) adding the following introductory section to Schedule A:

“Prohibit all animals that have been caught in the wild after the date of the passage of this By-law at any stage of development, including eggs and embryos.”;
- (5) adding to Schedule A, entitled “Prohibited Animals”, the following:
 - (a) under the heading “Mammalia”, the words “Proboscidae (elephants); and
 - (b) under the heading “Birds”, the words “Strigiformes (owls)” and “Falconiformes (hawks, eagles, vultures)”;
- (6) inserting in Section 18(1) the words “and be encouraged to” after the words “Medical Officer of Health and”;
- (7) adding to the end of Section 18(2) the words “or obtain a lifetime identification tag”; and
- (8) deleting from Section 20(5)(b), the word “shall”, and inserting in lieu thereof the words “is encouraged”.

Motion that vote be now taken:

Councillor Shiner 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:

Yes - 19 Councillors: Altobello, Augimeri, Berger, Brown, Chong, Disero, Feldman, Giansante, Jakobek, Jones, Li Preti, Mammoliti, Nunziata, Pitfield, Prue, Rae, Saundercook, Shiner, Silva
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No - 23

Councillors: Adams, Ashton, Bossons, Bussin, Chow, Davis, Duguid, Filion, Flint, Holyday, Johnston, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Tzekas, Walker

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

Motions:

- (i) Councillor Davis moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Medical Officer of Health be requested to submit a report to Council, through the Board of Health on:

- (1) a process mechanism for increasing adoption rates of animals at all animal shelters; and
- (2) the involvement of the private sector in the registration of animals.”

- (j) Councillor Mihevc moved that the Clause be amended by:

- (1) adding thereto the following:

“It is further recommended that:

- (a) the issue of feral cats be referred to the Animal Services Advisory Committee for the development of appropriate by-laws, policies, and programs; and
 - (b) in the event that Part (2) of motion (d) by Councillor Walker does not carry, the animals and classes of animals suggested by Zoo Check and the Animal Alliance of Canada, for inclusion on Schedule A, entitled ‘Prohibited Animals’, be referred to the Animal Services Advisory Committee for further consideration and recommendation.”; and
- (2) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by adding to Schedule A, entitled “Prohibited Animals”, the species “Proboscidae (elephants)”.

- (k) Councillor Bussin moved that the Clause be amended by:
- (1) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by striking out Section 19 and inserting in lieu thereof the following:

“19. The owner of a cat may cause or permit the cat to be at-large in the City, except where the health and safety of the animal are at risk.”;
and
 - (2) adding thereto the following:

“It is further recommended that:

 - (a) the Medical Officer of Health be given the discretion to waive the adoption fee for seniors if, after the required interview of a prospective pet owner, it is determined that it would be in the best interest of the prospective owner and the animal to allow the adoption; and
 - (b) the Medical Officer of Health and the City Solicitor be requested to review the By-law Respecting Animals in one year.”
- (l) Councillor Chow moved that the Clause be amended by:
- (1) adding thereto the following:

“It is further recommended that the Medical Officer of Health be:

 - (a) encouraged to pursue remedies available under the Dog Owners Liability Act in cases where an attack or bite causes considerable harm to people or other animals; and
 - (b) requested to conduct a public education campaign on responsible pet ownership, including the recourse available under the Dog Owners Liability Act.”; and
 - (2) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by deleting from Part I, headed “Interpretation”, the definition of “at-large” and inserting in lieu thereof the following new definition:

“ ‘at-large’ means being found on any other property than that of the owner of the animal, and not under the control of the owner, except where the owner of the property permits the animal to be on his or her property;”.

- (m) Councillor Cho moved that Part (1)(d) of motion (a) by Councillor Mammoliti be referred to the Board of Health for further consideration.

Councillor Jakobek moved that the vote on this Clause be deferred until the City Clerk has put the motions in the order in which the vote will be taken, and photocopied and distributed same to all Members of Council, the vote upon which was taken as follows:

Yes - 17 Mayor: Lastman. Councillors: Adams, Altobello, Ashton, Augimeri, Cho, Disero, Fillion, Fotinos, Jakobek, Kelly, Lindsay Luby, Minnan-Wong, Moscoe, Sgro, Sinclair, Tzekas
No - 27 Councillors: Balkissoon, Berger, Bossons, Brown, Chow, Duguid, Feldman, Flint, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Walker

Lost by a majority of 10.

Councillor Layton, with the permission of Council, withdrew Part (2) of his motion (e).

Votes:

Adoption of Part (2) of motion (g) by Councillor Brown:

Yes - 42 Mayor: Lastman. Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Cho, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Tzekas
No - 8 Councillors: Altobello, Bussin, Giansante, Mahood, Pantalone, Rae, Sgro, Walker

Carried by a majority of 34.

Adoption of Part (1) of motion (d) by Councillor Walker:

Yes - 20 Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Chow, Disero, Duguid, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Minnan-Wong, Ootes, Pitfield, Silva, Walker
No - 31 Mayor: Lastman. Councillors: Balkissoon, Berger, Brown, Cho, Davis, Feldman, Filion, Flint, Fotinos, Giansante, Jones, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Sinclair, Tzekas

Lost by a majority of 11.

Part (2) of motion (l) by Councillor Chow carried.

Motion (c) by Councillor Prue carried.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the decisions of Council, declared Part (1) of motion (h) by Councillor Bossons, Part (1) of motion (k) by Councillor Bussin, and motion (m) by Councillor Cho, redundant.

Votes:

Adoption of Part (1)(a) of motion (a) by Councillor Mammoliti:

Yes - 13 Mayor: Lastman. Councillors: Berger, Cho, Feldman, Flint, Fotinos, Jakobek, Mammoliti, Minnan-Wong, Moeser, Nunziata, Pantalone, Sgro
No - 37 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Chow, Davis, Disero, Duguid, Filion, Giansante, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Tzekas, Walker

Lost by a majority of 24.

Adoption of Part (1)(b) of motion (a) by Councillor Mammoliti:

<p>Yes - 15 Mayor: Lastman. Councillors: Berger, Disero, Flint, Fotinos, Holyday, Jakobek, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, Pantalone, Sgro, Tzekas</p>
<p>No - 35 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Feldman, Filion, Giansante, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Walker</p>

Lost by a majority of 20.

Adoption of Part (1)(c)(i) of motion (a) by Councillor Mammoliti:

<p>Yes - 25 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Brown, Davis, Disero, Flint, Fotinos, Giansante, Kelly, King, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Sgro, Sinclair, Tzekas</p>
<p>No - 25 Mayor: Lastman. Councillors: Bossons, Bussin, Cho, Chow, Duguid, Feldman, Filion, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Mahood, McConnell, Mihevc, O'Brien, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Walker</p>

Lost, there being a tie vote.

Adoption of Part (1)(c)(ii) of motion (a) by Councillor Mammoliti:

<p>Yes - 21 Councillors: Altobello, Balkissoon, Berger, Bossons, Bussin, Chow, Davis, Disero, Flint, Fotinos, Jakobek, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, Minnan-Wong, Moeser, Nunziata, Prue, Sinclair, Tzekas</p>
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No - 29 Mayor: Lastman. Councillors: Adams, Ashton, Augimeri, Brown, Cho, Duguid, Feldman, Filion, Giansante, Holyday, Johnston, Jones, Kelly, King, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Rae, Sgro, Shiner, Silva, Walker

Lost by a majority of 8.

Adoption of Part (1)(d)(i) of motion (a) by Councillor Mammoliti:

Yes - 13 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Disero, Flint, Fotinos, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata
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No - 35 Mayor: Lastman. Councillors: Adams, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Feldman, Filion, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Silva, Walker
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Lost by a majority of 22.

Adoption of Part (1)(d)(ii) of motion (a) by Councillor Mammoliti:

Yes - 10 Councillors: Berger, Disero, Fotinos, Korwin-Kuczynski, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, Tzekas
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No - 38 Mayor: Lastman. Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kelly, King, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Silva, Walker
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Lost by a majority of 28.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the decisions of Council, declared Part (1)(d)(2) of motion (a) by Councillor Mammoliti, redundant.

Votes:

Adoption of Part (6) of motion (h) by Councillor Bossons:

<p>Yes - 16 Councillors: Ashton, Balkissoon, Berger, Bossons, Bussin, Cho, Fotinos, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Minnan-Wong, Nunziata, Pantalone, Pitfield, Prue</p>
<p>No - 34 Mayor: Lastman. Councillors: Adams, Altobello, Augimeri, Brown, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Johnston, Jones, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, O'Brien, Ootes, Rae, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker</p>

Lost by a majority of 18.

Adoption of Part (7) of motion (h) by Councillor Bossons:

<p>Yes - 22 Mayor: Lastman. Councillors: Altobello, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Duguid, Feldman, Holyday, Kelly, Layton, Li Preti, McConnell, Minnan-Wong, O'Brien, Pantalone, Sgro, Tzekas</p>
<p>No - 28 Councillors: Adams, Ashton, Brown, Disero, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Walker</p>

Lost by a majority of 6.

Adoption of Part (2) of motion (h) by Councillor Bossons:

Yes - 19 Mayor: Lastman. Councillors: Adams, Altobello, Ashton, Berger, Bossons, Flint, Fotinos, Jakobek, Johnston, Kelly, Layton, Li Preti, Mammoliti, Minnan-Wong, Ootes, Pitfield, Sinclair, Walker
No - 31 Councillors: Augimeri, Balkissoon, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Filion, Giansante, Holyday, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Tzekas

Lost by a majority of 12.

Adoption of Part (3) of motion (h) by Councillor Bossons:

Yes - 19 Councillors: Adams, Altobello, Ashton, Balkissoon, Bossons, Bussin, Cho, Davis, Duguid, Giansante, Jakobek, Kelly, Korwin-Kuczynski, Layton, McConnell, Pitfield, Prue, Shiner, Walker
No - 31 Mayor: Lastman. Councillors: Augimeri, Berger, Brown, Chow, Disero, Feldman, Filion, Flint, Fotinos, Holyday, Johnston, Jones, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Sgro, Silva, Sinclair, Tzekas

Lost by a majority of 12.

Adoption of Part (8) of motion (h) by Councillor Bossons:

Yes - 16 Mayor: Lastman. Councillors: Altobello, Ashton, Balkissoon, Bossons, Bussin, Cho, Holyday, Johnston, Korwin-Kuczynski, Minnan-Wong, O'Brien, Ootes, Pitfield, Silva, Walker
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No - 34

Councillors: Adams, Augimeri, Berger, Brown, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Shiner, Sinclair, Tzekas

Lost by a majority of 18.

At this point in the proceedings, Councillor Layton, with the permission of Council, withdrew Part (1) of his motion (e).

Adoption of Part (4) of motion (h) by Councillor Bossons:

Yes - 14

Mayor: Lastman.

Councillors: Ashton, Berger, Bossons, Brown, Chow, Davis, Fotinos, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Tzekas

No - 35

Councillors: Adams, Altobello, Augimeri, Balkissoon, Bussin, Cho, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Moeser, Moscoe, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Silva, Sinclair, Walker

Lost by a majority of 21.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the decisions of Council, declared the last paragraph of Part (2) of motion (d) by Councillor Walker, pertaining to animals that have been taken from the wild after the date of passage of the by-law at any stage of development, including eggs and embryos, redundant.

Votes:

Adoption of Part (2) of motion (j) by Councillor Mihevc:

Yes - 29 Councillors: Adams, Ashton, Augimeri, Balkissoon, Bossons, Chow, Duguid, Filion, Flint, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moeser, Moscoe, Ootes, Pitfield, Prue, Rae, Sgro, Sinclair, Walker
No - 21 Mayor: Lastman. Councillors: Altobello, Berger, Brown, Bussin, Cho, Davis, Disero, Feldman, Fotinos, Holyday, Kelly, King, Mammoliti, Minnan-Wong, Nunziata, O'Brien, Pantalone, Shiner, Silva, Tzekas

Carried by a majority of 8.

Adoption of Part (5) of motion (h) by Councillor Bossons:

Yes - 23 Councillors: Adams, Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chow, Duguid, Feldman, Fotinos, Johnston, Jones, Layton, Mahood, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Prue, Sgro, Walker
No - 27 Mayor: Lastman. Councillors: Altobello, Balkissoon, Brown, Davis, Disero, Filion, Flint, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Pitfield, Rae, Shiner, Silva, Sinclair, Tzekas

Lost by a majority of 4.

Adoption of the balance of Part (2) of motion (d) by Councillor Walker:

Yes - 6 Councillors: Bossons, Chow, Johnston, Layton, Ootes, Walker
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No - 44
 Mayor: Lastman.
 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Brown, Bussin, Cho, Davis, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Silva, Sinclair, Tzekas

Lost by a majority of 38.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Part (1)(b) of motion (j) by Councillor Mihevc, ruled such Part out of order.

Votes:

Part (1) of motion (b) by Councillor Pantalone carried.

Deputy Mayor Ootes, with the permission of Council, proposed that Part (1) of motion (g) by Councillor Brown be referred to the Medical Officer of Health and the City Solicitor for consideration.

Council concurred in the proposal by Deputy Mayor Ootes.

Part (2)(a) of motion (k) by Councillor Bussin carried.

Adoption of Part (2)(a) of motion (a) by Councillor Mammoliti:

Yes - 16
 Mayor: Lastman.
 Councillors: Berger, Disero, Flint, Fotinos, Jakobek, Lindsay Luby, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Silva, Sinclair, Tzekas

No - 33
 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Feldman, Fillion, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Layton, Mahood, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Walker

Lost by a majority of 17.

Deputy Mayor Ootes, with the permission of Council, proposed that Part (2)(b) of motion (a) by Councillor Mammoliti be referred to the Medical Officer of Health and the City Solicitor for consideration.

Council concurred in the proposal by Deputy Mayor Ootes.

Part (2) of motion (b) by Councillor Pantalone carried.

Part (1) of motion (f) by Councillor O'Brien carried.

Part (2) of motion (f) by Councillor O'Brien carried.

Part (1) of motion (i) by Councillor Davis carried.

Adoption of Part (2) of motion (i) by Councillor Davis:

Yes - 35 Mayor: Lastman. Councillors: Adams, Altobello, Balkissoon, Bossons, Brown, Cho, Chow, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Sgro, Tzekas
No - 15 Councillors: Ashton, Augimeri, Berger, Bussin, Flint, Jones, Layton, McConnell, Moscoe, Pantalone, Rae, Shiner, Silva, Sinclair, Walker

Carried by a majority of 20.

Part (1)(a) of motion (j) by Councillor Mihevc carried.

Part (1) of motion (l) by Councillor Chow carried.

Adoption of Part (2)(b) of motion (k) by Councillor Bussin:

Yes - 22 Councillors: Adams, Altobello, Ashton, Bossons, Brown, Bussin, Davis, Disero, Duguid, Fotinos, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, O'Brien, Silva, Sinclair, Tzekas, Walker

No - 28

Mayor: Lastman.

Councillors: Augimeri, Balkissoon, Berger, Cho, Chow, Feldman, Fillion, Flint, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mihevc, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner

Lost by a majority of 6.

Adoption of the Clause, as amended, viz.:

“that the foregoing Clause be amended by:

(1) amending the draft By-law Respecting Animals appended to the report dated January 14, 1999, from the City Solicitor, by:

(a) deleting from Part I, headed ‘Interpretation’, the definition of ‘at-large’ and inserting in lieu thereof the following new definition:

‘ “at-large” means being found on any other property than that of the owner of the animal, and not under the control of the owner, except where the owner of the property permits the animal to be on his or her property;’;

(b) deleting from Part V, headed ‘Cats’, all of Section 19 and inserting in lieu thereof the following new Section 19:

‘19. The Medical Officer of Health may take possession of and impound any cat found at-large where,

(a) in the opinion of the Medical Officer of Health and the owner of the property the cat is deemed to be causing damage or creating a nuisance; or

(b) in the opinion of the Medical Officer of Health, the cat is in distress, injured and/or unidentifiable.’;

(c) adding to Schedule A, entitled ‘Prohibited Animals’, the following:

‘Proboscidae (elephants)’;

- (d) deleting from Schedule B the words 'CNE Grounds' and inserting in lieu thereof the words 'Exhibition Place', to reflect the proper legal description of those lands; and

- (2) adding thereto the following:

'It is further recommended that:

- (a) the question of the prohibition of usual domesticated farm animals on lands not zoned 'Agricultural', be referred to the Commissioner of Urban Planning and Development Services, with a request that she, in consultation with the City Solicitor, submit a report to the Board of Health on the effect of subsection (3)(11) under Part II, headed 'Prohibited Animals', on the City's existing farms, and whether or not there should be a grandfathering clause for lands, regardless of their current zoning, that have historically been, and are currently being, used as active farms;
- (b) the Medical Officer of Health be:
 - (i) given the discretion to waive the adoption fee for seniors if, after the required interview of a prospective pet owner, it is determined that it would be in the best interest of the prospective owner and the animal to allow the adoption;
 - (ii) encouraged to pursue remedies available under the Dog Owners Liability Act in cases where an attack or bite causes considerable harm to people or other animals;
 - (iii) requested to conduct a public education campaign on responsible pet ownership, including the recourse available under the Dog Owners Liability Act;
 - (iv) requested to submit a report to the Budget Committee, in time for City Council's consideration of the 1999 Operating Budget, on anticipated revenues and expenditures resulting from the By-law Respecting Animals;
 - (v) requested to submit a report to Council, through the Board of Health on:
 - (1) a process mechanism for increasing adoption rates of animals at all animal shelters; and

- (2) the involvement of the private sector in the registration of animals; and
- (c) the City Solicitor be requested to include a clause in the By-law that would provide an exemption for persons who:
 - (i) on the date of the passage of the by-law, were lawfully keeping animals listed in Schedule A, headed "Prohibited Animals", until such time as the animal has died or is otherwise disposed of; and
 - (ii) have registered the animals referred to in Part (c)(i), above, with the Medical Officer of Health by September 1, 1999;
- (d) the issue of feral cats be referred to the Animal Services Advisory Committee for the development of appropriate by-laws, policies, and programs;
- (e) the following motion be referred to the City Solicitor for a report thereon to the Board of Health, in consultation with the Medical Officer of Health:

"WHEREAS the animal control by-law prohibits large numbers of animals from being owned by one owner, whether they be dedicated amateurs and hobbyists who are contributing to the notion of these animals and their biology;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto adopt a permit system to allow the ownership of animals that would otherwise be prohibited, subject to the payment of a permit fee sufficient to cover the costs of such a program, and verification by a qualified veterinarian licensed to practice in the Province of Ontario, that the individual applicant has the knowledge, resources and facilities to maintain such animals at no risk to the general public."; and

- (f) the following motions be referred to the Medical Officer of Health and the City Solicitor for consideration:

Moved by Councillor Brown:

"That the Clause be amended to provide that:

- (1) the fees set out in Section 10 of Schedule C, and in Section 18 of Schedule D, come into effect on July 1, 1999, for any and all new registrations, or in the case of previously registered cats and dogs, on the expiry date of any existing licence and/or registration; and
- (2) any licence or tag issued to any owner for a specific dog or cat cannot be transferred to another dog or cat.”; and

Moved by Councillor Mammoliti:

“It is further recommended that the North York Poop Patrol Program be reinstated and extended throughout the City of Toronto.” ’ ’ ,

Yes - 36

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berger, Brown, Bussin, Cho, Chow, Davis, Feldman, Fillion, Flint, Holyday, Jones, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Sinclair

No - 13

Councillors: Ashton, Bossons, Disero, Duguid, Fotinos, Giansante, Jakobek, Johnston, Korwin-Kuczynski, Mammoliti, Silva, Tzekas, Walker

Carried by a majority of 23.

1.35 Clause No. 12 of Report No. 1 of The Scarborough Community Council, headed “Upcoming Ontario Municipal Board Hearing, Ontario Hydro and Norstar Development Corporation, Corridor Lands South of Highway 401, Scarborough Wexford and Scarborough City Centre”.

Motion:

- (a) Councillor Kelly moved that the Clause be amended by deleting from Recommendation No. (10) of the Scarborough Community Council all of the words after the words “XCG Consultants Ltd.”, so that such recommendation shall now read as follows:

“(10) authorize staff to negotiate the purchase of priority 2 and 3 lands, identified in the report from XCG Consultants Ltd.”.

Ruling by Deputy Mayor:

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

Councillor Kelly challenged the ruling of the Deputy Mayor.

Vote to uphold the ruling of the Deputy Mayor:

<p>Yes - 38 Mayor: Lastman. Councillors: Altobello, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Giansante, Holyday, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 1 Councillor: Kelly</p>

Carried by a majority of 37.

Motion that vote be now taken:

Councillor Altobello 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:

<p>Yes - 17 Mayor: Lastman. Councillors: Altobello, Bossons, Disero, Duguid, Giansante, Jones, Kelly, Lindsay Luby, Li Preti, Mahood, McConnell, Pitfield, Prue, Rae, Saundercook, Silva</p>
<p>No - 27 Councillors: Adams, Ashton, Augimeri, Balkissoon, Brown, Cho, Chow, Davis, Feldman, Flint, Fotinos, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Layton, Mammoliti, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Shiner, Sinclair, Walker</p>

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

Motion:

- (b) Councillor King moved that the Clause be amended by striking out and referring Recommendation No. (10) of the Scarborough Community Council to the Corporate Services Committee for consideration and report thereon to the Budget Committee, for subsequent submission to Council, viz.:

“(10) authorize staff to negotiate the purchase of priority 2 and 3 lands, identified in the report from XCG Consultants Ltd., between west of Warden Avenue and south of Highway 401.”

Ruling by Deputy Mayor:

Councillor Tzekas requested Deputy Mayor Ootes to rule on whether motion (b) by Councillor King was in order.

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

Councillor Tzekas challenged the ruling of the Deputy Mayor.

Vote to uphold the ruling of the Deputy Mayor:

Yes - 36 Mayor: Lastman. Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Cho, Chow, Disero, Duguid, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Silva
No - 7 Councillors: Feldman, Flint, Mammoliti, Moscoe, Nunziata, Shiner, Tzekas

Carried by a majority of 29.

Motions:

- (c) Councillor Chow moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Corporate Services Committee, for subsequent submission to the Budget Committee, on the potential cost of the acquisition of priority 1, 2 and 3 lands.”

- (d) Councillor Shiner moved that the Clause be amended by adding to Recommendation No. (10) of the Scarborough Community Council, the words “provided that the purchase be subject to funds being available from the former Scarborough Parks Reserve and approval from City Council”, so that such recommendation shall now read as follows:

“(10) authorize staff to negotiate the purchase of priority 2 and 3 lands, identified in the report from XCG Consultants Ltd., between west of Warden Avenue and south of Highway 401, provided that the purchase be subject to funds being available from the former Scarborough Parks Reserve and approval from City Council.”

