

Appendix A

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

WEDNESDAY, OCTOBER 28, 1998

City Council met at 9:41 a.m., in the Council Chamber, Metro Hall, Toronto.

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

The meeting opened with O Canada.

1682 Members present at the morning session of the first day of this meeting:

Mayor: Lastman.

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

1683 Councillor Brown, seconded by Councillor Sinclair, moved that:

“WHEREAS the Members of City Council are saddened to learn of the passing of Ms. Gail Hanna, former Trustee, Ward 11, Etobicoke Board of Education, on Friday, October 16, 1998; and

WHEREAS Ms. Hanna served on the Board for two terms; and

WHEREAS she was respected by her colleagues and the community, for her contribution to the Board of Education;

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 her daughter, Jennifer, and to Gail’s parents, and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

Councillor Rae, seconded by Councillor Adams, moved that:

“**WHEREAS** on October 12, 1998, 21 year old gay University of Wyoming student Matthew Shepard died after being brutally gay bashed on October 7, 1998, in Laramie, Wyoming; and

WHEREAS there has been overwhelming public grief and condemnation of this senseless murder; and

WHEREAS gay bashing is a pervasive and odious problem, based on ignorance and fear; and

WHEREAS incidents of gay bashing are frequent, with more than 30 incidents reported in Toronto over this past summer; and

WHEREAS hate crimes legislation is an important tool for society to use in the fight against gay bashing; and

WHEREAS Canada enacted hate crimes legislation in June, 1995, in an effort to curtail the prevalence of hate crimes; and

WHEREAS the State of Wyoming has rejected hate crimes initiatives on three separate occasions, and is one of nine states that has not enacted a hate crime law;

NOW THEREFORE BE IT RESOLVED THAT City Council express its deepest sympathies and condolences to the family of Matthew Shepard for their tragic loss;

AND BE IT FURTHER RESOLVED THAT City Council direct the City Clerk to forward a copy of the Canadian Government’s hate crimes legislation to the Governor and Legislature of the State of Wyoming;

AND BE IT FURTHER RESOLVED THAT the Governor and Legislature of the State of Wyoming be urged to enact hate crimes legislation as quickly as possible, and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

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

Council rose and observed a moment of silence in memory of the late Ms. Hanna and Mr. Shepard.

1684 **Minute No. 1241, entitled “Clause No. 29 of Report No. 9 of The Corporate Services Committee, headed ‘Approval of Funding for Real Estate Consulting Firm’ ”, and**

Minute No. 1436, entitled “Clause No. 1 of Report No. 11 of The Corporate Services Committee, headed ‘Acquisition and Disposal of Real Property’ ”.

Upon the question of the confirmation of the foregoing Minutes, without amendment:

- (a) Councillor Moscoe, in amendment, moved that:
- (1) Minute No. 1241 be referred to the Mayor for further consideration and report thereon to the next meeting of City Council to be held on November 25, 1998; and
 - (2) Minute No. 1436 be considered with Notice of Motion F(2) on the Order Paper for Council, moved by Councillor Flint, seconded by Councillor Feldman, and Clause No. 1 of Report No. 10 of The North York Community Council, headed “Process for Disposal of City Property”.
- (b) Councillor Jakobek moved that the foregoing Minutes be confirmed in the form supplied to Members.

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

Yeas: Councillors: Balkissoon, Berger, Chow, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Walker - 30.

Nays: Councillors: Altobello, Berardinetti, Bossons, Brown, Bussin, Cho, Disero, Faubert, Fotinos, Holyday, Jakobek, Moeser, Nunziata, O’Brien, Sgro, Shaw, Silva - 17.

Decided in the affirmative by a majority of 13.

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

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

- 1685 From the Commissioner of Economic Development, Culture and Tourism (September 30, 1998) reporting, as requested by the Economic Development Committee, on a draft brief to the Minister of Finance on the issue of bank mergers and recommending that Council approve, in principle, the brief and request the Mayor, or his designate, to make a deputation to the Senate and Commons hearings.

The foregoing report was considered with Clause No. 1 of Report No. 3 of The Economic Development Committee.

