

Appendix A Guide to City Council Minutes

MINUTES OF THE COUNCIL

OF THE

CITY OF TORONTO

**TUESDAY, JULY 6, 1999
WEDNESDAY, JULY 7, 1999 AND
THURSDAY, JULY 8, 1999**

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

CALL TO ORDER

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

The meeting opened with O Canada.

CONFIRMATION OF MINUTES

- 7.2 Councillor Disero, seconded by Councillor Fotinos, moved that the Minutes of the Council meeting held on the 11th and 12th days of May, 1999, be confirmed in the form supplied to the Members, which carried.

PRESENTATION OF REPORTS

July 6, 1999:

- 7.3 Councillor Berardinetti, during the morning session of the meeting, presented the following Reports for consideration by Council:

Report No. 10 of The Works and Utilities Committee,
Report No. 7 of The Corporate Services Committee,
Report No. 9 of The Economic Development Committee,
Report No. 7 of The Emergency and Protective Services Committee,
Report No. 7 of The Scarborough Community Council,
Report No. 9 of The Striking Committee,
Report No. 1 of The Policy and Finance Committee,
Report No. 1 of The Administration Committee,

Report No. 1 of The Community Services Committee,
Report No. 1 of The Economic Development and Parks Committee,
Report No. 1 of The Planning and Transportation Committee,
Report No. 1 of The Works Committee,
Report No. 7 of The York Community Council,
Report No. 7 of The East York Community Council,
Report No. 8 of The Etobicoke Community Council,
Report No. 6 of The North York Community Council,
Report No. 8 of The Scarborough Community Council,
Report No. 9 of The Toronto Community Council,
Report No. 5 of the Board of Health, and
Report No. 10 of The Striking Committee,

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

- 7.4 Councillor Berardinetti, during the afternoon session of the meeting presented the following Report for the consideration of Council:

Report No. 2 of The Policy and Finance Committee

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

7.5 **DECLARATIONS OF INTEREST**

Councillor Augimeri declared her interest in Clause No. 1 of Report No. 1 of The Works Committee, headed "Quotation for Liquid Chlorine", in that her husband is a shareholder in a company that deals with environmentally-responsible goods.

Councillor Chow declared her interest in Clause No. 1 of Report No. 5 of The Board of Health, headed "Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto", in that her stepson is an employee of a bar.

Councillor Feldman declared his interest in Clause No. 12 of Report No. 1 of The Administration Committee, headed "The Jolly Miller, Lease - 3885 Yonge Street (Ward 9 - North York Centre South)", in that he resides in the vicinity of the subject property.

Councillor Jones declared her interest in those portions of Clause No. 2 of Report No. 1 of The Community Services Committee, headed "Community Services Grants Program - 1999 Allocations", insofar as it pertains to the Etobicoke Crime Prevention Association (Item No. 142) and the Thistletown Community Services Unit (Item No. 369), and in Clause No. 3 of Report No. 1 of The Community Services Committee, headed "Breaking the Cycle of Violence Grants - 1999 Allocation Recommendations", insofar as it pertains to the Etobicoke Crime Prevention Association (Item No. 41), in that her husband has prepared audited financial statements for these organizations.

Mayor Lastman declared his interest in Item (b) entitled "City of Toronto Development Charges By-Law, Claims for Credit Pursuant to the Development Charges Act", embodied in Clause No. 6 of Report No. 1 of The Policy and Finance Committee, headed "Other Items Considered by the Committee", in that partners at the same law firm as his son, who is not a real estate lawyer and does not personally act on these files, are representing applicants and have worked on related files; and in Item (h) entitled "John Street Roundhouse - TrizecHahn Corporation Proposal Report", embodied in Clause No. 6 of Report No. 1 of The Policy and Finance Committee, headed "Other Items Considered by the Committee", Clause No. 1 of Report No. 1 of The Administration Committee, headed "John Street Roundhouse - 222 Bremner Boulevard, TrizecHahn Corporation Proposal Report (Ward 24 - Downtown)" and Clause No. 20 of Report No. 8 of The Etobicoke Community Council, headed "Amendments to the Etobicoke Official Plan and Zoning Code, Wittington Properties Limited, South Side of Burnhamthorpe Crescent, North of Dundas Street West and East of Burnhamthorpe Road - File No. Z-2283", in that the Applicants' solicitor is a partner at the same law firm as his son, who is not a real estate lawyer and does not personally act on these files, and is representing applicants and has worked on related files.

Councillor Layton declared his interest in Clause No. 1 of Report No. 5 of The Board of Health, headed "Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto", in that his son is an employee of a bar.

Councillor McConnell declared her interest in Clause No. 3 of Report No. 1 of The Community Services Committee, headed "Breaking the Cycle of Violence Grants - 1999 Allocation Recommendations", insofar as it pertains to the Riverdale Housing Action Group (Item No. 71), in that her husband is an employee of the organization.

Councillor Ootes declared his interest in Clause No. 3 of Report No. 7 of The East York Community Council, headed "Request for Direction on Minor Variance Appeals: 150 Glenvale Boulevard; 7 and 9 King Edward Avenue; 35 Beechwood Drive and 1515 Bayview Avenue", insofar as it pertains to a variance application for 1515 Bayview Avenue, in that his son is employed by a competitor of the Applicant.

Councillor Saunderson declared his interest in Clause No. 2 of Report No. 1 of The Economic Development and Parks Committee, headed "Recreation Grants Program - 1999 Allocations - All Wards", insofar as it pertains to the Swansea Girls Hockey League (Item No. 88), in that his daughters are members of the League.

Councillor Sgro declared her interest in Clause No. 2 of Report No. 1 of The Community Services Committee, headed "Community Services Grants Program - 1999 Allocations", insofar as it pertains to Villa Colombo Homes for the Aged (Item No. 409), in that she is a member of the Board of Directors.

CONSIDERATION OF REPORTS
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 10 of The Works and Utilities Committee, Clause No. 1.

Report No. 7 of the Corporate Services Committee, Clauses Nos. 1, 2 and 3.

Report No. 9 of The Economic Development Committee, Clause No. 1.

Report No. 7 of The Emergency and Protective Services Committee, Clause No. 1.

Report No. 7 of The Scarborough Community Council, Clause No. 1.

Report No. 9 of The Striking Committee, Clause No. 1.

Report No. 1 of The Policy and Finance Committee, Clauses Nos. 4, 5 and 6.

Report No. 2 of The Policy and Finance Committee, Clause No. 1.

Report No. 1 of The Administration Committee, Clauses Nos. 1, 2, 6, 12, 14 and 15.

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

Report No. 1 of The Economic Development and Parks Committee, Clauses Nos. 1, 2, 4, 5, 6, 7, and 10.

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

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

Report No. 7 of The York Community Council, Clauses Nos. 2, 6 and 9.

Report No. 8 of The Etobicoke Community Council, Clauses Nos. 2, 17, 19 and 20.

Report No. 6 of The North York Community Council, Clauses Nos. 6, 7, 15 and 17.

Report No. 8 of The Scarborough Community Council, Clauses Nos. 20, 22 and 24.

Report No. 9 of The Toronto Community Council, Clauses Nos. 2, 9, 11, 16, 25, 29, 34, 38, 40, 46, 47 and 48.

Report No. 5 of The Board of Health, Clause No. 1.

Report No. 10 of The Striking Committee, Clauses Nos. 1 and 3.

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

Report No. 7 of The Scarborough Community Council, Clause No. 1.

Report No. 9 of The Striking Committee, Clause No. 1.

Report No. 1 of The Administration Committee, Clause No. 2.

Report No. 1 of The Community Services Committee, Clause No. 2.

Report No. 1 of The Economic Development and Parks Committee, Clause No. 10.

Report No. 1 of The Planning and Transportation Committee, Clause No. 3.

Report No. 7 of The York Community Council, Clauses Nos. 2 and 6.

Report No. 6 of The North York Community Council, Clause No. 17.

Report No. 8 of The Scarborough Community Council, Clause No. 20.

Report No. 9 of The Toronto Community Council, Clause No. 38.

Report No. 10 of The Striking Committee, Clause No. 1.

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.

7.7 Clause No. 12 of Report No. 1 of The Administration Committee, headed "The Jolly Miller, Lease - 3885 Yonge Street (Ward 9 - North York Centre South)".

Motion:

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

"It is further recommended that, if an agreement is not reached with Prime Asset Management within three months' time, this matter be brought back to City Council, through the Administration Committee, for further consideration."

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

7.8 Clause No. 14 of Report No. 1 of The Administration Committee, headed “Authorization to Travel to the IFHP (International Federation for Housing and Planning) Congress, Glasgow”.

Vote:

Adoption of Clause, without amendment:

<p>Yes - 43 Mayor: Lastman Councillors: Adams, Al tobello, Ashton, A ugimeri, Bal kissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong , Chow, Disero, Dug uid, F ilion, F lint, Gardner, J akobek, Kelly , Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Miller, M oeser, Moscoe, Nunz iata, O’B rien, Ootes, Pa ntalone, Pitf ield, Prue, Ra e, Sa ndercook, S gro, Shaw, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 7 Councillors: Feldman, Giansante, Holy day, J ones, L indsay L uby, Minnan-Wong, Shiner</p>

Carried by a majority of 36.

7.9 Clause No. 6 of Report No. 6 of The North York Community Council, headed “All Way Stop Control - Fairmeadow Avenue at Upper Canada Drive - North York Centre South”.

Motion:

Councillor Flint moved that the Clause be struck out and referred back to the North York Community Council for further consideration.

Vote:

The motion by Councillor Flint carried.

7.10 Clause No. 7 of Report No. 6 of The North York Community Council, headed “Neighbourhood Traffic Management Plan - Upper Canada Drive - North York Centre South”.

Motion:

Councillor Flint moved that the Clause be struck out and referred back to the North York Community Council for further consideration.

Vote:

The motion by Councillor Flint carried.

7.11 **Clause No. 16 of Report No. 9 of The Toronto Community Council, headed “Provision of a ‘Student Pick-up/Drop-off Area’ with Short Term Parking - Carlaw Avenue from Danforth Avenue to McConnell Avenue (Don River)”.**

Motion:

Councillor McConnell moved that the Clause be amended by deleting from the recommendation of the Toronto Community Council the words “the following report (April 1, 1999)”, and inserting in lieu thereof the words “the report (June 15, 1999)”, so that such recommendation shall now read as follows:

“The Toronto Community Council recommends the adoption of the report (June 15, 1999) from the Director, Transportation Services District 1, Works and Emergency Services.”.

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

7.12 **Clause No. 25 of Report No. 9 of The Toronto Community Council, headed “Prohibition of Parking Anytime - Glebeholme Boulevard, North Side, From a Point 41.5 Metres East of Monarch Park Avenue to a Point 12.5 Metres Further East (East Toronto)”.**

Motion:

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

“It is further recommended that parking be prohibited at any time on the north side of Glebeholme Boulevard, between a point 41.5 metres east of Monarch Park Avenue and a point 12.5 metres further east.”

Votes:

The motion by Councillor Bussin carried.

The Clause, as amended, carried.

7.13 **Clause No. 34 of Report No. 9 of The Toronto Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

Motion:

Councillor Rae moved that the Clause be amended by deleting from Recommendation No. (3) of the Toronto Community Council, the words “(Roof Top Lounge)”, and inserting in lieu thereof the words “(Mezzanine Lounge)”, so that such recommendation shall now read as follows:

- “(3) declare the Toronto International Film Festival taking place from September 9 to 18, 1999, to be an event of municipal and international significance, and indicate that it supports an extension of serving hours to 4:00 a.m. for the Rosewater Supper Club, 19 Toronto Street, Bistro 990, 990 Bay Street and Park Hyatt Toronto (Mezzanine Lounge), 4 Avenue Road, for the duration of this event;”.

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

7.14 **Clause No. 40 of Report No. 9 The Toronto Community Council, headed “Committee of Adjustment Appeal - 735 Avenue Road (Midtown)”.**

Motion:

Councillor Adams moved that the Clause be amended by striking out the recommendation of the Toronto Community Council and inserting in lieu thereof the following:

“It is recommended that this Clause be received.”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

7.15 **Clause No. 46 of Report No. 9 of The Toronto Community Council, headed “Ontario Municipal Board Appeal of Demolition Permit Extension - 29 Clark Street (Don River)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor McConnell moved that Council adopt the following recommendation:

“It is recommended that the confidential report dated June 22, 1999, from the City Solicitor, embodying the following recommendation, be adopted:

‘It is recommended that the City Solicitor be authorized to settle an appeal to the Ontario Municipal Board respecting Council’s refusal to extend the conditions of the demolition permit on 29 Clark Street, on the basis of \$10,000.00 being payable to the City, plus interest from August 7, 1996.’ ”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

7.16 **Clause No. 47 of Report No. 9 of the Toronto Community Council, headed “Proposal by Tribute Homes to Affix Advertising Signage on a Construction Trailer in the Gunns Road Allowance (Davenport)”.**

Motion:

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

“It is further recommended that the report dated July 2, 1999, from the Commissioner of Works and Emergency Services, embodying the following recommendation, be adopted:

‘It is recommended that, should City Council approve the installation of advertising signage, as recommended by the Toronto Community Council, on the construction trailer within the public right-of-way on the Gunns Road flank of 2078 St. Clair Avenue West, approval should be subject to the applicant:

- (a) indemnifying the City from and against all actions, suits, claims or demands and from all loss, costs, damages, charges and expenses that may result from such permission granted;
- (b) providing a certificate of comprehensive general liability insurance in the amount of two million dollars, with the City of Toronto named as additional insured and containing a cross liability clause, in a form satisfactory to the Chief Financial Officer and Treasurer;
- (c) ensuring that any lighting or illumination of the advertising signage does not negatively impact residents, businesses or vehicular traffic;
- (d) maintaining the construction trailer and advertising signage in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (e) removing the construction trailer and advertising signage upon receiving notice from the City so to do;
- (f) paying a monthly fee in the amount of \$2,500.00 for the placement of the signage within the public right of way; and
- (g) accepting such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City.’ ”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

7.17 Clause No. 29 of Report No. 9 of The Toronto Community Council, headed “Tree Removals - Extension of the Light Rapid Transit (LRT) on Queen’s Quay West (Downtown)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that the Clause, together with the communication dated July 5, 1999, from the Interim General Manager, Toronto Transit Commission, be received.

Vote:

The motion by Councillor Chow carried.

7.18 **Clause No. 3 of Report No. 10 of The Striking Committee, headed “Appointments to the Task Force on Community Safety”.**

Motion:

Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the membership of the Task Force on Community Safety be increased by one Member of Council to provide for the appointment of six Members of Council to the Task Force on Community Safety; and
- (2) Councillor Rob Davis, York-Eglinton, be appointed to the Task Force on Community Safety, for a term of office expiring November 30, 2000, and/or until his successor is appointed.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

7.19 **Clause No. 5 of Report No. 1 of Economic Development and Parks Committee, headed “Millennium Grants Program Allocations”.**

Motion:

Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council express its appreciation to all staff involved in the processing of the Millennium Grants for their exemplary efforts in this regard.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

7.20 **Clause No. 48 of Report No. 9 of The Toronto Community Council, headed “Parking in the Area of Ashbridges Bay (East Toronto)”.**

Motion:

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

“It is further recommended that:

- (1) the report dated July 2, 1999, from the Commissioner of Works and Emergency Services, embodying the following recommendation, be adopted:

‘It is recommended that, in order to provide additional parking to serve the Ashbridges Bay Park, the parking prohibition at anytime on both sides of Coxwell Avenue, between Eastern Avenue and Lake Shore Boulevard East, be adjusted to apply at any time, except Saturdays, Sundays and Public Holidays (Option 2 described in this report).’; and

- (2) the Commissioner of Works and Emergency Services be requested to meet with the Ward Councillors, staff of the Parks Division and the Toronto Parking Authority, in order to achieve a long-term solution to the ongoing parking problem in the Ashbridges Bay Park area.”

Votes:

The motion by Councillor Jakobek carried.

The Clause, as amended, carried.

7.21 **Clause No. 15 of Report No. 6 of The North York Community Council, headed “Downsview Area Transportation Master Plan and Official Plan Amendment No. 464 - North York Spadina”.**

Motion:

Councillor Feldman moved that the Clause be stuck out and referred back to the North York Community Council for further consideration.

Vote:

The motion by Councillor Feldman carried.

7.22 **Clause No. 1 of Report No. 10 of The Works and Utilities Committee, headed “License Agreement for Performance Management Software to be Implemented under the Works Best Practices Program”.**

Motion:

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

“It is further recommended that the Commissioner of Works and Emergency Services, in consultation with the Chief Administrative Officer, be requested to submit a further report to the Administration Committee on the success of the application of this software and the potential for its application across other City departments.”

Votes:

Adoption of motion by Councillor Ashton:

Yes - 24 Mayor: Lastman Councillors: Altobello, Ashton, Berardinetti, Bossons, Chow, Flint, Giansante, Jakobek, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Nunziata, Pitfield, Prue, Sgro, Shiner, Silva, Tzekas
No - 6 Councillors: Augimeri, Bussin, Kelly, Layton, Moscoe, Walker

Carried by a majority of 18.

Adoption of Clause, as amended:

Yes - 23 Mayor: Lastman Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Chow, Flint, Giansante, Jakobek, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Nunziata, Pitfield, Prue, Sgro, Shiner, Silva, Tzekas
No - 7 Councillors: Bussin, Kelly, Layton, McConnell, Miller, Moscoe, Walker

Carried by a majority of 16.

Deputy Mayor Ootes in the Chair.

7.23 **Clause No. 6 of Report No. 1 of The Administration Committee, headed “Sale of Surplus Spadina Project Property at 42 Gloucester Grove (Ward 28 - York Eglinton)”.**

Motion:

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

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

- (1) include, in the review of the property sale process currently being prepared for submission to the Administration Committee, detailed provisions to ensure that the Offer delivery process is not compromised when real estate brokers are utilized in the sale of City property; and
- (2) ensure that a copy of all Offers received for the purchase of City-owned property be retained in the City’s files.”

Votes:

The motion by Councillor Giansante carried.

The Clause, as amended, carried.

7.24 **Clause No. 3 of Report No. 7 of The Corporate Services Committee, headed “Sale of Surplus Scarborough Transportation Corridor Property, 230 Clonmore Drive (Ward 13 - Scarborough Bluffs)”.**

Motion:

Councillor Giansante moved that the Clause be received.

Vote:

The motion by Councillor Giansante carried.

7.25 **Clause No. 4 of Report No. 1 of The Policy and Finance Committee, headed “Future Provision of Laundry Services”.**

Motion:

Councillor Moscoe moved that the Clause be amended by adding to Recommendation No. (1) embodied in the report dated May 19, 1999, from the Commissioner of Community and Neighbourhood Services, the words “and, if negotiations for the sale are not successful,

staff continue discussions with respect to a continued joint venture or profit-sharing arrangement”, so that such recommendation shall now read as follows:

- “(1) staff be directed to enter into negotiations for the sale of the Central Laundry facility to Lakeshore Laundry and Linen Concept Ltd., and to report back to City Council on the outcome of the negotiations, and, if negotiations for the sale are not successful, staff continue discussions with respect to a continued joint venture or profit-sharing arrangement;”.

Votes:

The motion by Councillor Moscoe carried.

Adoption of Clause, as amended:

Yes - 27 Mayor: Lastman Councillors: Altobello, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Gardner, Holyday, Kelly, Layton, Li Preti, Lindsay Luby, Moeser, Moscoe, Nunziata, O'Brien, Pitfield, Prue, Sgro, Shiner, Tzekas
No - 4 Councillors: Flint, Jones, Miller, Walker

Carried by a majority of 23.

7.26 Clause No. 5 of Report No. 1 of The Policy and Finance Committee, headed “Spadina LRT Barriers, Ward 24 (Downtown)”.

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that the recommendation embodied in the communication dated June 13, 1999, from Councillor Olivia Chow, as embodied in the Clause, be adopted.”

- (b) Councillor Miller moved that the Clause be struck out and referred to the Planning and Transportation Committee and the Toronto Transit Commission, with a request that a joint staff working group be established, in consultation with the Ward Councillors, to resolve the issue of the permanent barriers on Spadina Avenue and report thereon to the Planning and Transportation Committee, such report to address

the budgetary requirements for the 2000 Capital Budget, and, in the interim, the temporary barriers remain until the issues of the design and funding sources for the permanent barriers are resolved.