Votes:

Adoption of motion (b) by Councillor King, which was moved by Councillor Lindsay Luby in the absence of Councillor King:

<p>Yes - 21</p> <p>Councillors: Adams, Berger, Bossons, Cho, Chong, Chow, Disero, Fillion, Giansante, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, O'Brien, Ootes, Pitfield, Rae, Sgro</p>
<p>No - 19</p> <p>Councillors: Altobello, Ashton, Augimeri, Balkissoon, Brown, Duguid, Flint, Holyday, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Prue, Shiner, Silva, Tzekas, Walker</p>

Carried by a majority of 2.

Councillor Shiner, with the permission of Council, proposed that his motion (d) also be referred to the Corporate Services Committee for consideration.

Council concurred in the proposal by Councillor Shiner.

Motion (c) by Councillor Chow carried.

Adoption of the Clause, as amended, viz.:

“that the foregoing Clause be amended by:

- (1) striking out and referring Recommendation No. (10) of the Scarborough Community Council to the Corporate Services Committee for consideration and report thereon to the Budget Committee, for subsequent submission to Council, viz.:

‘(10) authorize staff to negotiate the purchase of priority 2 and 3 lands, identified in the report from XCG Consultants Ltd., between west of Warden Avenue and south of Highway 401.’; and

- (2) adding thereto the following:

‘It is further recommended that:

- (a) the Commissioner of Corporate Services be requested to submit a report to the Corporate Services Committee, for subsequent submission to the Budget Committee, on the potential cost of the acquisition of priority 1, 2 and 3 lands; and
- (b) the following motion be referred to the Corporate Services Committee for consideration:

Moved by Councillor Shiner:

“That the Clause be amended by adding to Recommendation No. (10) of the Scarborough Community Council, the words ‘provided that the purchase be subject to funds being available from the former Scarborough Parks Reserve and approval from City Council’, so that such recommendation shall now read as follows:

‘(10) authorize staff to negotiate the purchase of priority 2 and 3 lands, identified in the report from XCG Consultants Ltd., between west of Warden Avenue and south of Highway 401, provided that the purchase be subject to funds being available from the former Scarborough Parks Reserve and approval from City Council.’ ” ” ”,

<p>Yes - 40 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Sgro, Shiner, Silva, Walker</p>
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<p>No - 2 Councillors: Li Preti, Tzekas</p>

Carried by a majority of 38.

1.36 Clause No. 2 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "North York Performing Arts Centre (Ford Centre) - 1999 - 2000 Concert Series".

Motions:

Having regard that the Clause was submitted without recommendation:

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

"It is recommended that the Chief Financial Officer and Treasurer and the Executive Manager of the North York Performing Arts Centre Corporation (NYPACC) be requested to report to the Budget Committee, through the NYPACC Emergency Committee:

- (1) on a monthly basis, providing an update on the operating and administration status of the Ford Centre; and
- (2) on any other matter relating to NYPACC as may be determined by the Emergency Committee."

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

"It is recommended that the recommendations of the Budget Committee embodied in the communication dated February 4, 1999, from the City Clerk, be adopted, viz.:

"The Budget Committee recommends to City Council that the report dated February 3, 1999, from the Chief Financial Officer and Treasurer be adopted, subject to adding thereto additional Recommendations Nos. (5) and (6), so that the recommendations embodied in such report shall now read as follows:

"It is recommended that:

- (1) the revised maximum net requests for \$351,800.00 in 1999 and \$1.396 million for 2000 be adopted and that the 1999/2000 concert series be approved;
- (2) the Commissioner of Economic Development, Culture and Tourism review the operations of the two galleries (Art Gallery of North York and the St. Lawrence Market Gallery) and the details of their amalgamation/operating structure be subject to a further report as soon as possible;
- (3) the combined 1999 Operating Budgets of both galleries be reduced by a total amount of \$236,000.00;
- (4) a report on the results of the Request for Proposal process for a private sector operator and recommended operating structure for the Centre be provided to Council by June 1999;
- (5) a full staff review be undertaken and a report be provided to the Policy and Finance Committee in October, 1999, on the status of the 2000-2001 Concert Series; and
- (6) upon City Council approval of the additional funding for the North York Performing Arts Centre Corporation (Ford Centre):

“that prior to funds being expended by the North York Performing Arts Corporation, the North York Performing Arts Centre Emergency Committee be satisfied that the said funds are being spent in accordance with the approved budget”.’ ”

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

“It is recommended that the Chief Administrative Officer be requested to make every effort to integrate the two staff members who were displaced through the closure of the Art Gallery, into the City of Toronto workforce.”

- (d) Councillor Shiner moved that Council adopt the following recommendation:

“It is recommended that, in the event that the NYPACC Emergency Committee is not satisfied that the North York Performing Arts Centre Corporation is spending said funds in accordance with its approved budget, the Chief Financial Officer and Treasurer shall, upon the direction of the NYPACC Emergency Committee, not approve the release of any further monies from the approved budget.”

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

“It is recommended that Ms. Elizabeth Bradley and the staff from the Hummingbird Centre for the Performing Arts be thanked for their outstanding volunteer efforts in this regard.”

Votes:

Motions (a) to (e), by Councillors Augimeri, Jakobek, Moscoe, Shiner and Johnston, respectively, carried.

Adoption of the Clause, as amended:

Yes - 34 Mayor: Lastman. Councillors: Adams, Augimeri, Balkissoon, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pitfield, Rae, Saundercook, Sgro, Shiner, Silva, Walker
No - 0

Carried, without dissent.

1.37 Clause No. 7 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Sponsorship Agreement with Molson Breweries to Launch ‘Toronto’s Own Beer’ ”.

Motions:

- (a) Councillor Faubert moved that the Clause be amended by adding to the end of Recommendation No. (1), embodied in the report dated January 25, 1999, from the Commissioner of Economic Development, Culture and Tourism, the words “and that the agreement be forwarded to the next meeting of the Strategic Policies and Priorities Committee for subsequent submission to Council for its meeting scheduled to be held on March 2, 3 and 4, 1999”.
- (b) Councillor Walker moved that the Clause be amended:
- (1) by striking out Recommendation No. (1), embodied in the report dated January 25, 1999, from the Commissioner of Economic Development, Culture and Tourism, and inserting in lieu thereof the following:

- “(1) City staff be authorized to enter into an agreement with Molson Breweries with terms and conditions as outlined in this report, and that the agreement be reported back to the next meeting of City Council, scheduled to be held on March 2, 3 and 4, 1999;”; and
- (2) to provide that the agreement with Molson Breweries include a termination clause (i.e., with 90 or 120 days notice).
- (c) Councillor Korwin-Kuczynski moved that the Clause be amended by:
- (1) inserting the words “except when the event is sponsored by another brewery”, after the words “beverages are available” in the fifth paragraph under the section entitled “Comments”, of the report dated January 25, 1999, from the Commissioner of Economic Development, Culture and Tourism, so that such paragraph shall now read as follows:
- “In exchange for receiving the promotional fee from Molson’s, the agreement will require the City to participate in the marketing, advertising and promotion of ‘Toronto’s Own Beer’. The agreement will require the City to make ‘Toronto’s Own Beer’ available at all City functions where alcoholic beverages are available, except when the event is sponsored by another brewery. However, it will not require the City to promote the product at such functions, nor will it restrict the City’s ability to make other products available, including products from other breweries. Also, the agreement will not restrict the City from promoting Molson’s or any other competitor brewery in other types of economic development ventures or as good corporate citizens.”; and
- (2) adding thereto the following:
- “It is further recommended that City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission that it is aware of the Molson Breweries Quality Booth Tasting Area at Mel Lastman Square, to be held on February 12, 1999, from 7:00 p.m. to 9:00 p.m., February 13, 1999, from 2:00 p.m. to 9:00 p.m., and February 14, 1999, from 1:00 p.m. to 5:00 p.m., and that the City has no objections to it taking place.”
- (d) Councillor Bossons moved that the Clause be amended:
- (1) to provide that the agreement with Molson Breweries stipulate that Molson Breweries undertake not to utilize water parks or other facilities funded through this contract for any promotional purposes; and
- (2) by adding thereto the following:

“It is further recommended that the monies received from Molson Breweries be added to the Parks and Recreation budget, to be expended in the context of priorities established by the appropriate Standing Committee, and Council.”

- (e) Councillor Miller moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report dated February 4, 1999, from the City Solicitor, embodying the following recommendation, be adopted:

“That appropriate officials be authorized to enter into an agreement with Molson Breweries for the promotion of “Toronto’s Own Beer” containing the terms set out in this report and otherwise in a form satisfactory to the City Solicitor.”

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that the City Solicitor had responded to the concerns outlined therein, declared motion (a) by Councillor Faubert and Part (1) of motion (b) by Councillor Walker, redundant.

Votes:

Part (2) of motion (b) by Councillor Walker carried.

Part (1) of motion (c) by Councillor Korwin-Kuczynski carried.

Part (2) of motion (c) by Councillor Korwin-Kuczynski carried.

Part (1) of motion (d) by Councillor Bossons carried.

Adoption of Part (2) of motion (d) by Councillor Bossons:

Yes - 19

Councillors: Adams, Augimeri, Berger, Bossons, Chow, Filion,
Jakobek, Johnston, Lindsay Luby, McConnell, Mihevc,
Miller, Moeser, Moscoe, Nunziata, Rae, Sgro, Silva,
Walker

No - 23

Mayor: Lastman.

Councillors: Ashton, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, O'Brien, Ootes, Pantalone, Pitfield, Saundercook, Shiner, Sinclair

Lost by a majority of 4.

Motion (e) by Councillor Miller carried.

The Clause, as amended, carried, viz.:

“that the foregoing Clause be amended:

- (1) to provide that the agreement with Molson Breweries:
 - (i) include a termination clause (i.e., with 90 or 120 days notice); and
 - (ii) stipulate that Molson Breweries undertake not to utilize water parks or other facilities funded through this contract for any promotional purposes;
- (2) by inserting the words ‘except when the event is sponsored by another brewery’, after the words ‘beverages are available’ in the fifth paragraph under the section entitled ‘Comments’, of the report dated January 25, 1999, from the Commissioner of Economic Development, Culture and Tourism, so that such paragraph shall now read as follows:

‘In exchange for receiving the promotional fee from Molson’s, the agreement will require the City to participate in the marketing, advertising and promotion of ‘Toronto’s Own Beer’. The agreement will require the City to make ‘Toronto’s Own Beer’ available at all City functions where alcoholic beverages are available, except when the event is sponsored by another brewery. However, it will not require the City to promote the product at such functions, nor will it restrict the City’s ability to make other products available, including products from other breweries. Also, the agreement will not restrict the City from promoting Molson’s or any other competitor brewery in other types of economic development ventures or as good corporate citizens.’; and
- (3) by adding thereto the following:

‘It is further recommended that:

- (1) the report dated February 4, 1999, from the City Solicitor, embodying the following recommendation, be adopted:

“That appropriate officials be authorized to enter into an agreement with Molson Breweries for the promotion of ‘Toronto’s Own Beer’ containing the terms set out in this report and otherwise in a form satisfactory to the City Solicitor.”; and

- (2) City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission that it is aware of the Molson Breweries Quality Booth Tasting Area at Mel Lastman Square, to be held on February 12, 1999, from 7:00 p.m. to 9:00 p.m., February 13, 1999, from 2:00 p.m. to 9:00 p.m., and February 14, 1999, from 1:00 p.m. to 5:00 p.m., and that the City has no objections to it taking place.’ ”

1.38 **Clause No. 6 of Report No. 1 of The Economic Development Committee, headed “Film Permit Issuance”.**

Motion:

Councillor Adams moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on March 2, 3 and 4, 1999.

Vote:

The motion by Councillor Adams carried.

1.39 **Clause No. 1 of Report No. 1 of The Striking Committee, headed “Appointment of Members of Council to Various Boards and Committees”.**

Motion and vote:

Deputy Mayor Ootes moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(12):

Moved by: Councillor Ootes

Seconded by: Councillor Pantalone

“**WHEREAS** City Council at its meeting held on November 25, 26 and 27, 1998, by its adoption of Clause No. 1 of Report No. 24 of The Strategic Policies and Priorities

Committee, headed 'The 2008 Toronto Olympic Bid - November, 1999 Update Report', adopted the terms of reference for the Olympic Task Force and requested the Striking Committee to select the members of the Committee; and

WHEREAS the aforementioned terms of reference state, in part, that:

- (a) the Task Force is proposed to be formed as a sub-committee of the Strategic Policies and Priorities Committee; and
- (b) the Membership will consist of five Members of Council with a majority of Members from the Strategic Policies and Priorities Committee. Members will be selected by the Striking Committee.'; and

WHEREAS the Striking Committee at its meeting held on January 25, 1999, gave consideration to appointments to the Olympic Task Force, and decided to recommend to City Council, in part, the appointment to the said Task Force of 5 Members of Council (with the majority of Members from the Strategic Policies and Priorities Committee), as outlined in Clause No. 1 of Report No. 1 of The Striking Committee, headed 'Appointment of Members of Council to Various Boards and Committees'; and

WHEREAS the Striking Committee also decided to request Councillor Ootes, Acting Chair of the Striking Committee, to submit a Notice of Motion to City Council recommending that City Council re-open its consideration of the aforementioned Clause No. 1 of Report No. 24 of The Strategic Policies and Priorities Committee, insofar as it pertains to the membership of the Olympic Task Force, in order that the membership may be adjusted to permit the appointment of an additional Member of Council, namely, Councillor Silva;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, the aforementioned Clause No. 1 of Report No. 24 of The Strategic Policies and Priorities Committee, be re-opened for further consideration, insofar as it pertains to the membership of the Olympic Task Force;

AND BE IT FURTHER RESOLVED THAT Council increase the membership of the Olympic Task Force by one and adjust the requirement that the majority of Members on the Task Force shall be from the Strategic Policies and Priorities Committee, in order that Councillor Silva may also be appointed in accordance with Recommendation No. (7)(ii) embodied in the aforementioned Clause No. 1 of Report No. 1 of The Striking Committee, viz.:

- ‘(ii) in the event that the membership of the Olympic Task Force is expanded, that Councillor Mario Silva be also appointed to the said Task Force.’ ”,

Yes - 39 Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Silva
No - 9 Mayor: Lastman. Councillors: Brown, Faubert, Feldman, Mahood, Mammoliti, Rae, Tzekas, Walker

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

The first Operative Paragraph embodied in Motion J(12) pertaining to the re-opening of Clause No. 1 of Report No. 24 of The Strategic Policies and Priorities Committee, headed “The 2008 Toronto Olympic Bid - November, 1999 Update Report”, was adopted, without amendment, more than two-thirds of Members present having voted in the affirmative.

Motions:

- (a) Councillor Adams moved that the Clause be amended by deleting the name “N. Kelly” from Recommendation No. (9) of the Striking Committee and inserting in lieu thereof the name “M. Walker”.
- (b) Councillor Augimeri moved that the Clause be amended to provide that the name “J. Layton” be included on the ballot for membership on the Board of Directors of the Toronto Housing Company Inc., in accordance with Recommendation No. (9) of the Striking Committee.
- (c) Councillor Jones moved that the Clause be amended to provide that the name “I. Jones” be included on the ballot for membership on the Board of Directors of the Toronto Housing Company Inc., in accordance with Recommendation No. (9) of the Striking Committee.
- (d) Councillor Silva moved that the Clause be amended by striking out and referring Recommendation No. (9) of the Striking Committee back to the Striking Committee for further consideration, viz.:

“(9) Toronto Housing Company Inc., Board of Directors:

The Striking Committee recommends that the following Members of Council be appointed to the Toronto Housing Company Inc., Board of Directors:

M. Feldman
N. Kelly
G. Lindsay Luby

for a term of office expiring on November 30, 2000;”.

- (e) Councillor Sinclair moved that the following motion be referred to the Economic Development Committee for further consideration, with a request that Councillor Sinclair be advised when this matter is before the Committee:

Moved by Councillor Sinclair:

“It is further recommended that City Council request the Board of Directors of the Greater Toronto Airports Authority to increase the membership of the City of Toronto:

- (1) on the Consultative Committee to three representatives, and that two of those representative be citizens of the City; and
 - (2) on the Noise Management Committee to three representatives, and that two of those representative be citizens of the City.”
- (f) Councillor Korwin-Kuczynski moved that the Clause be amended by:
- (1) deleting from Recommendation No. (3)(ii) of the Striking Committee the name “Councillor Chris Korwin-Kuczynski”, and inserting in lieu thereof the name “Councillor Denzil Minnan-Wong”, so that such recommendation shall now read as follows:
 - “(ii) Councillor Denzil Minnan-Wong be appointed to the said Board of Directors to replace one of the above Councillors for a term of office expiring on November 30, 2000, and/or until his successor is appointed;”;
 - (2) amending Recommendation No. (7)(ii) of the Striking Committee in accordance with the Operative Paragraph embodied in Notice of Motion J(12), subject to amending such Operative Paragraph by deleting the word “one” and inserting in lieu thereof the word “three”, and adding thereto the names “Councillors Korwin-Kuczynski and Shiner”, so that such Operative Paragraph shall now read as follows:

“AND BE IT FURTHER RESOLVED THAT Council increase the membership of the Olympic Task Force by three and adjust the requirement that the majority of Members on the Task Force shall be from the Strategic Policies and Priorities Committee, in order that Councillors Korwin-Kuczynski, Shiner and Silva may also be appointed in accordance with Recommendation No. (7)(ii) embodied in the aforementioned Clause No. 1 of Report No. 1 of The Striking Committee.”; and

- (3) adding thereto the following:

“It is further recommended that Councillor George Mammoliti be appointed to the Catholic Children’s Aid Society of Metropolitan Toronto, Board of Directors, for a term of office expiring on November 30, 2000, and/or until his successor is appointed.”

Vote on referral motion:

Adoption of motion (d) by Councillor Silva:

Yes - 21 Councillors: Augimeri, Bossons, Chow, Duguid, Feldman, Flint, Giansante, Jones, Korwin-Kuczynski, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker
No - 15 Mayor: Lastman. Councillors: Ashton, Berger, Chong, Davis, Disero, Fotinos, Gardner, Holyday, Kelly, Lindsay Luby, Mahood, Mammoliti, O’Brien, Ootes

Carried by a majority of 6.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared the foregoing motions (a), (b) and (c), by Councillors Adams, Augimeri and Jones, respectively, redundant.

Votes:

Adoption of Part (2) of motion (g) by Councillor Korwin-Kuczynski, insofar as it pertains to the increase in the membership of the Olympic Task Force to eight members:

<p>Yes - 33 Mayor: Lastman. Councillors: Ashton, Bossons, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Saundercook, Shiner, Silva, Sinclair, Tzekas, Walker</p>
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<p>No - 4 Councillors: Berger, Brown, Kelly, Rae</p>

Carried by a majority of 29.

The balance of Part (2) of motion (f) by Councillor Korwin-Kuczynski, carried.

Parts (1) and (3) of motion (f) by Councillor Korwin-Kuczynski carried.

Motion (e) by Councillor Sinclair carried.

The Clause, as amended, carried, viz.:

“that the foregoing Clause be amended by:

- (1) deleting from Recommendation No. (3)(ii) of the Striking Committee the name ‘Councillor Chris Korwin-Kuczynski’, and inserting in lieu thereof the name ‘Councillor Denzil Minnan-Wong’, so that such recommendation shall now read as follows:
 - ‘(ii) Councillor Denzil Minnan-Wong be appointed to the said Board of Directors to replace one of the above Councillors for a term of office expiring on November 30, 2000, and/or until his successor is appointed;’;
- (2) amending Recommendation No. (7)(ii) of the Striking Committee in accordance with the Operative Paragraph embodied in Notice of Motion J(12), subject to amending such Operative Paragraph by deleting the word ‘one’ and inserting in lieu thereof the word ‘three’, and adding thereto the names ‘Councillors Korwin-Kuczynski and Shiner’, so that such Operative Paragraph shall now read as follows:

‘AND BE IT FURTHER RESOLVED THAT Council increase the membership of the Olympic Task Force by three and adjust the requirement that the majority of Members on the Task Force shall be from the Strategic Policies and Priorities Committee, in order that

Councillors Korwin-Kuczynski, Shiner and Silva may also be appointed in accordance with Recommendation No. (7)(ii) embodied in the aforementioned Clause No. 1 of Report No. 1 of The Striking Committee.’;

- (3) striking out and referring Recommendation No. (9) of the Striking Committee back to the Striking Committee for further consideration, viz.:

‘(9) Toronto Housing Company Inc., Board of Directors:

The Striking Committee recommends that the following Members of Council be appointed to the Toronto Housing Company Inc., Board of Directors:

M. Feldman
N. Kelly
G. Lindsay Luby

for a term of office expiring on November 30, 2000;’; and

- (3) adding thereto the following:

‘It is further recommended that:

- (a) Councillor George Mammoliti be appointed to the Catholic Children’s Aid Society of Metropolitan Toronto, Board of Directors, for a term of office expiring on November 30, 2000, and/or until his successor is appointed; and
- (b) the following motion be referred to the Economic Development Committee for further consideration, with a request that Councillor Sinclair be advised when this matter is before the Committee:

Moved by Councillor Sinclair:

“It is further recommended that City Council request the Board of Directors of the Greater Toronto Airports Authority to increase the membership of the City of Toronto:

- (1) on the Consultative Committee to three representatives, and that two of those representative be citizens of the City; and

- (2) on the Noise Management Committee to three representatives, and that two of those representative be citizens of the City.” ’ ”

1.40 **Clause No. 2 of Report No. 1 of The Emergency and Protective Services Committee, headed “Continuing Evolution of the Ambulance Act of Ontario and Identified Potential Financial Implications”.**

Motion:

Councillor Ootes, on behalf of Mayor Lastman, moved that the Clause be amended by adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to the Premier of Ontario and the Provincial Minister of Health.”

Votes:

The motion by Councillor Ootes carried.

The Clause, as amended, carried.

1.41 **Clause No. 19 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Year 2000 Business Continuity Plan Status Report for December, 1998”.**

Motion:

Councillor Mihevc moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to:

- (1) develop a public communication strategy that outlines:
 - (a) the current status of the City of Toronto’s progress with respect to its Year 2000 compliance; and
 - (b) the preparations, if any, that the citizens of the City of Toronto may need to make for the Year 2000; and
- (2) include the development of this communication strategy in the report to be submitted to the Strategic Policies and Priorities Committee on the Year 2000.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

1.42 **Clause No. 4 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Official Flag for the City of Toronto”.**

Motions:

- (a) Councillor Duguid moved that the Clause be amended by striking out Recommendation No. (i) of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“(i) that:

- (a) Council direct the Creative Services Unit to develop a flag design which incorporates an image of Toronto City Hall with a maple leaf and report thereon to Council, through the Strategic Policies and Priorities Committee; and

(b) the background colour of the City of Toronto flag be blue.”