- 1686
- (i) From the City Clerk (October 7, 1998) advising that the Works and Utilities Committee directed that the communication dated October 5, 1998, from Councillor Chow, respecting the establishment of a work group to address the Works Best Practices Program, be forwarded directly to Council and that Locals 416 and 79 of the Canadian Union of Public Employees be requested to indicate in writing their concerns on this matter;
 - (ii) from the National Representative, Toronto Civic Employees' Union, CUPE, Local 416 (October 1, 1998) requesting that Council refer the matter of the Works Best Practices Program back to the Works and Utilities Committee and that Council conduct a thorough audit of the program; and
 - (iii) from the President, Toronto Civic Employees' Union, CUPE, Local 416 (October 22, 1998) advising that Local 416 is in favour of the creation of a "Working Group" to report to the Works and Utilities Committee with recommendations that enhance co-operation between staff and management to ensure that the delivery of high level public services is maintained.

The foregoing communications were considered with Clause No. 1 of Report No. 20 of The Strategic Policies and Priorities Committee.

- 1687
- From the Chair, Toronto Hydro-Electric Commission (September 28, 1998) advising that the Commission will be meeting on October 8, 1998, at which time they will be discussing the directives of the Strategic Policies and Priorities Committee with respect to the governance of the Toronto-Hydro Electric Commission.

The foregoing communication was considered with Clause No. 4 of Report No. 20 of The Strategic Policies and Priorities Committee.

- 1688
- From the Commissioner of Works and Emergency Services (October 1, 1998) regarding the pending lay-offs at the Water and Sewage Plants and advising that there is no plan with respect to lay-offs in 1998.

The foregoing report was considered with Clause No. 6 of Report No. 20 of The Strategic Policies and Priorities Committee.

- 1689
- (i) From the Parliamentary Assistant to the Minister of Community and Social Services (October 9, 1998) forwarding the final report and recommendations of the Provincial Task Force on Homelessness and advising that the recommendations have been accepted by the provincial government; and

- (ii) from the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health (October 26, 1998) providing Council with an update on the search for additional hostel beds, information on the extreme cold weather response and the request that homelessness be declared a national disaster.

The foregoing communication and report were considered with Clause No. 1 of Report No. 10 of The Community and Neighbourhood Services Committee.

- 1690 From the City Clerk (October 20, 1998) advising that the Council Strategy Committee for People Without Homes endorsed the recommendations contained in the report dated October 6, 1998, from Councillor Layton and Ms. Alison Kemper, Co-Chairs, Advisory Committee on Homeless and Socially Isolated Persons, respecting the extension of the Seaton House Annex.

The foregoing communication was considered with Clause No. 3 of Report No. 10 of The Community and Neighbourhood Services Committee.

- 1691 From the General Manager, Water and Wastewater Services, Works and Emergency Services Department (October 14, 1998) reporting that due diligence has been exercised to ensure that the existing odour control equipment at the Main Treatment Plant (MTP) will be able to successfully accommodate treatment of the increased amount of odorous gases generated by four additional centrifuges to be installed under Contract MW 9803 WP.

The foregoing report was considered with Clause No. 3 of Report No. 9 of The Works and Utilities Committee.

- 1692 From the City Clerk (October 21, 1998) advising that the Strategic Policies and Priorities Committee recommended that Council approve the construction of the Press Gallery with funding to be taken from the Transition Reserve Fund.

The foregoing communication was considered with Clause No. 2 of Report No. 15 of The Corporate Services Committee.

- 1693 From the City Clerk (October 21, 1998) forwarding a submission (October 1, 1998) from Arcangelo Miele regarding the draft zoning by-law with respect to 1090 Shaw Street (Davenport).

The foregoing communication was considered with Clause No. 28 of Report No. 12 of The Toronto Community Council.

- 1694 (i) From the Commissioner of Urban Planning and Development Services (October 22, 1998) reporting, as requested by the Toronto Community

Council, on the issues raised in the communication (October 13, 1998) from Mr. Stanley M. Makuch, Cassels Brock and Blackwell; and

- (ii) from the City Clerk (October 21, 1998) forwarding submissions from the following regarding the draft Official Plan and Zoning By-law Amendments with respect to 1117 Dundas Street West (Trinity-Niagara):
 - (a) (October 7, 1998) from Edward and Erika Kondratas;
 - (b) (October 12, 1998) from Mr. Ted Pejlak forwarding a petition with 41 signatures in opposition; and
 - (c) (October 13, 1998) from Mr. Stanley M. Makuch, Cassels Brock and Blackwell.

The foregoing report and communications were considered with Clause No. 30 of Report No. 12 of The Toronto Community Council.