- (c) Councillor Moscoe moved that motion (b) by Councillor Miller be amended to provide that the Planning and Transportation Committee submit its report in this regard to Council for consideration at its meeting to be held on July 27, 1999.
- (d) Councillor Davis moved that motion (b) by Councillor Miller be amended to provide that the position of the Toronto Transit Commission be included in any future reports in this regard.
- (e) Councillor Ashton moved that consideration of this Clause be deferred to the next regular meeting of City Council to be held on July 27, 1999, and the Chair, Toronto Transit Commission, the Interim Chief General Manager, Toronto Transit Commission, the Chair, Planning and Transportation Committee, and the Commissioner of Works and Emergency Services be requested to submit a joint report thereon directly to Council.

Votes:

Adoption of motion (e) by Councillor Ashton:

Yes - 29

Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chong, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Prue, Saundercook, Shiner, Sinclair, Walker

No - 11

Councillors: Altobello, Bossons, Bussin, Chow, Davis, Fotinos, Layton, Li Preti, Pantalone, Pitfield, Sgro

Carried by a majority of 18.

Having regard to the foregoing decision of Council, motions (a), (b), (c) and (d), by Councillors Chow, Miller, Moscoe and Davis, respectively, were not put to a vote.

7.27 Clause No. 6 of Report No. 1 of The Policy and Finance Committee, headed "Other Items Considered by the Committee".

Motion:

Councillor Walker moved that the Clause be received as information, subject to striking out and referring Item (b), entitled "City of Toronto Development Charges By-law, Claims for Credit Pursuant to the Development Charges Act", embodied therein, back to the Policy and Finance Committee for further consideration.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, was received as information.

7.28 **Clause No. 1 of Report No. 1 of The Administration Committee, headed "John Street Roundhouse - 222 Bremner Boulevard, TrizecHahn Corporation Proposal Report (Ward 24 - Downtown)".**

Motions:

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

"It is further recommended that the report dated July 2, 1999, from the Chief Administrative Officer and Acting Commissioner of Corporate Services, embodying the following recommendations, be adopted:

- (1) the Phase I Rehabilitation and Reuse undertaking proceed; and
- (2) prior to any further phases being undertaken, the matter be referred to the Commissioner of Economic Development, Culture and Tourism and other appropriate staff for a comprehensive business assessment, including a full review and report on all funds required and available funding opportunities.' "

(b) Councillor Giansante moved that the Clause be struck out and referred back to the Chief Administrative Officer and Acting Commissioner of Corporate Services for further consideration of the Steam Whistle Brewing proposal and report thereon to the Administration Committee.

Votes:

Motion (b) by Councillor Giansante lost.

Adoption of motion (a) by Councillor Rae and Clause, as amended:

<p>Yes - 32 Councillors: Adams, Altobello, Augimeri, Balakrishnan, Berardinetti, Bossons, Bussin, Chong, Chow, Davis, Disero, Feldman, Flint, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mc Connell, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Sinclair, Walker</p>
<p>No - 2 Councillors: Berger, Giansante</p>

Carried by a majority of 30.

7.29 **Clause No. 15 of Report No. 1 of The Administration Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Walker moved that the Clause be received as information, subject to striking out and referring Item (g), entitled “Request for Proposal No. 3412-99-01464 for the Acquisition of 2000 Optical Scan Vote Tabulators and 100 Touch Screen Voting Units”, embodied therein, back to the Administration Committee for further consideration.

Votes:

Adoption of motion by Councillor Walker:

<p>Yes - 16 Councillors: Adams, Ashton, Bussin, Flint, Giansante, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, O'Brien, Ootes, Pitfield, Rae, Saundercook, Walker</p>
<p>No - 17 Councillors: Altobello, Augimeri, Balakrishnan, Berardinetti, Berger, Bossons, Chong, Chow, Disero, Feldman, Fotinos, Kelly, Lindsay Luby, Nunziata, Pantalone, Prue, Shiner</p>

Lost by a majority of 1.

The Clause was received as information, without amendment.

7.30 **Clause No. 1 of Report No. 1 of The Community Services Committee, headed “Update on Shelter Capacity and Search for New Sites”.**

Motion:

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

“It is further recommended that the report dated June 30, 1999, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be authorized to spend up to \$150,000.00 from the Homeless Initiatives Fund on pilot projects to address emerging issues, including the need for outreach to homeless people living in downtown parks;
- (2) the Commissioner of Community and Neighbourhood Services provide an update on the search for new sites to the September meeting of the Community Services Committee; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

7.31 Clause No. 2 of Report No. 1 of The Economic Development and Parks Committee, headed “Recreation Grants Program - 1999 Allocations - All Wards”.

Motion:

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

“It is further recommended that the appropriate Commissioners, when submitting recommendations on all categories of grants, with the exception of those for arm’s length agencies, be requested to advise the appropriate Committee of any applicant that receives multiple grants from the different grant categories, and identify any additional or other names that may be used by each applicant.”

Votes:

The motion by Councillor Giansante carried.

The Clause, as amended, carried.

7.32 **Clause No. 4 of Report No. 1 of The Economic Development and Parks Committee, headed “1999 Cultural Grants Recommendations - All Wards”.**

Motion:

Councillor Berger moved that the Clause be amended by striking out the grant for the Canadian Opera Company.

Votes:

Adoption of motion by Councillor Berger:

Yes - 9 Councillors: Augimeri, Berger, Feldman, Flint, Giansante, Jones, Minnan-Wong, Saundercook, Shiner
No - 25 Councillors: Adams, Altobello, Ashton, Bossons, Bussin, Chong, Disero, Filion, Fotinos, Gardner, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Shaw, Sinclair

Lost by a majority of 16.

The Clause carried, without amendment.

7.33 **Clause No. 9 of Report No. 7 of The York Community Council, headed “Condolences to the Family of Frank Faubert and Proposal to Rename an Arena in Scarborough”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by striking out and referring the second Operative Paragraph embodied in the Motion by Councillor Nunziata, to the Scarborough Community Council for consideration, viz.:

“BE IT FURTHER RESOLVED THAT City Council give consideration to renaming an arena, such as the Scarborough Village Recreation Centre, in honour of Frank Faubert, citizen of Toronto.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

7.34 **Clause No. 2 of Report No. 8 of The Etobicoke Community Council, headed “Prince Edward Drive Reconstruction Study, Bloor Street West to Berry Road (Lakeshore-Queensway)”.**

Motions:

- (a) Councillor Jones moved that the Clause be amended by:
- (1) striking out the recommendation of the Etobicoke Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated June 16, 1999, from the Director, Transportation Programming and Policy, Works and Emergency Services, be adopted.”; and
 - (2) adding thereto the following:

“It is further recommended that:
 - (a) the ex-filtration system be constructed as part of the Prince Edward Drive Project;
 - (b) traffic calming measures be considered during the design process; and
 - (c) the recommendation of the Toronto Pedestrian Committee, embodied in the communication dated June 30, 1999, from the City Clerk, be adopted, subject to deleting the words ‘and that significant monies are not wasted on the proposed maintenance of bus bays’, so that such recommendation shall now read as follows:

‘The Toronto Pedestrian Committee on June 23, 1999, recommended to City Council that the Toronto Pedestrian Committee be involved in the next design stage of the Prince Edward Drive Reconstruction Study since it wishes to be assured that missing sidewalks are completed, and that greening efforts and pedestrian safety and comfort are maximized at corners and intersections.’ ”
- (b) Councillor Layton moved that the Clause be struck out and referred to the Planning and Transportation Committee for further consideration; and the Commissioner of Works and Emergency Services be requested to provide the Committee with alternatives that would include bicycle lanes within the proposed roadway reconstruction.

Vote on referral motion:

Adoption of motion (b) by Councillor Layton:

<p>Yes - 12 Councillors: Adams, Ashton, Cho, Chow, Flint, Holiday, Layton, McConnell, Mihevc, Moscoe, Pantalone, Prue</p>
<p>No - 27 Mayor: Lastman Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Davis, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Jakobek, Jones, Kelly, Lindsay Luby, Moeser, Ootes, Pitfield, Saundercook, Shaw, Shiner, Sinclair, Tzekas, Walker</p>

Lost by a majority of 15.

Motions:

- (c) Councillor Adams moved that motion (a) by Councillor Jones be amended to provide that the authorized roadway be widened appropriately to accommodate a dedicated bicycle lane on each side of Prince Edward Drive.
- (d) Councillor Holiday moved that motion (a) by Councillor Jones be amended to provide that the authorized roadway be widened to accommodate bus bays.
- (e) Councillor Shiner moved that the Clause be amended by adding the retro the following:

“It is further recommended that, in the event the roadway is widened to accommodate bicycle lanes, such lanes be separated from the main roadway by means of concrete curbs and/or other means (other than painted lines) to delineate them from the roadway.”

Votes:

Adoption of motion (c) by Councillor Adams:

Yes - 16 Councillors: Adams, Altobello, Augimeri, Bossons, Chong, Chow, Flint, Fotinos, Holy day, L ayton, Mc Connell, Mihevc, Moscoe, Pantalone, Prue, Rae
No - 21 Councillors: Ashton, B erger, B ussin, Cho, Davis, Disero, Duguid, Feldman, Gardner, Giansante, Jones, Kelly, Lindsay Luby, Minnan-Wong, O'Brien, Ootes, Pitfield, Saundercook, Shiner, Sinclair, Walker

Lost by a majority of 5.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motion (e) by Councillor Shiner, redundant.

Adoption of motion (d) by Councillor Holyday:

Yes - 27 Councillors: Altobello, Ashton, B erger, B ossons, Cho, Chong, Chow, Davis, Disero, Dug uid, F eldman, F lint, F otinos, Gardner, Giansante, Hol yday, Jones, L indsay L uby, Mihevc, Minnan-Wong, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook
No - 10 Councillors: Adams, Aug imeri, B ussin, J ohnston, L ayton, McConnell, Moscoe, Shiner, Sinclair, Walker

Carried by a majority of 17.

Motion (a) by Councillor Jones, as amended, save and except Part (2)(c), carried.

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

<p>Yes - 33 Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Gardner, Johnston, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Walker</p>
<p>No - 4 Councillors: Feldman, Giansante, Holyday, Shiner</p>

Carried by a majority of 29.

The Clause, as amended, carried.

- 7.35 **Clause No. 9 of Report No. 9 of The Toronto Community Council, headed “Draft By-law - Narrowing of the Pavement - Pinewood Avenue, Kenwood Avenue, Raglan Avenue and Wychwood Avenue, at their respective Intersections at St. Clair Avenue West (Midtown)”.**

Motion:

Councillor Bossons moved that the Clause be received and that Council direct that no further action be taken in this regard.

Vote:

The motion by Councillor Bossons carried.

- 7.36 **Clause No. 17 of Report No. 8 of The Etobicoke Community Council, headed “Appointment of Etobicoke Councillors to Special Purpose Bodies”.**

Motion:

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

“It is further recommended that:

- (1) the membership of the Mimico Village Business Improvement Area be increased by one Member of Council to provide for the appointment of two Members of Council to the Mimico Village Business Improvement Area; and

- (2) Councillor Blake Kinahan, Lakeshore Queensway, be appointed to the Mimico Village Business Improvement Area for a term of office expiring November 30, 2000, and/or until his successor is appointed.”

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

7.37 **Clause No. 24 of Report No. 8 of The Scarborough Community Council, headed “Other Items Considered by the Community Council”.**

Motion:

Councillor Shaw moved that the Clause be received as information, subject to striking out and referring Item (p), entitled “The Greek Community of Metropolitan Toronto Inc. Festival”, embodied therein, back to the Scarborough Community Council for further consideration.

Votes:

Adoption of motion by Councillor Shaw:

Yes - 12 Mayor: Lastman Councillors: Berardinetti, Berger, Johnston, Kelly, Layton, Lindsay Luby, McConnell, O'Brien, Ootes, Shaw, Silva
No - 29 Councillors: Altobello, Augimeri, Balkissoon, Bossons, Bussin, Chong, Chow, Disero, Duguid, Flint, Fotinos, Giansante, Holyday, Jones, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Sgro, Tzekas, Walker

Lost by a majority of 17.

The Clause was received as information, without amendment.

7.38 **Clause No. 1 of Report No. 7 of The Emergency and Protective Services Committee, headed "Toronto Police Helicopter Pilot Project - Trust Account".**

Motions:

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

"It is further recommended that the Trust Account operate under the following principles:

- (1) all donations of over \$100.00 be listed in a public registry and the names of the donors be made available to any person, on request;
- (2) donations made in the name of numbered companies be accompanied by the names of the officers of that company;
- (3) the donor understand that no donation will give any particular donor the right to advertising or Corporate recognition on the surface of the helicopter; and
- (4) donors to the fund clearly understand that expenditures from the fund will be in accordance with guidelines developed by the Police Services Board and that no expenditures will be made from the fund unless they are in accordance with those guidelines."

- (b) Councillor Jakobek moved that the Clause be received.

- (c) Councillor Bossons moved that the Clause be struck out and referred to the Policy and Finance Committee for further consideration, as it pertains to the capital and operating impacts of helicopters.

- (d) Councillor Mihevc moved that motion (c) by Councillor Bossons be amended by adding thereto the following words:

"and that this matter be considered in conjunction with the Year 2000 Capital and Operating Budget review".

Votes:

Adoption of motion (d) by Councillor Mihevc:

Yes - 17 Councillors: Augimeri, Balakisssoon, Berger, Chong, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Rae, Shiner, Walker

No - 23 Councillors: Altobello, Berardinetti, Bossons, Disero, Flint, Gardner, Giansante, Holyday, Kelly, Li Preti, Lindsay Luby, Mahood, Mammoliti, Miller, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Silva, Tzekas

Lost by a majority of 6.

Adoption of motion (c) by Councillor Bossons, without amendment:

Yes - 19 Councillors: Augimeri, Balakisssoon, Berger, Bossons, Chow, Filion, Johnston, Jones, Layton, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Shiner, Walker
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No - 21 Councillors: Altobello, Berardinetti, Chong, Disero, Flint, Gardner, Giansante, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Silva, Tzekas

Lost by a majority of 2.

Procedural Motions:

Councillor Johnston, with the permission of Council, moved that consideration of this Clause be deferred until Wednesday, July 7, 1999, in order that the Chair of the Budget Advisory Committee, Councillor Jakobek, can be present to vote in this regard.

Councillor Augimeri moved that the motion by Councillor Johnston be amended by adding thereto the words "and, in the meantime, the extract of the minutes of the meeting of the Police Services Board related to this matter be circulated to all Members of Council".

Councillor Mahood, with the permission of Council, proposed that Council defer the vote on this matter until 7:25 p.m. on July 6, 1999.

Council concurred in the proposal by Councillor Mahood.

Votes at 7:28 p.m. on Tuesday, July 6, 1999:

Adoption of deferral motion by Councillor Johnston, as amended by Councillor Augimeri:

Yes - 20

Mayor: Lastman

Councillors: Altobello, Augimeri, Balkissoon, Bussin, Chow, Filion, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Sgro, Silva, Tzekas

No - 23

Councillors: Berardinetti, Bossons, Chong, Disero, Duguid, Flint, Fotinos, Gardner, Holyday, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, Miller, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Shiner, Walker

Lost by a majority of 3.

Adoption of motion (b) by Councillor Jakobek, moved by Councillor Jones in the absence of Councillor Jakobek:

Yes - 18

Councillors: Augimeri, Balkissoon, Chow, Filion, Johnston, Jones, Kelly, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Shiner, Tzekas, Walker

No - 25

Mayor: Lastman

Councillors: Altobello, Berardinetti, Bossons, Bussin, Chong, Disero, Duguid, Flint, Fotinos, Gardner, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Silva

Lost by a majority of 7.

Adoption of Parts (1), (2) and (4) of motion (a) by Councillor Moscoe:

Yes - 39 Mayor: Lastman Councillors: Altobello, Augimeri, Berardinetti, Bussin, Chong, Chow, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker
No - 6 Councillors: Balkissoon, Bossons, Disero, Duguid, Holyday, Mammoliti

Carried by a majority of 33.

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

Yes - 32 Councillors: Altobello, Berardinetti, Bussin, Chong, Chow, Filion, Flint, Gardner, Giansante, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker
No - 13 Mayor: Lastman Councillors: Augimeri, Balkissoon, Bossons, Disero, Duguid, Fotinos, Holyday, Korwin-Kuczynski, Mammoliti, Nunziata, Sgro, Tzekas

Carried by a majority of 19.

Adoption of Clause, as amended:

Yes - 28 Mayor: Lastman Councillors: Altobello, Berardinetti, Bussin, Chong, Disero, Duguid, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Silva, Sinclair, Tzekas

No - 17

Councillors: Augimeri, Balkissoon, Bossons, Chow, Fillion, Jones, Kelly, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Shiner, Walker

Carried by a majority of 11.

Motion to re-open:

Councillor Jakobek, at 9:50 a.m. on Wednesday, July 7, 1999, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 40

Mayor: Lastman

Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Duguid, Feldman, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moe ser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker

No - 3

Councillors: Disero, Holyday, O'Brien

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

Councillor Jakobek requested that Council defer consideration of this matter until 2:00 p.m. on Wednesday, July 7, 1999, and that, in the interim, motions (a), (b), (c) and (d), by Councillors Moscoe, Jakobek, Bossons and Mihevc, respectively, be circulated to Members of Council, and that the vote thereon be taken at that time.

Council concurred in the request by Councillor Jakobek.

Vote at 2:15 p.m. on Wednesday, July 7, 1999:

Adoption of motion (d) by Councillor Mihevc, moved by Councillor Chow in the absence of Councillor Mihevc:

Yes - 26

Councillors: Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Chow, Davis, Fillion, Flint, Giansante, Jakobek, Johnston, Jones, Kelly, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Sinclair, Walker

No - 23 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Cho, Chong, Disero, Duguid, Feldman, Fotinos, Gardner, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Tzekas
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Carried by a majority of 3.

Adoption of motion (c) by Councillor Bossons, as amended:

Yes - 30 Councillors: Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chow, Davis, Filion, Jakobek, Johnston, Jones, Kelly, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shiner, Sinclair, Tzekas, Walker

No - 19 Councillors: Adams, Altobello, Ashton, Chong, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Nunziata, Ootes, Prue

Carried by a majority of 11.

Having regard to the foregoing decision of Council, motions (a) and (b) by Councillors Moscoe and Jakobek, respectively, were not put to a vote.

In summary, Council struck out and referred the Clause to the Policy and Finance Committee for further consideration:

- (1) as it pertains to the Capital and Operating impacts of helicopters; and
- (2) in conjunction with the Year 2000 Capital and Operating Budget review.

7.39 **Clause No. 19 of Report No. 8 of The Etobicoke Community Council, headed "Appeal to Ontario Municipal Board - Nazeer Bishay, 22 Kingsview Boulevard (Kingsway-Humber)".**

Motion:

Councillor Giansante moved that consideration of this Clause be deferred to the next regular meeting of City Council to be held on July 27, 1999.

Vote:

The motion by Councillor Giansante carried.

7.40 **Clause No. 1 of Report No. 2 of The Policy and Finance Committee, headed “Community Action Policing (CAP) - All Wards”.**

Having regard that the Clause was submitted without recommendation:

Motions:

(a) Mayor Lastman moved that Council adopt the following recommendation:

“It is recommended that the report dated July 6, 1999, from Mayor Mel Lastman, Chair, Safer City Task Force, be adopted.”

(b) Councillor Chow moved that:

(1) motion (a) by Mayor Lastman be amended by adding thereto the following:

“It is further recommended that:

- (a) the Toronto Police Services Board be notified that no future funds will be provided to cover overtime over-runs in 1999;
- (b) the remaining \$1.5 million in the ‘Safer City Initiatives’ not be used to fund potential overexpenditures of the Toronto Police Service;
- (c) the Toronto Police Services Board be requested to monitor and track staff deployment and costs related to overtime/premium pay allocations and submit a report thereon to the Policy and Finance Committee by September 1999; and
- (d) the Toronto Police Services Board be requested to develop and implement a ‘Managed Savings Program’ to identify specific strategies to offset the potential overexpenditures and submit a report thereon to the Policy and Finance Committee by September 1999.”; and

seconded by Mayor Lastman, further moved that:

(2) motion (a) by Mayor Lastman be further amended by adding thereto the following:

“It is further recommended that:

- (a) if the 1999 Safer City Pilot Program is evaluated as successful, initiatives be undertaken to continue this program in 2000, within the existing budget of the Toronto Police Service, so that special one-time funding is not required, such initiatives to include, but not be limited to:
 - (i) utilizing the new Council-approved 175 additional police officers; and
 - (ii) reviewing existing vacation scheduling and other scheduling issues; and
- (b) the Chief of Police, in conjunction with the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be requested to report back to the Policy and Finance Committee in October 1999, on the success of these initiatives with respect to the potential Year 2000 program.”