- (b) Councillor Ashton moved that the Clause be amended by striking out Recommendation No. (i) of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“(i) that Council endorse an open competition among professional designers of the City of Toronto and invite the submission of designs for the new official flag of the City of Toronto by March 1, 1999, to the City Clerk’s Protocol office; and that Protocol and Communications staff be requested to review the submissions and forward them to the Chairs of the Community Councils for further review and recommendation of several design options to the Strategic Policies and Priorities Committee, using a process similar to that used for the selection of the City logo and Coat of Arms; and the Strategic Policies and Priorities Committee be requested to develop a short-list of design options and submit recommendations thereon to Council for its meeting to be held on April 13, 1999;”.

- (c) Councillor Korwin-Kuczynski moved that the Clause be amended by:

(1) deleting from Recommendation No. (3) embodied in the report dated January 19, 1999, from the City Clerk, the words “recognized by the Federal Department of Foreign Affairs”, so that such recommendation shall now read as follows:

- “(3) the existing courtesy flag poles will fly the flag of nations on its national day or on the anniversary of a special occasion for up to two weeks, upon written request;”; and
- (2) adding thereto the following:
- “It is further recommended that:
- (a) the general public be invited to submit proposals for the design of the official flag for the City of Toronto; and
- (b) consideration be given to the attached design for the flag (blue background with white ‘T’ bar and white City Hall logo on a red maple leaf background).”
- (d) Councillor Fotinos moved that:
- (1) motion (b) by Councillor Ashton be amended by deleting the date “March 1, 1999” and inserting in lieu thereof the date “May 1, 1999”, and deleting the date “April 13, 1999” and inserting in lieu thereof the date “June 9, 1999”; and
- (2) the Clause be amended by adding thereto the following:
- “It is further recommended that the Toronto School Boards be invited to participate in the selection process.”

Councillor Fotinos in the Chair.

- (e) Councillor Augimeri moved that motion (b) by Councillor Ashton be amended to provide that Protocol and Communications staff be requested to implement a method whereby the school children of Toronto can be included in the final selection of the flag design.
- (f) Councillor Cho moved that motion (b) by Councillor Ashton be amended to provide that Protocol and Communications staff be requested to implement a method whereby each elementary school (up to Grade 8) in the City of Toronto is requested to hold a design competition for the new official flag for the City of Toronto and submit the winning design to form part of the final design competition.

Deputy Mayor Ootes in the Chair.

Votes:

Motion (e) by Councillor Augimeri carried.

Part (1) of motion (d) by Councillor Fotinos carried.

Councillor Fotinos, with the permission of Council, withdrew Part (2) of his motion (d).

Motion (f) by Councillor Cho lost.

Adoption of Part (2)(a) of motion (c) by Councillor Korwin-Kuczynski:

Yes - 13 Councillors: Altobello, Cho, Chow, Kelly, Korwin-Kuczynski, Layton, Pantalone, Pitfield, Prue, Saundercook, Sinclair, Tzekas, Walker
No - 20 Councillors: Ashton, Augimeri, Berger, Bossons, Brown, Chong, Duguid, Feldman, Fotinos, Giansante, Jones, King, Lindsay Luby, Li Preti, McConnell, Mihevc, Moscoe, Ootes, Rae, Silva

Lost by a majority of 7.

Adoption of Part (2)(b) of motion (c) by Councillor Korwin-Kuczynski:

Yes - 11 Councillors: Cho, Duguid, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Ootes, Pitfield, Rae, Walker
No - 23 Councillors: Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Chong, Chow, Feldman, Fotinos, Giansante, Jones, Kelly, Layton, Li Preti, McConnell, Moscoe, Pantalone, Prue, Saundercook, Silva, Sinclair, Tzekas

Lost by a majority of 12.

Adoption of motion (b) by Councillor Ashton, as amended:

Yes - 27 Councillors: Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Cho, Chong, Chow, Feldman, Fotinos, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Prue, Silva, Tzekas

No - 6
Councillors: Duguid, Giansante, Jones, Rae, Saundercook, Walker

Carried by a majority of 21.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the decision of Council, declared Part (1) of motion (a) by Councillor Duguid, redundant.

Councillor Duguid, with the permission of Council, withdrew Part (2) of his motion (a).

Votes:

Adoption of Part (1) of motion (c) by Councillor Korwin-Kuczynski:

<p>Yes - 2 Councillors: Korwin-Kuczynski, Pitfield</p>
<p>No - 31 Councillors: Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Cho, Chong, Chow, Duguid, Feldman, Fotinos, Giansante, Jones, Kelly, King, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas</p>

Lost by a majority of 29.

The Clause, as amended, carried, viz.:

“that the foregoing Clause be amended by striking out Recommendation No. (i) of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

- ‘(i) that Council endorse an open competition among professional designers of the City of Toronto and invite the submission of designs for the new official flag of the City of Toronto by May 1, 1999, to the City Clerk’s Protocol Office; and that Protocol and Communications staff be requested to:
 - (a) review the submissions and forward them to the Chairs of the Community Councils for further review and recommendation of several design options to the Strategic Policies and Priorities Committee, using a process similar to that used for

the selection of the City logo and Coat of Arms; and the Strategic Policies and Priorities Committee be requested to develop a short-list of design options and submit recommendations thereon to Council for its meeting to be held on June 9, 1999; and

- (b) implement a method whereby the school children of Toronto can be included in the final selection of the flag design;”

1.43 **Clause No. 7 of Report No. 1 of The Works and Utilities Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Prue moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report requested in Item (a), entitled ‘Harmonization of Service Levels for Waste and Recycling Collection’, be submitted to Council, through the Works and Utilities Committee, no later than mid-May, 1999.”

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that the Clause is submitted for the information of Council only, ruled the motion by Councillor Prue out of order.

Councillor Prue challenged the ruling of the Deputy Mayor.

Vote to uphold the ruling of the Deputy Mayor:

Yes - 19 Councillors: Altobello, Brown, Chong, Chow, Feldman, Fotinos, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Ootes, Pantalone, Rae, Saundercook, Silva, Sinclair
No - 12 Councillors: Augimeri, Bossons, Cho, Gardner, Giansante, Layton, Mammoliti, Moscoe, Nunziata, Pitfield, Prue, Tzekas

Carried by a majority of 7.

Vote:

The Clause was received for information, without amendment.

1.44 **Clause No. 2 of Report No. 1 of The Board of Health, headed “Meeting Provincial Standards Across the City for Selected Public Health Programs and Services”.**

Motion:

Councillor King moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Medical Officer of Health, the Commissioner of Community and Neighbourhood Services, and the Chair of the Board of Health, be requested to meet with the Chief Medical Officer of Health to:

- (1) review the new provincial standards for mandated public health programs, in particular Toronto’s interpretation of the guidelines, to determine if the City’s Department of Public Health will be meeting or exceeding the expectations of the Ministry of Health; and
- (2) discuss funding issues;

and submit a joint report thereon to the next meeting of the Board of Health.”

Vote:

The motion by Councillor King carried.

The Clause, as amended, carried.

Motion to re-open Clause for further consideration:

Councillor Korwin-Kuczynski, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, the Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 22 Councillors: Augimeri, Cho, Chong, Chow, Duguid, Feldman, Fotinos, Gardner, Giansante, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Rae, Saundercook, Silva, Sinclair
No - 10 Councillors: Altobello, Bossons, Brown, Flint, Layton, Li Preti, Mammoliti, Minnan-Wong, Pantalone, Tzekas

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

Motion:

Councillor Korwin-Kuczynski moved that the Clause, together with the motion by Councillor King, be struck out and referred to the Budget Committee for further consideration.

The motion by Councillor Korwin-Kuczynski carried.

1.45 **Clause No. 1 of Report No. 1 of The Strategic Policies and Priorities Committee, headed “September 30, 1998, Operating Budget Variance Report and Surplus Analysis”.**

Motion:

Councillor Layton moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on March 2, 3 and 4, 1999.

Vote:

The motion by Councillor Layton carried.

1.46 **Clause No. 3 of Report No. 1 of The Board of Health, headed “Review of the Recommendations of the Report of the Task Force on Health and Work for the City of Toronto”.**

Motion:

Councillor Mihevc moved that the Clause be amended by:

- (1) deleting the words “work with” in Recommendation No. (2) of the Board of Health, and inserting in lieu thereof the words “assist as required”, so that such recommendation shall now read as follows:

“(2) the Board of Health request City Council to receive the Report and undertake a full review of and report on how the City of Toronto can implement key recommendations, in particular Recommendation No. (17); and further that Health Unit staff assist as required Human Resources to put together terms of reference for the review, the terms of reference to be based on the City of Toronto response outlined in this report;”;

- (2) deleting the words “on how the City might implement” from the preamble of Recommendation No. (4) of the Board of Health, and inserting in lieu thereof the words “on the implications of the new City implementing”, so that such preamble shall now read as follows:

“(4) the Board of Health request that the Human Resources Division, in consultation with appropriate Health Unit staff, the City’s bargaining units and any appropriate outside experts and organizations, prepare a

comprehensive report on the implications of the new City implementing a four-day work week, and other shorter work time ideas, such report to include but not be limited to:”; and

- (3) inserting the words “on the workplan to examine the above” after the words “submit a report”, in Recommendation No. (6) of the Board of Health, so that such recommendation shall now read as follows:

“(6) the Executive Director of Human Resources and the Medical Officer of Health be requested to submit a report on the workplan to examine the above, to both the Board of Health and the Corporate Services Committee in May 1999.”

Vote:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

1.47 **Clause No. 3 of Report No. 1 of The Works and Utilities Committee, headed “Advertising on Litter Containers and Consolidation of Management of Litter Containers”.**

Motions:

- (a) Councillor Miller moved that the Clause be amended by striking out the recommendation of the Works and Utilities Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the report dated November 17, 1998, from the General Manager, Solid Waste Management Services, be adopted;
- (2) no bins be installed in any area in a Ward until a favourable staff report is recommended for adoption by City Council through the appropriate Community Council, after consultation with local residents and businesses;
- (3) Council adopt a policy, and all interested parties in the proposed RFP process be advised, that no proposal will be accepted if the proponent has not been in full compliance with any previous contracts or pilot projects with the City of Toronto or its predecessor municipalities; and

- (4) appropriate protocols regarding permitted advertising be developed by the Commissioner of Works and Emergency Services, in consultation with the Chief Administrative Officer, and incorporated into the RFP.”
- (b) Councillor McConnell moved that motion (a) by Councillor Miller be amended to provide that, notwithstanding any other recommendations in this Clause, a Business Improvement Area (BIA) pilot project using OMG Media Inc. litter containers, be permitted on the Danforth (by the Danforth by the Valley BIA and the Greektown on the Danforth BIA) for three years, commencing in 1999.
- (c) Councillor Fotinos moved that motion (a) by Councillor Miller be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee for its meeting scheduled to be held on March 24, 1999, on the terms of reference for this RFP, such terms of reference to include a provision whereby the City of Toronto is divided into geographical areas so that no one company will have a monopoly position in the City.”
- (d) Councillor Gardner moved that the Clause be amended to provide that the Commissioner of Works and Emergency Services be given the flexibility to negotiate the length of the contract, and the territory covered by the contract.
- (e) Councillor Nunziata moved that motion (a) by Councillor Miller be amended to provide that all pilot projects in existence in Community Council areas be permitted to continue until such time as the request for proposals (RFP) process has been completed.
- (f) Councillor Chow moved that motion (a) by Councillor Miller be amended to provide that local residents, businesses and associations be consulted regarding approval of advertisements on litter containers and the placement of such containers on sidewalks.

Votes:

Motion (e) by Councillor Nunziata carried.

Adoption of motion (b) by Councillor McConnell:

<p>Yes - 23 Councillors: Adams, Augimeri, Brown, Bussin, Chong, Chow, Disero, Filion, Gardner, Giansante, Jakobek, Jones, King, Layton, Li Preti, Mammoliti, McConnell, Nunziata, Rae, Saundercook, Silva, Sinclair, Tzekas</p>

<p>No - 21 Councillors: Altobello, Ashton, Bossons, Cho, Davis, Duguid, Feldman, Flint, Fotinos, Johnston, Lindsay Luby, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Sgro, Shiner</p>

Carried by a majority of 2.

Motion (c) by Councillor Fotinos, insofar as it pertains to the request for the Commissioner of Works and Emergency Services to submit a report to the Works and Utilities Committee for its meeting to be held on March 24, 1999, on the terms of reference for the RFP, carried.

Adoption of motion (c) by Councillor Fotinos, insofar as it pertains to the terms of reference including a provision whereby the City of Toronto is divided into geographical areas so that no one company will have a monopoly position in the City:

<p>Yes - 40 Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, King, Layton, Lindsay Luby, Li Preti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva</p>
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<p>No - 4 Councillors: Gardner, Mammoliti, Sinclair, Tzekas</p>

Carried by a majority of 36.

Motion (f) by Councillor Chow carried.

Adoption of motion (a) by Councillor Miller, as amended, viz.:

“that the foregoing Clause be amended by:

- (1) striking out the recommendation of the Works and Utilities Committee and inserting in lieu thereof the following:

'It is recommended that:

- (a) the report dated November 17, 1998, from the General Manager, Solid Waste Management Services, be adopted;
- (b) all pilot projects in existence in Community Council areas be permitted to continue until such time as the request for proposals (RFP) process has been completed;
- (c) no bins be installed in any area in a Ward until a favourable staff report is recommended for adoption by City Council through the appropriate Community Council, after consultation with local residents and businesses;
- (d) Council adopt a policy, and all interested parties in the proposed RFP process be advised, that no proposal will be accepted if the proponent has not been in full compliance with any previous contracts or pilot projects with the City of Toronto or its predecessor municipalities;
- (e) appropriate protocols regarding permitted advertising be developed by the Commissioner of Works and Emergency Services, in consultation with the Chief Administrative Officer, and incorporated into the RFP;
- (f) local residents, businesses and associations be consulted regarding approval of advertisements on litter containers and the placement of such containers on sidewalks; and
- (g) notwithstanding any other recommendations in this Clause, a Business Improvement Area (BIA) pilot project using OMG Media Inc. litter containers, be permitted on the Danforth (by the Danforth by the Valley BIA and the Greektown on the Danforth BIA) for three years, commencing in 1999'; and

(2) adding thereto the following:

'It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works and Utilities Committee for its meeting scheduled to be held on March 24, 1999, on the terms of reference for this RFP, such terms of reference to include a provision whereby the City of Toronto is divided into geographical areas so that no one company will have a monopoly position in the City.' ”,

<p>Yes - 32 Councillors: Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Johnston, Jones, King, Lindsay Luby, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shiner</p>
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<p>No - 12 Councillors: Adams, Disero, Giansante, Jakobek, Layton, Li Preti, Mammoliti, McConnell, Saundercook, Silva, Sinclair, Tzekas</p>

Carried by a majority of 20.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the decisions of Council, declared motion (d) by Councillor Gardner, redundant.

1.48 **Clause No. 18 of Report No. 2 of The Toronto Community Council, headed "Tree Removal - 20A Thornwood Road (Midtown)".**

Motion:

Councillor Adams moved that the Clause be amended by striking out Recommendation No. (2) of the Toronto Community Council and inserting in lieu thereof, as a condition of removal of the willow tree, the following:

“(2) making a contribution of \$1,500.00 to the City’s Urban Forestry Program for the planting of shade trees on the municipal right-of-way in the neighbourhood.”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

1.49 **Clause No. 35 of Report No. 2 of The Toronto Community Council, headed "Proposed Settlement - Official Plan, Zoning By-law and Subdivision Appeals - 2230, 2324 and 2336 Gerrard Street East (East of Main) (East Toronto)".**

Motions:

Having regard that the foregoing Clause was submitted without recommendation:

- (a) Councillor Bussin, seconded by Councillor Jakobek, moved that Council adopt the following Motion:

Moved by: Councillor Bussin

Seconded by: Councillor Jakobek

“WHEREAS Toronto Community Council at its meeting held on January 20 and 21, 1999, submitted, without recommendation, the report of the City Solicitor (January 19, 1999) contained in Clause No. 35 of Report No. 2 of The Toronto Community Council, dealing with a proposed settlement in the matter of the subdivision, Official Plan and Zoning By-law appeals for the East of Main Lands; and

WHEREAS since that time ongoing discussions with the Owner of the lands have resulted in further enhancements to the settlement as described in the above referenced report;

NOW THEREFORE BE IT RESOLVED THAT:

- (A) Council endorse the proposed settlement of the outstanding Official Plan, Zoning By-law and Subdivision appeals on the basis set out below:
- (1) a financial contribution to Toronto Catholic District School Board in the amount of \$10,000.00;
 - (2) a financial contribution in the year 1999 for local community service facilities in the amount of \$100,000.00;
 - (3) a revised total of \$100,000.00 for parkland improvements within the East of Main lands to include sodding for the proposed parkland and for other park improvements;
 - (4) that the approximately 2 acre extension to the East Toronto Playing Field be conveyed to the City and improved by no later than November 1, 2000;
 - (5) that the community park be transferred and completed prior to occupancy of any units located east of Street F;
 - (6) Parkland dedication of approximately 4.5 acres by the Owner, to which CLC will add 1.5 acres for total park dedication of over 6.1 acres;

- (7) payment by Owner of a \$710,500.00 levy to the Toronto District Board of Education at the rate of \$2,450.00 per unit to a maximum of \$710,500.00;
 - (8) revised urban design guidelines to reflect the new plan and to achieve public design objectives with respect to the townhouse block;
 - (9) offsite roadway improvements on Gerrard Street East to the satisfaction of the Commissioner of Works and Emergency Services;
 - (10) acquisition by the City for nominal consideration of the two storey pavilion building in the Community Park upon termination of 50 year ground lease; and
 - (11) that the City ensure that satisfactory water service to homes south of Gerrard Street East is not diminished, as required under the existing By-laws; and
- (B) Recommendation No. (2) contained in the aforementioned report dated January 19, 1999, from the City Solicitor, be adopted, viz.:
- (2) that the City Solicitor, with the assistance of relevant City officials, be authorized to take any action necessary including attendance at the Ontario Municipal Board to give effect to this settlement as described hereinbelow, including preparation and the execution by the City's signing officers of Minutes of Settlement, and necessary Section 37 and Subdivision Agreements in a form satisfactory to the City Solicitor.' "
- (b) Councillor King moved that motion (a) by Councillor Bussin, seconded by Councillor Jakobek, be amended by deleting therefrom Recommendation No. (11), viz.:
- (11) that the City ensure that satisfactory water service to homes south of Gerrard Street East is not diminished, as required under the existing By-laws;"

Votes:

Adoption of motion (b) by Councillor King:

Yes - 20 Councillors: Augimeri, Bossons, Cho, Chow, Disero, Feldman, Flint, Gardner, Giansante, Johnston, Jones, King, McConnell, Mihevc, Moscoe, Pantalone, Prue, Rae, Saundercook, Sgro
No - 15 Councillors: Adams, Altobello, Ashton, Bussin, Davis, Duguid, Fotinos, Jakobek, Lindsay Luby, Moeser, Nunziata, O'Brien, Ootes, Silva, Sinclair

Carried by a majority of 5.

Adoption of motion (a) by Councillor Bussin, seconded by Councillor Jakobek, as amended:

Yes - 34 Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, King, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair
No - 1 Councillor: Cho

Carried by a majority of 33.

1.50 IN-CAMERA MEETING SESSION OF COMMITTEE OF THE WHOLE:

Deputy Mayor Ootes in the Chair.

Motion:

Deputy Mayor Ootes moved that Council resolve itself into Committee of the Whole in Committee Room No. 1 and then recess 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:

- (a) Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed "Minister's Zoning Order with Respect to Woodbine Racetrack Lands (Ward 5 - Rexdale Thistletown)";

- (b) Clause No. 1 of Report No. 2 of The Strategic Policies and Priorities Committee, headed "Office Space Consolidation - Concept Plan and Proposal for Phase 2 Work"; and
- (c) Clause No. 14 of Report No. 1 of The Scarborough Community Council, headed "Upcoming Ontario Municipal Board Hearing, Yellow Moon Homes, Ward 16 - Scarborough Highland Creek".

Vote:

The motion by Deputy Mayor Ootes carried.

Additional motion and vote:

Councillor Miller moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the Notice of Motion J(11), and that such Motion be considered at the in-camera session of this meeting, together with the confidential report dated February 1, 1999, from the Commissioner of Corporate Services, respecting 1258 Queen Street West, which was carried, more than two-thirds of Members present having voted in the affirmative.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed to meet privately in Committee Room No. 1 to consider the foregoing matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council and met in public session in Committee Room No. 1.

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

- 1.51 **Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed "Minister's Zoning Order with Respect to Woodbine Racetrack Lands (Ward 5 - Rexdale Thistletown)".**

Motions:

Deputy Mayor Ootes, 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 Clause:

- (a) Moved by Councillor Brown:

"That the Clause be amended by adding thereto the following:

'It is further recommended that the Mayor, the Chair of the Budget Committee, and Councillors Brown and Sinclair:

- (1) be authorized to approach the Provincial Government to express the City's dissatisfaction with the imposition of the Minister's Zoning Order without the City's consent; and
- (2) seek from the Province of Ontario, a one-time compensation payment, in addition to the approximate \$7 million in annual revenues, for such an unwarranted, unilateral and arbitrary action.' "

(b) Moved by Councillor Flint:

"That the Clause be amended by adding thereto the following:

'It is further recommended that City Council demand that the Minister of Municipal Affairs and Housing rescind the Zoning Order enacted which permits the operation of slot machines at Woodbine Racetrack.'

(c) Moved by Councillor Giansante:

"That the Clause be amended by adding thereto the following:

'It is further recommended that the Minister of Municipal Affairs and Housing be requested to impose the same restrictions on the hours of operation of the slot machines as those currently imposed on the hours of operation of the race track.' "

(d) Moved by Councillor Pantalone:

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

'It is recommended that the confidential report dated January 25, 1999, from the Commissioner of Urban Planning and Development Services, be adopted, such report to remain confidential in accordance with the provisions of the Municipal Act.'

Votes:

Adoption of motion (d) by Councillor Pantalone:

Yes - 21 Councillors: Ashton, Balkissoon, Berger, Bossons, Brown, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Kelly, King, Korwin-Kuczynski, Li Preti, Moeser, Ootes, Pantalone, Rae, Shiner, Silva
No - 24 Councillors: Adams, Augimeri, Bussin, Cho, Chow, Disero, Filion, Flint, Holyday, Jakobek, Jones, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Nunziata, O'Brien, Pitfield, Prue, Sgro, Shaw, Walker

Lost by a majority of 3.