- 1695 (i) From the City Clerk (October 21, 1998) forwarding submissions from the following regarding the Parkdale Planning Initiatives (High Park):
 - (a) (October 13, 1998) from Mr. David W. Oleson;
 - (b) (October 13, 1998) from Mr. Gregory J. Daly and Mr. David J. Barrington;
 - (c) (October 13, 1998) from Mr. Michael B. Vaughan, Q.C., on behalf of the Bachelorette Owners Association;
 - (d) (October 13, 1998) from Mr. Walter Jarsky;
 - (e) (October 14, 1998) from Mr. John Colautti, Former President of Parkdale Village Residents' Association; and
 - (f) (October 13, 1998) from Ms. Susan Pigott, Executive Director, St. Christopher House; and
- (ii) from the City Solicitor (October 19, 1998) reporting, as requested, on pending Ontario Municipal Board appeals in respect of variances to the former City of Toronto Zoning By-law (various locations in South Parkdale).

The foregoing communications and report were considered with Clause No. 32 of Report No. 12 of The Toronto Community Council.

- 1696 From the City Solicitor (October 20, 1998) responding to a request from the Urban Environment and Development Committee for a report to accompany a draft vital services by-law which would contain the provisions recommended by the Urban Environment and Development Committee.

The foregoing report was considered with Clause No. 1 of Report No. 12 of The Urban Environment and Development Committee.

- 1697 From the City Clerk (October 21, 1998) forwarding recommendations from the Economic Development Committee with respect to School Facility Reviews, City-Wide.

The foregoing communication was considered with Clause No. 2 of Report No. 12 of The Urban Environment and Development Committee.

- 1698 From the City Clerk (October 20, 1998) forwarding communications from the following with respect to traffic concerns on Hanna Road and Millwood Road:
- (i) (September 25, 1998) from Councillor Ootes; and
 - (ii) (September 22, 1998) from Ms. Vesna Harvey, East York.

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

- 1699 From Mr. David C. Poynton, Donahue and Partners (October 15, 1998) regarding a request for raised decked installations for boulevard cafes.

The foregoing communication was considered with Clause No. 1 of Report No. 12 of The Toronto Community Council.

- 1700
- (i) From Mr. Rashmi M. Nathwani, Namara Associates Limited (October 13, 1998) in support of a request by the Greater Toronto Home Builders' Association to establish a Reference Group or Task Force to develop guidelines on "New Urbanism" which include encouraging porches and other urban design features; and
 - (ii) from Ms. Judy Brase and Mr. Ernest Giambrone (October 14 1998) expressing support for re-opening the debate on front yard parking.

The foregoing communications were considered with Clause No. 17 of Report No. 12 of The Toronto Community Council.

- 1701 From the City Clerk (September 29, 1998) reporting, as requested, on whether the action recommended in the September 23, 1998 report from the Chief Financial Officer and Treasurer would be a reconsideration of Council's action respecting the Capital Program.

The foregoing report was considered with Clause No. 3 of Report No. 20 of The Strategic Policies and Priorities Committee.

- 1702
- (i) From Mr. Moe Zolghadr, C. Eng., Ph.D., QEP, Senior Consultant, Zorix Consultants Inc. (October 14, 1998) regarding the proposed odour control program by HR&T at the Main Treatment Plant;

- (ii) from Ms. Karey Shinn, Co-Chair, The Safe Sewage Committee (October 19, 1998) regarding the shortlisting for the Request for Proposal call for the Biosolids Beneficial Use Program at the Main Treatment Plant;
- (iii) from Ms. Karen Buck, Board Member, Citizens for a Safe Environment; Member, Biosolids Multi-Stakeholder Committee and Member, Independent Review Committee (October 22, 1998) submitting a history of Terratec Environmental Limited with respect to the biosolids beneficial use demonstration projects;
- (iv) from Ms. Karen Buck, Board Member, Citizens for a Safe Environment; Member, Biosolids Multi-Stakeholder Committee and Member, Independent Review Committee (October 22, 1998) submitting a history of HR&T with respect to the biosolids beneficial use demonstration projects;
- (v) from Mr. Fred Dominelli, President of Operation, HR&T (October 26, 1998) regarding the Harbour Remediation and Transfer Inc. Alkaline Biosolids Demonstration Project at the Main Treatment Plant;
- (vi) from Mr. Carmen Costa, President and Chief Executive Officer, HR&T (October 26, 1998) in response to the communication dated (October 22, 1998) from Ms. Karen Buck regarding the demonstration project of HR&T at the Main Treatment Plant;
- (vii) from R.V. Anderson Associates Limited, Consulting Engineers, Architects, Technology Managers (October 23, 1998) submitting a report, as requested, on the Biosolids Beneficial Use Program, Expressions of Interest short list, Alkaline Stabilization and Composting; and
- (viii) from Mr. Tony O'Donohue, Environmental Probe Limited (October 7, 1998) forwarding suggestions with respect to the disposal of sludge from the Main Sewage Treatment Plant.