Councillor Disero in the Chair.

Councillor Ootes in the Chair.

- (c) Councillor Korwin-Kuczynski, seconded by Councillor McConnell, moved that motion (a) by Mayor Lastman be amended by adding thereto the following:

“It is further recommended that:

- (1) the Toronto Police Services Board be requested to increase the working partnership between themselves and the community, with respect to this and other initiatives; and
- (2) the target areas in the City of Toronto also be identified and included as the high needs areas for recreation programs.”

- (d) Councillor Sgro moved that motion (a) by Mayor Lastman be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Chief of Police, or his designate, the Chair and Vice-Chair of the Toronto Police Services Board and Mayor Mel Lastman, Chair, Safer City Task Force, be requested to develop:

- (1) a long-term plan to increase police presence to levels to be established in partnership with the City, the community and the Toronto Police Service; and

- (2) a mechanism that would require newly trained officers to reimburse the City for training costs unless they work a minimum length of time before they leave the service.”
- (e) Councillor Davis moved that motion (a) by Mayor Lastman be amended by adding thereto the following:

“It is further recommended that the evaluation of the Community Action Policing (CAP) Initiative include the unfunded court time costs being paid to Police Officers associated with arrests made during the Community Action Policing Program.”

Votes:

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

Part (2) of motion (b) by Councillor Chow, seconded by Mayor Lastman, carried.

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

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Part (2) of motion (c) by Councillor Korwin-Kuczynski, seconded by Councillor McConnell, ruled such motion out of order.

Councillor Korwin-Kuczynski challenged the ruling of the Deputy Mayor.

Vote to uphold ruling of Deputy Mayor:

Yes - 37

Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Davis, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, Li Preti, Lindsay Luby, Mammoliti, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas

No - 13

Councillors: Augimeri, Chow, Disero, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Walker

Carried by a majority of 24.

Votes:

Adoption of motion (d) by Councillor Sgro:

Yes - 36 Councillors: Adams, Altobello, Balkissoon, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Flint, Fotinos, Giansante, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Nunziata, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker
No - 18 Mayor: Lastman Councillors: Ashton, Augimeri, Berardinetti, Berger, Disero, Filion, Gardner, Holyday, Jakobek, Layton, McConnell, Mihevc, Moeser, Moscoe, O'Brien, Pantalone, Shaw

Carried by a majority of 18.

Motion (e) by Councillor Davis carried.

Adoption of motion (a) by Mayor Lastman, as amended:

Yes - 53 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Lastman, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker
No - 1 Councillor: Bossons

Carried by a majority of 52.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the report dated July 6, 1999, from Mayor Mel Lastman, Chair, Safer City Task Force, be adopted;
- (2) the Toronto Police Services Board be notified that no future funds will be provided to cover overtime over-runs in 1999;
- (3) the remaining \$1.5 million in the ‘Safer City Initiatives’ not be used to fund potential overexpenditures of the Toronto Police Service;
- (4) if the 1999 Safer City Pilot Program is evaluated as successful, initiatives be undertaken to continue this program in 2000, within the existing budget of the Toronto Police Service, so that special one-time funding is not required, such initiatives to include, but not be limited to:
 - (a) utilizing the new Council-approved 175 additional police officers;
and
 - (b) reviewing existing vacation scheduling and other scheduling issues;
- (5) the Chief of Police, in conjunction with the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be requested to report back to the Policy and Finance Committee in October 1999, on the success of these initiatives with respect to the potential Year 2000 program;
- (6) the evaluation of the Community Action Policing (CAP) Initiative include the unfunded court time costs being paid to Police Officers associated with arrests made during the Community Action Policing Program;
- (7) the Toronto Police Services Board be requested to increase the working partnership between themselves and the community, with respect to this and other initiatives;
- (8) the Toronto Police Services Board be requested to monitor and track staff deployment and costs related to overtime/premium pay allocations and submit a report thereon to the Policy and Finance Committee by September 1999;

- (9) the Toronto Police Services Board be requested to develop and implement a 'Managed Savings Program' to identify specific strategies to offset the potential overexpenditures and submit a report thereon to the Policy and Finance Committee by September 1999; and
- (10) the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Chief of Police, or his designate, the Chair and Vice-Chair of the Toronto Police Services Board and Mayor Mel Lastman, Chair, Safer City Task Force, be requested to develop:
 - (a) a long-term plan to increase police presence to levels to be established in partnership with the City, the community and the Toronto Police Service; and
 - (b) a mechanism that would require newly trained officers to reimburse the City for training costs unless they work a minimum length of time before they leave the service."

7.41 **Clause No. 2 of Report No. 1 of The Works Committee, headed "List of Companies Convicted of Contravening City Sewer Use By-law".**

Motion:

Councillor Moscoe moved that:

- (1) the Clause be struck out and referred back to the Works Committee for the development of guidelines relating to the publication of the names of those companies convicted of contravening the City's Sewer Use By-law; and
- (2) Council also adopt the following:

"It is recommended that, in the interim, Council adopt, in principle, the concept of publishing the names of companies convicted of contravening the City Sewer Use By-law."

Vote:

The motion by Councillor Moscoe carried.

7.42 **Clause No. 1 of Report No. 5 of The Board of Health, headed “Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto”.**

Motions:

(a) Councillor Filion, seconded by Mayor Lastman, moved that the Clause be amended by:

(1) striking out Recommendation No. (I) of the Board of Health and inserting in lieu thereof the following:

“(I) the adoption of the report dated June 21, 1999, from the Medical Officer of Health, entitled ‘Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto - Review of Community Council Meetings and Update’, subject to:

(i) striking out Recommendations Nos. (B) (7), (8) and (9) of the Medical of Health and inserting in lieu thereof the following:

‘(B) Smoke-free Provisions - the following recommendations apply to workplaces and public places that have not already become smoke-free under the harmonization provisions of the by-law:

(7) that restaurants and bowling centres become smoke-free by June 1, 2001, and that bars, bingo halls, billiards halls, casinos and racetracks become smoke-free by June 1, 2004;

(8) that restaurants, bowling centres, bars, billiards halls, casinos and racetracks be permitted to have designated smoking rooms (DSR’s) that are fully enclosed, separately ventilated to the outdoors, and are no greater than 25 percent of occupiable public space;

(9) that bingo halls be permitted to have designated smoking rooms provided that:

(a) the DSR’s comprise no more than 50 percent of the floor space for gaming and that the remainder of the gaming area be smoke-free;

- (b) all other areas, such as food preparation, card purchasing lounges, washrooms, and the callers' area be smoke free;
 - (c) the smoking section be separately ventilated to the outdoors and fully separated by wall or glass partition from the smoke-free portions of the facility;
 - (10) that the proprietors of public places that are permitted to have designated smoking rooms be required to post health warningsigns at the entrances to the designated smoking room which clearly indicate that smoking is permitted and that those entering run the risk of serious illness; and
 - (11) that Council request Health Canada to conduct a scientific and technical review of the air ventilation solution as proposed by the Ontario Restaurant Association and the Greater Toronto Hotel Association, including but not limited to the following disciplines: toxicology, epidemiology, risk assessment, medicine and ventilation engineering; and further, that if the system is proven to provide a comparable quality of air as measured in other publicly regulated non-smoking facilities, then the technology be accepted as an alternative to the fully enclosed designated smoking rooms;';
 - (ii) amending Recommendation No. (C)(14) of the Medical Officer of Health by striking out the date 'April 30, 2001' and inserting in lieu thereof the date 'June 1, 2001'; and
 - (iii) renumbering the recommendations of the Medical Officer of Health accordingly;";
- (2) striking out Recommendation No. (II) of the Board of Health; and
 - (3) amending Recommendation No. (III) of the Board of Health to provide that authority be granted to introduce the necessary Bill in Council in the form or

substantially in the form of the by-law attached to the report dated June 10, 1999, from the City Solicitor, amended to reflect the recommendations of Council.

- (b) Councillor Walker moved that the Clause be amended by striking out Recommendations Nos. (I) and (II) of the Board of Health and inserting in lieu thereof the following:

“It is recommended that the report dated June 21, 1999, from the Medical Officer of Health, entitled ‘Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto - Review of Community Council Meetings and Update’, be adopted, subject to striking out the date ‘April 30, 2001’ in Recommendations Nos. (7) and (14) and inserting in lieu thereof the date ‘June 1, 2001’.”

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to meet with representatives of the B.I.A.s and Neighbourhood Business Associations, or individuals, to explore ways of ensuring that the financial viability of small restaurants is not jeopardized, and report thereon to Council, through the Economic Development and Parks Committee, within one year, on any actions or strategies recommended to protect these small restaurants.”

- (d) Councillor Jones moved that:

- (1) Part (1) of motion (a) by Councillor Filion be amended by adding thereto the words “subject to amending Recommendation No. (A)(3) by striking out the words ‘and into which no employee is required to enter’”; and
- (2) the Clause be amended by adding thereto the following:

“It is further recommended that the Ontario Tobacco Research Unit, in conjunction with the Provincial Ministry of Health, be requested to conduct a study to assess the health impacts of both smoke-free and smoking environments on hospitality workers.”

- (e) Councillor Holyday moved that motion (a) by Councillor Filion be amended to provide that bowling centres and billiards halls be permitted to have designated smoking rooms comprising no more than 50 percent of occupiable public space.

- (f) Councillor Cho moved that:

- (1) Part (1) of motion (a) by Councillor Filion be amended by:

- (a) inserting in Recommendation No. (B)(10), after the word “signs”, the words “such signs to be multilingual, depending on the needs of the area”; and
- (b) adding thereto the words “amending Recommendation No. (C)(12) by adding the words ‘a multilingual’ before the word ‘education’ and by adding the words ‘depending on the needs of the specific area’ after the word ‘Health’ ”; and

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

“It is further recommended that the Medical Officer of Health be requested to submit annual reports to Council, through the Board of Health, on the implementation of the ETS by-law, how effective it has been and the kinds of problems that have been encountered.”

(g) Councillor Prue moved that Part (1) of motion (a) by Councillor Filion be amended by striking out Recommendation No. (B)(8) and inserting in lieu thereof the following:

“(8) that restaurants, bowling centres, bars, billiards halls, casinos and racetracks be permitted to have designated smoking rooms (DSR’s) that are fully enclosed and separately ventilated to the outdoors, provided that:

- (a) the DSR’s comprise no more than 25 percent of the floor space for principal use, and that the remainder of the area be smoke-free;
- (b) all other areas, such as food preparation, purchasing, washrooms and workers’ areas be smoke-free; and
- (c) the smoking section be separately ventilated to the outdoors and fully separated by a wall or glass partition from the smoke-free portions of the facility;”.

(h) Councillor Johnston, seconded by Councillor Bossons, moved that Part (1) of motion (a) by Councillor Filion be amended to provide that small restaurants having 50 seats or less be exempted from the ETS By-law, until such time as the restaurant is sold, at which time it shall become smoke-free.

(i) Councillor Bussin 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, providing statistics on the

percentage of smokers that frequent establishments such as bingo halls, casinos, bars, race tracks, etc.”

- (j) Councillor Adams 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 a public education campaign aimed at workers, including hospitality workers, to better inform them of the public health risks associated with working in a smoking environment, and their rights as workers.”

- (k) Councillor Shaw moved that the Clause be amended by adding thereto the following

“It is further recommended that the Medical Officer of Health be requested to develop a communications strategy and plan to educate the public about the ETS By-law; such strategy to involve stakeholders which reflect the multicultural diversity within the hospitality industry and Toronto’s local communities, and report thereon to Council, through the Board of Health.”

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

“It is further recommended that Council approve, in principle, expenditures for an anti-smoking education campaign, and the Medical Officer of Health be requested to invite expressions of interest from advertising firms regarding this campaign, such campaign to extend over several years.”

- (m) Councillor Davis moved that:

- (1) 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 the process to be implemented for restaurants and bars to so designate themselves.”; and

- (2) motion (c) by Councillor McConnell be referred to the Chief Administrative Officer for report thereon to the Community Services Committee.

- (n) Councillor Pantalone moved that motion (h) by Councillor Johnston, seconded by Councillor Bossons, be amended by deleting the figure “50” and inserting in lieu thereof the figure “30”.

Votes:

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

Adoption of motion (e) by Councillor Holyday:

Yes - 15 Councillors: Brown, Davis, Gardner, Giansante, Holy day, Jakobek, Johnston, Korwin-Kuczynski, Mammoliti, Nunziata, O'Brien, Shaw, Silva, Sinclair, Tzekas
No - 36 Mayor: Lastman Councillors: Adams, Atobello, Ashton, Augimeri, Balakisssoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Jones, Kelly, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Prue, Saundercook, Sgro, Shiner, Walker

Lost by a majority of 21.

Part (1)(a) of motion (f) by Councillor Cho carried.

Part (1)(b) of motion (f) by Councillor Cho carried.

Part (2) of motion (f) by Councillor Cho carried.

Motion (g) by Councillor Prue carried.

Adoption of motion (n) by Councillor Pantalone:

Yes - 9 Councillors: Giansante, Korwin-Kuczynski, Mammoliti, McConnell, Miller, Nunziata, Pantalone, Silva, Walker
No - 42 Mayor: Lastman Councillors: Adams, Atobello, Ashton, Augimeri, Balakisssoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas

Lost by a majority of 33.

Adoption of motion (h) by Councillor Johnston, seconded by Councillor Bossons:

Yes - 9 Councillors: Balkissoon, Bossons, Johnston, Korwin-Kuczynski, McConnell, Miller, Nunziata, Pantalone, Silva
No - 42 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Brown, Bussin, Cho, Chong Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pitfield, Prue, Sandercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker

Lost by a majority of 33.

Adoption of motion (a) by Councillor Filion, seconded by Mayor Lastman, as amended:

Yes - 50 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Sandercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas
No - 1 Councillor: Walker

Carried by a majority of 49.

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

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

Yes - 14
Councillors: Adams, Ashton, Augimeri, Chong, Davis, Fotinos, Johnston, McConnell, Moscoe, O'Brien, Pantalone, Shaw, Silva, Tzeka

No - 38
Mayor: Lastman
Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Prue, Saundercook, Sgro, Shiner, Sinclair, Walker

Lost by a majority of 24.

Adoption of motion (c) by Councillor McConnell, without amendment:

Yes - 19
Councillors: Ashton, Augimeri, Balkissoon, Bossons, Brown, Davis, Holyday, Johnston, Kelly, McConnell, Miller, Moscoe, Nunziata, Pantalone, Prue, Shaw, Silva, Tzekas, Walker

No - 33
Mayor: Lastman
Councillors: Adams, Altobello, Berardinetti, Berger, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pitfield, Saundercook, Sgro, Shiner, Sinclair

Lost by a majority of 14.

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

Yes - 29
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Cho, Chong, Davis, Duguid, Filion, Flint, Giansante, Holyday, Johnston, Jones, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Prue, Shaw, Tzekas, Walker

<p>No - 23 Mayor: Lastman Councillors: Berardinetti, Berger, Brown, Disero, Feldman, Fotinos, Gardner, Jakobek, Kelly, Korwin-Kuczynski, Li Preti, Mahood, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Saundercook, Sgro, Shiner, Silva, Sinclair</p>
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Carried by a majority of 6.

Adoption of motion (i) by Councillor Bussin:

<p>Yes - 20 Councillors: Adams, Altobello, Augimeri, Balkissoon, Bossons, Bussin, Cho, Disero, Fotinos, Holyday, Jakobek, Korwin-Kuczynski, Mahood, Mc Connell, Miller, Moscoe, Nunziata, Sinclair, Tzekas, Walker</p>

<p>No - 32 Mayor: Lastman Councillors: Ashton, Berardinetti, Berger, Brown, Chong, Davis, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Silva</p>

Lost by a majority of 12.

Adoption of motion (j) by Councillor Adams:

Yes - 43 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Feldman, Filion, Flint, Fotinos, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker
No - 9 Councillors: Berardinetti, Disero, Gardner, Giansante, Li Preti, Mahood, Ootes, Pitfield, Saundercook

Carried by a majority of 34.

Motion (k) by Councillor Shaw carried.

Adoption of motion (l) by Councillor Bossons:

Yes - 20 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Berger, Bossons, Bussin, Disero, Johnston, Korwin-Kuczynski, McConnell, Minnan-Wong, Moscoe, Pantalone, Pitfield, Shaw, Silva, Sinclair, Tzekas, Walker
No - 32 Councillors: Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Davis, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shiner

Lost by a majority of 12.

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

Adoption of Clause, as amended:

<p>Yes - 51 Mayor: Lastman Councillors: Adams, A Itobello, Ashton, Augi meri, Bal kissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Dug uid, Fe ldman, F ilion, F lint, F otinos, Gardner, Giansante, Holy day, J akobek, J ohnston, J ones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc , Miller, Minnan-W ong, Moeser, Moscoe, Nunz iata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Sa ndercook, Sg ro, Shaw, Shiner, Silva, Sinclair, Tzekas</p>
<p>No - 1 Councillor: Walker</p>

Carried by a majority of 50.

In summary, Council amended the Clause by:

- (1) striking out Recommendation No. (I) of the Board of Health and inserting in lieu thereof the following:

“(I) the adoption of the report dated June 21, 1999, from the Medical Officer of Health, entitled ‘Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto - Review o f Community Council Meeting s and Update’, subject to:

- (i) amending Recommendation No. (A)(3) by striking out the words ‘and into which no employee is required to enter;’;
- (ii) striking out Recommendations Nos.(B)(7), (8) and (9) of the Medical Officer of Health and inserting in lieu thereof the following:

‘(B) Smoke-free Provisions – the following recommendations apply to workplaces and public places that have not already become smoke-free under the harmonization provisions of the by-law:

- (7) that restaurants and bowling centres become smoke-free by June 1, 2001, and that bars, bingo halls, billiards halls, casinos and racetracks become smoke-free by June 1, 2004;

- (8) that restaurants, bowling centres, bars, billiards halls, casinos and racetracks be permitted to have designated smoking rooms (DSR's) that are fully enclosed and separately ventilated to the outdoors, provided that:
 - (a) the DSR's comprise no more than 25 percent of the floor space for principal use, and that the remainder of the area be smoke-free;
 - (b) all other areas, such as food preparation, purchasing, washrooms and workers' areas be smoke-free; and
 - (c) the smoking section be separately ventilated to the outdoors and fully separated by a wall or glass partition from the smoke-free portions of the facility;
- (9) that bingo halls be permitted to have designated smoking rooms provided that:
 - (a) the DSR's comprise no more than 50 percent of the floor space for gaming and that the remainder of the gaming area be smoke-free;
 - (b) all other areas, such as food preparation, card purchasing, lounges, washrooms, and the callers' area be smoke free;
 - (c) the smoking section be separately ventilated to the outdoors and fully separated by a wall or glass partition from the smoke-free portions of the facility;
- (10) that the proprietors of public places that are permitted to have designated smoking rooms be required to post health warning signs, such signs to be multilingual, depending on the needs of the area, at the entrances to the designated smoking room which clearly indicate that smoking is permitted and that those entering run the risk of serious illness; and
- (11) that Council request Health Canada to conduct a scientific and technical review of the air ventilation

solution as proposed by the Ontario Restaurant Association and the Greater Toronto Hotel Association, including but not limited to the following disciplines: toxicology, epidemiology, risk assessment, medicine and ventilation engineering; and further, that if the system is proven to provide a comparable quality of air as measured in other publicly regulated non-smoking facilities, then the technology be accepted as an alternative to the fully enclosed designated smoking rooms;'

- (iii) amending Recommendation No. (C)(12) by adding the words 'a multilingual' before the word 'education' and by adding the words 'depending on the needs of the specific area' after the word 'Health';
 - (iv) amending Recommendation No. (C)(14) of the Medical Officer of Health by striking out the date 'April 30, 2001' and inserting in lieu thereof the date 'June 1, 2001'; and
 - (v) renumbering the recommendations of the Medical Officer of Health accordingly;";
- (2) striking out Recommendation No. (II) of the Board of Health; and
- (3) amending Recommendation No. (III) of the Board of Health to provide that authority be granted to introduce the necessary Bill in Council in the form or substantially in the form of the by-law attached to the report dated June 10, 1999, from the City Solicitor, amended to reflect the recommendations of Council,

so that the recommendations embodied in the report dated June 21, 1999, from the Medical Officer of Health shall now read as follows:

- “(A) Harmonization Provisions - the following recommendations pertain to the interval between enactment of a harmonized by-law and subsequent changeover to smoke-free:
- (1) that the smoking by-laws of the former municipalities of Metropolitan Toronto be repealed when the harmonized ETS by-law comes into force;
 - (2) that the harmonized ETS by-law come into force three months after its enactment by City Council;
 - (3) that all workplaces in the City of Toronto be smoke-free, except in fully enclosed, designated smoking rooms (DSRs) that are separately

- ventilated to the outside, that make up no greater than 25 percent of the occupiable space;
- (4) that all public places be smoke-free, except for restaurants, bars, bowling centres, billiards halls, bingo halls, casinos and racetracks which are permitted to have unenclosed smoking in 25 percent of occupiable public space;
 - (5) that restaurants, bars, bowling centres, billiards halls, bingo halls, casinos and racetracks that permit unenclosed smoking be required to post health warning signs at all entrances which clearly indicate that smoking is permitted; and
 - (6) that employers/proprietors of workplaces and public places be required to post 'no smoking' signs where smoking is prohibited;
- (B) Smoke-free Provisions - the following recommendations apply to workplaces and public places that have not already become smoke-free under the harmonization provisions of the by-law:
- (7) that restaurants and bowling centres become smoke-free by June 1, 2001, and that bars, bingo halls, billiards halls, casinos and racetracks become smoke-free by June 1, 2004;
 - (8) that restaurants, bowling centres, bars, billiards halls, casinos and racetracks be permitted to have designated smoking rooms (DSR's) that are fully enclosed and separately ventilated to the outdoors, provided that:
 - (a) the DSR's comprise no more than 25 percent of the floor space for principal use, and that the remainder of the area be smoke-free;
 - (b) all other areas, such as food preparation, purchasing, washrooms and workers' areas be smoke-free; and
 - (c) the smoking section be separately ventilated to the outdoors and fully separated by a wall or glass partition from the smoke-free portions of the facility;
 - (9) that bingo halls be permitted to have designated smoking rooms provided that:

- (a) the DSR's comprise no more than 50 percent of the floor space for gaming and that the remainder of the gaming area be smoke-free;
 - (b) all other areas, such as food preparation, card purchasing, lounges, washrooms, and the callers' area be smoke free; and
 - (c) the smoking section be separately ventilated to the outdoors and fully separated by a wall or glass partition from the smoke-free portions of the facility;
- (10) that the proprietors of public places that are permitted to have designated smoking rooms be required to post health warning signs, such signs to be multilingual, depending on the needs of the area, at the entrances to the designated smoking room which clearly indicate that smoking is permitted and that those entering run the risk of serious illness; and
- (11) that Council request Health Canada to conduct a scientific and technical review of the air ventilation solution as proposed by the Ontario Restaurant Association and the Greater Toronto Hotel Association including but not limited to the following disciplines: toxicology, epidemiology, risk assessment, medicine and ventilation engineering; and further, that if the system is proven to provide a comparable quality of air as measured in other publicly regulated non-smoking facilities, then the technology be accepted as an alternative to the fully enclosed designated smoking rooms; and
- (C) Additional Recommendations - the following general recommendations apply to the ETS by-law:
- (12) that a multilingual education campaign be initiated by Toronto Public Health, depending on the needs of the specific area, prior to enactment of the ETS by-law, that:
 - (a) informs proprietors, employers and the general public of their responsibilities under the new by-law;
 - (b) encourages compliance with the new by-law through community-based prevention and cessation activities;
 - (c) markets the benefits and opportunities available under the new by-law; and
 - (d) has an ongoing, multi-year component;

- (13) that the Medical Officer of Health continue to assist in the advertisement of smoke-free restaurants to the general public in collaboration with the Commissioner of Economic Development, Culture and Tourism, community-based organizations and the private sector, and thereby encourage the creation of additional smoke-free restaurants;
- (14) that the Medical Officer of Health evaluate the effectiveness of the ETS by-law, including economic and other measures of impact, and report thereon to the Board of Health;
- (15) that institutions such as hospitals and nursing homes continue to be covered by the provisions of the provincial Tobacco Control Act;
- (16) that the City of Toronto develop a corporate policy to prohibit smoking in all municipal facilities, whether located in municipal or commercial buildings, except in such cases where this space is reserved for a private function such as a wedding, and that any such exemptions be time limited until June 1, 2001;
- (17) that upcoming reviews of the City's licensing by-law and local zoning by-laws give consideration to the definitions and requirements of the harmonized ETS by-law, as they pertain to restaurants and bars, in order to achieve standard definitions;
- (18) that City Council urge the Provincial Minister of Health and the Premier of Ontario to:
 - (a) review and strengthen the Tobacco Control Act to ensure greater protection from Environmental Tobacco Smoke across the Province and to further reduce access to tobacco products by young people;
 - (b) implement immediately the recommendations of the Minister's Expert Panel to Renew the Ontario Tobacco Strategy, including adoption of provincial legislation that assures the attainment of smoke-free workplaces and public places across Ontario; and
 - (c) release previously announced funds for school-based tobacco prevention education and cessation as soon as possible; and
- (19) that City Council urge the federal Minister of Health and the Prime Minister of Canada to implement regulations pursuant to the federal Tobacco Act, aimed at: preventing children from starting to smoke;

improving health warning messages on tobacco packages; plain packaging of tobacco products; increasing tobacco taxes; and further restricting tobacco advertising;” and

- (4) adding thereto the following:

“It is further recommended that:

- (a) the Ontario Tobacco Research Unit, in conjunction with the Provincial Ministry of Health, be requested to conduct a study to assess the health impacts of both smoke-free and smoking environments on hospitality workers;
- (b) the Medical Officer of Health be requested to develop a communications strategy and plan to educate the public about the ETS by-law; such strategy to involve stakeholders which reflect the multicultural diversity within the hospitality industry and Toronto’s local communities, and report thereon to Council, through the Board of Health; and
- (c) the Medical Officer of Health be requested to submit reports to Council, through the Board of Health, on:
 - (i) a public education campaign aimed at workers, including hospitality workers, to better inform them of the public health risks associated with working in a smoking environment, and their rights as workers;
 - (ii) the process to be implemented for restaurants and bars to so designate themselves; and
 - (iii) the implementation of the ETS by-law, how effective it has been and the kinds of problems that have been encountered, such report to be provided on an annual basis.”

7.43 Clause No. 7 of Report No. 1 of The Economic Development and Parks Committee, headed “Woodbine Park - Sponsorship of Bandshell (Ward 26 - East Toronto)”.

Motions:

- (a) Councillor Feldman moved that the Clause be amended by:
 - (1) striking out the recommendation of the Economic Development and Parks Committee and inserting in lieu thereof the following:

“It is recommended that the Commissioner of Economic Development, Culture and Tourism:

- (a) be requested to develop a process whereby parties interested in this particular sponsorship venue be invited to an auction to determine the highest bidder and the contract be awarded to the highest bidder; and
 - (b) be instructed to pre-determine the entitlement under such sponsorship.”; and
- (2) rescinding the action taken by the Economic Development and Parks Committee.
- (b) Councillor Shiner moved that the Clause be amended by adding thereto the following:

“It is further recommended that whether this is an auction or a Request for Proposal, it not be issued only to a list of pre-determined people who have worked with the City, but be open to the widest public bid possible.”

Votes:

Adoption of motion (a) by Councillor Feldman:

Yes - 6 Councillors: Chong, Disero, Feldman, Giansante, Lindsay Luby, Ootes
No - 36 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Duguid, Filion, Flint, Fotinos, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker

Lost by a majority of 30.

Motion (b) by Councillor Shiner carried.

The Clause, as amended, carried.

7.44 Clause No. 2 of Report No. 9 of The Toronto Community Council, headed “Installation of Underground Cables - 111 Bond Street and 122 Bond Street (Downtown)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Adams moved that Council adopt the following recommendation:

“It is recommended that the report dated July 7, 1999, from the Chairman, Telecommunications Steering Committee, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the report dated June 7, 1999, from the Commissioner of Works and Emergency Services, respecting the installation of cables by Ryerson, be approved, subject to three amendments, as follows:
 - (a) the agreement be amended to require Ryerson to provide to the Telecommunications Steering Committee, through the Office of the Chief Administrative Officer, technical information on all of the above and below ground installations, cabling, structures and conduits or ducts which Ryerson uses for telecommunications purposes that cross or use City rights-of-way or other City property;
 - (b) the agreement between the City and Ryerson include the requirement that the City be notified of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
 - (c) Ryerson be required to make available for the use of the City, extra fibre optic wires, if and when installed, and space inside the conduit to be installed for City installation of fibre optic wiring; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

7.45 **Clause No. 6 of Report No. 1 of The Economic Development and Parks Committee, headed “Interim ‘Welcome Policy’ for Users of Recreation Programs - All Wards”.**

Motions:

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

“It is further recommended that:

- (1) the indicator of Low Income Cut-off (LICO), as set out in report dated July 5, 1999, from the Commissioner of Economic Development, Culture and Tourism, be used as the key indicator to rank community centres serving high-needs communities;
- (2) the list of centres serving high-needs communities be extended to 15 additional centres (where approximately one-third of the population is living below the LICO) at an additional cost of \$600,000.00;
- (3) the interim individual access policy be extended to two programs per week, per individual, at an additional cost of \$400,000.00, and that adequate publicity and outreach programs be implemented as part of this funding;
- (4) prior to July 15, 1999, staff be requested to provide each Member of Council with a schedule of programs and respective fees for the fall programs;
- (5) the Commissioners of Economic Development, Culture and Tourism, Community and Neighbourhood Services and Urban Planning and Development Services be requested to submit a report to Council on priority neighbourhoods using common criteria; and
- (6) funding of \$1.0 million be provided from the Corporate Contingency Account or any other source identified by the Chief Administrative Officer.”

(b) Councillor Augimeri moved that:

“**WHEREAS** a report entitled Interim ‘Welcome Policy’ for Users of Recreation Programs, presented to the Economic Development and Parks Committee on June 21, 1999, outlined a list of community centres in high-risk communities; and

WHEREAS it was recommended that all programs at these centres be offered at no fee; and

WHEREAS this list was developed utilizing ‘Percentage of Children Aged 0-17 in Families Receiving Social Assistance’ as a key indicator; and

WHEREAS the Economic Development and Parks Committee directed the Commissioner of Economic Development, Culture and Tourism to meet with Councillors McConnell and Chow to discuss utilizing the ‘Low Income Cut-Off’ (LICO) as a key indicator; and

WHEREAS an error has been made in generating the second list utilizing the LICO as a key indicator; and

WHEREAS Oakdale Community Centre, located in North District, Ward 8, has 48.6 percent of incidences of families living below the LICO, and as well 51 percent of children aged 0-17 years in families receiving social assistance, this centre clearly meets the criteria;

NOW THEREFORE BE IT RESOLVED THAT the Oakdale Community Centre be approved as a centre offering all recreation programs to all ages at no fee at a revenue loss of \$12,000.00.”

(c) Councillor Ashton moved that:

(1) Recommendations Nos. (2), (3) and (6) embodied in the motion by Councillor McConnell be referred to the Policy and Finance Committee for consideration; and

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

“It is further recommended that the following seven Community Centres be added to the list of high-needs communities, and that \$86,000.00 be allocated from the Corporate Contingency Account to cover the loss of revenue:

- (a) Jimmie Simpson;
- (b) Rockcliffe Middle School;
- (c) O’Connor;
- (d) Chalkfarm;
- (e) Bliss Carman Senior Public School;
- (f) Galloway Road Public School; and
- (g) Oakdale.”

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to review the catchment area used for the McCormick Community Centre and, should an error be found, take appropriate and immediate action.”

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

“It is further recommended that:

(1) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the September 1999 meeting of the Economic

Development and Parks Committee on all early childhood education and children/youth programs for which fees are proposed; and

- (2) the Parkdale Community Centre be identified on the priority listing of Centres at a level identical to that of the Masaryk-Cowan Community Centre.”

- (f) Councillor Prue moved that the Clause be amended by adding thereto the following

“It is further recommended that the Crescent Town Club area be included as a high needs community area and that, in the absence of a municipally-funded Community Centre, the Commissioner of Economic Development, Culture and Tourism be instructed to:

- (1) work with the Board of Directors of the Crescent Town Recreation Complex to determine what recreation needs are not currently being met, and submit a report to Council, through the Economic Development and Parks Committee, on the programs required and the costs associated therewith;
- (2) provide the necessary funds for those services, where appropriate, from the Corporate Contingency Account for the balance of this year; and
- (3) include this unique circumstance area in any future plans as a program jointly funded between the Board of Directors of the Crescent Town Recreation Complex and the City of Toronto.”

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

“It is further recommended that the homeless, the vulnerable and low income persons be exempted from being charged user fees at the Harrison Baths and, if these groups constitute the majority of users at the baths, City staff exempt the Harrison Baths from user fees.”

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

“It is further recommended that:

- (1) as the S. H. Armstrong Community Centre meets the eligibility requirements of the Interim Welcome Policy related to low income cut-offs, no fees be applied to the Community Centre’s activities;
- (2) the S.H. Armstrong Community Centre receive a grant-in-lieu to reflect individual access needs; and

- (3) all of the Community Centres listed in the report dated July 5, 1999, from the Commissioner of Economic Development, Culture and Tourism be included in the high-needs category at a total cost of \$1,708,230.00, such funds to be provided from the Corporate Contingency Account.”
- (i) Councillor Korwin-Kuczynski moved that Part (2) of motion (e) by Councillor Miller be amended by adding after the words “Parkdale Community Centre” the words “and the McCormick Recreation Centre”.
- (j) Councillor Rae moved that the Clause be amended by adding thereto the following:
“It is further recommended that the St. Lawrence Community Recreation Centre be included as a high-needs community.”
- (k) Councillor Balkissoon moved that all motions moved by Members of Council, save and except Part (2) of motion (c) by Councillor Ashton and motion (g) by Councillor Chow, be referred to the Policy and Finance Committee for further consideration.
- (l) Councillor Mihevc moved that motion (k) by Councillor Balkissoon be amended by adding thereto the following words:
- (1) “at its meeting to be held on July 20, 1999; the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee, for consideration therewith, respecting funding options, and the Committee report thereon to the next meeting of Council to be held on July 27, 1999”; and
- (2) “and that, in the interim, staff be instructed not to publish user fee charges on any of the sites that potentially would have been exempted, and that a draft insert to the recreation guide be prepared, once the prices are established”.
- (m) Councillor Brown moved that motion (a) by Councillor McConnell be amended to provide that if any community or high-needs area has been omitted in error, they be automatically included.
- (n) Councillor Lindsay Luby moved that the Clause be amended by adding thereto the following:
“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to add a note to the Parks and Recreation Program brochure identifying that residents should call to check on those centres marked with an asterisk as to whether a fee will be charged.”

Councillor Lindsay Luby, with the permission of Council, withdrew her foregoing motion (n).

Votes:

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

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

Yes - 30 Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chow, Disero, Feldman, Filion, Gardner, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Sinclair, Walker
No - 13 Mayor: Lastman Councillors: Ashton, Chong, Duguid, Flint, Giansante, Jakobek, Lindsay Luby, Moeser, O'Brien, Ootes, Sgro, Shiner

Carried by a majority of 17.

Motion (g) by Councillor Chow carried.

Adoption of motion (k) by Councillor Balkissoon, as amended:

Yes - 26 Mayor: Lastman Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Kelly, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Pitfield, Sgro, Shiner, Sinclair, Tzekas
No - 18 Councillors: Adams, Augimeri, Brown, Bussin, Chow, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Walker

Carried by a majority of 8.

Part (2) of motion (c) by Councillor Ashton carried.

In summary, Council amended the Clause by adding thereto the following:

“It is further recommended that:

- (1) the following seven Community Centres be added to the list of high-needs communities, and that \$86,000.00 be allocated from the Corporate Contingency Account to cover the loss of revenue:
 - (a) Jimmie Simpson;
 - (b) Rockcliffe Middle School;
 - (c) O'Connor;
 - (d) Chalkfarm;
 - (e) Bliss Carman Senior Public School;
 - (f) Galloway Road Public School; and
 - (g) Oakdale;

- (2) the homeless, the vulnerable and low income persons be exempted from being charged user fees at the Harrison Baths and, if these groups constitute the majority of users at the baths, City staff exempt the Harrison Baths from user fees; and

- (3) the following motions be referred to the Policy and Finance Committee for further consideration at its meeting to be held on July 20, 1999; the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee, for consideration therewith, respecting funding options, and the Committee report thereon to the next meeting of Council to be held on July 27, 1999; and that, in the interim, staff be instructed not to publish user fee charges on any of the sites that potentially would have been exempted, and that a draft insert to the recreation guide be prepared, once the prices are established:

Moved by Councillor Ashton:

‘That Recommendations Nos. (2), (3) and (6) embodied in the motion by Councillor McConnell be referred to the Policy and Finance Committee for consideration.’

Moved by Councillor Brown:

‘That the motion by Councillor McConnell be amended to provide that if any community or high-needs area has been omitted in error, they be automatically included.’

Moved by Councillor McConnell:

‘It is further recommended that:

- (1) the indicator of Low Income Cut-off (LICO), as set out in report dated July 5, 1999, from the Commissioner of

Economic Development, Culture and Tourism, be used as the key indicator to rank community centres serving high-needs communities;

- (2) the list of centres serving high-needs communities be extended to 15 additional centres (where approximately one-third of the population is living below the LICO) at an additional cost of \$600,000.00;
- (3) the interim individual access policy be extended to two programs per week, per individual, at an additional cost of \$400,000.00, and that adequate publicity and outreach programs be implemented as part of this funding;
- (4) prior to July 15, 1999, staff be requested to provide each Member of Council with a schedule of programs and respective fees for the fall programs;
- (5) the Commissioners of Economic Development, Culture and Tourism, Community and Neighbourhood Services and Urban Planning and Development Services be requested to submit a report to Council on priority neighbourhoods using common criteria; and
- (6) funding of \$1.0 million be provided from the Corporate Contingency Account or any other source identified by the Chief Administrative Officer.'

Moved by Councillor Bussin:

'It is further recommended that all of the Community Centres listed in the report dated July 5, 1999, from the Commissioner of Economic Development, Culture and Tourism be included in the high-needs category at a total cost of \$1,708,230.00, such funds to be provided from the Corporate Contingency Account.'

Moved by Councillor Bussin:

'It is further recommended that, as the S. H. Armstrong Community Centre meets the eligibility requirements of the Interim Welcome Policy related to low income cut-offs, no fees be applied to the Community Centre's activities.'

Moved by Councillor Bussin:

‘It is further recommended that the S.H. Armstrong Community Centre receive a grant-in-lieu to reflect individual access needs.’

Moved by Councillor Korwin-Kuczynski:

‘That the motion by Councillor Miller be amended by adding after the words “Parkdale Community Centre” the words “and the McCormick Recreation Centre”.’

Moved by Councillor Miller:

‘It is further recommended that the Parkdale Community Centre be identified on the priority listing of Centres at a level identical to that of the Masaryk-Cowan Community Centre.’

Moved by Councillor Miller:

‘It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the September 1999 meeting of the Economic Development and Parks Committee on all early childhood education and children/youth programs for which fees are proposed.’

Moved by Councillor Pantalone:

‘It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to review the catchment area used for the McCormick Community Centre and, should an error be found, take appropriate and immediate action.’

Moved by Councillor Prue:

‘It is further recommended that the Crescent Town Club area be included as a high needs community area and that, in the absence of a municipally-funded Community Centre, the Commissioner of Economic Development, Culture and Tourism be instructed to:

- (1) work with the Board of Directors of the Crescent Town Recreation Complex to determine what recreation needs are not currently being met, and submit a report to Council, through the Economic Development and Parks Committee, on the programs required and the costs associated therewith;

- (2) provide the necessary funds for those services, where appropriate, from the Corporate Contingency Account for the balance of this year; and
- (3) include this unique circumstance area in any future plans as a program jointly funded between the Board of Directors of the Crescent Town Recreation Complex and the City of Toronto.'

Moved by Councillor Rae:

'It is further recommended that the St. Lawrence Community Recreation Centre be included as a high-needs community.'

7.46 **Clause No. 20 of Report No. 8 of The Etobicoke Community Council, headed "Amendments to the Etobicoke Official Plan and Zoning Code, Wittington Properties Limited, South Side of Burnhamthorpe Crescent, North of Dundas Street West and East of Burnhamthorpe Road - File No. Z-2283".**

Motion:

Councillor Jones moved that the Clause be amended by striking out the recommendation of the Etobicoke Community Council and inserting in lieu thereof the following:

"It is recommended that the report dated May 6, 1999, from the Director of Community Planning, West District, be adopted."