Adoption of motion (a) by Councillor Brown:

Yes - 24 Councillors: Ashton, Balkissoon, Berger, Bossons, Brown, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Giansante, Jakobek, King, Korwin-Kuczynski, Li Preti, Mammoliti, Moeser, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva
No - 21 Councillors: Adams, Augimeri, Bussin, Cho, Chow, Filion, Flint, Holyday, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, O'Brien, Prue, Sgro, Shaw, Walker

Carried by a majority of 3.

Motion (c) by Councillor Giansante carried.

Motion (b) by Councillor Flint carried.

Adoption of the Clause, as amended, viz.:

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

‘It is further recommended that:

- (1) City Council demand that the Minister of Municipal Affairs and Housing rescind the Zoning Order enacted which permits the operation of slot machines at Woodbine Racetrack;
- (2) the Mayor, the Chair of the Budget Committee, and Councillors Brown and Sinclair:
 - (a) be authorized to approach the Provincial Government to express the City's dissatisfaction with the imposition of the Minister's Zoning Order without the City's consent; and
 - (b) seek from the Province of Ontario, a one-time compensation payment, in addition to the approximate \$7 million in annual revenues, for such an unwarranted, unilateral and arbitrary action; and
- (3) the Minister of Municipal Affairs and Housing be requested to impose the same restrictions on the hours of operation of the slot machines as those currently imposed on the hours of operation of the race track.' ”,

Yes - 41

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, O'Brien, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Walker

No - 4

Councillors: Brown, Holyday, Kelly, Sgro

Carried by a majority of 37.

1.52 Clause No. 1 of Report No. 2 of The Strategic Policies and Priorities Committee, headed “Office Space Consolidation - Concept Plan and Proposal for Phase 2 Work”.

Motions:

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

(a) Moved by Councillor Shiner:

“That the Clause be amended in accordance with the following recommendations embodied in the confidential report dated February 2, 1999, from the Commissioner of Corporate Services:

‘It is recommended that:

- (1) Recommendation No. (4) of the report dated January 25, 1999, from the Commissioner of Corporate Services (as embodied in the Clause), be amended by deleting the words “and 5151 Yonge Street”; and
- (2) the Commissioner of Corporate Services be requested to report further on the future disposition of 5151 Yonge Street following consultation with the Commissioner of Urban Planning and Development Services, the Toronto Parking Authority and the Chief Financial Officer and Treasurer.’ ”

Deputy Mayor Ootes called for further motions in regard to this Clause.

(b) Moved by Councillor Duguid:

“That the Clause be amended:

- (1) to provide that a customer service strategy which includes the implementation of “One Stop Shopping” public service facilities in all former City Halls be established by the year 2000; and
- (2) by adding thereto the following:

‘It is further recommended that the Commissioner of Corporate Services be requested to make every effort to minimize the amount of leased space required for the temporary relocation of staff displaced during the office consolidation process by utilizing office space under the ownership of the City of Toronto, or currently being leased by the City, and, if new leased space is required, the Office Consolidation Sub-Committee be so advised.’ ”

(c) Moved by Councillor Moeser:

“That:

- (1) Part (1) of motion (b) by Councillor Duguid be amended by adding thereto the words ‘and the Commissioner of Corporate Services be

requested to submit a further report in this regard through the Office Consolidation Sub-Committee'; and

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

'It is further recommended that the Commissioner of Corporate Services be requested to review, as part of the process of office space consolidation, multiple access points for citizens, such as facilitating the application for permits at libraries, and consult with affected stakeholders, such as the Library Board, in this regard.' "

(d) Moved by Councillor Moscoe:

"That the Clause be amended by adding thereto the following:

'It is further recommended that any surplus space be offered to the City's Agencies, Boards and Commissions, in order to permit them to reduce their leased space.' "

Votes:

The motions by Councillors Shiner, Duguid and Moeser carried.

Councillor Moscoe, with the permission of Council, proposed that his motion be referred to the Commissioner of Corporate Services for a report thereon to the Office Consolidation Sub-Committee.

Council concurred in the proposal by Councillor Moscoe.

The Clause, as amended, carried.

1.53 **Clause No. 14 of Report No. 1 of The Scarborough Community Council, headed "Upcoming Ontario Municipal Board Hearing, Yellow Moon Homes, Ward 16 - Scarborough Highland Creek".**

Motion:

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

Moved by Councillor Pantalone:

"That the Clause be amended by adding thereto the following:

‘It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the next meeting of the Corporate Services Committee on a method by which the City can acquire land in such a way that a third-party outside agent can be used to contact the owners of the land in which the City is interested.’
”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, 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.

1.54 Deputy Mayor Ootes called upon the following Notice of Motion J(11):

Moved by: Councillor Miller

Seconded by: Councillor Pantalone

“**WHEREAS** the former City of Toronto had a policy of acquiring only lands having soil which meets the requirements of the Ministry of Environment and Energy (‘MOEE’) for the proposed use and any exception to this policy requires prior City Council approval; and

WHEREAS an environmental assessment reveals that the property at 1258 Queen Street West contains contaminants that exceed the residential and industrial criteria in the MOEE’s Guidelines for Use at Contaminated Sites; and

WHEREAS the Corporate Services Committee on September 14, 1998, considered a confidential report (September 4, 1998) from the Commissioner of Corporate Services respecting a property matter at 1258 Queen Street West, and recommended the adoption of Option 3 embodied in the aforementioned confidential report; and

WHEREAS Council on October 1 and 2, 1998, adopted the aforementioned recommendation of the Corporate Services Committee embodied in the confidential communication (September 14, 1998) from the City Clerk respecting a property matter at 1258 Queen Street West; and

WHEREAS Council on October 28, 29 and 30, 1998, adopted the motion from Councillor Pantalone and the confidential report (October 26, 1998) from the Commissioner of Corporate Services respecting 1258 Queen Street West; and

WHEREAS the Commissioner of Corporate Services has prepared a confidential report (February 1, 1999) on this matter which needs to be addressed by City Council in order to comply with Council policy and meet a legal deadline relative to this transaction;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the confidential report from the Commissioner of Corporate Services (February 1, 1999) respecting 1258 Queen Street West and adopt Option 1(a) embodied in the aforementioned confidential report from the Commissioner of Corporate Services.”

Council also had before it a confidential report dated February 1, 1999, from the Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act.

Motions:

Deputy Mayor Ootes, 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 Motion J(11):

(a) Moved by Councillor Giansante:

“It is recommended that Option (1)(c) embodied in the confidential report dated February 1, 1999, from the Commissioner of Corporate Services, be adopted.”

(b) Moved by Councillor Miller:

“It is recommended that, as recommended in Motion J(11), Option 1(a) and Recommendations Nos. (2) and (3) embodied in the confidential report dated February 1, 1999, from the Commissioner of Corporate Services, be adopted.”

(c) Moved by Councillor O’Brien:

“It is recommended that Option (1)(b) embodied in the confidential report dated February 1, 1999, from the Commissioner of Corporate Services, be adopted.”

Votes:

Adoption of the motion (b) by Councillor Miller:

<p>Yes - 32 Councillors: Adams, Augimeri, Berger, Brown, Bussin, Bussin, Chow, Faubert, Filion, Flint, Fotinos, Gardner, Jakobek, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Walker</p>
<p>No - 13 Councillors: Ashton, Balkissoon, Bossons, Cho, Disero, Duguid, Feldman, Giansante, Holyday, Lindsay Luby, O'Brien, Pitfield, Shiner</p>

Carried by a majority of 19.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the decision of Council, declared motions (a) and (c) by Councillors Giansante and O'Brien, respectively, redundant.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION:

- 1.55 Deputy Mayor Ootes called upon Notice of Motion F appearing on the Order Paper, as follows:

Moved by: Councillor Sgro

Seconded by: Councillor Ootes

“**WHEREAS** the Chief Administrative Officer presented to City Council at its meeting held on November 25, 1998, the 1999 Preliminary Operating Budget Outlook; and

WHEREAS the City of Toronto is facing serious budget pressures for 1999; and

WHEREAS there have been several resolutions from Standing Committees regarding a pre-commitment to expenditures which could significantly impact the 1999 Operating Budget;

NOW THEREFORE BE IT RESOLVED THAT any recommendations from Standing Committees or Community Councils regarding a commitment to expenditures in the 1999 Operating Budget which varies from existing service levels be referred to the Budget Committee and Strategic Policies and Priorities Committee for review and comment prior to consideration by Council.”

Motion:

Councillor Sgro moved that the foregoing Motion be referred to the Chief Administrative Officer for report thereon to Council, through the Strategic Policies and Priorities Committee.

Vote:

The referral motion by Councillor Sgro carried.

1.56 See Minute No. 1.30 for Notice of Motion I.

1.57 Councillor O'Brien 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(1), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor O'Brien

Seconded by: Councillor Ootes

"WHEREAS City Council at its meeting held on November 25, 26 and 27, 1998, adopted, as amended, Clause No. 1 of Report No. 17 of The Corporate Services Committee, headed 'Separation Program - Executive, Management and Excluded Staff', and, in so doing, approved various recommendations and amendments with respect to the Separation Program for executive, management and excluded staff, including an implementation date for the revised Separation Program of March 1, 1999, and an extension to March 31, 1999, for the Separation Program elements available to eligible employees of the former City of Toronto under the COTAPSAI Memorandum of Understanding; and

WHEREAS the foregoing recommendations result in two implementation dates for the revised Separation Program; and

WHEREAS it is intended that the revised Separation Program be applied to all eligible employees at the same time;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, the aforementioned Clause be re-opened insofar as it pertains to the implementation date for the revised Separation Program only;

AND BE IT FURTHER RESOLVED THAT the implementation date of the revised Separation Program be March 31, 1999."

Votes:

The first Operative Paragraph embodied in the Motion was adopted, without amendment, more than two-thirds of Members present having voted in the affirmative.

The balance of the Motion adopted, without amendment.

- 1.58 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(2), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bossons

Seconded by: Councillor Adams

“**WHEREAS** City Council at its meeting held on November 25, 26 and 27, 1998, received Clause No. 58 of Report No. 14 of the Toronto Community Council, headed ‘Interim Control By-Law Exemption - 45 Berryman Street (Midtown)’; and

WHEREAS Toronto Community Council at its meeting held on Wednesday, January 20, 1999, considered depositions from the owner of 45 Berryman Street and a representative of the owner of 59 Hazelton Avenue, respecting this Interim Control By-Law; and

WHEREAS Council has been advised that there are extraordinary circumstances relating to this property such as:

- (1) five variances for the development of this property were granted by the Committee of Adjustment on August 26, 1998, and no appeals were received;
- (2) a demolition permit was issued and a portion of the house has been demolished;
- (3) a building permit application was made seven (7) days after the Interim Control By-law was passed; and
- (4) the owner is unable to complete the renovation and occupy the house; and

WHEREAS it was agreed that an exemption from this Interim Control By-Law for 45 Berryman Street was appropriate based on these extraordinary circumstances;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-Law, Clause No. 58 of Report No. 14 of the Toronto Community Council, headed ‘Interim Control By-Law Exemption - 45 Berryman Street (Midtown)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council grant an exemption from Interim Control By-Law No. 726-1998, to permit completion of the construction at 45 Berryman Street.”

Votes:

The first Operative Paragraph embodied in the foregoing Motion was adopted, without amendment, more than two-thirds of Members present having voted in the affirmative.

The balance of the foregoing Motion was adopted, without amendment.

- 1.59 Councillor Chong 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(3), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chong

Seconded by: Councillor Minnan-Wong

“**WHEREAS** City Council re-zoned certain lands municipally known as 797 Don Mills Road when it passed By-law No. 905-1998 as authorized by North York Community Council Report No. 7, Clause No. 4, which was adopted by City of Toronto Council on July 8, 9 and 10, 1998; and

WHEREAS I have been advised by Planning staff that a technical error occurred in the preparation of By-law No. 905-1998 and has been corrected as shown in the attached draft by-law; and

WHEREAS Section 34(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, provides that where a change is made in a proposed by-law, the Council shall determine whether any further notice is to be given in respect of the proposed by-law; and

WHEREAS no substantive rights are affected;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, that By-law No. 905-1998 be re-opened for further consideration; and

AND BE IT FURTHER RESOLVED THAT Council approve the following technical amendments to By-law No. 905-1998, grant authority for introduction of the necessary Bill in Council to give effect to these amendments as shown in the attached draft by-law and determine that no further notice is to be given in respect to such amendments:

- (1) that Section 1 of By-law No. 905-1998 be deleted and the following wording substituted:
 - '1. Schedules "B" and "C" of By-law No. 7625 are amended in accordance with Schedule 1 of this By-law'; and
- (2) that Schedule No. 43 to By-law No. 905-1998 be deleted and substituted with Schedule 1 attached hereto."

(A copy of Schedule 1 referred to in the foregoing Motion is on file in the Office of the City Clerk.)

Votes:

The first Operative Paragraph embodied in the foregoing Motion was adopted, without amendment, more than two-thirds of Members present having voted in the affirmative.

The balance of the foregoing Motion was adopted, without amendment.

- 1.60 Councillor Mammoliti moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(4):

Moved by: Councillor Mammoliti

Seconded by: Councillor Pitfield

"WHEREAS City Council on December 16 and 17, 1998, by its adoption, as amended, of Clause No. 1 of Report No. 14 of The Emergency and Protective Services Committee, headed 'Application for Relocation of the Delta Mayfair Bingo Hall from 525 Wilson Avenue (Ward 8) to 1860 Wilson Avenue (Ward 6)', applied initiatives to create a Bingo Task Force, chaired by Councillor Frances Nunziata, York Humber, with an established mandate to report on a City-wide bingo policy; and

WHEREAS City Council, during consideration of the aforementioned Clause, deferred consideration of Recommendation No. (1) of the Emergency and Protective Services Committee respecting the relocation of the Delta Mayfair Bingo Hall from 525 Wilson Avenue (Ward 8) to 1860 Wilson Avenue (Ward 6), to the meeting of City Council to be held on March 2, 3 and 4, 1999; and

WHEREAS initial and ongoing meetings are taking place and being scheduled regarding the relocation of the Bingo Hall issue and Bingo Hall city-wide policies and how these issues apply to a City Welfare Office and/or lease agreement; and

WHEREAS the Budget Committee on January 19, 1999, recommended that the Strategic Policies and Priorities Committee advise City Council, for its information, that Councillor George Mammoliti, North York Humber, has certain concerns that need to be addressed regarding the renewal lease of the Welfare Office at 1860 Wilson Avenue; and

WHEREAS at the Budget Committee on January 19, 1999, City staff reported that there was new information regarding the property ownership at 1860 Wilson Avenue and a new lease agreement for a City Welfare Office, and how it would affect City policy and have additional long-term financial implications; and

WHEREAS the Budget Committee on January 19, 1999, was notified that the new owners of the proposed Welfare Office at 1860 Wilson Avenue are now Delta Mayfair Bingo Group that are currently meeting regarding issues directed by City Council; and

WHEREAS City Council on November 25, 26 and 27, 1998, adopted, without amendment, Clause No. 19 contained in Report No. 17 of the Corporate Services Committee, headed 'Renewal of Lease - Welfare Office, 1860 Wilson Avenue (Ward 6 - North York Humber)';

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, the aforementioned Clause No. 19 of Report No. 17 of The Corporate Services Committee be re-opened to address this new information.”,

Vote:

the vote upon which was taken as follows:

Yes - 27 Councillors: Adams, Augimeri, Berger, Brown, Cho, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Holyday, Jakobek, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Shaw, Shiner, Tzekas
No - 18 Councillors: Altobello, Berardinetti, Bossons, Bussin, Chong, Chow, Faubert, Giansante, Mahood, Mihevc, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva

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

Advice by Deputy Mayor Ootes:

Deputy Mayor Ootes advised the Council that, having regard that the motion to waive notice did not carry, consideration of the Motion is deferred to the next regular meeting of City Council to be held on March 2, 3, and 4, 1999.

- 1.61 Councillor Rae moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(5), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

“WHEREAS City Council at its meeting held on December 16 and 17, 1998, adopted, without amendment, Clause No. 51 of Report No. 16 of The Toronto Community Council, headed ‘Air Canada Centre - Assumption of Parts of Bremner Boulevard (Downtown)’, and, in so doing, enacted By-law No. 959-1998, being ‘A By-law to layout and dedicate certain land for public highway purposes and to name that land to form part of Bremner Boulevard.’, which highway is part of the Air Canada Centre development; and

WHEREAS By-law No. 959-1998 was to come into effect upon the completion of the necessary conveyances and land registrations; and

WHEREAS there is a service tunnel under a portion of the highway to be conveyed to the City described in By-law No. 959-1998 and agreement has been reached to accept the conveyance of the lands subject to an easement, which necessitates a technical amendment to the legal description; and

WHEREAS in order for the City to open up the above noted Bremner Boulevard portion of highway for use by motor vehicles on or about February 5, 1999, it is necessary to repeal By-law No. 959-1998 and replace it with a by-law that takes into account the technical amendments to the legal description of the lands to be conveyed to the City;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 51 of Report No. 16 of The Toronto Community Council, headed ‘Air Canada Centre - Assumption of Parts of Bremner Boulevard (Downtown)’, be re-opened for the purpose of considering the foregoing technical amendments;

AND BE IT FURTHER RESOLVED THAT City Council repeal By-law No. 959-1998, being ‘A By-law to layout and dedicate certain land for public highway purposes and to name that land to form part of Bremner Boulevard.’ and replace it with a by-law containing the appropriate technical amendments to the legal description of the lands to be conveyed to the City.”

Votes:

The first Operative Paragraph embodied in the Motion was adopted, without amendment, more than two-thirds of Members present having voted in the affirmative.

The balance of the Motion was adopted, without amendment.

- 1.62 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(6), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bossons

Seconded by: Councillor Rae

“**WHEREAS** the Council of the former City of Toronto at its meeting held on November 1, 1974, enacted By-law No. 355-74, being a by-law to stop up and close to vehicular traffic a portion of Cottingham Street and a portion of Gange Avenue; and

WHEREAS Cottingham Holdings Limited has constructed six (6) town homes, known municipally as 69-79 Cottingham Street, on the south side of Cottingham Street, immediately to the west of that portion of Cottingham Street closed to vehicular traffic; and

WHEREAS the private driveway which is intended to provide ingress to and egress from the town home development exits onto the portion of Cottingham Street closed to vehicular traffic; and

WHEREAS Cottingham Holdings Limited has entered into agreements of purchase and sale for each of the six town homes, pursuant to which it is required to complete the sale transactions commencing in early February; and

WHEREAS Cottingham Holdings Limited has requested that By-law No. 355-74 be amended to exclude that portion of Cottingham Street providing access to and from the private driveway serving the town home development, and that the City grant a temporary right-of-way to each of the town home purchasers over the said portion of Cottingham Street until such time as the necessary by-law amendment has been enacted, so that the sale transactions can proceed and the purchasers can move into their new homes as scheduled; and

WHEREAS the Commissioner of Works and Emergency Services has reviewed Cottingham Holdings Limited’s request and is agreeable to By-law No. 355-74 being so amended and to temporary rights-of-way being granted as requested;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Section 1 of City of Toronto By-law No. 355-74 be amended by excluding therefrom that portion of Cottingham Street shown (approximately) cross-hatched on the sketch attached hereto as Schedule 'A';
- (2) a temporary right-of-way be granted to each of the purchasers of the six (6) town homes, permitting vehicular access over the said portion of Cottingham Street until such time as the amendment to By-law No. 355-74 is enacted, in form and content satisfactory to the City Solicitor, including provisions whereby each purchaser agrees to indemnify the City against any loss, costs or damages the City may suffer or incur arising out of or in connection with the temporary rights-of-way; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that might be required."

(A copy of Schedule "A" referred to in the foregoing Motion is on file in the Office of the City Clerk.)

Vote:

The Motion was adopted, without amendment.

- 1.63 Councillor Layton moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(7):

Moved by: Councillor Layton

Seconded by: Councillor Fotinos

"WHEREAS the SkyDome was primarily financed by the taxpayers of Toronto and Ontario; and

WHEREAS over \$350,000,000.00 of public money has been invested in this project; and

WHEREAS the contemplated sale of SkyDome would allow interests other than the taxpayer to benefit from the facility; and

WHEREAS many public purposes could be served if the SkyDome were held in public ownership, including ensuring that the City's baseball team, the Toronto Blue Jays, could stay in Toronto; and

WHEREAS a special bond issue by the City to attract financial participation from the public in this most important public building would be well received; and

WHEREAS the City of Toronto has had a tradition of investing in important public landmarks and buildings in order to ensure their perpetual availability for the use, enjoyment and profit of Torontonians; and

WHEREAS there are elements of the complex which could be marketed, leased or sold separately according to a well conceived plan; and

WHEREAS the City of Toronto has powers which would allow it to bring this facility into public ownership with fair compensation to the owners; and

WHEREAS the Court-ordered closing of bids for the purchase of SkyDome is February 26, 1999;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto indicate its intention to expropriate the SkyDome facility;

AND BE IT FURTHER RESOLVED THAT City staff report immediately on the steps which the City would undertake in order to pursue the expropriation;

AND BE IT FURTHER RESOLVED THAT the Mayor appoint a group of Councillors to act as a working team to pursue the development of a successful plan for the utilization of the facility, the possible lease or sale of certain activity centres within the complex and other relevant matters.”,

Vote:

the vote upon which was taken as follows:

Yes - 12 Councillors: Augimeri, Bussin, Duguid, Fotinos, Giansante, Layton, Mahood, McConnell, Rae, Saundercook, Shaw, Shiner
No - 36 Mayor: Lastman. Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Faubert, Feldman, Filion, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Sgro, Silva, Tzekas, Walker

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that, having regard that the motion to waive notice did not carry, consideration of the Motion is deferred to the next regular meeting of City Council to be held on March 2, 3, and 4, 1999.

- 1.64 Councillor Nunziata 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), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Nunziata

Seconded by: Councillor Prue

“**WHEREAS** the cumulative impact of the snow storms in January posed tremendous difficulties and challenges to the City of Toronto; and

WHEREAS the City of Toronto received assistance from Prince Edward Island and the Department of Defence in coping with the snow clearing operations in the City; and

WHEREAS, notwithstanding some of the logistical problems in the City’s snow clearing efforts that will need to be resolved, the City of Toronto staff and crews worked around the clock in dealing with the snow emergency;

NOW THEREFORE BE IT RESOLVED THAT the City Council send a plaque of appreciation, on behalf of the residents of the City of Toronto, to the Government of Prince Edward Island thanking them for the assistance of PEI in our snow clearing efforts;

AND BE IT FURTHER RESOLVED THAT Council also send a letter of thanks to the Minister of Defence for the assistance provided by the Canadian Armed Forces;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer be requested to extend the thanks and appreciation of Council, to all the City staff involved in the snow clearing operations over the last few weeks, for the exemplary and round the clock efforts on behalf of the residents of Toronto.”