The foregoing communications were considered with Clause No. 2 of Report No. 9 of The Works and Utilities Committee.

- 1703 From Mr. Albert Smith (undated) regarding the proposed Coat of Arms for the City of Toronto.

The foregoing communication was considered with Clause No. 4 of Report No. 19 of The Strategic Policies and Priorities Committee.

- 1704 (i) From the Chief Administrative Officer (October 23, 1998) reporting, as requested, on the role of the Council Reference Group; and

- (ii) from Councillors King, Saundercook and Layton (October 26, 1998) recommending that sustainability be considered a primary option for the unifying and integrating concept for the Council's Strategic Planning Process and that the Council Reference Group for Council's Strategic Plan and the Chief Administrative Officer consider how Council's Strategic Planning process will address this objective in consultation with the Environmental Task Force.

The foregoing report and communication were considered with Clause No. 1 of Report No. 7 of The Striking Committee.

- 1705 From James Morwood (October 29, 1998) regarding the proposed development by Edilcan Development Corporation at 16,18, 20, 26 and 30 Byng Avenue.

The foregoing communication was considered with Clause No. 11 of Report No. 11 of The North York Community Council.

- 1706 From Ms. Pat Evans, Chair, Agincourt Collegiate Institute School Council (October 12, 1998) regarding the installation of traffic control signals at Midland Avenue and Lockie Avenue.

The foregoing communication was considered with Clause No. 10 of Report No. 12 of The Urban Environment and Development Committee.

- 1707 From the Commissioner of Urban Planning and Development Services (October 26, 1998) recommending refusal of the application for Official Plan and Zoning By-law Amendments and Site Plan Approval for 9 Jackes Avenue in its current form and that City staff be authorized to oppose the Ontario Municipal Board appeal and referral made by the applicant.

The foregoing report was considered with Clause No. 54 of Report No. 12 of The Toronto Community Council.

- 1708 From Mr. Mario Palista, Ontario Alliance of Concerned Traditional Citizens (October 27, 1998) regarding the proposed exemption of holistic practitioners.

The foregoing communication was considered with Clause No. 2 of Report No. 11 of The Emergency and Protective Services Committee.

- 1709 From Ms. Wendy Cukier, President, Coalition for Gun Control (October 27, 1997) regarding the enactment of Bill C-68 - Gun Control Legislation.

The foregoing communication was considered with Clause No. 5 of Report No. 11 of The Emergency and Protective Services Committee.

- 1710 At this point in the proceedings, Councillor Brown, with the permission of Council, submitted approximately 3,000 letters from various individuals in support of the installation of slot machines at Woodbine Racetrack, and filed such communications with the City Clerk.
- 1711 At this point in the proceedings, Councillor Moscoe filed the following enquiry dated September 30, 1998, addressed to the City Solicitor, with the City Clerk, and requested that an answer thereto be submitted to the next meeting of City Council to be held on November 25, 1998:

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

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

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

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

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

- 1712 Councillor Disero presented the following Reports for consideration by Council:

Report No. 12 of The Special Committee to Review the Final Report of the Toronto Transition Team,
Report No. 9 of The Community and Neighbourhood Services Committee,
Report No. 14 of The Corporate Services Committee,
Report No. 3 of The Economic Development Committee,
Report No. 10 of The Emergency and Protective Services Committee,
Report No. 20 of The Strategic Policies and Priorities Committee,
Report No. 14 of The East York Community Council,
Report No. 10 of The North York Community Council,
Report No. 11 of The York Community Council,
Report No. 10 of The Community and Neighbourhood Services Committee,
Report No. 15 of The Corporate Services Committee,
Report No. 4 of The Economic Development Committee,
Report No. 11 of The Emergency and Protective Services Committee,