Councillor Pantalone in the Chair.

Councillor Ootes in the Chair.

Votes:

Adoption of motion by Councillor Jones:

Yes - 15 Councillors: Ashton, Augimeri, Brown, Chow, Duguid, Jones, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Pantalone, Prue, Rae, Sgro

No - 24

Councillors: Adams, Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chong, Disero, Filion, Flint, Gardner, Giansante, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Shaw, Sinclair, Walker

Lost by a majority of 9.

Adoption of Clause, without amendment:

Yes - 27

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chong, Disero, Duguid, Filion, Gardner, Giansante, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Sgro, Shaw, Sinclair, Walker

No - 12

Councillors: Augimeri, Brown, Chow, Flint, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Prue, Rae

Carried by a majority of 15.

7.47 Clause No. 1 of Report No. 1 of The Economic Development and Parks Committee, headed "Leashed and Unleashed Dogs in Parks".

Motion:

Councillor Adams moved that the Clause be amended by:

- (1) adding to Recommendation No. (3) of the Economic Development and Parks Committee, the following:

- “(f) Ramsden Park;
(g) Clarke Beach Park; and
(h) Cedarvale Park;” and

- (2) adding thereto the following:

“It is further recommended that:

- (a) discussions by the Etobicoke Leash Free Committee, regarding other viable sites in Etobicoke for leash free zones, be permitted to continue; and
(b) the Commissioner of Economic Development, Culture and Tourism be requested to:

- (i) expedite consideration of the off-leash arrangements for Sorauren Park, Waterfront east of the Argonaut Rowing Club and High Park; and
- (ii) submit a report to the Economic Development and Parks Committee on enhanced enforcement, including the potential use of students in the summer.”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

7.48 Clause No. 1 of Report No. 9 of The Economic Development Committee, headed “City’s Endorsement of ‘Taste of the Danforth’ as a Signature Event (Ward 25 - Don River and Ward 26 - East Toronto)”.

Motion:

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

“It is further recommended that the Director of Special Events be permitted to review the additional costs for the ‘Taste of the Danforth’ event and access the Economic Development Partnership Plan in the former City of Toronto to provide moderate assistance, and submit a report to the Policy and Finance Committee on the assistance provided.”

Votes:

The motion by Councillor Jakobek carried.

The Clause, as amended, carried.

IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE

July 6, 1999:

7.49 Clause No. 1 of Report No. 7 of The Corporate Services Committee, headed “Administrative and Underwriting Services for Employee Benefits”.

Motion:

Councillor Fotinos moved that:

- (1) the Clause be struck out and referred to the Administration Committee for further consideration; and
- (2) Council also adopt the following recommendations:

“It is recommended that:

- (a) a working group, comprised of the following, be established to develop Terms of Reference and a process for the selection of a benefits carrier for City of Toronto employees:
 - two Members of Council to be appointed by the Mayor;
 - the Chief Financial Officer and Treasurer;
 - representatives from the office of the Chief Administrative Officer;
 - one representative each from the following organizations:
 - Local No. 79;
 - Local No. 416;
 - the City of Toronto Administrative, Professional and Supervisory Association, Incorporated (COTAPSAI); and
 - the Toronto Firefighters’ Association;
- (b) the working group be requested to submit its report to the Administration Committee within three months’ time; and
- (c) in the interim, the existing benefits administration contracts continue.”

Motion to go in-camera:

Councillor Miller, at 5:03 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider this Clause, in accordance with the provisions of the Municipal Act.

Vote:

Adoption of motion by Councillor Miller:

Yes - 21 Councillors: Adams, Berardinetti, Berger, Bossons, Cho, Chong, Disero, Flint, Holyday, Jones, Kelly, Lindsay Luby, Mahood, Miller, Moscoe, Nunziata, O’Brien, Pitfield, Prue, Shaw, Walker
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No - 9 Mayor: Lastman Councillors: Altobello, Bussin, Giansante, Korwin-Kuczynski, Li Preti, Mihevc, Ootes, Saundercook
--

Carried by a majority of 12.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed to meet privately in the Council Chamber to consider Clause No. 1 of Report No. 7 of The Corporate Services Committee, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 6:22 p.m., and met in public session in the Council Chamber.

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

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that, other than the motion moved by Councillor Fotinos in public session, no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Vote:

Adoption of motion by Councillor Fotinos:

Yes - 25 Councillors: Altobello, Augimeri, Berardinetti, Bussin, Cho, Chow, Disero, Fotinos, Johnston, Jones, Layton, Mahood, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Tzekas, Walker
No - 19 Councillors: Ashton, Balkissoon, Berger, Bossons, Chong, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, O'Brien, Ootes, Shiner

Carried by a majority of 6.

July 8, 1999:

- 7.50 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(4), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Mayor Lastman

“**WHEREAS** the Chief Administrative Officer has submitted a confidential report dated July 5, 1999, with respect to certain personnel matters;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration, in camera, to the aforementioned confidential report dated July 5, 1999, from the Chief Administrative Officer.”

Vote:

Motion J(4) was adopted, without amendment. (See Minute No. 7.51)

Deputy Mayor Ootes, at 9:45 a.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber 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. 2 of Report No. 7 of The Corporate Services Committee, headed “Property Acquisition Request from L.A.C.A.C., W. J. Morrish Store, North-West Corner of Meadowvale Road and Kingston Road (Ward 16 - Scarborough Highland Creek)”;
- (b) Clause No. 1 of Report No. 1 of The Works Committee, headed “Quotation for Liquid Chlorine”; and
- (c) the confidential report dated July 5, 1999, from the Chief Administrative Officer, pertaining to certain personnel matters.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 12:35 p.m., and met in public session in the Council Chamber.

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

7.51 **Confidential report dated July 5, 1999, from the Chief Administrative Officer, with respect to certain personnel matters.**

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 this report:

Moved by Councillor Mihevc:

“It is recommended that the confidential report dated July 5, 1999, from the Chief Administrative Officer, be adopted, such report to remain confidential in accordance with the provisions of the Municipal Act, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) Section 1 of By-law No. 35-1998 appointing Virginia West as Commissioner of Urban Planning and Development Services, be rescinded;
- (2) Brenda Glover be appointed Acting Commissioner of Corporate Services, until such time as a Commissioner has been appointed by Council;
- (3) James Ridge be appointed Acting Commissioner of Urban Planning and Development Services, until such time as a Commissioner has been appointed by Council; and
- (4) the appropriate City officials be authorized to take the necessary action to give effect to the foregoing, including the introduction in Council, this day, of any Bills that are required.’ ”

Vote:

Adoption of motion by Councillor Mihevc:

<p>Yes - 43 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Feldman, Fillion, Flint, Gardner, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Tzekas, Walker</p>
<p>No - 2 Councillors: Augimeri, Chong</p>

Carried by a majority of 41.

7.52 Clause No. 2 of Report No. 7 of The Corporate Services Committee, headed "Property Acquisition Request from L.A.C.A.C., W.J. Morrish Store, North-West Corner of Meadowvale Road and Kingston Road (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 Shiner, seconded by Councillor Moeser:

"That the Clause be struck out and referred to the Policy and Finance Committee for further consideration, and further that:

- (1) the Chief Financial Officer and Treasurer submit a report to the Policy and Finance Committee, for consideration therewith, on the funding options for this acquisition; and
- (2) the Scarborough Local Architectural Conservation Advisory Committee present a business plan to the Policy and Finance Committee for its consideration when it deals with this matter."

Vote:

The motion by Councillor Shiner, seconded by Councillor Moeser, carried.

7.53 Clause No. 1 of Report No. 1 of The Works Committee, headed "Quotation for Liquid Chlorine".

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) Councillor Bossons moved that the Clause be amended by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that the existing contract with Netchem Inc. be continued at their bid price of \$777.00 per ton.”

- (b) Councillor Moscoe moved that the Clause amended by adding thereto the following

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Works Committee on the feasibility of direct purchasing as a method of purchasing commodities.”

Votes:

Adoption of motion (a) by Councillor Bossons:

Yes - 3 Councillors: Bossons, Gardner, Korwin-Kuczynski
No - 41 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, D'Amico, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Johnston, Jones, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Tsekas, Walker

Lost by a majority of 38.

Motion (b) by Councillor Moscoe carried.

Adoption of Clause, as amended:

Yes - 43 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Tzekas, Walker
No - 1 Councillor: Bossons

Carried by a majority of 42.

Deputy Mayor Ootes advised that City Council at its in-camera meeting held on July 8, 1999, also issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

7.54 Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper, as follows:

Moved by: Councillor Duguid

Seconded by: Councillor Ashton

“**WHEREAS** City Council at its Special Meeting held on April 26, 27 and 28, 1999, adopted, as amended, Clause No. 1 of Report No. 8 of The Strategic Policies and Priorities Committee, headed ‘1999 Operating Budget’, and in so doing adopted the following recommendations pertaining to the remuneration paid to Members of the Toronto and Region Conservation Authority:

‘Council (EE):

- (133) (a) the Council budget be adjusted by \$16,000.00 to reflect recommended limitations to Toronto Conservation Authority remuneration;
- (b) the by-law in respect to Councillors’ salaries be changed to the normal set amount minus the amount received from ABCs and the Toronto and Region Conservation Authority;

- (c) the Toronto and Region Conservation Authority, through City Council, be requested to review their policy of per diem and mileage allowance to its Board Members and report back to the Budget Committee in that regard prior to the 2000 Operating Budget process;
- (d) the Councillors' salary budget be adjusted in the event that the salary draw be reduced; and
- (e) the by-law in respect to Councillors' salaries be changed to the normal set amount minus the amount received from Agencies Boards and Commissions and the Toronto and Region Conservation Authority, and that it be done in a way so that it does not impact the Councillor's pension;

Toronto and Region Conservation Authority (HH):

- (140) the by-law in respect to Councillors' salaries be changed to the normal set amount minus the amount received from Agencies Boards and Commissions and the Toronto and Region Conservation Authority, and that it be done in a way so that it does not impact the Councillor's pension;
- (141) the Toronto and Region Conservation Authority, through City Council, be requested to review its policy of per diem and mileage allowance to its Board Members and report back to the Budget Committee in that regard prior to the 2000 Operating Budget process; and
- (142) the Councillors' salary budget be adjusted in the event that the salary draw be reduced; and

WHEREAS Council also requested the City Solicitor to submit a report to the Administration Committee on the legal implications of Recommendation No. (140);

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 8 of The Strategic Policies and Priorities Committee, headed '1999 Operating Budget', be re-opened for further consideration, only insofar as it pertains to the above recommendations;

AND BE IT FURTHER RESOLVED THAT Recommendations Nos. (133)(a), (b), (c), (d) and (e), and (140), (141) and (142) of the Strategic Policies and Priorities Committee, and the additional request for a report from the City Solicitor be deleted."

Motion:

Councillor Ashton moved that consideration of Motion F(1) be deferred to the next regular meeting of City Council to be held on July 27, 1999.

Vote:

The motion by Councillor Ashton carried.

- 7.55 Deputy Mayor Ootes called upon Notice of Motion I(1) appearing on the Order Paper, as follows:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Ashton

“**WHEREAS** the provisions of the Public Libraries Act require City Council to appoint Members of Council to the Toronto Public Library Board for a three-year term; and

WHEREAS, in accordance with the provisions of the subsection 105(1) of the Council Procedural By-law, City Council makes appointments to committees, agencies, boards and other bodies for a period of eighteen months, unless required otherwise; and

WHEREAS it would be desirable for Council to take a consistent approach with its appointments to committees, agencies, boards and other bodies; and

WHEREAS City Council has previously requested the Province of Ontario to enact legislation to reduce the term of office for Members of Council appointed to the Board from three years to eighteen months;

NOW THEREFORE BE IT RESOLVED THAT City Council again request the Province of Ontario to enact the necessary legislation to reduce the term of office for appointments of Members of Council to the Toronto Public Library Board from three years to eighteen months.”

Motion:

Councillor Moscoe moved that Motion I (1) be referred to the Mayor's Task Force on Agencies, Boards and Commissions.

Vote:

The motion by Councillor Moscoe carried.

- 7.56 Deputy Mayor Ootes called upon Notice of Motion I(2) appearing on the Order Paper, as follows:

Moved by: Councillor Moeser

Seconded by: Councillor King

“**WHEREAS** the recent submission of a Site Plan Control application for the establishment of self storage unit facility on a property at 34 Morrish Road near the Village core of Highland Creek has brought into question whether self storage unit facilities are suitable within a Highway Commercial zone which permits ‘specialized commercial uses’; and

WHEREAS the planning of the Highland Creek Village core promotes a village ambience for this area; and

WHEREAS it would be prudent to assess the appropriateness of permitting self storage unit facilities in the Highland Creek Village core by implementing an interim control by-law to determine suitable commercial uses within the Highway Commercial zone; and

WHEREAS the assessment should further address design criteria which would maintain or enhance a ‘village’ character within the Highland Creek Village core, and determine the future of the three single-family properties on the south side of Kingston Road, west of Military Trail;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Planning and Development Services be directed to undertake a planning study pertaining to the area within the Highland Creek Community, from approximately Military Trail to east of the Highland Creek overpass to:

- (1) make recommendations concerning appropriate commercial uses including self storage unit facilities being permitted under the existing Highway Commercial zoning;
- (2) develop appropriate design criteria to maintain or enhance a ‘village’ character; and
- (3) make recommendations on the future use of the three single-family residential properties on the south side of Kingston Road, west of Military Trail known as 235, 237 and 239 Old Kingston Road;

AND BE IT FURTHER RESOLVED THAT the above study to be provided to Council no later than April 30, 2000;

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

Motion:

Councillor Moeser moved that Motion I(2) be referred to the Acting Commissioner of Urban Planning and Development Services for report to the Council for its next regular meeting to be held on July 27, 1999.

Vote:

The motion by Councillor Moeser carried.

- 7.57 Councillor Prue 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 carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Prue

Seconded by: Councillor Ootes

“WHEREAS City Council on May 11 and 12, 1999, in adopting Clause No. 6 of Report No. 5 of the East York Community Council, entitled ‘Community Festival Permit Application Cypriot Community of Toronto Inc., Summer Festival: June 19 and 20, 1999, and Wine Festival: July 31, August 1 and 2, 1999’, among other things, sanctioned and granted a Community Festival permit for the Wine Festival subject to certain terms and conditions; and

WHEREAS one of those conditions was that the Wine Festival shall close at 1:00 a.m., in accordance with the submitted applications and that amplified sound cease in accordance with the following schedule:

Wine Festival: Saturday, July 31, 1999, at 12:00 midnight;
Sunday, August 1, 1999, at 11:00 p.m.; and
Monday, August 2, 1999, at 11:00 p.m.; and

WHEREAS Monday, August 2, 1999, is a Statutory Holiday; and

WHEREAS the Cypriot Community of Toronto Inc., has requested that the foregoing schedule be amended for Sunday, August 1, 1999, by granting an extension of one hour;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 6 of Report No. 5 of the East York Community Council, entitled ‘Community Festival Permit Application Cypriot Community of Toronto Inc., Summer Festival: June 19 and 20, 1999, and Wine Festival: July 31, August 1 and 2, 1999’, which was adopted by City Council at its meeting held on May 11 and 12, 1999, without amendment, be re-opened for further consideration, only insofar as it pertains to the schedule for Sunday, August 1, 1999;

AND BE IT FURTHER RESOLVED THAT the schedule for Sunday, August 1, 1999, be amended to read:

‘Sunday, August 1, 1999, at 12:00 midnight;’.”

Votes:

The first Operative Paragraph carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(1) was adopted, without amendment.

- 7.58 Councillor Pitfield 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 carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pitfield

Seconded by: Councillor Prue

“**WHEREAS** the East York Community Council held a statutory public meeting on May 26, 1999, in accordance with Section 34 of the Planning Act, to consider applications by Inaugural Source Inc., the City of Toronto and Toronto Hydro to amend East York Zoning By-law No. 6752, as amended, to rezone certain lands, being Part of Lot B on Registered Plan 1193 and Part of Lots 46 and 56, registered Plan 781 City of Toronto (formerly Borough of East York), as outlined in a report (April 29, 1999) from the Director of Community Planning East District; and

WHEREAS City Council, on June 9, 10, and 11, 1999, in adopting Clause No. 3 of Report No. 6 of the East York Community Council, entitled ‘Public Meeting Held in Accordance with the Planning Act with respect to Official Plan and Zoning By-law Amendment Applications regarding 157 Dawes Road’, adopted the aforementioned report (April 29, 1999) from the Director of Community Planning, East District; and

WHEREAS a review of the draft Zoning By-law amendment attached to the aforementioned report (April 29, 1999) from the Director of Community Planning, East District, has revealed that the 10.2 m maximum height cited in Section 7.5.4.37.2 (2)(I)(I) does not correspond to the maximum height of 11.2 m shown on the elevation drawings attached to the same report (see Figure 3 - Elevation Plan); and

WHEREAS the number shown on the drawings represent the correct height, and, as noted in the aforementioned report, the increased height:

- (A) applies to only one of the 16 dwellings proposed for this location - the maximum height of the remaining 15 buildings is set at 9.8 m;

- (B) is intended to accommodate a decorative 'turret' which caps the corner building and which was incorporated into the building's design at staff's suggestion to address the corner situation; and
- (C) will in no way impact any existing residences in terms of overlook or shadowing;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 6 of the East York Community Council, entitled 'Public Meeting Held in Accordance with the Planning Act with respect to Official Plan and Zoning By-law Amendment Applications regarding 157 Dawes Road', which was adopted by City Council at its meeting held on June 9, 10, and 11, 1999, without amendment, be re-opened for further consideration, only insofar as it pertains to Section 7.5.4.37.2.(2)(I)(I) of the draft site specific Zoning By-law amendment for 157 Dawes Road;

AND BE IT FURTHER RESOLVED THAT City Council determine that the proposed Zoning By-law substantially implements the proposal presented at the public meeting held on May 26, 1999, and that the following amendment be deemed to be minor and that no further public meeting is necessary;

AND BE IT FURTHER RESOLVED THAT Section 7.5.4.37.2.(2)(I)(I) of the draft site specific Zoning By-law amendment for 157 Dawes Road embodied in the report (April 29, 1999) from the Director, Community Planning, East District, be amended by deleting the number '10.2' and inserting in lieu thereof the number '11.2', so that such Section 7.5.4.37.2.(2)(I)(I) shall now read as follows:

'for Dwelling on Lot 1 11.2 m'.'

Votes:

The first Operative Paragraph carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(2) was adopted, without amendment.

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

Moved by: **Councillor Jakobek**

Seconded by: **Councillor Rae**

“WHEREAS the first ‘Celebrate Toronto Street Festival’ was held on July 3 to 5, 1998, at major intersections along Yonge Street, between Lawrence Avenue and Dundas Street and over 400,000 people enjoyed the entertainment and activities offered; and

WHEREAS retail and restaurant merchants enjoyed economic benefits of this successful City event; and

WHEREAS one factor that contributed to the economic impact of the festival on local restaurants was Council’s approval of the extension of patio licences; and

WHEREAS restaurants offered their scrumptious meals beyond their premises and onto the street which contributed greatly to the neighbourhood atmosphere of the festival; and

WHEREAS Toronto Special Events has accepted a sponsorship proposal from Labatt allowing beer throughout their festival sites; and

WHEREAS local licensees along Yonge Street have also expressed an interest in participating at key locations, and, in order to participate, licensees require temporary patio licences because patios add significantly to the flavour of the festival, and it is beneficial to involve as many as possible; and

WHEREAS extension of patio sites ensures greater pedestrian traffic and subsequently higher retail sale for local businesses; and

WHEREAS approval of the patio licences ensures a three-metre or seven-foot clearance for safe pedestrian walkways; and

WHEREAS the type and location of required fencing and blockades are clearly stipulated by the licencing board and all participating restaurants will be required to abide by the regulations; and

WHEREAS the ‘Celebrate Toronto Street Festival’ on July 9, 10 and 11, 1999, will mark the second year of this signature event, and according to Tourism Toronto, the economic impact on local businesses of Celebrate Toronto Street Festival, 1998 was \$6,782,725.00 and a total of \$16,198,350.00 of economic activity in the province; and

WHEREAS in order to capitalize on last year’s success for local businesses, it is recommended that Council approve temporary patio extensions allowing local restaurants to offer their services beyond current boundaries;

NOW THEREFORE BE IT RESOLVED THAT City Council declare the ‘Celebrate Toronto Street Festival’ to be a community festival of municipal significance for liquor licensing purposes and indicate that there is no objection to the extension of liquor licences outside of the designated licence retail premises in

the form of a patio and the inclusion of beer gardens/tents in the designated road closures along Yonge Street.”