Vote:

The Motion was adopted, without amendment.

- 1.65 Councillor Moeser 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 Moeser

Seconded by: Councillor Duguid

“**WHEREAS** the City of Toronto requested assistance to deal with the substantial snowfall that impacted the residents of Toronto; and

WHEREAS the Militia Regiments assisted in a timely manner on all aspects of snow removal; and

WHEREAS this greatly benefited the residents of Toronto; and

WHEREAS the Brigades have had a long history of service in times of need;

NOW THEREFORE BE IT RESOLVED THAT the Mayor, on behalf of Toronto City Council, officially thank the Brigades for their outstanding service to the Communities.”

Vote:

The Motion was adopted, without amendment.

- 1.66 Councillor Nunziata 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), moved by Councillor Nunziata, seconded by Councillor Minnan-Wong, and having regard that Councillor Minnan-Wong, with the permission of Council, withdrew his name as seconder of such Motion, now moved by Councillor Nunziata, seconded by Councillor Holyday:

Moved by: Councillor Nunziata

Seconded by: Councillor Holyday

“**WHEREAS** City Council at its meeting held on January 2, 6, 8 and 9, 1998, in its consideration the final report of the Toronto Transition Team, entitled ‘New City, New Opportunities’, adopted the following recommendation:

‘each Councillor be provided with a global budget of \$70,000.00 to cover office expenses, including communicating with constituents’; and

WHEREAS City Council has now completed one full year in office with the allocation of a \$70,000.00 office budget; and

WHEREAS well over half of the Members of Council are expected to have spent under \$35,000.00 of this budget;

NOW THEREFORE BE IT RESOLVED THAT the office budget for Members of Council be immediately reduced from \$70,000.00 to \$35,000.00;

AND BE IT FURTHER RESOLVED THAT guidelines also be established for the use of City limousines by Members of Council and that, in addition, a maximum of 10 trips be placed on the use of a City limousine by a Member of Council in a calendar year.”,

Vote:

the vote upon which was taken as follows:

Yes - 25 Councillors: Altobello, Augimeri, Berardinetti, Bossons, Cho, Davis, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O'Brien, Prue, Rae, Saundercook, Shaw, Shiner
No - 25 Mayor: Lastman. Councillors: Adams, Balkissoon, Berger, Brown, Bussin, Chong, Chow, Disero, Filion, Fotinos, Jakobek, Kelly, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Sgro, Silva, Tzekas, Walker

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

Advice by Deputy Mayor Ootes:

Deputy Mayor Ootes advised the Council, that having regard that the motion to waive notice did not carry, consideration of the Motion is deferred to the next regular meeting of City Council to be held on March 2, 3, and 4, 1999.

- 1.67 See Minute No. 1.39 for Notice of Motion J(12).
- 1.68 Councillor Tzekas 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 Tzekas**

Seconded by: **Councillor Jakobek**

“**WHEREAS** City Council, at its meeting held on December 16 and 17, 1998, adopted, as amended, Clause No. 1 of Report No. 9 of The Striking Committee, headed ‘Appointment of Members of Council to the Greater Toronto Services Board’, and, in so doing, appointed Councillor Mike Tzekas to the Greater Toronto Services Board as the alternate Member for Councillor Mario Giansante, for a term of office expiring on November 30, 1999, and also appointed Councillor John Adams to the position of ‘Whip to the City of Toronto Appointees to the Greater Toronto Services Board (GTSB)’, and assigned to such position a number of duties, including ensuring that Toronto has a full contingent of representation at all GTSB meetings; and

WHEREAS the need and role of the position of ‘Whip’ has been questioned in some political circles, leaving open the door for some unfounded criticism of the City of Toronto; and

WHEREAS, in order to silence the critics, and maintain a unified Toronto presence, Councillor Tzekas has tendered his resignation as alternate to Councillor Mario Giansante, in order that Councillor Adams may now become a voting member of the GTSB, albeit as an alternate; and

WHEREAS there is a continuing need to co-ordinate the City of Toronto representation on the GTSB, and Councillor Adams can still fulfil the mandate of the ‘Whip’, however, it has been suggested that the title of ‘Whip’ be changed to that of ‘Co-ordinator’;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 9 of The Striking Committee, headed ‘Appointment of Members of Council to the Greater Toronto Services Board’, be re-opened for further consideration, insofar as it pertains to both the appointment of Councillor Tzekas as the alternate Member for Councillor Mario Giansante on the Greater Toronto Services Board, and to the title of the position of ‘Whip to the City of Toronto Appointees to the Greater Toronto Services Board (GTSB)’ only;

AND BE IT FURTHER RESOLVED THAT the resignation of Councillor Mike Tzekas as the alternate Member to Councillor Mario Giansante on the Greater Toronto Services Board be accepted;

AND BE IT FURTHER RESOLVED THAT Councillor John Adams be appointed in the place and stead of Councillor Tzekas, for a term of office expiring on November 30, 1999, and/or until his successor is appointed;

AND BE IT FURTHER RESOLVED THAT the title of ‘Whip to the City of Toronto Appointees to the Greater Toronto Services Board (GTSB)’ be changed to ‘Co-ordinator of the City of Toronto Appointees to the Greater Toronto Services Board (GTSB)’ and that Councillor Adams continue to fulfil this role.”

Council also had before it, during consideration of the Motion, a communication (January 26, 1999) from Councillor Tzekas, addressed to the City Clerk, submitting his resignation as alternate to Councillor Giansante on the Greater Toronto Services Board (GTSB) and recommending that Councillor John Adams be appointed as official alternate to Councillor Giansante on the GTSB. (See Attachment No. 3)

Vote:

The Motion was adopted, without amendment.

- 1.69 Councillor Jones moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(14), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Jones

Seconded by: Councillor Moscoe

“**WHEREAS** the former City of Etobicoke Council, at its meeting held on November 12, 1996, adopted Clause 171 of the Twentieth Report of the Works and Environment Committee that endorsed the development, design and construction of the extension of Kipling Avenue, south of Lake Shore Boulevard West with a pavement width of 16.5 metres at the intersection of Lake Shore Boulevard West, tapering to a width of 11.35 metres south of the intersection and extending to its southerly terminus; and

WHEREAS the high incidence of daytime on-street parking is attributed to the close proximity of the street to Humber College, South Campus. Transportation staff review of this issue clearly indicates that daytime parking on Kipling Avenue, south of Lake Shore Boulevard West interferes with transit and emergency access, with the resultant operational difficulties posing a serious safety issue for users and drivers of this TTC route, as well as hampering emergency vehicle access; and

WHEREAS periodic police enforcement has had little effect in rendering a long-term solution to this problem; and

WHEREAS the Toronto Transit Commission operates a twenty hour day, seven days a week service on Kipling Avenue, south of Lake Shore Boulevard West; and

WHEREAS Humber College has requested the implementation of a parking prohibition on both sides of this street to discourage the students of this College from using this street as their parking facilities; and

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated February 2, 1999, from the Director, Transportation Services, District 2, Works and Emergency Services, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (February 2, 1999) from the Director, Transportation Services, District 2, Works and Emergency Services, proposing the introduction of a parking prohibition on both sides of Kipling Avenue between Lake Shore Boulevard West and the south limit of the road. (See Attachment No. 4).

Vote:

The foregoing Motion was adopted, without amendment, and, in so doing, Council adopted the report dated February 2, 1999, from the Director, Transportation Services, District 2, Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) parking be prohibited on both sides of Kipling Avenue between Lake Shore Boulevard West and the south limit of the road; and
- (2) the appropriate by-law (Attachment No.1) be amended accordingly.”

1.70 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(15), moved by Councillor Adams, seconded by Councillor Bossons, and, with the permission of Council, moved by Councillor Bossons, seconded by Councillor Adams, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bossons

Seconded by: Councillor Adams

“**WHEREAS** City Council at its meeting held on July 29, 30 and 31, 1998, refused Application No. 197026 for Official Plan and Zoning By-law Amendments and Site Plan Approval to permit eight townhouses behind the existing 19 storey apartment building at 50 Prince Arthur Avenue in the former City of Toronto and refused the related application to remove three trees situated at 50 Prince Arthur Avenue; and

WHEREAS at the aforesaid Council meeting the City Solicitor was instructed to appear at the Ontario Municipal Board Hearing both in support of the refusal of

Application No. 197026 and the Committee of Adjustment's refusal of the application for minor variances; and

WHEREAS City Council at its meeting held on December 16 and 17, 1998, instructed the City Solicitor to appear at the Ontario Municipal Board in support of both the Committee of Adjustment's decision to refuse the related consent application and the Council decision to refuse the application to remove the three trees; and

WHEREAS in a memorandum dated October 27, 1998, to the Committee of Adjustment respecting 50 Prince Arthur Avenue the Director of Development and Support, Parks and Recreation raised the issue of dedication of land for parks purposes in light of the proximity of the subject site to Taddle Creek Park and requested that any future discussions surrounding the proposal to construct residential development at this location give consideration to taking a conveyance of land to expand the abutting Taddle Creek Park; and

WHEREAS in a memorandum dated January 5, 1999, to the Solicitor having carriage of this matter for the City, the aforesaid Director advised that in the event any development or redevelopment is permitted at 50 Prince Arthur Avenue, she requires that the City secure a conveyance of land for parks purposes to satisfy the requirements of the Toronto Municipal Code and pursuant to Section 42 of the Planning Act; and

WHEREAS the neighbourhood in which the subject site is located has inadequate parkland, having been identified by Parks and Recreation since at least 1980 as being park deficient; and

WHEREAS the subject site immediately abuts Taddle Creek Park; and

WHEREAS the Ontario Municipal Board Hearing in this matter commences on February 15, 1999;

NOW THEREFORE BE IT RESOLVED THAT Council hereby request the City Solicitor to advise the Ontario Municipal Board despite its continued firm opposition to the applications and to redevelopment of the subject site, that in the event the applicant were to achieve any level of success such that the Board were to allow any redevelopment of the subject site, it would be Council's intention to require a conveyance of lands for parks purposes pursuant to Section 42 of the Planning Act at the rate of five per cent of the land to be developed or redeveloped and that cash in lieu would not be an acceptable alternative in the circumstances."

Vote:

The Motion was adopted, without amendment.

- 1.71 Councillor Mihevc 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(16), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Nunziata

“**WHEREAS** York-Fairbank Centre for Seniors has received operating grants from the former City of York for several years and from the City of Toronto for the 1998 year in amounts approximating \$85,000.00; and

WHEREAS York-Fairbank Centre for Seniors also runs the Snow-Link Program, a program for which they have hired staff and not yet received actual funds for the 1999 year; and

WHEREAS York-Fairbank Centre for Seniors does not have a reserve account to hold them over until the City grant cheques are issued; and

WHEREAS the former Municipality of Metropolitan Toronto had a policy in place whereby advances were forwarded regularly to agencies with an established funding relationship, and former cities had similar practices; and

WHEREAS other agencies in the City of Toronto face a similar need for financial advances that had been provided by their former municipalities prior to amalgamation (for example, 19 agencies in the former City of Toronto received advances in 1997); and

WHEREAS the Budget Committee will be considering a policy on early granting authority for future years; and

WHEREAS the issue is an emergency, as failure to get the money will result in the Centre needing to close shop for awhile;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to work with the York-Fairbank Centre for Seniors, and any other agency requiring an advance in 1999, according to the grants delegation authority approved by the Grants Committee, and now before the Budget Committee.”

Vote:

The Motion was adopted, without amendment.

- 1.72 Councillor Augimeri moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(17):

Moved by: Councillor Augimeri

Seconded by: Councillor Prue

“WHEREAS the City of Toronto is currently in the process of submitting a bid to host the 2008 Summer Olympic Games; and

WHEREAS the economic benefits to the City of Toronto and Ontario in the years leading up to the Games and beyond are staggering and should be pursued; and

WHEREAS the current International Olympic Committee (IOC) corruption probe has revealed that the former City of Toronto’s 1996 failed Olympic bid consisted of some improprieties; and

WHEREAS these improprieties have cast a shadow of doubt amongst many of the proponents of the 2008 Games; and

WHEREAS the City of Toronto’s 2008 Olympic bid must be conducted in a manner that is open, transparent, fair and clean; and

WHEREAS the IOC corruption probe is good news for Toronto’s 2008 Olympic bid in that it has exposed and continues to expose past practices so that we can ensure that they will not be repeated in the future; and

WHEREAS it is imperative that we continue to oversee the bidding process in order to submit a bid for the 2008 Olympics which reflects the honour and spirit of the Olympic Games;

NOW THEREFORE BE IT RESOLVED THAT a forensic audit be conducted of the former City’s 1996 Olympic bid by the City Auditor who shall report back through the Audit Committee in six months’ time.”

Vote:

the vote upon which was taken as follows:

Yes - 25 Mayor: Lastman. Councillors: Ashton, Augimeri, Bussin, Chow, Disero, Duguid, Fotinos, Johnston, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sinclair, Walker
No - 16 Councillors: Altobello, Berardinetti, Bossons, Brown, Faubert, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, King, Lindsay Luby, Li Preti, O'Brien, Silva

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that, having regard that the motion to waive notice did not carry, consideration of the Motion is deferred to the next regular meeting of City Council to be held on March 2, 3, and 4, 1999.

- 1.73 Councillor Brown 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(18), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Brown

Seconded by: Councillor Mihevc

“WHEREAS the United Nations General Assembly has designated March 21, 1999, as the International Day for the Elimination of Racial Discrimination; and

WHEREAS the elimination of racial discrimination can only be accomplished through the combined efforts and commitment of all sectors of the City; and

WHEREAS various events will be organized and held around the City to commemorate this special day; and

WHEREAS the purpose of these events is to promote awareness of the need to eliminate racial discrimination as well as to help strengthen neighbourhoods by bringing together local residents and communities to experience and appreciate the various cultures that make up the new City of Toronto; and

WHEREAS due to the importance of this day to local communities, the six area Community Councils collectively support initiatives to celebrate the occasion; and

WHEREAS the former constituent municipalities provided within their budget funds that were used to support various events related to the International Day for the Elimination of Racial Discrimination; and

WHEREAS funds have not yet been allocated for 1999, therefore, City Council needs to financially support race relations events that were historically funded by the local municipalities;

NOW THEREFORE BE IT RESOLVED THAT City Council endorse its support of the International Day for the Elimination of Racial Discrimination and any events organized at the local level, and that the financial support be referred and considered by the Budget Committee, as part of the 1999 Budget process.”

Vote:

The Motion was adopted, without amendment.

- 1.74 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(19), 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 Strategic Policies and Priorities Committee at its meeting of January 26, 1999, requested the Chief Financial Officer to report to the Special meeting of the Budget Committee on February 1, 1999, for report thereon directly to Council, with respect to the 1999 Capital Budget - Requests for Prior Authorization for Specific Capital Projects; and

WHEREAS the attached report (January 30, 1999) from the Chief Financial Officer and Treasurer provides a list of capital projects which are considered to be urgent and require prior expenditure authorization and immediate financial approval in advance of the approval of the 1999 Capital Budget which is scheduled to go forward to City Council at its meeting of March 2, 1999;

NOW THEREFORE BE IT RESOLVED THAT the recommendations embodied in report (January 30, 1999) from the Chief Financial Officer and Treasurer respecting 1999 Capital Budget Prior Authorization for Special Capital Project be adopted, viz.:

- ‘(1) the tax supported capital projects as listed in Table 1 be given prior authorization before the City’s 1999 Capital Budget is approved and receive the necessary spending authority in the amount of \$ 32.116 million, for 1999;

- (2) the rate supported capital projects as listed in Table 1 be given prior authorization before the City's 1999 Capital Budget is approved with the necessary spending authority in the amount of \$ 2.050 million, for 1999;
- (3) the attached report (January 28, 1999) from the Commissioner of Works and Emergency Services requesting prior approval of specific Capital Projects, be adopted; and
- (4) the attached communications: (January 28, 1999) from the Acting Managing Director Heritage Toronto, (January 29, 1999) from the Commissioner of Corporate Services, (January 29, 1999) from the President of the Toronto Parking Authority requesting prior approval of specific Capital Projects, and the report (January 29, 1999) from the Commissioner of Corporate Services, be received for information.' "

Council also had before it, during consideration of the foregoing Motion, the reports and communications referred to in the above Motion. (See Attachment No. 5)

Motions:

- (a) Councillor Jakobek moved that the Motion be adopted, subject to adding thereto the following Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT financing be approved in an amount not to exceed \$34,166,000.00, to be debentured, if required, for a term of up to ten years, noting that the Chief Financial Officer and Treasurer certifies that the amount is within the City's updated debt and financial obligation limit.”

- (b) Councillor Korwin-Kuczynski moved that Council also adopt the following Resolution:

Moved by Councillor Korwin-Kuczynski:

“WHEREAS the Board of Management under the authority delegated by the City Council of the former City of Toronto, at its meeting of December 18, 1997, approved the recommendations of the report (December 17, 1997) from the City Engineer of the former City of Toronto, concerning the revised proposal call for the Western Beaches Storage Tunnel and that Phase 1 of the Western Beaches Storage Tunnel (WBST) Design/Build project be awarded to the McNally-Frontier Joint Venture at a total cost of \$32,035,800.00 including GST; and

WHEREAS the Council of the City of Toronto by adoption of Clause No. 6 of Report No. 1 of The Community and Neighbourhood Services Committee

on February 4, 5 and 6, 1998, approved an alternative location for the Western Beaches Working Shaft and revised the contract price downward to \$31,500,000.00; and

WHEREAS the Design-Build Agreement for the WBST allows for the award of Phase II of the WBST to McNally-Frontier Joint Venture Inc. at a contract price of \$17,259,100.00, subject to the award being made to prior to March 31, 1999; and

WHEREAS work on Phase I of the contract has progressed on schedule and within budget almost to the point of completion; and

WHEREAS there are significant environmental and water quality benefits associated with proceeding with Phase II of the WBST; and

WHEREAS delaying the award of Phase II beyond March 31, 1999, would significantly increase the contract price for Phase II; and

WHEREAS the Works and Utilities Committee at its meeting of November 4, 1998, recommended to the Budget Committee that, subject to the necessary funding being approved by City Council as Part of the 1999 Water and Wastewater Capital Budget, approval be given to award Phase II of the WBST at a contract price of \$17,259,100.00 to McNally-Frontier Joint Venture Inc., in accordance with the provision of the WBST Design-Build Agreement between the Joint Venture and the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT funding in the amount of \$17,259,100.00 be approved for Phase II of the WBST and that the contract for Phase II be awarded to McNally-Frontier Joint Venture Inc. in the amount of \$17,259,100.00;

AND BE IT FURTHER RESOLVED THAT financing, in the amount not to exceed \$17,259,100.00, to be debentured, if required, for a term up to 20 years, be approved, noting that the Chief Financial Officer and Treasurer certifies that the amount is within the City's updated debt and financial obligation limit."

Votes:

Motion (a) by Councillor Jakobek carried.

Motion (b) by Councillor Korwin-Kuczynski carried.

The Motion, as amended, carried.

GIVING OF NOTICES OF MOTIONS FOR NEXT MEETING

- 1.75 Councillor Silva gave notice of the following Motion to permit consideration by Council at its next regular meeting to be held on March 2, 3 and 4, 1999:

Moved by: Councillor Silva

Seconded by: Councillor Sinclair

“**WHEREAS** City Council, at its meeting held on December 16 and 17, 1998, adopted, as amended, Clause No. 3 of Report No. 12 of The Community and Neighbourhood Services Committee, headed ‘Amalgamation of the City of Toronto Non-Profit Housing Corporation and The Metropolitan Toronto Housing Company Limited Under the Name of “Toronto Housing Company Inc.”’, and, in so doing, approved various recommendations and amendments with respect to the composition of the Board of Directors of the Toronto Housing Company Inc., including the following:

‘The Community and Neighbourhood Services Committee recommends the adoption of the following report (November 23, 1998) from the Chief Operating Officer, subject to:

- (1) amending the composition of the Board of Directors of the Toronto Housing Company Inc., as follows:
 - 3 tenants;
 - 3 Members of Council; and
 - 5 citizens;
- (2) the tenant and citizen appointments being processed through the City’s Nominating Committee, with input from the Board of Directors, and the Members of Council being recommended by the Striking Committee, with all appointments being recommended to Council no later than its March 2, 1999, meeting;’;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, the aforementioned Clause be re-opened only insofar as it pertains to the composition of the Board of Directors of the Toronto Housing Company Inc. and the number of Members of Council to be appointed to such Board;

AND BE IT FURTHER RESOLVED THAT the composition of the Board of Directors of the Toronto Housing Company Inc. be amended to provide that the membership of the Board of Directors be expanded by two members, so that the number of Members of Council appointed to such Board is increased from three to five.”

- 1.76 Mayor Lastman gave notice of the following Motion to permit consideration by Council at its next regular meeting to be held on March 2, 3 and 4, 1999:

Moved by: Mayor Lastman

Seconded by: Councillor Balkissoon

“**WHEREAS** the Council currently breaks for dinner from 6:00 p.m. until 8:00 p.m. and then returns for only 2 hours; and

WHEREAS Members of Council are often late returning from dinner creating significant delays; and

WHEREAS if the dinner break were eliminated, Members could hold evening meetings in their communities or return home for dinner with their families; and

WHEREAS Rogers Cable does not broadcast the evening session of Council on community television;

NOW THEREFORE BE IT RESOLVED THAT Council eliminate its dinner break and extend the afternoon session until 7:30 p.m. and then recess until the next morning.”

- 1.77 Councillor Davis gave notice of the following Motion to permit consideration by Council at its next regular meeting to be held on March 2, 3 and 4, 1999:

Moved by: Councillor Davis

Seconded by: Councillor Fotinos

“**WHEREAS** it is the intention of the York Community and the Council of the City of Toronto to appropriately recognize the sad passing of Ms. Linda Delellis; and

WHEREAS the York Community Council at its meeting of January 20, 1999, gave direction to name a laneway in her honour and install a memorial plaque at Scott Road municipal parking lot, at the request of the Silverthorn Ratepayers;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be requested to instruct the appropriate staff to meet with the Silverthorn Ratepayers and appropriate school officials to develop an appropriate memorial that recognizes Ms. Linda Delellis’ commitment to her neighbourhood and school community.”

BILLS AND BY-LAWS

- 1.78 On February 2, 1999, at 2:33 p.m., Councillor Rae, seconded by Councillor Ootes, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which was carried:

Bill No. 64	By-law No. 1-1999	To layout and dedicate certain land for public highway purposes and to name that land to form part of Bremner Boulevard and to repeal By-law No. 959-1998.
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- 1.79 On February 2, 1999, at 10:17 p.m., Councillor Korwin-Kuczynski, seconded by Councillor Pantalone, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which was carried:

Bill No. 74	By-law No. 2-1999	To confirm the proceedings of the Council at its meeting held on the 2nd day of February, 1999.
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- 1.80 On February 3, 1999, at 10:07 p.m., Councillor Mammoliti, seconded by Mayor Lastman, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 75	By-law No. 3-1999	To confirm the proceedings of the Council at its meeting held on the 2nd and 3rd days of February, 1999,
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the vote upon which was as follows:

Yes - 33 Mayor: Lastman. Councillors: Adams, Balkissoon, Brown, Cho, Chow, Davis, Disero, Duguid, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas
No - 4 Councillors: Flint, Mammoliti, Moeser, Moscoe

Carried by a majority of 29.