Report No. 12 of The Urban Environment and Development Committee,
Report No. 9 of The Works and Utilities Committee,
Report No. 21 of The Strategic Policies and Priorities Committee,
Report No. 15 of The East York Community Council,
Report No. 10 of The Etobicoke Community Council,
Report No. 11 of The North York Community Council,
Report No. 10 of The Scarborough Community Council,
Report No. 12 of The Toronto Community Council,
Report No. 12 of The York Community Council,
Report No. 12 of The Board of Health,
Report No. 7 of The Striking Committee,
Report No. 13 of The Special Committee to Review the Final Report of the Toronto Transition Team, and
Joint Report No. 1 of The Urban Environment and Development Committee and The Economic Development Committee,

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

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

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 12 of The Special Committee to Review the Final Report of the Toronto Transition Team, consisting of one Clause only, without amendment, it was held in its entirety.

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

Upon the question of the adoption of Report No. 14 of The Corporate Services Committee, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 3 of The Economic Development Committee, without amendment, it was held in its entirety.

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

Upon the question of the adoption of Report No. 20 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 1, 2, 3, 4 and 6), without amendment, it was carried.

Upon the question of the adoption of Report No. 14 of The East York Community Council (with the exception of Clause No. 2), without amendment, it was carried.

Upon the question of the adoption of Report No. 10 of The North York Community Council (with the exception of Clauses Nos. 1, 3 and 4), without amendment, it was carried.

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

Upon the question of the adoption of Report No. 10 of The Community and Neighbourhood Services Committee (with the exception of Clauses Nos. 1, 2, 4 and 6), without amendment, it was carried.

Upon the question of the adoption of Report No. 15 of The Corporate Services Committee (with the exception of Clauses Nos. 1, 2, 5, 6, 7, 15 and 17), without amendment, it was carried.

Upon the question of the adoption of Report No. 4 of The Economic Development Committee (with the exception of Clauses Nos. 1, 4, 7 and 8), without amendment, it was carried.

Upon the question of the adoption of Report No. 11 of The Emergency and Protective Services Committee (with the exception of Clauses Nos. 3, 4, 5, 6 and 7), without amendment, it was carried. (See Minute No. 1723)

Upon the question of the adoption of Report No. 12 of The Urban Environment and Development Committee (with the exception of Clauses Nos. 1, 2, 4 and 7), without amendment, it was carried.

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

Upon the question of the adoption of Report No. 21 of The Strategic Policies and Priorities Committee (with the exception of Clauses Nos. 4, 6, 9, 10, 11, 15 and 16), without amendment, it was carried.

Upon the question of the adoption of Report No. 15 of The East York Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 10 of The Etobicoke Community Council (with the exception of Clauses Nos. 13 and 14), without amendment, it was carried.

Upon the question of the adoption of Report No. 11 of The North York Community Council (with the exception of Clause No. 2), without amendment, it was carried.

Upon the question of the adoption of Report No. 10 of The Scarborough Community Council, without amendment, it was carried.

Upon the question of the adoption of Report No. 12 of The Toronto Community Council (with the exception of Clauses Nos. 17, 32, 36, 40, 45, 54, 56, 63 and 66), without amendment, it was carried. (See Minute No. 1767)

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

Upon the question of the adoption of Report No. 12 of The Board of Health, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 7 of The Striking Committee (with the exception of Clauses Nos. 1 and 4), without amendment, it was carried.

Upon the question of the receipt for information of Report No. 13 of The Special Committee to Review the Final Report of the Toronto Transition Team, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the receipt for information of Joint Report No. 1 of The Urban Environment and Development Committee and The Economic Development Committee, consisting of one Clause only, without amendment, it was carried.

- 1713 Mayor Lastman requested Members of Council to indicate the Report and Clause Number wherein they have an interest, together with the nature of the interest.

Councillor Altobello declared his interest in Item (r), entitled "Loss of Quorum", embodied in Clause No. 20 of Report No. 10 of The Scarborough Community Council, headed "Other Items Considered by the Community Council", insofar as it pertains to the former Scarborough Transportation Corridor Lands Study, Phase 3, St. Clair Avenue to Eglinton Avenue, in that he owns property in the area.

Councillor Feldman declared his interest in Item (e), entitled "Yonge Street, Known as 'The Jolly Miller' - Report on RFP Responses - North York Centre South", embodied in Clause No. 18 of Report No. 11 of The North York Community Council, headed "Other Items Considered by The Community Council", in that he resides in the immediate vicinity; and in Clause No. 9 of Report No. 10 of The Scarborough Community Council, headed "Bus Passenger Shelter Installations, Progress Avenue between Milner Avenue and Sheppard Avenue (Aspen Ridge Homes Subdivision), Ward 18 - Scarborough Malvern", in that the bus passenger shelter installations are in the vicinity of a property which he owns at Milner Avenue and Morningside Avenue.