Vote:

Motion J(3) was adopted, without amendment.

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

Moved by: Councillor Ashton

Seconded by: Councillor Silva

“**WHEREAS** Council at its meeting held on December 16 and 17, 1998, adopted Clause No. 4 of Report No. 15 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed ‘Administrative Structure for Arts Grants’, and approved the Toronto Arts Council as the arms-length administrative body of the City in relation to the funding of the arts and cultural organizations and artists in the City of Toronto; and

WHEREAS Council at its meeting held on April 13, 14 and 15, 1999, by its adoption of Clause No. 15 of Report No. 6 of The Economic Development Committee, headed ‘Extension of City’s Agreement with the Toronto Arts Council’, approved the extension of the Grant Agreement between the former City of Toronto and the Toronto Arts Council to administer the City’s grant program for a period of three months from the expiry of the current agreement on March 31, 1999, to expire on June 30, 1999, by which time a report on the terms of the new agreement would be forthcoming; and

WHEREAS staff of Economic Development, Culture and Tourism, Finance, Corporate Policy and Legal have been working on a draft of the new agreement which will be sent to the Toronto Arts Council for its review once finalized; and

WHEREAS it has not been possible to finalize an agreement with the Toronto Arts Council prior to the June 30, 1999, deadline;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with section 46 of the Council Procedural By-law, Clause No. 15 of Report No. 6 of The Economic Development Committee, headed ‘Extension of City’s Agreement with the Toronto Arts Council’, be re-opened for consideration;

AND BE IT FURTHER RESOLVED THAT Recommendation No. (1) embodied in Clause No. 15 of Report No. 6 of The Economic Development Committee,

adopted by Council on April 13, 14 and 15, 1999, be amended by deleting the words 'three months' and the date 'June 30, 1999' and inserting in lieu thereof the words 'seven months' and the date 'October 30, 1999', to enable the draft of the new agreement with the Toronto Arts Council to be finalized."

Votes:

The first Operative Paragraph carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(5) was adopted, without amendment.

- 7.61 Councillor Balkissoon moved that sections 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 carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Balkissoon

Seconded By: Councillor Berardinetti

"WHEREAS Council has learned, with the deepest regret, of the passing of Councillor Frank Faubert, Scarborough Highland Creek; and

WHEREAS Section 43 of the Municipal Act states that 'where the seat of a member of council becomes vacant under Section 38, the Council shall forthwith declare the seat to be vacant'; and

WHEREAS the City Clerk has submitted the attached report dated June 29, 1999, regarding options to fill this vacancy; and

WHEREAS it is appropriate to hear the views of the public in filling this vacancy;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated June 29, 1999, from the City Clerk;

AND BE IT FURTHER RESOLVED THAT Recommendations Nos. (1) and (4) embodied in the attached report from the City Clerk be adopted;

AND BE IT FURTHER RESOLVED THAT the balance of the report of the City Clerk be referred to the next meeting of the Scarborough Community Council for deputation purposes and report thereon to a special meeting of the Administration Committee to be called by the Chair of the Administration Committee, and subsequently to Council for consideration at its meeting scheduled on July 27, 28, and 29, 1999."

Council also had before it, during consideration of this Motion, a report dated June 29, 1999, from the City Clerk, outlining the options available to Council to fill the vacancy occurring in Scarborough Highland Creek as a result of the passing of Councillor Frank Faubert. (See Attachment No. 1, Page No. 116.)

Vote:

The Motion was adopted, without amendment.

In so doing, Council adopted Recommendations Nos. (1) and (4) embodied in the report dated June 29, 1999, from the City Clerk, viz.:

“It is recommended that:

- (1) the office of Councillor - Scarborough Highland Creek be declared vacant; and
- (4) in the interim, the current staff continue to serve the constituents of Scarborough Highland Creek until the new Councillor is appointed or elected and a decision is made by Council or the new Councillor with respect to staffing;”

and referred the balance of the report, including the following recommendations embodied therein, to the next meeting of the Scarborough Community Council for deputation purposes and report thereon to a special meeting of the Administration Committee to be called by the Chair of the Administration Committee, and subsequently to Council for consideration at its meeting scheduled on July 27, 28, and 29, 1999:

- “(2) Council determine which of the following options is to be adopted to fill the vacancy:

OPTION 1 - APPOINTMENT

- (a) the vacancy be filled by means of appointment;
- (b) the City Clerk be directed to advertise for applications from qualified electors to be considered for appointment as Councillor - Scarborough Highland Creek;
- (c) Council at its meeting scheduled for September 28, 1999, at 2:00 p.m. accept nominations and give consideration to the appointment of a qualified elector who has applied and consented to accept the office of Councillor - Scarborough Highland Creek for the remainder of this term of Council;

- (d) each nominee be given a maximum of 5 minutes to address Council;
- (e) questions may be asked of each nominee provided that the total question and answer period shall not exceed 5 minutes times the number of nominees; and
- (f) the current staff continue to serve the constituents of Scarborough Highland Creek and the new Councillor when appointed.

OPTION 2 - BY-ELECTION

- (a) the vacancy be filled by means of a by-election;
 - (b) Council authorize the use of vote-counting machines in the Scarborough Highland Creek by-election to be held September 23, 1999, as indicated in the attached draft Bill No. 1;
 - (c) Council authorize advance votes to be conducted as indicated in the attached draft Bill No. 2;
 - (d) Council authorize the payment of rebates to persons who make contributions to candidates in this by-election, similar to the provisions in the 1997 municipal elections, and as outlined in the attached draft Bill No. 3; and
 - (e) the new Councillor when elected, be urged to give first consideration to retaining the current staff;
- (3) the Chief Financial Officer and Treasurer be authorized to transfer the necessary funds from the 1999 Corporate Contingency Account to cover the costs of either Option 1 or Option 2; and
 - (5) leave be granted to introduce the necessary Bills in Council and the appropriate City Officials be authorized to take the necessary action to give effect thereto.”

7.62 Councillor Miller moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Berardinetti

“**WHEREAS** it has been determined by the United Nations that the City of Toronto is one of the most livable cities in the world; and

WHEREAS the employees of the City of Toronto have been instrumental in making Toronto achieve this goal; and

WHEREAS through amalgamation, many long-service employees have left the civil service;

NOW THEREFORE BE IT RESOLVED THAT any employee in good standing who leaves the employment of the City of Toronto should receive a plaque in appreciation of their years of service and to recognize their contribution to our Cities - past, present and future.”

Motion:

Councillor Miller moved that Motion J(7) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the Executive Director, Human Resources, be requested to submit a report to the Administration Committee on how this recommendation has been implemented within the context of an overall employee recognition program.”

Vote:

The motion by Councillor Miller was adopted.

Motion J(7) was adopted, as amended.

- 7.63 Councillor Ashton moved that, in accordance with subsection 28(2) of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion J(8), which carried:

Moved By: Councillor Ashton

Seconded By: Councillor Korwin-Kuczynski

“**WHEREAS** City Council at its meeting of June 9, 10 and 11, 1999, enacted By-laws Nos. 372-1999 and 373-1999, appointing Councillors King and Lindsay Luby to the Toronto Transit Commission, making these appointments using the Municipal Act authority that then Minister Leach advised the City was available; and

WHEREAS Councillor Moscoe commenced an application for judicial review seeking an order quashing By-laws Nos. 372-1999 and 373-1999, which application

for judicial review was allowed by Mr. Justice Hartt in a decision dated June 29, 1999, thereby quashing the by-laws; and

WHEREAS it is appropriate for the City Solicitor to report directly to City Council on the Court proceedings and to recommend next steps that the City should pursue as a result of the Court's decision;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated July 5, 1999, from the City Solicitor."

Council also had before it, during consideration of this Motion, a report dated July 5, 1999, from the City Solicitor entitled "Divisional Court Decision Respecting Toronto Transit Commission Membership and Section 26 of the City of Toronto Act, 1997 (No. 2)". (See Attachment No. 2, Page No. 121.)

Motion:

Mayor Lastman moved that Motion J(8) be amended by adding the following new Operative Paragraph:

"AND BE IT FURTHER RESOLVED THAT the report dated July 5, 1999, from the City Solicitor be adopted, subject to:

- (1) referring the following portion of Recommendation No. (2) to the Mayor's Task Force on Agencies, Boards and Commissions:

'and to delete the requirement of a two-thirds vote to appoint Members to the Commission'; and

- (2) receiving Recommendation No. (4), viz.:

'(4) City Council decide whether it wishes to pursue the appointment of additional councillors to the Toronto Transit Commission, given the Court's finding that such appointment requires the affirmative vote of at least two-thirds of the members of Council present and voting.'"

Vote:

The motion by Mayor Lastman was adopted.

Motion J(8) was adopted, as amended.

In so doing, Council adopted the following recommendations embodied in the report dated May 12, 1999, from the City Solicitor:

“It is recommended that:

- (1) the decision of Mr. Justice Hartt in respect of this matter not be appealed;
- (2) City Council renew its request that the Province enact legislation to reduce the term of office of members of Council appointed to the Toronto Transit Commission from three years to eighteen months; and
- (3) the Province be requested to enact an amendment to the City of Toronto Act, 1997 and to the City of Toronto Act, 1997 (No. 2) to add a specific clarification that the general powers granted to the City by the Municipal Act are available to the City of Toronto unless expressly excepted.”

7.64 Councillor Korwin-Kuczynski 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 carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Miller

“**WHEREAS** Future Bakery Café, located at 2199 Bloor Street West, Toronto, made an application on April 21, 1999, requesting boulevard café privileges on the Bloor Street West flankage; and

WHEREAS the application was reviewed with respect to compliance with the physical criteria of Chapter 313 of the former City of Toronto Municipal Code; and

WHEREAS the application had been determined to, in fact, meet the physical criteria of the Municipal Code; and

WHEREAS the approved extension flanks Bloor Street West, and was, in error, subject to the original boulevard café closing time of 11:00 p.m. set for Kennedy Avenue; and

WHEREAS given the owner’s wishes to legally operate his Café beyond 11:00 p.m. on both the Bloor Street West and Kennedy Avenue flankages, and comply with the Code which allows him to make this request in writing to City Council for approval; and

WHEREAS upon City Council’s approval, the legal agreements entered into between the City of Toronto and Future Bakery Café, and the clause specifically outlining the operation shall be amended respectively; and

WHEREAS urgent consideration of this matter by City Council is necessary in order to permit the applicant to take advantage of the summer season;

NOW THEREFORE BE IT RESOLVED THAT Future Bakery and Café be allowed to expand its operational hours on the Bloor Street West flankage to conform with the same unrestricted time allowances as other cafés in the commercial zone on Bloor Street West;

AND BE IT FURTHER RESOLVED THAT the request of the Future Bakery and Café for additional hours on the Kennedy Avenue flankage be referred to the next meeting of the Toronto Community Council, with the applicant being required to post large signs notifying the community of its application for extended operating hours on the boulevard café on Kennedy Avenue.”

Vote:

Motion J(9) was adopted, without amendment.

- 7.65 Councillor Saundercook moved that in accordance with subsection 28(2) of the Council Procedural By-law, leave be granted to introduce the following Notice of Motion J (10), which carried:

Moved by: Councillor Saundercook

Seconded by: Councillor Layton

“**WHEREAS**, by a proposed transaction presently contemplated to be executed by August 1, 1999, Allied Waste Industries, Inc. will be merging with Browning-Ferris Industries Inc., the parent company of Browning-Ferris Industries Ltd. (‘BFI Canada’) and subsequently transferring all of the shares of BFI Canada to Canadian Waste Services Holdings Inc., a subsidiary of Waste Management Inc.; and

WHEREAS it appears that the transaction may be reviewed by the Competition Tribunal at the instigation of the Commissioner of Competition within the Competition Bureau; and

WHEREAS it appears that the Commissioner of Competition is presently considering the matter of the proposed transaction and that any concerns of the City of Toronto in relation to the lessening of competition in the private solid waste management industry be conveyed to the Commissioner of Competition as soon as possible; and

WHEREAS the Commissioner of Works and Emergency Services has prepared the attached report dated July 5, 1999, respecting this matter;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with subsection 28(2) of the Council Procedural By-law, leave be granted to introduce and debate this Notice of Motion at the meeting of Council on July 6, 1999, to permit the consideration of the aforementioned report dated July 5, 1999, from the Commissioner of Works and Emergency Services.”

Council also had before it, during consideration of this Motion, a report dated July 5, 1999, from the Commissioner of Works and Emergency Services, entitled “Proposed Acquisition of Browning-Ferris Industries Ltd. by Canadian Waste Services Holdings Inc. and Consolidation within the Solid Waste Management Industry”. (See Attachment No. 3, Page No. 125)

Motion:

Councillor Saundercook moved that:

- (1) Motion J(10) be adopted; and
- (2) the report dated July 5, 1999, from the Commissioner of Works and Emergency Services, embodying the following recommendation, be adopted:

“It is recommended that Council ratify the concerns and suggested action for review as contained in the letter, dated June 22, 1999, attached to this report, addressed to the Commissioner of Competition within the federal Competition Bureau.”

Vote:

The motion by Councillor Saundercook was adopted.

- 7.66 Deputy Mayor Ootes, with the permission of Council, moved that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on July 27, 1999:

REPORT NO. 1 OF THE PLANNING AND TRANSPORTATION COMMITTEE

- Clause No. 2 - “Further Report on Proposed Use of Funds Generated from Cash-in-lieu of Parkland Dedication”.

REPORT NO. 8 OF THE SCARBOROUGH COMMUNITY COUNCIL

- Clause No. 22 - “Further Opportunities in Knob Hill and Clifcrest, City-Initiated Official Plan Amendment, Former Scarborough Transportation Corridor Lands Study Phase 3 West - St. Clair Avenue to Brimley Road (W 96052) Wards 13 and 15 - Scarborough Bluffs and Scarborough City Centre”.

REPORT NO. 9 OF THE TORONTO COMMUNITY COUNCIL

Clause No. 11 - “Interim Control By-law 241-1998 - 16 Avondale Road - Application for Consent under Chapter 276, and Article I, Ravines of the Former City of Toronto Municipal Code (Midtown)”.

BILLS AND BY-LAWS

7.67 On July 6, 1999, at 7:30 p.m., Councillor Mihevc, 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. 443	By-law No. 380-1999	To confirm the proceedings of the Council at its meeting held on the 6th day of July, 1999,
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the vote upon which was as follows:

Yes - 44 Mayor: Lastman Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chong Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker
No - 1 Councillor: Bossons

Carried by a majority of 43.

7.68 On July 7, 1999, at 7:36 p.m., Councillor Bssin, seconded by Councillor Shiner, 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. 444	By-law No. 381-1999	To confirm the proceeding of the Council at its meeting held on the 6th and 7th days, of July, 1999,
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the vote upon which was as follows:

Yes - 42 Mayor: Lastman Councillors: Adams, A Itobello, Ashton, Augi meri, Bal kissoon, Berardinetti, B ossons, B ussin, Chong , Disero, Dug uid, Feldman, Fillion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, J ones, Kelly , Korwin-Kucz ynski, L indsay L uby, McConnell, Mihe vc, Mille r, Minna n-Wong, Mosc oe, Nunziata, O' Brien, Oote s, Pantalone, Pitf ield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas
No - 0

Carried, without dissent.

- 7.69 On July 8, 1999, at 6:10 p.m., Councillor Adams, seconded by Councillor McConnell, 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:

Bill No. 380	By-law No. 382-1999	To repeal the appointment of Margaret Rodrigues as Commissioner of Corporate Services and to appoint Brenda Glover as Acting Commissioner, as amended.
Bill No. 381	By-law No. 383-1999	To amend the Zoning By-law for the former City of Toronto No. 43 8-86, with respect to 2078 and 2300 St. Clair Avenue West and 66 Symes Road.
Bill No. 382	By-law No. 384-1999	To temporarily stop up and close a portion of Lake Shore Boulevard West between Strachan Avenue and Ontario Drive.
Bill No. 383	By-law No. 385-1999	To temporarily stop up and close a portion of Lake Shore Boulevard West between Strachan Avenue and Ontario Drive.

Bill No. 384	By-law No. 386-1999	To Delegate the Power to Sign Statements under Section 323 of the <u>Municipal Act</u> as to the Licensing or Non-Licensing of any Premises or Person in Respect of any Trade, Calling, Business or Occupation.
Bill No. 385	By-law No. 387-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane south of Danforth Avenue extending easterly from Patricia Drive.
Bill No. 386	By-law No. 388-1999	To layout and dedicate for public highway purposes certain land to form part of Alberta Avenue.
Bill No. 387	By-law No. 389-1999	To layout and dedicate certain land for public lane purposes to form part of the public lane east of Beresford Avenue extending northerly from the public lane north of Annette Street.
Bill No. 388	By-law No. 390-1999	To layout and dedicate for public lane purposes certain land to form the new lane outlet from the public lane west of Yonge Street extending northerly from Breadalbane Street to Wellesley Street.
Bill No. 389	By-law No. 391-1999	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Queen Street East extending easterly from Woodfield Road then northerly.
Bill No. 390	By-law No. 392-1999	To name the private lane at 50 Maitland Street "Luscombe Lane".
Bill No. 391	By-law No. 393-1999	To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former City of Toronto to establish and set the rates for parking machines to be located on certain streets in Ward 24 of the City of Toronto.

Bill No. 392	By-law No. 394-1999	To amend By-law No. 912-1998, being "A By-law To authorize the erection, operation, use and maintenance of parking machines on the highways under the jurisdiction of the City of Toronto, including the setting of fee amounts or fee scales", to establish and set the rates for parking machines to be located on certain streets in Ward 24 of the City of Toronto.
Bill No. 393	By-law No. 395-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane system in the block bounded by Mount Pleasant Road, Manor Road, Hagley Road and Belize Drive.
Bill No. 394	By-law No. 396-1999	To establish certain lands as a municipal highway.
Bill No. 395	By-law No. 397-1999	To layout and dedicate certain land for public lane purposes to form part of the public lane system in the block bounded by Old Weston Road, Hook Avenue and Indian Grove.
Bill No. 396	By-law No. 398-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane north of Richmond Street West extending between Augusta Avenue and McDougall Lane.
Bill No. 397	By-law No. 399-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane west of Clinton Street extending southerly from Clinton Place to Page Street.
Bill No. 398	By-law No. 400-1999	To layout and dedicate certain land for public lane purposes to form part of the public lane west of Kelvin Avenue extending southerly from the lane south of Danforth Avenue, then easterly to Kelvin Avenue.