- 1.81 On February 4, 1999, at 4:40 p.m., Councillor Mammoliti, seconded by Councillor Fotinos, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 76	By-law No. 4-1999	To confirm the proceedings of the Council at its meeting held on the 2nd, 3rd and 4th days of February, 1999,
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the vote upon which was as follows:

<p>Yes - 26 Councillors: Altobello, Augimeri, Brown, Cho, Chong, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Sinclair</p>
<p>No - 5 Councillors: Bossons, Giansante, Mammoliti, Saundercook, Tzekas</p>

Carried by a majority of 21.

- 1.82 On February 4, 1999, at 4:41 p.m., Councillor Fotinos, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which was carried:

Bill No. 1	By-law No. 5-1999	To amend further By-law No. 20-85, a by-law "Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area", being a by-law of the former Municipality of Metropolitan Toronto
Bill No. 2	By-law No. 6-1999	To establish Part of Clyde Road as a municipal highway
Bill No. 3	By-law No. 7-1999	To exempt part of the lands commonly known as Phase I of the Woodbine Park Development, being certain lots and blocks within Plan of Subdivision 66M-2311, from the provisions of subsection 50(5) of the <u>Planning Act</u> .

Bill No. 4	By-law No. 8-1999	To amend further Council Procedural By-law No. 23-1998, being a By-law "To Govern the Proceedings of the Council and the Committees thereof."
Bill No. 5	By-law No. 9-1999	To designate the property at 1410 Military Trail (Highland Creek Public School (S.S.#7)) as being of historical value or interest.
Bill No. 6	By-law No. 10-1999	To amend By-law No. 226-1998.
Bill No. 7	By-law No. 11-1999	To amend By-law No. 726-1998 to extend the period of interim control on certain residentially zoned lands fronting on Hazelton Avenue, Webster Avenue, Berryman Street and Bishop Street.
Bill No. 8	By-law No. 12-1999	To designate certain lands on a registered plan not subject to Part Lot Control in the Cliffcrest Community.
Bill No. 9	By-law No. 13-1999	To exempt lands municipally known as 150 Bartley Drive from part lot control.
Bill No. 10	By-law No. 14-1999	To exempt lands municipally known as 150 Bartley Drive from part lot control.
Bill No. 11	By-law No. 15-1999	To exempt lands municipally known as 150 Bartley Drive from part lot control.
Bill No. 12	By-law No. 16-1999	To exempt lands municipally known as 150 Bartley Drive from part lot control.
Bill No. 13	By-law No. 17-1999	To exempt lands municipally known as 150 Bartley Drive from part lot control.

Bill No. 14	By-law No. 18-1999	To amend By-law No. 27-1998, to increase the size of the Board of Health.
Bill No. 15	By-law No. 19-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Baden Street.
Bill No. 16	By-law No. 20-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Westport Avenue.
Bill No. 17	By-law No. 21-1999	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 18	By-law No. 22-1999	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 19	By-law No. 23-1999	To amend further Metropolitan By-law No. 148-70 respecting the regulation of traffic on certain former Metropolitan Toronto highways during periods of emergency occasioned by the fall of snow.
Bill No. 20	By-law No. 24-1999	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 21	By-law No. 25-1999	To amend Procedural By-law No. 23-1998 respecting the Corporate Services Committee's responsibility for matters respecting City buildings and properties.
Bill No. 22	By-law No. 26-1999	To designate the portion of Draper Street between Wellington Street West and Front Street West as a Heritage Conservation District.

Bill No. 23	By-law No. 27-1999	A by-law pursuant to the provisions of Section 50(7) of the Planning Act, R.S.O. 1990, c. P.13, to exempt certain lands being Blocks 1, 2, 3, 4, 5 and 6 of Registered Plan 66M-2325 at 870 Pape Avenue, in the City of Toronto (formerly Borough of East York).
Bill No. 24	By-law No. 28-1999	By-law respecting animals. (as amended).
Bill No. 25	By-law No. 29-1999	To designate the property at 29 Lockie Avenue (Agincourt Public School (S.S.#14)) as being of historical value or interest.
Bill No. 26	By-law No. 30-1999	To amend By-law No. 81-89, entitled "A By-law to regulate the height and description of lawful fences", being a by-law of the former Borough of East York.
Bill No. 27	By-law No. 31-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bartlett Avenue North.
Bill No. 28	By-law No. 32-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard and Bushell Avenue. (as amended)
Bill No. 29	By-law No. 33-1999	To amend City of Toronto By-law No. 905-1998 in respect of lands municipally known as 797 Don Mills Road.
Bill No. 30	By-law No. 34-1999	To amend City of North York By-law No. 7625 in respect of lands municipally known as 1100 Eglinton Avenue East and repeal By-laws 32826 and 33094.

Bill No. 31	By-law No. 35-1999	To amend City of North York By-law No. 7625, with respect to lands municipally known as 130 Industry Street.
Bill No. 32	By-law No. 36-1999	To exempt certain lots from By-law No. 728-1998
Bill No. 33	By-law No. 37-1999	To designate the property at 2259 Meadowvale Road (Hillside Public School (S.S.#4)) as being of historical value or interest.
Bill No. 34	By-law No. 38-1999	To repeal By-laws 14,834 & 1982-152 and to Amend Chapters 320 and 324, Site Specifics of the Zoning Code with Respect to Certain Lands Located on the Northwest Corner of Kipling Avenue and Clement Road, Municipally Known As 1558 Kipling Avenue.
Bill No. 35	By-law No. 39-1999	To amend the former Borough of East York By-law No. 1-88, respecting the regulation of traffic on certain highways during periods of emergency occasioned by the fall of snow.
Bill No. 36	By-law No. 40-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to snow emergencies.
Bill No. 37	By-law No. 41-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 38	By-law No. 42-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 39	By-law No. 43-1999	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 40	By-law No. 44-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 41	By-law No. 45-1999	To amend City of North York Zoning By-law 7625 in respect of lands municipally known as 65, 69, 71, 75, 81 and 83 Drewry Avenue 53, 55 and 57 Fairchild Avenue.
Bill No. 42	By-law No. 46-1999	To amend further By-law No. 92-93, a by-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York.
Bill No. 43	By-law No. 47-1999	To amend further By-law No. 20-96, a by-law "To provide for overnight permit parking on Borough streets", being a by-law of the former Borough of East York.
Bill No. 44	By-law No. 48-1999	To amend further By-law No. 271, a by-law "To prohibit parking on certain sides of certain highways", being a by-law of the former Borough of East York.
Bill No. 45	By-law No. 49-1999	To amend further By-law No. 20-96, a by-law "To provide for overnight permit parking on Borough streets", being a by-law of the former Borough of East York.
Bill No. 46	By-law No. 50-1999	To amend further By-law No. 271, a by-law "To prohibit parking on certain sides of certain highways", being a by-law of the former Borough of East York.
Bill No. 47	By-law No. 51-1999	To amend former City of York By-law No.1-83 (220 Bowie Avenue).
Bill No. 48	By-law No. 52-1999	To layout and dedicate for public lane purposes certain land to form part of

		the public lane east of Gough Avenue, extending northerly from the lane north of Danforth Avenue.
Bill No. 49	By-law No. 53-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane west of Gough Avenue, extending northerly from the lane north of Danforth Avenue.
Bill No. 50	By-law No. 54-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane south of Queen Street West, extending easterly from Niagara Street to Tecumseth Street.
Bill No. 51	By-law No. 55-1999	To dedicate the lane system north of Queen Street East, east of River Street and layout and dedicate for public lane purposes certain land to form part of the lane system north of Queen Street East and east of River Street.
Bill No. 52	By-law No. 56-1999	Appointments to Greater Toronto Services Board.
Bill No. 53	By-law No. 57-1999	To authorize the removal of certain trees growing on the highways of the Municipality.
Bill No. 54	By-law No. 58-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 55	By-law No. 59-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 56	By-law No. 60-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 57	By-law No. 61-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 58	By-law No. 62-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 183, Article V.
Bill No. 59	By-law No. 63-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 60	By-law No. 64-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 61	By-law No. 65-1999	To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 1999.
Bill No. 62	By-law No. 66-1999	To authorize agreements respecting the issue and sale of debentures.
Bill No. 63	By-law No. 67-1999	To authorize temporary advances pending the issue and sale of debentures and raising money by way of loan on the debentures.
Bill No. 65	By-law No. 68-1999	To amend By-law No. 438-86 and to repeal By-laws Nos. 755-77 and 358-78, all of the former City of Toronto, with respect to the lands bounded by Queen, Victoria, Shuter and Bond Streets.
Bill No. 66	By-law No. 69-1999	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as 69 Prescott Avenue.
Bill No. 67	By-law No. 70-1999	To replace Councillor Tzekas, who has resigned as an alternate to Councillor Giansante for the Greater Toronto Services Board, with Councillor Adams.
Bill No. 68	By-law No. 71-1999	To amend further Metropolitan By-law No. 32-92, respecting the

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| | | regulation of traffic on former Metropolitan Roads. |
| Bill No. 69 | By-law No. 72-1999 | To amend the Municipal Code with Respect to Traffic - Chapter 240, Article 1. |
| Bill No. 70 | By-law No. 73-1999 | To amend By-law No. 726-1998 effecting interim control on certain residentially zoned lands fronting on Hazelton Avenue, Webster Avenue, Berryman Street and Bishop Street. |
| Bill No. 71 | By-law No. 74-1999 | To further amend the former City of Toronto Municipal Code Ch. 301, Smoking, respecting the definition of Workplace. |
| Bill No. 72 | By-law No. 75-1999 | To amend further By-law No. 20-85, a by-law "Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area", being a by-law of the former Municipality of Metropolitan Toronto. |
| Bill No. 73 | By-law No. 76-1999 | To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads. |
- 1.83 On February 4, 1999, at 4:45 p.m., Councillor Nunziata, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which was carried:
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| Bill No. 77 | By-law No. 77-1999 | To confirm the proceedings of the Council at its meeting held on the 2nd, 3rd and 4th days of February, 1999. |
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- 1.84 On February 4, 1999, at 6:40 p.m., Councillor Chow, seconded by Councillor O'Brien, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 78	By-law No. 78-1999	To confirm the proceedings of the Council at its meeting held on the 2nd, 3rd and 4th days of February, 1999,
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the vote upon which was as follows:

Yes - 31 Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, King, Lindsay Luby, McConnell, Mihevc, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair
No - 2 Councillors: Davis, Tzekas

Carried by a majority of 29.

- 1.85 On February 4, 1999, at 6:47 p.m., Councillor Mihevc, seconded by Councillor Gardner, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 79	By-law No. 79-1999	To confirm the proceedings of the Council at its meeting held on the 2nd, 3rd and 4th days of February, 1999,
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the vote upon which was as follows:

Yes - 35 Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, King, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair
No - 0

Carried, without dissent.

OFFICIAL RECOGNITIONS

- 1.86 **Condolence Motions:**

Councillor King, seconded by Councillor Ootes, moved that:

“**WHEREAS** the Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Malcolm Wilkinson on Thursday, December 24, 1998; and

WHEREAS Mr. Wilkinson was appointed as Councillor, Ward 13, (former) City of North York, from June 1985 to November 1985; and

WHEREAS during his term as Councillor he served on the Parks and Recreation Committee, the City Hall Building Services Committee and the City Centre Development Sub-committee; and

WHEREAS Mr. Wilkinson also served as a member of the Library Board from December 1985 to November 1988 and was the provincially appointed member of the Board of Health from December 1987 to November 1994; and

WHEREAS he was a member of the North York Civic Square Programming Committee representing the Library Board for one year as well as a member of the Places of Worship Task Force from December 1990 to November 1994;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, an expression of sincere sympathy to Mrs. Wilkinson and the Wilkinson Family.”

Councillor Berger, seconded by Councillor Pantalone, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mr. Robert (John) Bower on Thursday, January 21, 1999, after a battle with throat cancer; and

WHEREAS Mr. Bower was instrumental in creating the first Official Plan for Metropolitan Toronto, stressing the importance of greenspace preservation throughout his career; and

WHEREAS Mr. Bower was an initial member of the Metro Planning Board in 1953, becoming the Deputy Planning Commissioner in 1966, and serving as Metropolitan Planning Commissioner from 1974 until his retirement in 1989; and

WHEREAS Mr. Bower will be fondly remembered for his commitment to the City he loved, his thorough grasp of planning issues, his gentle demeanor, and his many selfless acts of kindness for staff and the public;

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 Mr. Bower, especially his wife Helen, and his children Claire and Robert.”

Councillor Silva, seconded by Councillor Ootes, moved that:

“**WHEREAS** on Monday, January 25, 1999, there was a serious earthquake in Columbia that was localized in the City of Armenia; and

WHEREAS the Members of Toronto City Council have learned with the deepest regret of the deaths of at least 881 people, and of serious injuries to more than 3,540 men, women and children, with over 200,000 people homeless as a result of this earthquake; and

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

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 families and friends of the Columbian earthquake victims in the City of Armenia.”

Councillor Jakobek, seconded by Councillor Bussin, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the tragic deaths of Ms. Linda Elderkin, 50, and Mr. Paul Benson, 30, past residents of the Beach; and

WHEREAS during the early morning of January 14, 1999, Ms. Elderkin and Mr. Benson died in a fire which gutted their home, a four-storey building located at the corner of Neville Park Boulevard and Queen Street East; and

WHEREAS Ms. Elderkin and Mr. Benson will be sadly missed by their family, friends and the Beach community;

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 Ms. Elderkin and Mr. Benson.”

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

Council rose and observed a moment of silence in memory of the late Ms. Elderkin and Messrs. Benson, Bower and Wilkinson, and those who lost their lives in the devastation of the Columbian earthquake.

1.87 Presentations/Introductions/Announcements:**February 2, 1999:**

Deputy Mayor Ootes, during the morning session of the meeting, expressed, on behalf of Council, the appreciation of Council to Kuwabara, Payne, McKenna and Blumberg, Architects, in particular, Mr. Bruce Kuwabara and Ms. Shirley Blumberg, Councillor Ron Moeser and the Sub-Committee for the Relocation of all Members of Council to City Hall, Mr. Lawrence Quinn and all the staff of the Corporate Services Department for their diligent efforts on the renovations to the Council Chamber and the second floor of City Hall to accommodate Members of Council and staff.

Mayor Lastman, during the morning session of the meeting, invited Ms. Patty Rubin, Vice-President of the Toronto Arts Council Foundation, and Reverend Canon Elizabeth Kilbourn, widow of former City Alderman, Bill Kilbourn, to the podium; accepted, on behalf of Council, the plaque from the William Kilbourn Award Jury which had been presented to the Council for selecting Toronto City Hall as the seat of government for the City of Toronto; and expressed the appreciation of Council to the Toronto Arts Council Foundation for their recognition in this regard.

Mayor Lastman, during the morning session of the meeting, invited the members of Project Warmth Group, Police Chief David Boothby and Fire Chief Al Speed to the podium; advised the Council that Project Warmth provides aid to the homeless during the cold winter months and that Chiefs Boothby and Speed are launching the Project Warmth Deep Winter Campaign; expressed, on behalf of Council, the appreciation of Council to all those involved with Project Warmth; and invited Ms. Karen Fraser, representative of the Project Warmth Group, to make a presentation to three of the volunteers who have provided exemplary assistance to the homeless in the City of Toronto this winter.

Councillor Pantalone, during the morning session of the meeting, introduced Ms. Julie Pocock, daughter of Mrs. Nancy Pocock, present at this meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of the Grades 5 and 6 classes from Orde Street Public School, present at the meeting.

February 3, 1999:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Seventh Street School, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of Grades 6, 7 and 8 classes from Willowdale Middle School, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, advised the Council that he had received a communication dated February 3, 1999, from Mr. John Spears, President,

City Hall Press Gallery, expressing concern regarding the conduct of the in-camera session of Council which had been held on February 2, 1999, in Committee Room No. 1, during the evening session of Council, and the public portion of that session which had also been held in the Committee Room. The Deputy Mayor further advised the Council that the City Hall Press Gallery had requested that, in future, all public meetings of City Council be held in the Council Chamber.

Deputy Mayor Ootes advised the members of the Press Gallery and the public present at this meeting that the public portion of the evening session, after the in-camera session, had not been held in private. The doors to the Committee Room had been opened and staff had been sent to the Council Chamber to advise that the meeting was in public session.

Councillor Flint, with the permission of Council, advised the Council that at least one member of the public had been present in the Committee Room after the in-camera portion of the evening session held on February 2, 1999.

Deputy Mayor Ootes further advised that, in future, all in-camera meetings of City Council will be held in the Council Chamber.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced Mr. Wayne Arthurs, Mayor of the Town of Pickering and Member of the Greater Toronto Services Board, present at the meeting.

February 4, 1999

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of St. Demetrius School, present at the meeting.

1.88 MOTIONS TO VARY PROCEDURE

Vary the order of proceedings of Council:

Councillor Mammoliti on February 2, 1999, at 11:08 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals", at either 8:00 p.m. on February 3, 1999, or as the last item of business, the vote upon which was as follows:

Yes - 32

Councillors: Augimeri, Berardinetti, Berger, Bossons, Bussin, Chow, Disero, Duguid, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Sinclair, Tzekas, Walker

<p>No - 11 Councillors: Altobello, Balkissoon, Brown, Faubert, Feldman, Flint, Jones, Mahood, Rae, Saundercook, Silva</p>

Carried by a majority of 21.

Waive the provisions of the Procedural By-law related to meeting times:

February 2, 1999:

Deputy Mayor Ootes at 9:45 a.m., proposed that Council recess at 12:00 noon, in order that the official photograph could be taken in the Council Chamber.

Council concurred in the proposal by Deputy Mayor Ootes.

February 3, 1999:

Councillor Mammoliti at 9:57 p.m., 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 Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals", the vote upon which was taken as follows:

<p>Yes - 24 Councillors: Bossons, Disero, Duguid, Filion, Flint, Fotinos, Holyday, Jakobek, Jones, Kelly, King, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Rae, Silva</p>
<p>No - 19 Councillors: Adams, Augimeri, Balkissoon, Brown, Bussin, Cho, Chow, Davis, Feldman, Gardner, Johnston, Korwin-Kuczynski, McConnell, Pantalone, Prue, Saundercook, Shiner, Tzekas, Walker</p>

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

Councillor Chow at 9:59 p.m., 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 the questioning of staff by Members of Council in regard to Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals", the vote upon which was taken as follows:

Yes - 32 Councillors: Augimeri, Bossons, Brown, Bussin, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shaw, Shiner, Silva
No - 13 Mayor: Lastman. Councillors: Adams, Balkissoon, Cho, Gardner, Johnston, Mahood, Mammoliti, Moeser, Moscoe, Prue, Tzekas, Walker

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

Councillor Layton at 10:00 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, and that Council continue to in session until 10:30 p.m. in order to permit debate on Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals", and review the necessity to continue at that time, the vote upon which was taken as follows:

Yes - 29 Mayor: Lastman. Councillors: Augimeri, Bossons, Chow, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Jones, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Nunziata, O'Brien, Ootes, Pitfield, Rae, Saundercook, Shaw, Shiner, Silva
No - 17 Councillors: Adams, Balkissoon, Brown, Bussin, Cho, Davis, Feldman, Gardner, Johnston, Kelly, Korwin-Kuczynski, Moeser, Moscoe, Pantalone, Prue, Tzekas, Walker

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

February 4, 1999:

Councillor Layton at 12:29 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude the vote on Clause No. 1 of Report No. 1 of The Board of Health, headed "By-law Respecting Animals", which was carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Jakobek at 2:18 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. adjournment, and that Council continue to meet until 6:00 p.m., the vote upon which was taken as follows:

Yes - 33 Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Sgro, Tzekas
No - 1 Councillor: Holyday

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

Councillor Jakobek at 5:58 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 6:00 p.m. recess, and that Council continue in session until 6:30 p.m. and review the necessity to continue at that time, which was carried, more than two-thirds of Members present having voted in the affirmative.

1.89 ATTENDANCE

Councillor Filion, seconded by Councillor Moeser, moved that the absence of Councillor Kinahan from this meeting of Council be excused, which was carried.

February 2, 1999	9:40 a.m.- 12:02 p.m.*	Roll Call 2:12 p.m.*	2:12 p.m.- 6:00 p.m.*	Ctte. of the Whole in-camera 8:11 p.m.*	9:59 p.m.- 10:18 p.m.*
Lastman	x	-	x	-	-
Adams	x	-	x	x	x
Altobello	x	x	x	x	-
Ashton	x	-	x	x	x
Augimeri	x	x	x	x	x
Balkissoon	x	x	x	x	x
Berardinetti	x	x	x	x	-
Berger	x	x	x	x	x
Bossons	x	x	x	x	x
Brown	x	-	x	x	x
Bussin	x	x	x	x	x

Minutes of the Council of the City of Toronto
February 2, 3 and 4, 1999

February 2, 1999	9:40 a.m.- 12:02 p.m.*	Roll Call 2:12 p.m.*	2:12 p.m.- 6:00 p.m.*	Ctte. of the Whole in-camera 8:11 p.m.*	9:59 p.m.- 10:18 p.m.*
Cho	x	x	x	x	x
Chong	x	x	x	x	-
Chow	x	-	x	x	x
Davis	x	-	x	-	-
Disero	x	x	x	x	x
Duguid	x	-	x	x	x
Faubert	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	x	-	x	x	-
Flint	x	x	x	x	x
Fotinos	x	x	x	x	x
Gardner	x	x	x	x	x
Giansante	x	x	x	x	x
Holyday	x	x	x	x	x
Jakobek	x	x	x	x	x
Johnston	x	x	x	-	-
Jones	x	-	x	x	x
Kelly	x	-	x	x	x
Kinahan	-	-	-	-	-
King	x	x	x	x	x
Korwin-Kuczynski	x	-	x	x	x
Layton	x	-	x	x	x
Lindsay Luby	x	x	x	x	x
Li Preti	x	x	x	x	x
Mahood	x	x	x	x	-
Mammoliti	x	x	x	x	x
McConnell	x	-	x	x	x
Mihevc	x	x	x	x	x
Miller	x	-	x	x	x
Minnan-Wong	x	x	x	-	-

Minutes of the Council of the City of Toronto
February 2, 3 and 4, 1999

February 2, 1999	9:40 a.m.- 12:02 p.m.*	Roll Call 2:12 p.m.*	2:12 p.m.- 6:00 p.m.*	Ctte. of the Whole in-camera 8:11 p.m.*	9:59 p.m.- 10:18 p.m.*
Moeser	x	-	x	x	x
Moscoe	x	-	x	-	-
Nunziata	x	x	x	x	-
O'Brien	x	-	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x
Pitfield	x	-	x	x	x
Prue	x	-	x	x	-
Rae	x	-	x	x	x
Saundercook	x	x	x	-	-
Sgro	x	x	x	x	x
Shaw	x	-	x	x	x
Shiner	x	-	x	x	x
Silva	x	x	x	x	x
Sinclair	x	-	x	-	-
Tzekas	x	-	x	-	-
Walker	x	-	x	x	x
Total	57	32	57	49	42

* Members were present for some or all of the time period indicated.