Mayor Lastman declared his interest in Clause No. 1 of Report No. 15 of The Corporate Services Committee, headed "John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)", in that the applicant's solicitor is a partner at the same law firm as his older son, who is not a real estate lawyer and does not personally act on this file.

Councillor Miller declared his interest in Item (f), entitled "Harmonizing Animal Care and Control Legislation", embodied in Clause No. 13 of Report No. 15 of The East York Community Council, headed "Other Items Considered by the Community Council"; and in Item (j), entitled "Harmonizing Animal Care and Control Legislation", embodied in Clause No. 14 of Report No. 10 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council"; and in Item (h), entitled "Municipal Animal Care and Control Legislation", embodied in Clause No. 18 of Report No. 11 of The North York Community Council, headed "Other Items Considered by the Community Council"; and in Item (r), entitled "Loss of Quorum", insofar as it pertains to the Draft Municipal Animal Care and Control Legislation and the Uniform Policy for Leashed and Unleashed Dogs in Parks, embodied in Clause No. 20 of Report No. 10 of The Scarborough Community Council, headed "Other Items Considered by the Community Council"; and in Item (f), entitled "Policy Directions: Harmonizing Animal Care and Control Legislation", embodied in Clause No. 70 of Report No. 12 of The Toronto Community Council, headed "Other Items Considered by the Community Council"; and in Item (f), entitled "Harmonizing Animal Care and Control Legislation", embodied in Clause No. 9 of Report No. 12 of The York Community Council, headed "Other Items Considered by the Community Council", in that he has a financial interest in a company that does business with the Toronto Humane Society.

Councillor Moscoe declared his interest in Clause No. 2 of Report No. 12 of The Urban Environment and Development Committee, headed "School Facility Review City-Wide", insofar as it pertains to the amendments put forward by Members of Council pertaining to signs, in that he is in the business of manufacturing and selling election signs to municipal candidates.

Councillor Pantalone declared his interest in Clause No. 41 of Report No., 12 of The Toronto Community Council, headed "Construction of Fence - 108 Harrison Street (Trinity-Niagara)", in that one of his children is registered in the day care centre at the subject site.

Councillor Pitfield declared her interest in Clause No. 1 of Report No. 3 of The Economic Development Committee, headed "Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions", in that her husband is currently employed by a major bank.

Councillor Shiner declared his interest in Clause No. 51 of Report No. 12 of The Toronto Community Council, headed "King-Spadina Community Improvement Plan - Bathurst Street (Downtown)", in that his family owns a property on King Street West.

1714 At this point in the proceedings, Mayor Lastman, with the permission of Council, moved that Council vary the order of its proceedings to consider the following matters on the Order Paper for this meeting of Council as the first items of business, and in the following order:

- (i) Clause No. 1 of Report No. 10 of The Community and Neighbourhood Services Committee, headed “Declaration of Homelessness as a National Disaster - Status Report on Hostel Services for Singles”;
- (ii) Clause No. 2 of Report No. 10 of The Community and Neighbourhood Services Committee, headed “Status Report on Hostel Services for Families”; and
- (iii) Clause No. 4 of Report No. 20 of The Strategic Policies and Priorities Committee, headed “Governance of Toronto Hydro-Electric Commission”,

which was carried.

Councillor McConnell moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 12 of The Urban Environment and Development Committee, headed “Vital Services in Rental Residential Properties in the City of Toronto”, at 11:00 a.m. on Friday, October 30, 1998, or as the last item of business, which was carried.

Councillor Disero moved that Council vary the order of its proceedings to consider Clause No. 2 of Report No. 9 of The Works and Utilities Committee, headed “Biosolids Beneficial Reuse Program at the Main Treatment Plant”, at 8:00 p.m. on Thursday, October 29, 1998, and that such Clause be considered by Council in-camera, in accordance with the provisions of the Municipal Act, which was carried.