Bill No. 399	By-law No. 401-1999	To amend former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Bus and Delivery Vehicle Parking Zones and Bus Loading Zones.
Bill No. 400	By-law No. 402-1999	To amend Metropolitan By-law No. 107-86 respecting Parking Meters on former Metropolitan Roads to permit Bus Parking Spaces.
Bill No. 401	By-law No. 403-1999	To stop up and close the public lane east of Victoria Park Avenue extending northerly from Esquire Road and to authorize the sale or lease thereof.
Bill No. 402	By-law No. 404-1999	To amend Zoning By-law No. 438-86, as amended, respecting lands within the Nordheimer Ravine.
Bill No. 403	By-law No. 405-1999	To amend City of North York By-law No. 7625 in respect of lands municipally known as 139 to 147 Doris Avenue.
Bill No. 404	By-law No. 406-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Jones Avenue.
Bill No. 405	By-law No. 407-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 406	By-law No. 408-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 407	By-law No. 409-1999	To amend the Municipal Code of the Former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 408	By-law No. 410-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 411	By-law No. 411-1999	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 412	By-law No. 412-1999	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 414	By-law No. 413-1999	To amend further By-law No. 34-93, a by-law "To provide for disabled person parking permit holders", being a by-law of the former Borough of East York.
Bill No. 415	By-law No. 414-1999	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. 416	By-law No. 415-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 417	By-law No. 416-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 418	By-law No. 417-1999	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. 419	By-law No. 418-1999	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. 420	By-law No. 419-1999	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 421	By-law No. 420-1999	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 422	By-law No. 421-1999	To amend further Metropolitan By-law No. 107-86 respecting parking meters on former Metropolitan Roads.
Bill No. 423	By-law No. 422-1999	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, as amended.
Bill No. 424	By-law No. 423-1999	To amend further By-law No. 34-93, a by-law "To provide for disabled person parking permit holders", being a by-law of the former Borough of East York.
Bill No. 425	By-law No. 424-1999	To amend By-law No. 31001 of the former City of North York.
Bill No. 426	By-law No. 425-1999	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. 427	By-law No. 426-1999	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 428	By-law No. 427-1999	To stop up and close portions of the public highways Keelesdale Road and Photography Drive near the southwest intersection of Eglinton Avenue West and Black Creek Drive and to authorize the sale thereof.
Bill No. 429	By-law No. 428-1999	To stop up and close the unnamed public street west of Venice Drive extending northerly from Queen's

		Drive and to authorize the sale thereof.
Bill No. 430	By-law No. 429-1999	To amend further Metropolitan By-law 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 431	By-law No. 430-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 432	By-law No. 431-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Atlantic Avenue, Argyle Street, Carlaw Avenue, Coe Hill Drive, Cowan Avenue, Davenport Road, Glebeholme Boulevard, Gloucester Street, Huron Street, Merton Street, Palmerston Gardens, Russell Hill Road, Sheridan Avenue, Wellesley Street West.
Bill No. 433	By-law No. 432-1999	To extend the effect of By-law No. 519-1998, being a By-law to designate Lots 134-141, 143-159, 161-168, 432, 433, 435-437, 439-445, 460, 461, 463 and 469 inclusive on Registered Plan M-2292 not subject to Part Lot Control in the Centennial Community.
Bill No. 434	By-law No. 433-1999	To layout and dedicate for public highway purposes certain land to form part of the public highway Atlantic Avenue.
Bill No. 435	By-law No. 434-1999	To amend former City of York By-law No. 1-83 respecting lands - west side of Weston Road between Dora Spencer Road and Buttonwood Avenue.
Bill No. 436	By-law No. 435-1999	To adopt Amendment No. 154 of the Official Plan for the former City of York.

Bill No. 437	By-law No. 436-1999	To amend former City of York By-law No. 1-83 respecting lands - southwest corner of Black Creek and Eglington Avenue West.
Bill No. 438	By-law No. 437-1999	To repeal the appointment of Virginia West as Commissioner of Planning and Urban Development and to appoint James Ridgeway as Acting Commissioner.
Bill No. 439	By-law No. 438-1999	To amend Procedural By-law No. 23-1998.
Bill No. 440	By-law No. 439-1999	To amend further Metropolitan By-law 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 441	By-law No. 440-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking respecting Beatrice Street, Crawford Street, Grace Street, and Montrose Avenue.
Bill No. 442	By-law No. 441-1999	A by-law to regulate smoking in public places and workplaces in the City of Toronto and to repeal smoking by-laws in the former municipalities,

which carried.

7.70 On July 8, 1999, at 6:12 p.m., Councillor Mihoc, seconded by Councillor Chow, 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. 445	By-law No. 442-1999	To confirm the proceedings of the Council at its meeting held on the 6th, 7th, and 8th days of July, 1999,
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the vote upon which was as follows:

Yes - 38 Mayor: Lastman Councillors: Adams, A Itobello, Ashton, Augi meri, Bal kissoon, Berardinetti, B rown, B ussin, Cho, Chong , Chow, Disero, Duguid, Fl int, Gardner, Gian sante, J akobek, J ones, Kelly , Korwin-Kuczynski, Layton, L indsay L uby, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Sinclair, Walker
No - 0

Carried, without dissent.

The following Bills were withdrawn:

- Bill No. 409 To amend the Municipal Code of the Former City of Etobicoke with respect to Traffic - Chapter 240, Article I, was withdrawn by Legal Services.
- Bill No. 410 To amend the Municipal Code of the Former City of Etobicoke with respect to Traffic - Chapter 240, Article I, was withdrawn by Legal Services.
- Bill No. 413 To amend By-law No. 31878, as amended, of the former City of North York, was withdrawn, having regard that the Bill's authority was referred back to the North York Community Council.

OFFICIAL RECOGNITIONS:

7.71 Condolence Motions

Mayor Lastman, seconded by Councillor Balkissoon, moved that:

“WHEREAS the Members of City Council are deeply saddened to learn of the passing of Councillor Frank Faubert on Sunday, June 20, 1999, after a valiant battle with cancer; and

WHEREAS Councillor Faubert's passion for politics in general, and his love for the City of Scarborough, in particular, were recognized by everyone who had the privilege of working with him; and

WHEREAS Councillor Faubert had a long and distinguished career in public service, having represented the citizens of Scarborough for more than twenty-seven years:

Born and raised in Scarborough, Frank Faubert began his political career in 1966, with his election as Alderman for Ward 8 in Scarborough. He was a Councillor for eleven years, followed by six years as Controller.

In 1987, Frank Faubert was elected to the Provincial Parliament, as Member for Scarborough Ellesmere, during which time he served as Parliamentary Assistant to the Minister of Revenue, chaired the Caucus Committee on the Environment and was Vice-Chair of the Committee on Finance and Economic Matters.

Frank Faubert returned to municipal politics in 1991, and in 1994, he was elected the seventh, and last, Mayor of the City of Scarborough.

As Mayor, Mr. Faubert was a tremendous ambassador for the City of Scarborough. He established the Scarborough Race Relations Committee, a Committee whose groundbreaking work resulted in a national profile for the City of Scarborough. Mayor Faubert's efforts on race relations issues were also evident in his work as former Chair of the Federation of Canadian Municipalities' National Action Committee on Race Relations.

WHEREAS the Members of this Council and the citizens of the City of Toronto have lost a good friend, a respected colleague and a tremendous representative of the people of Scarborough and will fondly remember Councillor Frank Faubert as 'Mr. Scarborough';

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to Councillor Faubert's family, his wife Marilyn, and their children Marc, Judi, Jean-Paul, Denine and Michael."

Councillor Prue, seconded by Councillor Nunziata, moved that:

“WHEREAS on Sunday, June 20, 1999, Ms. Ina Robinson, Manager of Council Secretariat Support, passed away after a brief illness; and

WHEREAS Ms. Robinson exemplified the very best attributes of a public servant and was a source of great support to her friends and colleagues in the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council express its condolences to the family of Ms. Robinson and our appreciation for her years of dedicated service and hard work;

AND BE IT FURTHER RESOLVED THAT the City Clerk be directed to convey on behalf of Members of City Council, our sincere sympathy to the family of Ms. Robinson.”

Councillor Fotinos, seconded by Councillor Ootes, moved that:

“**WHEREAS** on Monday June 21, 1999, Mr. Cosmo Benny Carnevale passed away after a valiant battle with cancer; and

WHEREAS Mr. Carnevale was an active member of his local community; and

WHEREAS Mr. Carnevale is survived by his spouse Italia and three children Suzie, Frank and Joe;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Council, our sincere sympathy to the Carnevale family.”

Councillor Brown, seconded by Councillor Sinclair, moved that:

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the tragic death on Saturday, July 3, 1999, of Derly (Daniela) Romero, aged nine, as a result of being trapped in the basement when fire engulfed her family’s three-storey townhouse on Silverstone Drive in Rexdale on Friday, July 2, 1999; and

WHEREAS Daniela’s older brother, Dario, 19, and younger sister, Paula, five, were rescued along with a cousin from the third-storey window of the building while Daniela was still inside; and

WHEREAS firefighters fought through the flames to rescue Daniela who was revived but later died at the Hospital for Sick Children just after 3:00 pm on July 3, 1999; and

WHEREAS young Daniela attended Melody Village Junior Public School and was known to neighbours and friends as a very shy but individual child who possessed leadership qualities; and

WHEREAS Daniela will be sadly missed by her family, relatives, friends and neighbours;

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 Daniela, especially to her parents Numa and Estebana and her siblings Dario and Paula Romero.”

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

Council rose and observed a moment of silence in memory of the late Councillor Faubert, Ms. Robinson, Mr. Carnevale and Miss Romero.

7.72 PRESENTATIONS/INTRODUCTIONS/ANNOUNCEMENTS:

July 6, 1999:

Councillor Berardinetti, with the permission of Council, during the morning session of the meeting, read the following Invocation:

“Almighty God.

Give to each Member of this Council a strong and abiding sense of the great responsibility laid upon us. Let us use the variety of talents and abilities we bring here to our task, and guide us in our proceedings. May we be inspired and fair, in the way we bring individual creativity to our deliberations and our decisions.

Give us wisdom in our stewardship and in the exercise of our authority. Inspire us in our leadership and continue to uphold our employees in the highest quality of, and dedication to their work.

May we work together in a harmonious manner for the benefit of all our citizens, that a shared vision of our objectives may bring unity amongst diversity, and consensus among differences in issues.

And let us invite all the people of the community to work together in active participation, to direct the needs of all individuals and groups towards a safe, healthy and vibrant City, that may be a standard for others to follow.

Of this we ask.”

Councillor Layton, during the morning session of the meeting, as Chair of the Toronto Cycling Committee, introduced the Road and Trail Safety Ambassadors present at this meeting.

Councillor Korwin-Kuczynski, during the afternoon session of the meeting, introduced Councillor Geoff Hayes from the City of Boroondara, Australia, present at this meeting.

Councillor Chow, during the afternoon session of the meeting, advised the Council that a display regarding the RainbowFund, a program which teaches children to exercise regularly, had been set up in the Members' Lounge area for viewing by Members of Council.

Councillor Li Preti, during the afternoon session of the meeting, introduced the following delegation of five mayors from Calabria, Italy, present at this meeting:

- Prof. Giuseppe Guzzo Sindaco Malito;
- Rag. Nino De Rose Sindaco Belsito;
- Dr. Franco Garofalo Sindaco Santo Stefano;
- Prof Raffaele Pirillo Sindaco Mangone; and
- Dr. Carmelo Caputo Sindaco Paterno Calabro.

July 7, 1999:

Deputy Mayor Oates, during the morning session of the meeting, introduced the international students from Japan, Europe and Latin America studying English at the International College of Language Studies (ICLS), present at this meeting.

Councillor Pantalone, during the morning session of the meeting, introduced the students of Pickford Centre Public School, present at this meeting.

July 8, 1999:

Councillor Adams, during the afternoon session of the meeting, announced that Councillor Moscoe had been selected as the recipient of the Association of Municipalities of Ontario (AMO) 100th Anniversary Municipal Recognition Award, in acknowledgment of his many years of service to Ontario's municipal sector and to AMO, and that the award would be presented to Councillor Moscoe at the 1999 AMO Conference Annual Banquet to be held on Tuesday, August 24, 1999, at the Westin Harbour Castle Hotel.

7.73 MOTIONS TO VARY PROCEDURE

Vary the order of proceedings of Council:

July 6, 1999:

Mayor Lastman, at 10:30 a.m., proposed that Council vary the order of its proceedings to consider the following items on the Order Paper for this meeting of Council at the following times:

- (a) Clause No. 1 of Report No. 7 of The Corporate Administration Committee, headed "Administrative and Underwriting Services for Employee Benefits", at 4:00 p.m. on Tuesday, July 6, 1999;
- (b) In Camera items at 6:00 p.m. on Tuesday, July 6, 1999;
- (c) Notices of Motions at 2:00 p.m. on Wednesday, July 7, 1999; and

- (d) Clause No. 1 of Report No. 5 of The Board of Health, headed “Harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto”, immediately after Notices of Motions on Wednesday, July 7, 1999.

Council concurred in the proposal by Mayor Lastman.

Councillor Korwin-Kuczynski, at 10:35 a.m., moved that Council vary the order of its proceedings to now consider Clause No. 5 of Report No. 1 of The Economic Development and Parks Committee, headed “Millennium Grants Program Allocations”, the vote upon which was taken as follows:

Yes - 26 Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chow, Duguid, Feldman, Flint, Gardner, Holyday, Jones, Korwin-Kuczynski, Li Preti, Mahood, Mammoletti, Minnan-Wong, Moeser, Pantalone, Pitfield, Prue, Rae, Sgro, Shiner, Silva
No - 6 Councillors: Ashton, Chong, Lindsay Luby, Moscoe, O'Brien, Ootes

Carried by a majority of 20.

Councillor Jakobek, at 3:10 p.m., moved that Council vary the order of its proceedings to now consider Clause No. 1 of Report No. 7 of The Emergency and Protective Services Committee, headed “Toronto Police Service Helicopter Pilot Project -Trust Account”, which carried.

Deputy Mayor Ootes, at 6:40 p.m., proposed that Council consider the balance of the confidential items remaining on the Order Paper for this meeting at 6:00 p.m. on Wednesday, July 7, 1999.

Council concurred in the proposal by Deputy Mayor Ootes.

July 7, 1999:

Councillor Jakobek, at 6:55 p.m., moved that Council defer consideration of the balance of the confidential items remaining on the Order Paper for this meeting until Thursday, July 8, 1999, the vote upon which was taken as follows:

<p>Yes - 39 Mayor: Lastman Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Disero, Duguid, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mahood, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Saunderson, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker</p>
<p>No - 8 Councillors: Ashton, Chong Flint, Jones, Mammoliti, McConnell, Mihevc, Moeser</p>

Carried by a majority of 31.

Deputy Mayor Ootes, at 7:28 p.m., proposed that the in-camera portion of the meeting be held at 9:30 a.m., on Thursday, July 8, 1999.

Council concurred in the proposal by Deputy Mayor Ootes.

Waive the provisions of the Procedural By-law related to meeting times:

July 6, 1999:

Councillor Holyday, at 12:30 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 consideration of Clause No. 2 of Report No. 8 of The Etobicoke Community Council, headed "Prince Edward Drive Reconstruction Study, Bloor Street West to Berry Road (Lakeshore-Queensway)", the vote upon which was taken as follows:

<p>Yes - 15 Councillors: Augimeri, Chow, Duguid, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Minnan-Wong, O'Brien, Ootes, Pitfield, Shaw, Sinclair</p>
<p>No - 18 Councillors: Adams, Ashton, Berardinetti, Berger, Bossons, Disero, Filion, Flint, Fotinos, Giansante, Holyday, Mahood, Mammoliti, Nunziata, Pantalone, Prue, Shiner, Silva</p>

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

July 7, 1999:

Councillor Augimeri, at 12:27 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 permit Members of Council to conclude their remarks with respect to Clause No. 2 of Report No. 2 of The Policy and Finance Committee, headed "Community Action Policing (CAP - All Wards)", which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Bussin, at 7:25 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 1 of Report No. 7 of The Economic Development and Parks Committee, headed "Woodbine Park - Sponsorship of Bandshell (Ward 26 - East Toronto)", which carried, more than two-thirds of Members present having voted in the affirmative.

July 8, 1999:

Councillor Jakobek, at 12:27 p.m., during the in-camera portion of the meeting, 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 the confidential matters remaining on the Order Paper for this meeting in public session, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes, at 5:57 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 6:15 p.m., in order to conclude consideration of the matters remaining on the Order Paper for this meeting, which carried, more than two-thirds of Members present having voted in the affirmative.

7.74 ATTENDANCE

Councillor Jones, seconded by Councillor Duguid, moved that the absence of Councillors Kinahan and King from this meeting of Council be excused.

July 6, 1999	9:45 a.m. to 9:46 a.m.*	9.52 p.m. to 12:30 p.m.*	Roll Call 2:19 p.m.	2:15 p.m. to 6:22 p.m.*	Ctte. of the Whole in-Camera 5:16 p.m.*	6:23 p.m. to 7:30 p.m.
Lastman	-	x	-	x	x	x
Adams	-	x	x	x	x	-
Altobello	x	x	x	x	x	x
Ashton	x	x	x	x	x	x
Augimeri	-	x	x	x	x	x
Balkissoon	-	x	x	x	x	x
Berardinetti	x	x	x	x	x	x
Berger	x	x	x	x	x	x
Bossons	x	x	x	x	x	x
Brown	-	-	-	-	-	-
Bussin	x	x	x	x	x	x
Cho	x	x	x	x	x	x
Chong	-	x	-	x	x	x
Chow	x	x	x	x	-	x
Davis	x	x	-	x	-	-
Disero	-	x	x	x	x	x
Duguid	x	x	x	x	-	-
Faubert	-	-	-	-	-	-
Feldman	x	x	x	x	x	x
Filion	-	x	-	x	x	x
Flint	x	x	x	x	x	x
Fotinos	-	x	x	x	x	x
Gardner	-	x	-	x	x	x
Giansante	-	x	x	x	x	x
Holyday	x	x	x	x	x	x
Jakobek	-	x	x	x	-	-

Minutes of the Council of the City of Toronto
July 6, 7 and 8, 1999

July 6, 1999	9:45 a.m. to 9:46 a.m.*	9.52 p.m to 12:30 p.m.*	Roll Call 2:19 p.m.	2:15 p.m. to 6:22 p.m.*	Ctte. of the Whole in-Camera 5:16 p.m.*	6:23 p.m. to 7:30 p.m.
Johnston	x	x	-	x	x	x
Jones	x	x	-	x	x	x
Kelly	-	x	x	x	x	x
Kinahan	-	-	-	-	-	-
King	-	-	-	-	-	-
Korwin-Kuczynski	x	x	x	x	x	x
Layton	x	x	-	x	x	x
Lindsay uby L	x	x	x	x	x	x
Li reti P	x	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
Miller	x	x	-	x	x	x
Minnan-Wong	x	x	-	x	-	x
Moeser	-	x	x	x	x	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	-	x	x	x
O'Brien	x	x	-	x	x	x
Ootes	x	x	x	x	x	x
Pantalone	-	x	x	x	x	x
Pitfield	x	x	-	x	x	-
Prue	x	x	-	x	x	x
Rae	-	x	-	x	x	x
Saundercook	-	x	x	x	x	x
Sgro	x	x	-	x	x	x
Shaw	x	x	x	x	x	x
Shiner	x	x	x	x	x	x
Silva	x	x	x	x	x	x
Sinclair	-	x	-	x	-	x

Minutes of the Council of the City of Toronto
July 6, 7 and 8, 1999

July 6, 1999	9:45 a.m. to 9:46 a.m.*	9.52 p.m. to 12:30 p.m.*	Roll Call 2:19 p.m.	2:15 p.m. to 6:22 p.m.*	Ctte. of the Whole in-Camera 5:16 p.m.*	6:23 p.m. to 7:30 p.m.
Tzekas	x	x	x	x	x	x
Walker	x	x	x	x	x	x
Total	35	53	34	54	48	49

* Members were present for some or all of the time period indicated.