February 3, 1999	9:43 a.m.- 12:30 p.m.*	Roll Call 2:11 p.m.*	2:11 p.m.- 6:00 p.m.*	Roll Call 8:15 p.m.*	8:15 p.m.- 10:10 p.m.*
Lastman	x	-	x	x	x
Adams	x	x	x	x	x
Altobello	x	x	x	x	x
Ashton	x	-	x	-	-
Augimeri	x	x	x	x	x
Balkissoon	x	x	x	x	x
Berardinetti	x	-	x	x	x
Berger	x	x	x	-	-

Minutes of the Council of the City of Toronto
February 2, 3 and 4, 1999

February 3, 1999	9:43 a.m.- 12:30 p.m.*	Roll Call 2:11 p.m.*	2:11 p.m.- 6:00 p.m.*	Roll Call 8:15 p.m.*	8:15 p.m.- 10:10 p.m.*
Bossons	x	-	x	x	x
Brown	x	x	x	x	x
Bussin	x	-	x	x	x
Cho	x	x	x	-	x
Chong	x	-	x	x	x
Chow	x	-	x	-	x
Davis	x	x	x	-	x
Disero	x	x	x	-	x
Duguid	x	x	x	x	x
Faubert	x	x	x	-	-
Feldman	x	-	x	x	x
Filion	x	-	x	x	x
Flint	x	x	x	-	x
Fotinos	x	-	x	x	x
Gardner	x	-	x	-	x
Giansante	x	x	x	x	x
Holyday	x	x	x	x	x
Jakobek	x	-	x	-	x
Johnston	x	x	x	x	x
Jones	x	-	x	x	x
Kelly	x	-	x	-	x
Kinahan	-	-	-	-	-
King	x	-	x	x	x
Korwin-Kuczynski	x	-	x	x	x
Layton	x	x	x	-	x
Lindsay Luby	x	x	x	x	x
Li Preti	x	x	x	x	x
Mahood	x	x	x	x	x
Mammoliti	x	x	x	x	x
McConnell	x	x	x	x	x
Mihevc	x	x	x	x	x

Minutes of the Council of the City of Toronto
February 2, 3 and 4, 1999

February 3, 1999	9:43 a.m.- 12:30 p.m.*	Roll Call 2:11 p.m.*	2:11 p.m.- 6:00 p.m.*	Roll Call 8:15 p.m.*	8:15 p.m.- 10:10 p.m.*
Miller	x	-	x	-	-
Minnan-Wong	x	x	x	-	x
Moeser	x	-	x	x	x
Moscoe	x	x	x	-	x
Nunziata	x	x	x	-	x
O'Brien	x	-	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x
Pitfield	x	-	-	-	x
Prue	x	x	x	-	x
Rae	x	x	x	x	x
Saundercook	x	-	x	-	x
Sgro	x	-	x	-	-
Shaw	x	-	x	x	x
Shiner	x	x	x	x	x
Silva	x	-	x	-	x
Sinclair	-	-	x	-	-
Tzekas	x	-	x	-	x
Walker	x	-	x	x	x
Total	56	30	56	34	51

* Members were present for some or all of the time period indicated.

February 4, 1999	Roll Call 9:41 a.m.*	9:40 a.m.- 1:10 p.m.*	2:15 p.m.- 6:48 p.m.*
Lastman	x	x	x
Adams	-	x	x
Altobello	x	x	x
Ashton	-	x	x
Augimeri	x	x	x
Balkissoon	x	x	x
Berardinetti	-	-	-

Minutes of the Council of the City of Toronto
February 2, 3 and 4, 1999

February 4, 1999	Roll Call 9:41 a.m.*	9:40 a.m.- 1:10 p.m.*	2:15 p.m.- 6:48 p.m.*
Berger	x	x	x
Bossons	x	x	x
Brown	-	x	x
Bussin	x	x	x
Cho	-	x	x
Chong	x	x	x
Chow	x	x	x
Davis	-	x	x
Disero	x	x	x
Duguid	x	x	x
Faubert	-	-	-
Feldman	-	x	x
Filion	x	x	x
Flint	-	x	x
Fotinos	-	x	x
Gardner	-	-	x
Giansante	-	x	x
Holyday	-	x	x
Jakobek	x	x	x
Johnston	x	x	x
Jones	x	x	x
Kelly	x	x	x
Kinahan	-	-	-
King	x	x	x
Korwin-Kuczynski	-	x	x
Layton	-	x	x
Lindsay Luby	-	x	x
Li Preti	-	x	x
Mahood	-	x	x
Mammoliti	x	x	x
McConnell	x	x	x

Minutes of the Council of the City of Toronto
February 2, 3 and 4, 1999

February 4, 1999	Roll Call 9:41 a.m.*	9:40 a.m.- 1:10 p.m.*	2:15 p.m.- 6:48 p.m.*
Mihevc	-	x	x
Miller	x	x	x
Minnan-Wong	x	x	x
Moeser	-	x	x
Moscoe	-	x	x
Nunziata	x	x	x
O'Brien	x	x	x
Ootes	x	x	x
Pantalone	x	x	x
Pitfield	x	x	x-
Prue	x	x	x
Rae	-	x	x
Saundercook	-	x	x
Sgro	-	x	x
Shaw	x	x	-
Shiner	x	x	x
Silva	x	x	x
Sinclair	-	x	x
Tzekas	-	x	x
Walker	x	x	x
Total	31	54	54

* Members were present for some or all of the time period indicated.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

ATTACHMENT NO. 1

Enquiry dated November 20, 1998, from Councillor Blake F. Kinahan, Lakeshore-Queensway, addressed to the City Clerk (See Minute No. 1.3):

“Please accept this as an official Enquiry for Council Agenda purposes.

Could you please advise as to what changes to Councillors’ offices have been made since the plans were presented to Council at the time of the office lottery. Could you please include a sketch of the plan as presented and the current layout of the space. I understand that file rooms may have disappeared, an office along Bay Street may have disappeared, a meeting room may have disappeared, etc., all to expand some Councillors’ offices from what they were getting as a result of the lottery.”

Answer dated December 14, 1998, from the Commissioner of Corporate Services, to the Enquiry dated November 20, 1998, from Councillor Blake F. Kinahan, Lakeshore-Queensway, addressed to the City Clerk:

“This refers to your memo dated November 23, 1998, with respect to the Enquiry from Councillor Kinahan, requesting information on renovations to the Members’ offices at Toronto City Hall in accordance with Section 55 of the Council Procedural By-law.

Facilities and Real Estate, working through the Relocation Sub-Committee, is currently compiling a listing of changes to Councillors’ offices and associated common space. As per your request, the listing will be provided as soon as available following completion of the Councillors’ facilities, along with a sketch of the plan as presented and the current layout of the space.”

Answer dated February 1, 1999, from the Commissioner of Corporate Services, to the Enquiry dated November 20, 1998, from Councillor Blake F. Kinahan, Lakeshore-Queensway, addressed to the City Clerk:

“In reply to your memorandum dated November 23, 1998, accompanied by an Enquiry from Councillor Blake F. Kinahan submitted under Section 55 of the Council Procedural By-law, I am attaching the following information, as requested, pertaining to the layout of the Councillors’ offices at Toronto City Hall:

- Drawing No. 1: Toronto City Hall Renovation - Second Floor Plan (June 4, 1998);
- Drawing No. 2: Toronto City Hall Renovation - Second Floor Plan (December 6, 1998);

- Chart 1: Comparison of Councillors' Office Floor Areas at Time of Lottery and After Lottery; and
- Chart 2: Total Area of Councillors' Offices and Number of Committee and Meeting Rooms At Time of Lottery and After Lottery.

It should be noted that the renovations to the second floor of City Hall to accommodate the offices of all 57 Councillors, along with the Mayor's and City Clerk's offices, were completed on time and within budget, followed by the move into the new offices, as scheduled, before the end of 1998."

(Copies of the attachments referred to in the foregoing communication are on file in the office of the City Clerk.)

ATTACHMENT NO. 2

Enquiry dated January 21, 1999, from Councillor Lindsay Luby, addressed to the City Clerk (See Minute No. 1.4):

"This Enquiry is further to my earlier question at Council with respect to traffic management of events at SkyDome. The response from Doug Floyd is attached. As you can see, the original assumption was that people would use public transit to attend stadium events. This has not proven accurate as people continue to drive downtown rather than use the TTC or GO Transit. Without paid-duty officers and special signal timings, the result has been complete gridlock following events at SkyDome.

We now have another huge venue in the downtown core, namely the Air Canada Centre, scheduled to open on February 20. This can only compound traffic chaos.

What is the City's proposed traffic management plan to ensure that traffic is able to disburse in an efficient and orderly manner from the downtown core following events at both SkyDome and the Air Canada Centre."

Memorandum dated April 30, 1998, from Mr. Doug Floyd, addressed to the Chief Administrative Officer, which was attached to the Enquiry dated January 21, 1999, from Councillor Lindsay Luby:

"Barry Gutteridge asked me to reply directly to you regarding Councillor Lindsay Luby's question about traffic management following events at SkyDome.

To understand the constraints on possible solutions it may be helpful to recap the background to the SkyDome site selection. The decision to locate the domed stadium in the railway lands rather than a suburban location such as Downsview or Woodbine was predicated on the close proximity of mass transit (subway and GO)

and the assumption that the majority of attendees could be convinced to use public transit for stadium events. Also, it was argued by the stadium consultant that there was sufficient off-street parking distributed throughout the lower downtown area to satisfy the parking demand for auto trips generated by the stadium. The parking spaces would be available since most stadium events were outside of normal working hours when existing commercial parking facilities would not be required for work-related parking. For these reasons, there was very little parking (about 500 spaces) provided and very little road infrastructure work as part of the stadium development.

I should mention that the views of the stadium consultant were not unanimously supported by municipal traffic engineers for essentially the reasons mentioned by Councillor Lindsay Luby.

Nevertheless, once the stadium site was selected, municipal traffic engineers and police personnel developed a traffic management plan to maximize convenience for stadium users without undue disruption of area access by others.

The plan includes special on-street parking regulations, a special traffic signal timing plan, special pedestrian signing, and numerous pay-duty officers for crowd and traffic control activities at key intersections. Originally the plan also included temporary lane closures on Front Street and John Street but over time these features were eliminated because of cost-effectiveness considerations.

When the SkyDome first opened, the plan worked reasonably well and the mode split for stadium patrons, particularly for baseball games, was in favour of public transit. Over time there has been a gradual shift towards more auto oriented stadium trips. Given the stadium location, there is little that can be done to accommodate additional auto traffic generated by the SkyDome, barring major construction such as the Front Street Extension and its connection to the F.G. Gardiner Expressway. The bulk of the auto trips generated by the stadium use the Lake Shore Corridor (Lake Shore Boulevard and F.G. Gardiner Expressway) to access the stadium area and there is no inexpensive or temporary means of increasing the capacity of the feeder road system to these routes. Even if increased capacity to the Lake Shore Corridor was practicable in the central area, the F.G. Gardiner/Lake Shore combination would not be able to handle the surge of traffic. Of course, at the present time the situation is exacerbated by the temporary closure of Bathurst Street, south of Front Street, for bridge reconstruction. This project is on schedule and Bathurst Street should be re-opened for traffic by early July.

In conclusion, the only significant long-term improvement for accommodating SkyDome event traffic is the Front Street Extension and its connection to the F.G. Gardiner Expressway. The estimated cost of this infrastructure project is approximately \$100,000,000.00.”

Answer dated January 29, 1999, from the Commissioner, Works and Emergency Services and the Commissioner, Urban Planning and Development Services, addressed to City Council, in response to the Enquiry dated January 21, 1999, from Councillor Lindsay Luby:

“Subject: Traffic Management for SkyDome and Air Canada Centre

Purpose:

To respond to a request from Councillor Gloria Lindsay Luby for information regarding plans to accommodate traffic generated by the SkyDome and Air Canada Centre.

Funding Sources:

There are no financial implications to this report.

Recommendation:

It is recommended that this report be received for information.

Background:

Councillor Gloria Lindsay Luby has expressed concern regarding traffic congestion in the central area following events at SkyDome and in the future, Air Canada Centre. As indicated to Councillor Lindsay Luby in previous correspondence regarding SkyDome, the downtown locations for SkyDome and subsequently Air Canada Centre have been selected for a variety of reasons, one of which is the availability of public transportation as the primary mode of access. This includes relatively convenient subway service, GO Transit train service and charter/regional bus service. For patrons who choose to use the automobile, the proximity of the F.G. Gardiner Expressway, Lake Shore Boulevard and the arterial network provides access to the lower downtown area where there are over 27,000 parking spaces available during off-business hours when most events take place at SkyDome and soon at the Air Canada Centre.

Because the parking spaces are spread throughout the area the surge of traffic following an event is distributed in time and space since patrons must walk from the stadium/arena to their vehicles and depart using a variety of routes. The distribution of the traffic is an obvious advantage from a traffic operations perspective. Also given the number of restaurants and bistros in the area many patrons are delayed before departing from the area which further reduces the surge conditions. Finally, extensive monitoring of SkyDome operations during its peak attendance periods has consistently shown that these surge conditions are very short in duration, essentially less than half an hour.

Discussion:

An important element of the approval process for the Air Canada Centre was a detailed review of transportation impacts of the proposed facility. The basis of this review was a comprehensive transportation impact study (T.I.S.) prepared by the consulting firm Read Voorhees and Associates Limited in accordance with the standard guidelines established by the (former) Metro Planning, Transportation and municipal departments. The impacts of traffic and pedestrian generation of the facility were tested under a number of scenarios including a.m. and p.m. peaks, event peaks, build-out of the railway lands and simultaneous events at the SkyDome. The studies were reviewed by the relevant municipal departments and agencies and scrutinized by abutting landowners. It is interesting to note the peak period trip generation potential of the development is substantially less than what would have resulted had the previously-approved commercial densities been built.

As a condition of approval of the project, the owner was required to provide a number of new pedestrian and roadway links, bus parking and prepare an arena Transportation Operations Plan. Elements of the Operations Plan include promotion of public transit usage, directional signage, assessment of the need for point duty police control, barricade deployment (if necessary), curbside management, bus parking operations and monitoring. This plan is in the final stages of development and will be ready for the official opening.

Based on the comprehensive transportation assessment, we do not expect significant traffic management problems to be created by the Air Canada Centre other than perhaps during the first few weeks of operation as patrons become accustomed to the new location. The capacity of the Air Canada Centre for events is considerably less than the nearby SkyDome. Road related infrastructure improvements such as the creation of the York Street - Bremner Boulevard signal-controlled intersection were identified in the planning process and have been implemented. Also, on-site accommodation has been made for the parking of charter/tour buses. The capacity of Union Station, and in particular, the subway platforms is being reviewed by staff of the Toronto Transit Commission. This is not so much a concern related to the current development, but should be reviewed as future development proceeds in the Railway lands. It is a complex issue involving all of the stakeholders in the Union Station facilities.

For on-street traffic, the signal system is ready to handle the before and after event traffic based on expected patterns. Paid duty control of key intersections is an option depending on prevailing conditions. There is, of course, expected to be some confusion and general congestion during the initial period of operation of the Air Canada Centre, but once patrons become conditioned to the new site for hockey, basketball and other events, the travel habits will settle into a predicable pattern.

In addition, parking/standing regulations for Bremner Boulevard near the Air Canada Centre have been recommended for approval which will provide for local on-street parking control.

Conclusions:

Given that the normal attendance at the Air Canada Centre will be considerably less than SkyDome events, it is not expected that there will be significant traffic congestion problems following the first period of operation. Options such as paid duty control of intersections, changes to traffic regulations, and signal timing modifications are available for resolution of any traffic issues which develop after the Air Canada Centre opening.

Furthermore, Air Canada Centre Management has agreed to emphasize public transit as the preferred mode of access in their marketing material.”

ATTACHMENT NO. 3

Communication dated January 26, 1999, from Councillor Tzekas, addressed to the City Clerk (See Minute No. 1.68):

“I am tendering my resignation as alternate to Councillor Giansante on the Greater Toronto Services Board (GTSB) in order that Councillor John Adams may replace me and represent the City of Toronto as an official alternate on the GTSB.

Councillor Adams’ appointment by City Council to the position of a non-voting Toronto caucus “Whip”, brought with it a number of duties, including ensuring that Toronto had a full contingent of representation at all GTSB meetings.

The need and role of the position of whip has been questioned in some political circles, leaving open the door for some unfounded criticism of the City of Toronto.

To silence the critics, and maintain a unified Toronto presence, I am stepping aside so that Councillor Adams may now become a voting member of the GTSB, albeit an alternate.

Finally, I would suggest that the title of “Whip” be changed to that of Coordinator and that Councillor Adams continue in this new role, working with the Mayor to assist Toronto representatives in developing a unified position on matters affecting the City of Toronto.”

ATTACHMENT NO. 4

Report dated February 2, 1999, from the Director, Transportation Services, District 2, Works and Emergency Services, entitled "Introduction of a Parking Prohibition: Kipling Avenue (Lakeshore-Queensway)" (See Minute No. 1.69):

Purpose:

To propose the introduction of a parking prohibition on both sides of Kipling Avenue between Lake Shore Boulevard West and the south limit of the road.

Funding Sources:

The funds associated with the installation of the appropriate regulatory signage are contained in the Transportation Services Division's Operating Budget.

Recommendations:

It is recommended that:

- (1) parking be prohibited on both sides of Kipling Avenue between Lake Shore Boulevard West and the south limit of the road; and
- (2) the appropriate by-law (Attachment No.1) be amended accordingly.

Background:

Council, at its meeting held on November 12, 1996, adopted Clause 171 of the Twentieth Report of the Works and Environment Committee, 1996, that endorsed the development, design and construction of the extension of Kipling Avenue, south of Lake Shore Boulevard West with a pavement width of 16.5 metres at the intersection of Lake Shore Boulevard West, tapering to a width of 11.35 metres south of the intersection and extending to its southerly terminus. Correspondence dated January 21, 1999, has been received from Mr. John Hooiveld, Manager, Physical Resources Planning, Humber College, (Attachment No. 2) requesting the implementation of a parking prohibition on this street to discourage the students of the college from using this street as their parking facilities. Concern has also been expressed by the Toronto Transit Commission regarding operational difficulties that it is experiencing as a result of the excessive on-street parking. A map of the area is Attachment No. 3.

Discussion:

This section of Kipling Avenue is a two-lane roadway. Parking is currently permitted on both sides of the street for a maximum period of three hours. Land use in the immediate vicinity is zoned institutional and parkland.

The high incidence of day-time on-street parking is attributed to the close proximity of the street to Humber College, South Campus. To avoid paying parking fees on campus, students of the college park their vehicles on this section of Kipling Avenue throughout the day. A staff review of this issue clearly indicates that daytime parking on Kipling Avenue, south of

Lake Shore Boulevard West interferes with transit and emergency access. Periodic police enforcement has had little effect in rendering a long -term solution to this problem.

Conclusions:

Based on the staff examination of this matter, Council's endorsement of the recommendation contained herein would be appropriate.

Contact Name:

Karen Kirk, C.E.T., Parking Co-ordinator, Transportation Services Division - District 2. (416)394-8419; Fax 394-8942."

(A copy of the Attachments referred to in this report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 5

Report dated January 30, 1999, from the Chief Financial Officer and Treasurer, addressed to the Budget Committee, entitled "1999 Capital Budget - Requests for Prior Authorization for Specific Capital Projects" (See Minute No. 1.74):

Purpose:

This report provides a list of Capital projects which are considered to be urgent and require prior expenditure authorization and immediate financing approval in advance of the approval of the 1999 Capital Budget (prior approval) which is scheduled to go forward to City Council at its meeting of March 2, 1999.

Financial Implications:

The Capital projects as detailed in the attached reports are, for the most part, the program areas' highest priorities and are all included in the 1999 Capital Budget as recommended by the Budget Committee and Strategic Policies and Priorities Committee.

The capital projects recommended for prior approval total \$ 34.2 million gross and are listed in Table 1. The total represents 2.28 percent of the 1999 recommended Capital Budget cash flow commitment of \$1.5 million. The request for prior approvals are summarized as follows:

	1999 Recommended	1999 Prior Approvals	
	Capital Budget Cash flow (\$000's)	Recommended (\$000's)	%
Tax Supported Programs	1,197,384	32,116	<u>2.7</u>
Rate Supported Programs	<u>301,101</u>	<u>2,050</u>	<u>0.6</u>
Total	<u>1,498,485</u>	<u>34,166</u>	<u>2.28</u>

Recommendations:

It is recommended that:

- (1) the tax supported capital projects as listed in Table 1 be given prior authorization before the City's 1999 Capital Budget is approved and receive the necessary spending authority in the amount of \$ 32.116 million, for 1999;
- (2) the rate supported Capital projects as listed in Table 1 be given prior authorization before the City's 1999 Capital Budget is approved with the necessary spending authority in the amount of \$ 2.050 million, for 1999;
- (3) the attached report (January 28, 1999) from the Commissioner of Works and Emergency Services requesting prior approval of specific Capital Projects, be adopted; and
- (4) the attached communications: (January 28, 1999) from the Acting Managing Director Heritage Toronto, (January, 29, 1999) from the Commissioner of Corporate Services and (January 29, 1999) from the President of the Toronto Parking Authority requesting prior approval of specific Capital Projects, and the report (January 29, 1999) from the Commissioner of Corporate Services, be received for information.

Council Reference/Background/History:

The Strategic Policies and Priorities Committee at its meeting of January 26, 1999, had before it the 1999 Capital Budget as recommended by the Budget Committee at its meeting of January 19, 1999. Also before the Committee was a report (January 26, 1999) from the Chief Financial Officer and Treasurer recommending the necessary spending authorizations for the 1999 Capital Budget and Commitments.