1715 **Clause No. 1 of Report No. 11 of The York Community Council, headed “Eglinton Subway Line - Ward 27, York Humber and Ward 28, York Eglinton”.**

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

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

1716 **Clause No. 4 of Report No. 4 of The Economic Development Committee, headed “Proposed Fees for Heritage Preservation Services”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Adams, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (1) embodied in the report dated September 29, 1998, from the Commissioner of Economic Development, Culture and Tourism, and inserting in lieu thereof the following:

- “(1) the following fees for heritage preservation services be approved for implementation beginning November 1, 1998:
- (a) written responses to inquiries regarding the Inventory of Heritage Properties: \$60.00 per property or \$60.00 flat fee (applicable taxes included) for multiple adjacent properties covered by a single transaction;
 - (b) written responses to inquiries regarding Heritage Easement Agreements and/or Section 37 Agreements: \$60.00 per agreement (applicable taxes included); and
 - (c) fees will not be charged for inquiries requiring only a verbal response from preservation staff;”.

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

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

1717 **Clause No. 36 of Report No. 12 of The Toronto Community Council, headed “Tree Removal - 34 Rosedale Heights Drive (Midtown)”.**

Council also had before it, during consideration of the foregoing Clause, a communication (October 27, 1998) addressed to Councillor John Adams, Midtown, from Mr. Stephen Harris and Ms. Leslie Buskard, advising that they did not receive notice of the meeting of the Toronto Community Council at which their application for the removal of a tree in their backyard of 34 Rosedale Heights Drive was considered; and requesting that City Council refer this matter back to the Community Council for further consideration.

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

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

1718 **Clause No. 40 of Report No. 12 of The Toronto Community Council, headed “Maintenance of Fence Fronting 63 Oak Park Avenue and on the Newmarket Avenue Flankage (East Toronto)”.**

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Jakobek, in amendment, moved that the foregoing Clause be struck out and referred to the

East York Community Council for further consideration, with a request that area residents in the former Borough of East York be so notified, which was carried.

1719 **Clause No. 32 of Report No. 12 of The Toronto Community Council, headed “Parkdale Planning Initiatives (High Park)”.**

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

- (i) (October 21, 1998) from the City Clerk forwarding submissions from the following regarding the Parkdale Planning Initiatives (High Park):
 - (a) (October 13, 1998) from Mr. David W. Oleson;
 - (b) (October 13, 1998) from Mr. Gregory J. Daly and Mr. David J. Barrington;
 - (c) (October 13, 1998) from Mr. Michael B. Vaughan, Q.C., on behalf of the Bachelorette Owners Association;
 - (d) (October 13, 1998) from Mr. Walter Jarsky;
 - (e) (October 14, 1998) from Mr. John Colautti, Former President of Parkdale Village Residents’ Association; and
 - (f) (October 13, 1998) from Ms. Susan Pigott, Executive Director, St. Christopher House; and
- (ii) (October 19, 1998) from the City Solicitor reporting, as requested, on pending Ontario Municipal Board appeals in respect of variances to the former City of Toronto Zoning By-law (various locations in South Parkdale).

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

“It is further recommended that the report dated October 19, 1998, from the City Solicitor, embodying the following recommendation, be adopted:

‘It is recommended that the City Solicitor contact the Ontario Municipal Board and request that the outstanding Committee of Adjustment appeals relating to residential intensification in the Parkdale area remain held in abeyance until such time as the City-sponsored conflict resolution process is completed.’ ”

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

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

1720 **Clause No. 1 of Report No. 10 of The Community and Neighbourhood Services Committee, headed "Declaration of Homelessness as a National Disaster - Status Report on Hostel Services for Singles".**

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

- (i) (October 9, 1998) from the Parliamentary Assistant to the Minister of Community and Social Services forwarding the final report and recommendations of the Provincial Task Force on Homelessness and advising that the recommendations have been accepted by the provincial government; and
- (ii) (October 26, 1998) from the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health providing Council with an update on the search for additional hostel beds, information on the extreme cold weather response and the request that homelessness be declared a national disaster.

Council also had before it, during consideration of the foregoing Clause, a communication (October 28, 1998) from Ms. Libby Davis, MP, NDP Social Policy Critic on behalf of the Federal NDP Leader and Caucus, extending full support for the initiatives undertaken by the Toronto Disaster Relief Committee and urging City Council to endorse the Committee's call for a state of emergency on homelessness.

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

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

"It is further recommended that the provincial and federal governments be requested to examine their inventory of buildings and work with City of Toronto staff to release appropriate buildings for use during the housing emergency."

Councillor Layton, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Councillor Chow, seconded by Councillor Rae, moved that Councillor Layton be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.