July 7, 1999	Roll Call 9:47 a.m.	9:45 a.m. to 12:35 p.m.*	Roll Call 2:17 p.m.	2:12 p.m. to 7:37 p.m.
Lastman	x	x	x	x
Adams	-	x	x	x
Altobello	x	x	x	x
Ashton	-	x	x	x
Augimeri	x	x	x	x
Balkissoon	-	x	x	x
Berardinetti	x	x	x	x
Berger	x	x	x	x
Bossons	x	x	-	x
Brown	-	x	x	x
Bussin	x	x	x	x
Cho	-	x	x	x
Chong	-	x	x	x
Chow	-	x	x	x
Davis	-	x	x	x
Disero	-	x	x	x
Duguid	x	x	x	x
Faubert	-	-	-	-
Feldman	x	x	x	x
Filion	-	x	-	x
Flint	x	x	x	x
Fotinos	x	x	x	x
Gardner	x	x	x	x

Minutes of the Council of the City of Toronto
July 6, 7 and 8, 1999

July 7, 1999	Roll Call 9:47 a.m.	9:45 a.m. to 12:35 p.m.*	Roll Call 2:17 p.m.	2:12 p.m. to 7:37 p.m.
Giansante	x	x	x	x
Holyday	x	x	x	x
Jakobek	x	x	x	x
Johnston	x	x	x	x
Jones	x	x	x	x
Kelly	-	x	x	x
Kinahan	-	-	-	-
King	-	-	-	-
Korwin-Kuczynski	-	x	x	x
Layton	x	x	x	x
Lindsay Luby	x	x	x	x
Li reti P	x	x	x	x
Mahood	x	x	-	x
Mammoliti	x	x	x	x
McConnell	-	x	x	x
Mihevc	x	x	-	x
Miller	-	x	x	x
Minnan-Wong	x	x	x	x
Moeser	x	x	-	x
Moscoe	-	x	x	x
Nunziata	-	x	x	x
O'Brien	-	x	x	x
Ootes	x	x	x	x
Pantalone	-	x	x	x
Pitfield	-	x	x	x
Prue	x	x	x	x
Rae	x	x	x	x
Saundercook	-	x	x	x
Sgro	x	x	x	x
Shaw	x	x	-	x
Shiner	-	x	-	x

Minutes of the Council of the City of Toronto
July 6, 7 and 8, 1999

July 8, 1999	Roll Call 9:46 a.m.	9:41 a.m. to 9:44 a.m.*	Ctte. of the Whole in-Camera 9:45 a.m.	12:35 p.m. to 12:40 p.m.*	Roll Call 2:19 p.m.	Roll Call 3:00 p.m.	2:14 p.m. to 6:11 p.m.*
Fotinos	x	x	x	x	x	-	x
Gardner	-	-	x	x	x	x	x
Giansante	x	x	x	x	x	x	x
Holyday	x	x	x	x	-	-	-
Jakobek	x	x	x	x	x	-	x
Johnston	x	x	x	x	x	x	x
Jones	x	x	x	x	-	x	x
Kelly	-	-	x	x	x	x	x
Kinahan	-	-	-	-	-	-	-
King	-	-	-	-	-	-	-
Korwin-Kuczynski	x	x	x	x	x	x	x
Layton	x	x	x	x	-	-	x
Lindsay Luby	x	x	x	x	x	-	x
Li Preti	x	x	x	x	-	-	x
Mahood	-	x	x	x	x	-	x
Mammoliti	x	x	x	x	-	-	-
McConnell	-	-	x	x	-	x	x
Mihevc	-	x	x	x	-	x	x
Miller	x	x	x	x	x	-	x
Minnan-Wong	x	x	x	x	x	-	x
Moeser	-	x	x	x	x	-	x
Moscoe	-	-	x	x	x	-	x
Nunziata	x	x	x	x	-	x	x
O'Brien	x	x	x	x	x	x	x
Ootes	x	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x	x
Pitfield	x	x	x	x	-	x	x
Prue	x	x	x	x	-	x	x
Rae	x	x	x	x	-	-	x

Minutes of the Council of the City of Toronto
July 6, 7 and 8, 1999

July 8, 1999	Roll Call 9:46 a.m.	9:41 a.m. to 9:44 a.m.*	Ctte. of the Whole in-Camera 9:45 a.m.	12:35 p.m. to 12:40 p.m.*	Roll Call 2:19 p.m.	Roll Call 3:00 p.m.	2:14 p.m. to 6:11 p.m.*
Saundercook	-	x	x	x	-	-	-
Sgro	x	x	x	x	-	x	x
Shaw	-	-	-	-	-	x	x
Shiner	x	x	x	x	x	x	x
Silva	x	x	x	x	x	-	x
Sinclair	-	-	-	-	x	x	x
Tzekas	-	-	x	x	-	-	x
Walker	-	x	x	x	-	x	x
Total	32	38	52	52	34	35	51

* Members were present for some or all of the time period indicated.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

ATTACHMENT No. 1

Report dated June 29, 1999, from the City Clerk, entitled "Council Vacancy - Scarborough Highland Creek (Ward 16)". (See Minute No. 7.61.)

Purpose:

The purpose of this report is to outline the options available to Council to fill the vacancy occurring in Scarborough Highland Creek as a result of the passing of Councillor Frank Faubert.

Source of Funds:

Should Council choose to fill the vacancy through a by-election, the estimated cost of administering the by-election is \$130,000. Should Council decide to approve a contributor rebate program similar to the one introduced by the Minister of Municipal Affairs and Housing in the last municipal election, an additional cost of approximately \$35,000 would be incurred by the City. If Council decides to fill the vacancy by appointment, an estimated amount of \$20,000 will be necessary to cover advertising costs. It will be necessary to allocate funds from the 1999 Corporate Contingency Account to the City Clerk's budget for the cost of the by-election, or advertising to fill the vacancy by appointment.

Recommendations:

It is recommended that:

- (1) the office of Councillor - Scarborough Highland Creek be declared vacant;
- (2) Council determine which of the following options is to be adopted to fill the vacancy:

OPTION 1 - APPOINTMENT

- (a) the vacancy be filled by means of appointment;
- (b) the City Clerk be directed to advertise for applications from qualified electors to be considered for appointment as Councillor - Scarborough Highland Creek;
- (c) Council at its meetings scheduled for September 28, 1999, at 2:00 p.m. accept nominations and give consideration to the appointment of a qualified elector who has applied and consented to accept the office of Councillor - Scarborough Highland Creek for the remainder of this term of Council;

- (d) each nominee be given a maximum of five minutes to address Council;
- (e) questions may be asked of each nominee provided that the total question and answer period shall not exceed five minutes times the number of nominees; and
- (f) the current staff continue to serve the constituents of Scarborough Highland Creek and the new Councillor when appointed.

OPTION 2 - BY-ELECTION

- (a) the vacancy be filled by means of a by-election;
 - (b) Council authorize the use of vote-counting machines in the Scarborough Highland Creek by-election to be held September 23, 1999, as indicated in the attached draft Bill No. 1;
 - (c) Council authorize advance votes to be conducted as indicated in the attached draft Bill No. 2;
 - (d) Council authorize the payment of rebates to persons who make contributions to candidates in this by-election, similar to the provisions in the 1997 municipal elections, and as outlined in the attached draft Bill No. 3;
 - (e) the new Councillor, when elected, be urged to give first consideration to retaining the current staff.
- (3) the Chief Financial Officer and Treasurer be authorized to transfer the necessary funds from the 1999 Corporate Contingency Account to cover the costs of either Option 1 or Option 2;
 - (4) in the interim, the current staff continue to serve the constituents of Scarborough Highland Creek until the new Councillor is appointed or elected and a decision is made by Council or the new Councillor with respect to staffing; and
 - (5) leave be granted to introduce the necessary Bills in Council and the appropriate City Officials be authorized to take the necessary action to give effect thereto.

Comments and/or Justification:

Council has learned, with the deepest regret, of the passing of Councillor Frank Faubert, Scarborough Highland Creek.

Section 43 of the Municipal Act states that, "Where the seat of a member of a council becomes vacant under section 38, the council shall forthwith declare the seat to be vacant." This declaration of a vacancy must be carried out before Council can make a decision on how the vacancy is to be filled.

There are two options available to Council for filling the vacancy in the office of Councillor, Scarborough Highland Creek:

(1) Appointment

Section 45 of the Municipal Act states, in part, that "subject to section 46, where a vacancy occurs in the office of a member of the council of a local municipality, the council at a meeting called for that purpose shall appoint a person who has consented to accept the office if he or she is appointed to fill the vacancy and,

- (a) in the case of the office of councillor or alderman, such person is a person qualified to hold office as a member of the council; and....".

To be qualified a person must be:

- (i) 18 years of age or older;
- (ii) a Canadian citizen;
- (iii) a resident in the City of Toronto, an owner or tenant of land in the City or the spouse of such an owner or tenant; and
- (iv) not disqualified under Section 37 of the Municipal Act, or any other Act.

If Council chooses to fill the vacancy by appointment, it is suggested that the City Clerk be authorized to advertise to invite applications from qualified electors and that Council give consideration to the appointment at its meeting scheduled for September 28, 1999, at 2:00 p.m..

(2) By-election

Section 46 of the Municipal Act states that, "If the office of a member of the council of a local municipality becomes vacant the council may, by by-law, require an election to be held to fill the vacancy, and in that case the clerk shall hold a by-election in accordance with section 65 of the Municipal Elections Act, 1996."

Under section 65 of the Municipal Elections Act, 1996 if Council determines that a by-election is to be held, the Clerk is responsible for setting the date of nomination day which is to be a day not more than 30 days after the passing of the by-law indicating a by-election is required. Voting day must be 31 days after nomination day.

Should Council choose to fill the vacancy through a by-election, the estimated cost of administering the by-election is \$130,000.00. Should Council decide to approve a contributor rebate program similar to the one introduced by the Minister of Municipal Affairs and Housing in the last municipal election, an additional cost of approximately \$35,000 would be incurred by the City. The necessary funds should be allocated from the 1999 Corporate Contingency Account to the City Clerk's budget for the cost of the by-election.

Section 47 of the Municipal Elections Act, 1996 states that, "A person appointed or elected to an office under section 45 or 46 shall hold office for the remainder of the term of the person whose place he or she is appointed or elected to fill." Accordingly the person appointed or elected would hold office until November 30, 2000.

Past Practices in Filling Vacancies:

In reviewing past practices, we researched vacancies in the former municipalities now making up the City of Toronto back to 1984 and found a total of 19 vacancies that were filled. Of these 19 vacancies, 11 were filled by appointment and 8 through by-elections.

Of the 11 appointments, 9 were in an election year, 6 of which were after the mandatory March 31st date as provided in the Municipal Elections Act. The remaining 2 appointments were made in the year preceding an election year. One was made in the month of June and the other in the month of October. In the subsequent municipal election, 6 of the 11 ran for office.

Of the 8 by-elections, none were in an election year, 4 were held in the year preceding an election year. The remaining 4 by-elections were held in the year immediately following the previous municipal election. In the subsequent municipal election, 7 of the 8 ran for office.

Public Consultation:

Council may wish to seek public consultation with respect to the foregoing options. If this is the direction of Council, it is recommended that Recommendation Nos. (1)

and (4) be adopted by Council at this time and that the balance of this report be referred to the next meeting of the Scarborough Community Council for deputation purposes and report thereon to a special meeting of the Administration Committee to be called by the Chair of the Administration Committee, and subsequently to Council for consideration at its meeting scheduled on July 27, 28, and 29, 1999.

Staffing:

Given the experience and knowledge of the current staff in serving the constituents of Scarborough Highland Creek through the office of Councillor Faubert since the beginning of this term of Council, it is recommended that the current staff continue to support the office in the interim until a new Councillor is appointed or elected, and a decision is made by the new Councillor with respect to staffing. It is also recommended that the new Councillor when appointed or elected be urged to give first consideration to retaining the current staff.

Conclusion:

Council must make a determination on whether the vacancy in the office of Councillor - Scarborough Highland Creek should be filled by appointment or by by-election. If Council deems that a by-election is to be held, a by-law should be passed indicating an election is required to fill the vacancy.

Contact Name:

John Hollins, Director of Elections
Telephone No. 392-8019
E-mail: jhollins@city.north-york.on.ca

ATTACHMENT NO. 2

Report dated July 5, 1999, from the City Solicitor, entitled "Divisional Court Decision respecting Toronto Transit Commission Membership and Section 26 of the City of Toronto Act, 1997 (No. 2)". (See Minute No. 7.63.)

Purpose:

The purpose of this report is to advise City Council of the decision of Mr. Justice Hartt (May 29, 1999) on the issue of Council's authority to rely on the Municipal Act and its regulations authorizing municipalities to make prescribed changes to a local board of the municipality, to change the provisions set out in the City of Toronto Act, 1997 (No. 2) concerning appointments to the Toronto Transit Commission ("TTC"), and to recommend legislative change to address the findings of the Court.

Funding Sources, Financial Implications and Impact Statement:

None.

Recommendations:

It is recommended that:

- (1) the decision of Mr. Justice Hartt in respect of this matter not be appealed;
- (2) City Council renew its request that the Province enact legislation to reduce the term of office of members of Council appointed to the Toronto Transit Commission from three years to eighteen months, and to delete the requirement of a two-thirds vote to appoint members to the Commission;
- (3) the Province be requested to enact an amendment to the City of Toronto Act, 1997 and to the City of Toronto Act, 1997 (No. 2) to add a specific clarification that the general powers granted to the City by the Municipal Act are available to the City of Toronto unless expressly excepted;
- (4) City Council decide whether it wishes to pursue the appointment of additional councillors to the Toronto Transit Commission given the Court's finding that such appointment requires the affirmative vote of at least two thirds of the members of Council present and voting.

Council Reference/Background/History:

City Council at its meeting of June 9, 10 and 11, 1999 adopted, as amended, a motion to expand the membership of the Toronto Transit Commission by two members and to request the Striking Committee to convene a special meeting to consider the

members of Council interested in serving on the TTC and to report its recommendations to City Council at that meeting. Council also resolved that, consistent with City Council Standing Committee appointments, a simple majority of Council be required to approve appointments to the Toronto Transit Commission. At that meeting, Council adopted Clause 1 of Report No. 7 of a Striking Committee and thereby appointed Councillors Joan King and Gloria Lindsay Luby to serve on the TTC for the balance of this term of Council. Bill No. 371, being a by-law to change the term of office for members of the TTC to eighteen months and to provide for appointments to be made by a majority vote at Council, and Bill No. 372, to appoint two additional members of the City Council as members of the TTC, were adopted at that meeting by a vote of 32 votes in favour to one opposed, and they were enacted as by-laws No. 372-99 and 373-99, respectively.

Comments and/or Discussion and/or Justification:

On Friday, June 18th, Councillor Moscoe obtained an interim order prohibiting Councillors King and Lindsay-Luby from sitting as members of the TTC pending the final disposition of his application to quash the aforementioned by-laws. The application itself was heard in Divisional Court by Mr. Justice Hartt on Monday, June 28, 1999. It was argued on behalf of Councillor Moscoe that the statutory requirement mandated by subsection 26(6) of the City of Toronto Act, 1997 (No. 2) of an affirmative vote of at least two thirds of the members of Council present and voting was not complied with and, consequently, the appointments failed. The Court agreed with this interpretation. The Court found that the provisions of Part IV of the City of Toronto Act, 1997 (No. 2) did not specifically incorporate or refer to the provisions of the Municipal Act governing the operation of local boards generally and that the more recent, more specific provisions of the City of Toronto Act, 1997 (No. 2) are not overridden by the Municipal Act provisions. The Court's interpretation is contrary to that of the former Minister of Municipal Affairs and Housing, the Honourable Al Leach.

As City Council will recall, in January 1998, in appointing members of Council to the TTC, Council also requested the Province of Ontario to enact legislation to reduce the term of office for appointments to the TTC from three years to eighteen months. By a letter dated March 20, 1998, the Minister of Municipal Affairs and Housing responded to the City Clerk and advised as follows:

“Thank you for your letter of January 19, 1998, conveying a request from City Council that legislation be enacted to reduce the term of office, from three years to eighteen months, for members of Council appointed to the Toronto Transit Commission, and to delete the requirement of a two-thirds vote to appoint members to the Commission.

As you are aware, the Toronto Transit Commission is considered a local board, and Regulation 214/96, issued under the Municipal Act, would allow Toronto City Council to make these changes by by-law. Section 5(1) of that regulation states:

‘A municipality may by by-law make the following changes to a local board ...’.

Paragraph 2 of that subsection goes on to list the changes that may be made:

‘It may make any changes it considers advisable related to membership on the Board, including changes related to the number of members, their terms, their remuneration, and the manner by which they become members.’”

Consequently, the Province refused the City’s request for legislative change.

Subsequent to this refusal, Council authorized the City Solicitor to commence an application before the Superior Court of Justice seeking a judicial interpretation of whether Council could change the composition of City Council itself given the specific provisions of subsection 3(1) of the City of Toronto Act, 1997. In that case, Mr. Justice Jurianz found that in the absence of express reservation or exception the general powers granted to all municipalities by the Municipal Act are available to the City of Toronto. Mr. Justice Hartt, in the TTC case, distinguished that finding on the basis that the Court was dealing with different sections in the Act and that Justice Jurianz found that there was no express provision which would indicate that the two Acts were in conflict. Mr. Justice Hartt, in his decision states: “That is clearly not the situation in the case at bar. See Section 120 of the City of Toronto Act, 1997 (No. 2) and section 6 of the Municipal Act. In my view, Mr. MacKay can find no comfort in the reasons of Jurianz J.” Of note, however, is that section 27 (1) of the City of Toronto Act, 1997, which was considered by Mr. Justice Jurianz contains nearly identical language to that relied on by Mr. Justice Hartt to find a conflict in this case, and the application of section 6 of the Municipal Act applied in both cases.

Council should also be aware that the Court felt that the issue of statutory interpretation presented to it was substantive. While the Court found for the applicant Mr. Justice Hartt refused to make an Order as to costs, finding that the applicant and City Council were both acting upon stated legal advice. The general principle is that the successful party will be awarded its costs of the legal proceedings and costs were sought in this matter.

A copy of the endorsement of Mr. Justice Hartt in this matter is attached. While the decision of the Court is not beyond question, in the circumstances I am

recommending that the City not appeal this decision. Within the past six months, Council has had to resort to the Courts to interpret the City of Toronto Acts of 1997 on two occasions and, given the decisions of the Courts, the more productive course of action would be for City Council to seek legislative change to address these concerns. The Province is aware of this Court decision and provincial staff have confirmed that the decision is contrary to the intent of the government. The Province will certainly be considering whether to make legislative amendments requested by the City in light of this Court decision.

Contact Name:

Mary Ellen Bench
392-7245

Robin MacKay
392-8458

(A copy of the endorsement of Mr. Justice Hartt (May 29, 1999) is on file in the office of the City Clerk.)

ATTACHMENT NO. 3

Report dated July 5, 1999, from the Commissioner of Works and Emergency Services, entitled "Proposed Acquisition of Browning-Ferris Industries Ltd. by Canadian Waste Services Holdings Inc. and Consolidation within the Solid Waste Management Industry". (See Minute No. 7.65, Page No. 90.):

Purpose:

To advise City Council of the pending acquisition of Browning-Ferris Industries Ltd. ("BFI Canada") by Canadian Waste Services Holdings Inc. ("Canadian Waste") and to seek ratification of a letter sent by the Commissioner of Works and Emergency Services to the Competition Bureau expressing concerns over the acquisition and the growing consolidation of the private waste management industry and expressing the need for a formal review of the acquisition under the provisions of the federal Competition Act.

Funding Sources, Financial Implications and Impact Statement:

None at this time.

Recommendation:

That Council ratify the concerns and suggested action for review as contained in the letter, dated June 22, 1999 attached to this report, addressed to the Commissioner of Competition within the federal Competition Bureau.

Council Reference/Background/History:

At the present time, BFI Canada is contracted to transport and dispose of Toronto's solid waste to the Arbor Hills landfill in Michigan. The agreement expires at the end of 2002. The City has been provided with notice that, further to a merger between Allied Waste and Browning-Ferris Industries Inc, BFI Canada's parent company, and related agreements, Canadian Waste, a subsidiary of Waste Management Inc., will be acquiring all of the shares of Browning-Ferris.

The pending acquisition is the continuation of consolidation within the solid waste management industry that has been ongoing for some years.

Comments and/or Discussion and/or Justification

Staff have a concern that the contemplated transaction raises the issue of the potential for a substantial lessening of competition in the solid waste management industry in Ontario and particularly, in the area of solid waste collection. As a result, a private and confidential letter, dated June 22, 1999, was written to Mr.

Konrad von Finckenstein, Commissioner of Competition, Competition Bureau, expressing the concern and urging that a section 92 application be brought to the Competition Tribunal to have this transaction reviewed as substantially lessening competition in the Canadian private waste management industry. A copy of the letter is attached to this report as Appendix A.

The City Solicitor has advised that under section 92 of the Competition Act, the Competition Tribunal may review an acquisition upon the request of the Commissioner of Competition. The provisions of section 92 and the factors that may be taken into account by the Tribunal under section 93 of the Act are set out in Appendix B to this report.

Because the pending acquisition is contemplated to be executed by August 1, 1999, it was felt necessary to forward the comments of staff as soon as possible and prior to seeking Council approval. The comments were forwarded on the basis of being staff comments only and it is now necessary to obtain Council ratification of the comments contained in the letter. It can be expected that upon receipt of the comments, the Competition Bureau will undertake information gathering before determining whether to seek a review of the proposed transaction by the Competition Tribunal.

Similar concerns are being expressed in written letters from the Regions of Peel and York.

Conclusions:

Currently, many municipalities, including the City, are facing tight budgetary constraints and require a competitive environment to ensure that their costs are being minimized. If consolidation continues in the private waste management industry, this competitive environment could be eliminated creating extreme hardships on municipalities and the City, in particular, given that the City, arguably, is one of the largest purchasers of solid waste services in Canada. Consequently, it is in the interests of the City that the comments and requested action contained in the letter, dated June 22, 1999, attached to this report, addressed to the Commissioner of Competition within the federal Competition Bureau be ratified.

Contact Name:

Richard Butts
Director - Transfer, Processing and Disposal Operations
Solid Waste Management Services
Works and Emergency Services
Phone: (416) 392-8286
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E-mail: Richard_Butts@metrodesk.metrotor.on.ca

(A copy of the attachments referred to in the foregoing report are on file in the office of the City Clerk.)