The Strategic Policies and Priorities Committee recommended adoption of the recommended 1999 Capital Budget (as amended) as well as adopting the report from the Chief Financial Officer and Treasurer setting out the spending authorizations. It was also recommended that the 1999 Capital Budget not go forward to City Council's February 2, 1999 meeting as scheduled but rather be deferred for consideration with the Chief Financial Officer and

Treasurer's Capital Financing report expected to go forward to City Council on March 2, 1999.

As a consequence of the deferral, staff were also directed to bring forward to a special meeting of the Budget Committee scheduled for February 1, 1999, those Capital projects which were considered urgent and could not wait for City Council's March 2, 1999 approval.

Discussion:

The Capital projects considered to be urgent and recommended for prior authorization total \$34.2 million and are listed in Table 1. It should be noted that these projects are included as part of the 1999 Capital Budget which was approved by the Strategic Policies and Priorities Committee at its meeting of January 26, 1999. The projects for the most part are considered to be a high priority by the program areas and have a proven need to be prior authorized. The attached reports and communications from staff provide the necessary justifications for each of the capital projects.

The primary reasons for seeking prior approval of capital projects would include:

- (i) to accommodate previously approved projects which are in progress and required additional financing approval;
- (ii) to give the program areas an early start in the tendering of the 1999 contracts to take advantage of traditionally favourable prices in the construction industry at that time; and
- (iii) to assist in distributing the workload evenly throughout the 1999 construction season.

Conclusions:

Prior approval of the Capital projects listed in Table 1, which total \$34.166 million gross, are within the 1999 Capital Budget as recommended by the Strategic Policies and Priorities Committee, and the Spending Authorizations Report (January 26, 1999) from the Chief Financial Officer and Treasurer, which was also adopted by the Strategic Policies and Priorities Committee at its January 26, 1999 meeting.

The recommendations in this report will not prejudice the Committee's ability to present a 1999 Capital Budget and a Capital Financing Plan to City Council on March 2, 1999.

Contact Name:

John Di Lallo, Manager, Budget Services
Telephone 397-4207 Fax 392-3649
Email jdilallo@mta1.metrodesk.metrotor.on.ca

Shekhar Prasad, Director, Budget Services
Telephone 392-8095 Fax 392-3649
Email sprasad@mta1.metrodesk.metrotor.on.ca

TABLE 1
1999 CAPITAL BUDGET
INTERIM CAPITAL BUDGET SPENDING APPROVAL

<u>PROGRAM</u>	<u>PROJECT DESCRIPTION</u>	<u>\$ 000'S</u>
<u>Tax Supported</u>		
Arts, Culture, Heritage	The Pier: Toronto's Waterfront Museum, Project #804	100
Transportation	Lawrence Avenue Bridge, Account C-TR055	1,916
Facilities Management	Casa Loma - Major Capital Repairs, Project #807	100
Year 2000	Year 2000, Account C-CP018	<u>30,000</u>
	Sub-total	<u>32,116</u>
<u>Rate Supported</u>		
Toronto Parking Authority	Carpark - Bloor/Islington, Project #012	800
Waste Water	Biosolids - Main Treatment Plant, Account C-WP160	<u>1,250</u>
	Sub-total	<u>2,050</u>
	Total	<u>34,166</u>

(Report dated January 28, 1999,
from the Commissioner of Works and Emergency Services,
addressed to the Budget Committee)

Subject: Interim Spending Approval Prior To 1999-2003 Capital Works Program Approval

Purpose:

Due to the delay in the approval of the 1999-2003 Capital Works Program, this report addresses the need for interim spending approval for those projects that are ongoing, as the Capital Works Program is anticipated to be approved by Council on March 2, 1999.

Funding Sources, Financial Implications and Impact Statement:

Interim approval of Capital expenditures on the projects identified in the recommendations will pre-approve \$3,047,143.00 after Municipal Goods and Services Tax Rebate of the Transportation and Water and Wastewater 1999 Capital Budget.

The approval of the recommendations will not add to the 1999 request but merely give approval to commence/continue projects prior to the approval of the 1999-2003 Capital Works Program.

Staff of the Finance Department have been consulted with regard to the requests contained in this report.

Recommendations:

It is recommended that:

- (1) approval be given for the necessary funding in the amount of \$3,165,530.26 including GST for the projects identified herein prior to the approval of the Transportation and Water and Wastewater Divisions' 1999-2003 Capital Works Program;
- (2) subject to approval of Recommendation No. (1) above, authority be granted to amend the existing consulting services agreement with the engineering firm of R.V. Anderson Associates Limited for predesign services pertaining to design/build assignment arising from the 100 percent Biosolids Beneficial Use Program at the Main Treatment Plant, by an additional amount of \$1,250,000.00 including Goods and Services Tax and including a contingency allowance of \$110,000.00 to cover additional work, if necessary, and as authorized by the Commissioner, all in accordance with the terms of the existing consulting services agreement;
- (3) subject to approval of Recommendation No. (1) above, Contract No. T-30-99, Tender No. 145-1998, for the structure rehabilitation on the Lawrence Avenue Bridge over the Humber River, east of Scarlett Road, be awarded to Soncin Construction Corporation in the total amount of \$1,915,530.26 including Goods and Services Tax; and
- (4) the appropriate City officials be directed to take the necessary action to give effect thereto.

Council Reference/Background/History:

The Transportation and Water and Wastewater Services Divisions' 1999 – 2003 Capital Works Program were prepared and submitted on the assumption that approvals for 1999 expenditures would be obtained by City Council's approval of the capital budget on February 2, 1999. With the approval of the Capital budget now deferred to the City Council

date of March 2, 1999, interim spending authority is required to continue/commence with projects that have critical timelines associated with them.

Comments and/or Discussion and/or Justification:

The two projects identified herein have critical time frames associated with each of them which if not achieved would greatly jeopardize either Council's established deadlines for the Biosolids project or Toronto Region and Conservation Authority's regulations respecting work over or within a fish habitat watercourse.

As identified in Appendix "A", the applicable projects are as follows:

- (1) Biosolids (included in Water Pollution Control Capital Account C-WP160, Main Treatment Plant):

Council has approved fast tracking the 100 percent beneficial use of biosolids process to ensure that incineration is ceased at the Main Treatment Plant by January 1, 2001. In this regard City Council approved the engagement of the firm of R.V. Anderson Associates Limited (RVA) to assist the City in the development and establishment of the beneficial use biosolids program.

In view of the accelerated and critical time required for the implementation of the biosolids program it was decided to construct the necessary facilities based on design/build contracts. Accordingly, to ensure adequate funds are available, a partial expenditure of \$1,250,000.00 is required from the funding of \$1,560,000.00 identified in the 1999 Water and Wastewater Capital Budget to cover the cost of predesign services to be provided by RVA for design/build assignments arising from the biosolids program.

For further detailed information and justification for recommending predesign services be provided by the existing consulting firm of RVA, please find attached a report dated January 12, 1999, from the Commissioner of Works and Emergency Services as adopted by the Works and Utilities Committee on January 13, 1999, and recommended for Council approval.

- (2) Lawrence Avenue Bridge over the Humber River Structure Rehabilitation, Contract No. T-30-99, Tender No. 145-1998 (included in Transportation Capital Account C-TR055, Bridge Reconstruction Program):

Due to the Humber River being classified as a warm water fish habitat "no watercourse disturbances are permitted between April 1st and June 30th" as regulated by the Toronto Region and Conservation Authority. Accordingly, work under the above contract must be started as early as possible to ensure that protection of the Humber River from potential bridge work debris falling into the river is

completed prior to April 1st, in order that the bridge rehab work is completed within the 1999 construction season.

For further detailed information and justification for the approval of award of Contract T-30-99 please see attached a report dated December 17, 1998, from the Commissioner of Works and Emergency Services as adopted by the Urban Environment and Development Committee on January 11, 1999, and recommended for Council approval.

Conclusion:

In order to address the expected delay in approval by Council of the 1999-2003 Capital Works Program, a need for interim Capital funding approval has been identified for certain projects in the Transportation and Water and Wastewater Services Divisions. These projects are critical in that work is required to continue on and/or needed to be commenced as soon as possible in 1999, in order to achieve the time frames associated with these projects.

Contact Name and Telephone Number:

Pagnanelli, P.Eng.
Manager, Plant & Facility Construction
Engineering Services – Works Facilities and Structures
Technical Services Division
Telephone No. (416) 392-8245

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(Report dated January 12, 1999,
from the Commissioner of Works and Emergency Services,
addressed to the Works and Utilities Committee)

Subject: Amendment of the Existing Consulting Services Agreement Between the City and the Firm of R. V. Anderson Associates Limited for Engineering Services Related to the Implementation of a 100 Percent Biosolids Beneficial Use Program at the Main Treatment Plant

Purpose:

To obtain authorization to amend the consulting services agreement, subject to approval of the 1999 Water and Wastewater Capital Works Program, in order to prepare predesign reports for auxiliary facilities required for timely implementation of the 100 Percent Biosolids Beneficial Use Program at the Main Treatment Plant.

Funding Sources, Financial Implications and Impact Statement:

The necessary funding has been included in the proposed 1999 Water and Wastewater Capital Works Program Account No. WP 160 MTP, Item No. S20515 Biosolids Use Program to be presented for approval by Council at its meeting on February 2, 3 and 4, 1999.

Recommendations:

It is recommended that, subject to approval of the necessary funding included in the 1999 Water and Wastewater Capital Works Program, authorization be given to amend the existing consulting services agreement with the engineering consulting firm of R.V. Anderson Associates Limited for predesign services pertaining to design/build assignment arising from the 100 Percent Biosolids Beneficial Use Program at the Main Treatment Plant (MTP), by an additional amount of \$1,250,000.00, including Goods and Services Tax (GST), and including a contingency allowance of \$110,000.00 to cover additional work, if necessary, and as authorized by the Commissioner, all in accordance with the terms of the existing consulting services agreement.

Council Reference/Background/History:

By adoption of Clause No. 16 of Report No. 28, City Council, on October 1, 1998, endorsed the engagement of the firm of R. V. Anderson Associates Limited (RVA) to assist City staff in the preparation and evaluation of the EOIs and RFPs for the establishment of the beneficial biosolids reuse facilities and for the design/build construction of the biosolids loading facilities, odour control facilities and heat generation facilities at the MTP in the amount of \$845,000.00 net after the G.S.T. municipal rebate.

Comments and/or Discussion and/or Justification:

In order to minimize time required for the implementation of the 100 Percent Biosolids Beneficial Use Program at the MTP, and to allow for shutdown of the plant's sludge incinerators by the end of the year 2000, the Department, in consultation with the specially formed Biosolids Multi-Stakeholders Committee (BMSC) and Technical Review Committee (TRC) decided to construct the necessary facilities based on design/build contracts.

However, awards of such contracts require preparation, in advance, of predesign reports defining basic functional and technical requirements for the facilities (e.g., locations, capacities, technology to be used, process line and utility connections, etc.) based on which the selected design/build contractors will carry out their work, including detail design and construction of the facilities.

RVA, due to its present involvement with the MTP biosolids project, including preparation of RFPs for the beneficial biosolids reuse and evaluation of the received proposals is, in our opinion, best suited to complete the predesign work within the very tight time schedule of the program.

The City Purchasing procedures normally require selection of consultants based on evaluation of competitive proposals from consulting firms in the field. In this case, however, due to time which would be required to prepare request for proposal document, solicit proposals, evaluate proposals and select a new consultant, as well as the time needed by the selected firm to familiarize its staff with the subject, including many complicated procedural and technical issues, we propose to make an exception. Otherwise the Council established deadline for implementation of the project - the end of the year 2000 would be greatly jeopardized. Accordingly, it is also proposed that RVA should perform as well resident engineering services during construction and commissioning of the facilities including installation of the biosolids heat drying and pelletization process equipment at the MTP, if required.

The total cost of the project involving auxiliary facilities necessary for the 100 Percent Beneficial Biosolids Use at the MTP is estimated at about \$50,000,000.00.

Cost of the related consulting engineering services to be provided by RVA could be as follows:

-	Pre-design Services	\$1,250,000.00
-	Services during construction of the auxiliary facilities (Sludge Loading, Odour Control, and Heat Generation facilities)	\$1,570,000.00
-	Services during installation of RFP Heat Drying and pelletization facilities	\$ 900,000.00
	For a total of	\$3,720,000.00 including GST

Authorization is now sought to include, in the existing consulting services agreement with RVA, additional work related to preparation of pre-design reports for the auxiliary facilities only.

Conclusions:

It is recommended to amend the existing consulting services agreement with RVA by \$1,250,000.00, for a total amount of \$2,120,000.00 including the original value of the agreement and full GST to cover, in addition to the original scope of work, preparation of pre-design reports for auxiliary facilities required to implement the 100 Percent Biosolids Beneficial Use Program at the MTP by the end of the year 2000.

Contact Names:

Mr. R. M. Pickett, Director
Water Pollution Control

Telephone: (416) 392-8230
Fax: (416) 397-0908
e-mail: bob_pickett@metrodesk.metrotor.on.ca.

Mr. W. G. Crowther, Director
Engineering Services - Major Facilities
Telephone: (416) 392-8256
Fax: (416) 392-4594
e-mail: william_g._crowther@metrodesk.metrotor.on.ca.

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(Report dated January 29, 1999,
from the Commissioner of Corporate Services,
addressed to the Budget Committee)

Subject: Casa Loma Restoration Project

Purpose:

To receive prior approval of \$100,000.00 from the Corporate Services, Facilities and Real Estate Division 1999 Capital Budget.

Source of Funding:

Corporate Services, Facilities and Real Estate Division 1999 Capital Budget "Casa Loma - Major Capital Repairs".

Recommendations:

It is recommended that:

- (1) the Facilities and Real Estate Division of Corporate Services receive prior approval in the amount of \$100,000.00 from its 1999 Capital Budget for the restoration work at Casa Loma; and
- (2) the appropriate City officials be given authority to give effect to the above.

Background:

As part of the 1998 Capital Budget, the Facilities and Real Estate Division of Corporate Services received \$900,000.00 for the restoration of the Entrance Tower at Casa Loma (Phase II).

Due to the location of the proposed work and issues relating to the facilities program, which is run by the Kiwanis Club of Casa Loma, this work could not be tendered until the fourth quarter of 1998.

Comments:

On October 30, 1998, the Purchasing and Material Division of Finance received three tenders for restoration of the Entrance Tower at Casa Loma. The need to restore the Entrance Tower at this early phase of a multi year project is necessary and of an emergency nature due to the accelerated level of deterioration, and the fact that over 300,000 members of the public pass through this Entrance Tower each year.

The tenders received were as follows (GST included):

Vaughan Masonry Inc.	\$996,880.00
Colonial Building Restoration	\$899,600.00
Clifford Restoration Limited	\$795,208.00

The attached Appendix compares the two lowest bids and indicates the costs and contingency which are in addition to the low tender shown above. It should be noted that while tenders should be evaluated in terms of lowest price (including unit prices, which are not itemized on the attached summary), construction procedure and best value were important aspects to be taken into account.

Separate prices were identified in the base bid for the porte cochere (porch) and the entrance stair which are components of the Entrance Tower and are also in seriously deteriorated condition and present a potential danger to the public. By including these two components as part of the work to be completed under this tender (Phase II), future disruption in this most public area will be eliminated. There is also an economy to be found in restoring them at the same time as the Entrance Tower because of site mobilization, Roman Stone manufacture and other costs.

If prior approval is not given, it would still be our recommendation the tender be awarded to Clifford Restoration as it is our considered opinion that the Clifford Restoration Ltd. tender represents the best value and ultimately the lowest price to the City for the following reasons:

- C unit prices are consistently lower, in some instances from 2 to 7 times lower than that of the next bidder. It is expected that up to 10% of the construction budget will be expended through these unit prices.
- C a significantly superior procedure statement which recognizes critical manufacturing, start-up and completion dates.

As indicated on the attached Appendix, the Clifford Restoration's bid, while the lowest bid, exceeds the 1998 budget amount by \$100,000.00. It is our recommendation that these additional funds be made available through your prior approval of \$100,000.00 from the Facilities and Real Estate Division's 1999 Capital Budget.

It should be noted that \$1,000,000.00 has been requested in the 1999 Facilities and Real Estate Division's Capital Budget Request for the ongoing restoration work necessary for Casa Loma (Phase III).

Contact:

Robert Ferguson - Phone #: 392-0366; Fax 392-0029

APPENDIX
Casa Loma Restoration Project
Phase II 1998 Budget and Bid Summary

No.	Description	Budget		Clifford Restoration Ltd.	Colonial Restoration Ltd.
1.	Architectural Fees *	\$68,975.00		\$ 68,975.00	\$ 68,975.00
2.	Const. Mngt. Fee *	27,160.00		27,160.00	27,160.00
3.	Construction Budget (Entrance Tower)	611,426.00		659,208.00	592,500.00
4.	Porte Cochere (1)			120,000.00	290,000.00
5.	Stair (1)			16,000.00	17,100.00
	Total Base Bid			\$795,208.00	\$ 899,600.00
6.	<u>Cash Allowances</u> Light Fixtures	4,400.00		included	included
7.	Roof Inspections	1,000.00		included	included
8.	Bird Barriers	3,300.00		included	included
9.	Misc. Testing	1,100.00		included	included
10.	R. Stone Testing	3,300.00		included	included
11.	Windows	30,00.00		included	not included
12.	Conduit @ Roof	1,000.00		included	included

13.	Plaster Repairs	6,000.00		included	included
14.	Gommage Cleaning	14,000.00		included	included
	Total Cash Allowances	64,100.00		0 (3)	30,000.00(4)
15.	Contingency *	99,333.00		99,333.00	99,333.00
16.	Asphalt Repairs (Rev.) *	19,974.00		13,974.00	13,974.00
17.	Painted Hoarding *	3,500.00		350.00	350.00
18.	Emergency Stabilization *	30,000.00		30,000.00	30,000.00
	TOTAL	935,000.00		1,035,000.00	\$1,169,392.00
	Prior Approval Request			\$100,000.00	

- Note:
1. Additional work which was priced separately (break out). Requested funding from 1999 Capital Budget (subject of Report)
 2. Includes \$35,000 GST Rebate
 3. \$64,100 included as part of Clifford Restoration Base Bid
 4. \$30,000 cash allowance for windows not included in Colonial Restoration Base Bid.
- * Project costs over and above the lower tender totalling \$239,792

(Communication dated January 29, 1999,
from the President, Toronto Parking Authority,
addressed to the Budget Services Division)

Subject: 1999 Capital Budget - Prior Approval Request

Please include the following 1999 Capital project on the list of urgent projects to be considered by the Budget Committee at their special meeting on Monday, February 1, 1999.

Project No.: 012
 Project Name: Carpark - Bloor/Islington (capital budget page #291)
 Total gross project cost: \$1,500,000.00
 1999 gross cash flow recommended: \$800,000.00
 1999 prior approval requested: \$850,000.00

Reason for prior approval:

An offer to purchase land has been accepted and the TPA Board has approved the purchase. Approval from Council is to be requested at their meeting. A minimum expenditure of \$850,000.00 is required for 1999.

If any further information is required please do not hesitate to contact me at 393-7276.

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(Report dated January 26, 1999,
from the City Auditor, addressed to the Budget Committee)

Subject: Amendment of the Existing Consulting Services Agreement Between The City and the Firm of R. V. Anderson Associates Limited for Engineering Services Related to the Implementation of a 100 Percent Biosolids Beneficial Use Program at the Main Treatment Plant.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting on January 19, 1999, the Budget Committee considered a report from the Works and Utilities Committee recommending that, subject to approval of the necessary funding included in the 1999 Water and Wastewater Capital Works Program, authorization be given to amend the existing consulting services agreement with the engineering consulting firm of R.V. Anderson Associates Limited to provide for an additional \$1,250,000.00 for predesign services pertaining to a design/build assignment arising from the 100 Percent Biosolids Beneficial Use Program at the Main Treatment Plant.

The Budget Committee adopted the recommendation of the Works and Utilities Committee, subject to the City Auditor, "reviewing this project as to whether or not the scope of the work is necessary, or could be done in house or whether the scope of work, if changed, requires a new RFP."

Given the short time constraints, my staff have conducted a high level review of this matter, which included discussions with appropriate Works staff and a review of various committee reports.

Comments:

On October 1, 1998, City Council endorsed the engagement of the firm of R.V. Anderson Associates Limited to assist City staff in the preparation and evaluation of Expressions of Interest and Requests for Proposals (RFP) for the establishment of the Beneficial Biosolids Reuse program and to confirm the requirements for implementation of the project, including the assessment of proposals for the design/build construction of the biosolids loading

facilities, odour control facilities and heat generation facilities at the Main Treatment Plant. R.V. Anderson was selected following a competitive selection process which included the participation of representatives from City Council, Works staff, external stakeholders experienced in the beneficial use of biosolids, and members of the Biosolids Multi-Stakeholder Committee.

In order to implement the 100 Percent Biosolids Beneficial Use Program at the Main Treatment Plant and shutdown the plant's sludge incinerators by the end of the year 2000, the Department, in consultation with the Biosolids Multi-Stakeholders Committee and Technical Review Committee, confirmed that the necessary facilities should be constructed on a design/build basis.

The extension of additional consulting work to R.V. Anderson Associates Limited is required for the preparation of predesign reports which define basic functional and technical requirements for the facilities (e.g. locations, capacities, technologies to be used, process line and utility connections, etc.). These reports are required in advance of awarding the design/build contracts and will form the basis upon which the selected design/build contractors will carry out their work, including detailed design and construction of the facilities. Based on our review of this matter, this additional work is different in scope from the work originally assigned to R.V. Anderson and cannot be done by in house staff, as the expertise required does not exist.

Conclusion:

The recommendation of the Commissioner of Works and Emergency Services to extend additional consulting work related to this project to the existing consultant, without going through an RFP process, was made in order to ensure that the project's implementation deadline was not jeopardized. The Department would normally conduct a separate RFP for this work. However, staff indicate that doing so in this project would delay implementation by approximately 6 months (3 months for award of pre-design work and 3 months for award of site services during construction) and would therefore greatly jeopardize the ability to meet the end of the year 2000 deadline.

The Department is satisfied that R.V. Anderson is qualified to do the additional work. While a competitive selection process would have better ensured a competitive price for the services required, Works staff have indicated that R.V. Anderson's estimated cost for the predesign services is reasonable relative to similar projects of this magnitude. Based on the time frame required to complete this report, we have not been able to confirm this.

The recommendation by staff to amend the existing consulting services agreement with R.V. Anderson to include the required predesign services is predicated on the aggressive time line for completion of this project. Staff have clearly indicated that this action is a deviation from the normal selection process, but that an exception is necessary in this situation if the end of year 2000 deadline is to be achieved.

Ultimately it is Council's decision as to whether normal purchasing procedures should be waived for this project, or the implementation deadline extended to enable a competitive consultant selection process for both the predesign work and site services during construction.

Contact Name and Telephone:

Tony Veneziano, Senior Audit Manager, 392-8353