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

"It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be directed to immediately request a meeting with both federal and provincial Members of Parliament whose ridings are located within the boundaries of the City of

Toronto to discuss an action plan to help the plight of the homeless in the City of Toronto; and

- (2) the joint report dated October 26, 1998, from the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health, entitled 'Progress Report on Emergency Responses to Homelessness', be adopted, subject to amending Recommendation No. (4) embodied therein by deleting the words 'City-owned sites' and inserting in lieu thereof the words 'sites for public service purposes', so that the recommendations embodied in such report shall now read as follows:

'It is recommended that:

- (1) the Shelter, Housing and Support Division provide regular updates to the Community and Neighbourhood Services Committee on the addition of hostel beds;
- (2) Council endorse the continuation of the Cold Weather Alert Program as an emergency system response during periods of extreme cold weather;
- (3) senior management staff continue to co-ordinate a comprehensive emergency response to the homeless crisis for the cold weather months of 1998/99;
- (4) authorization be given for the temporary winter use of sites for public service purposes, subject to the approval of the Commissioner of Community and Neighbourhood Services and the Commissioner of Corporate Services; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

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

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

Yeas: Mayor: Lastman.
Councillors: Altobello, Balkissoon, Berardinetti, Cho, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Jones, Kelly, King, Lindsay Luby, Li Preti, Moscoe, Nunziata, Ootes, Pitfield, Prue, Saundercook, Shiner, Silva - 27.

Nays: Councillors: Adams, Ashton, Augimeri, Bossons, Chow, Holyday, Johnston, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, O'Brien, Pantalone, Rae, Sgro, Shaw, Sinclair, Walker - 21.

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

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

“It is further recommended that:

- (1) the funds received from the Province arising out of the cancellation of the Province's Social Housing Programs be allocated to the Social Housing Reserve fund; and
- (2) the funds received from the sale of City-owned residential properties be allocated to the Social Housing Reserve fund.”

(d) Councillor King, in amendment, moved that the foregoing motion (c) by Councillor Chow be referred to the Chief Financial Officer and Treasurer, and other appropriate staff, for report thereon to the appropriate Committees.

Upon the question of the adoption of the foregoing motion (d) by Councillor King, insofar as it pertains to Part (1) of the foregoing motion (c) by Councillor Chow, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Disero, Duguid, Faubert, Fotinos, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Sgro, Shaw, Shiner, Sinclair - 31.

Nays: Councillors: Augimeri, Bossons, Bussin, Cho, Chow, Flint, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Pantalone, Prue, Rae, Silva, Walker - 18.

Decided in the affirmative by a majority of 13.

Upon the question of the adoption of the foregoing motion (d) by Councillor King, insofar as it pertains to Part (2) of the foregoing motion (c) by Councillor Chow, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Cho, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair - 36.

Nays: Councillors: Ashton, Augimeri, Bossons, Bussin, Chow, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Rae, Silva, Walker - 15.

Decided in the affirmative by a majority of 21.

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

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

Nays: Nil.

Decided in the affirmative, without dissent.

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

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

Nay: Councillor: Duguid - 1.

Decided in the affirmative by a majority of 50.

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

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

Nays: Nil.

Decided in the affirmative, without dissent.

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

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

‘It is further recommended that:

- (1) the joint report dated October 26, 1998, from the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health, entitled “Progress Report on Emergency Responses to Homelessness”, be adopted, subject to amending Recommendation No. (4) embodied therein by deleting the words “City-owned sites” and inserting in lieu thereof the words “sites for public service purposes”, so that the recommendations embodied in such report shall now read as follows:

“It is recommended that:

- (1) the Shelter, Housing and Support Division provide regular updates to the Community and Neighbourhood Services Committee on the addition of hostel beds;
- (2) Council endorse the continuation of the Cold Weather Alert Program as an emergency system response during periods of extreme cold weather;
- (3) senior management staff continue to co-ordinate a comprehensive emergency response to the homeless crisis for the cold weather months of 1998/99;

- (4) authorization be given for the temporary winter use of sites for public service purposes, subject to the approval of the Commissioner of Community and Neighbourhood Services and the Commissioner of Corporate Services; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (2) the provincial and federal governments be requested to examine their inventory of buildings and work with City of Toronto staff to release appropriate buildings for use during the housing emergency;
- (3) the Commissioner of Community and Neighbourhood Services be directed to immediately request a meeting with both federal and provincial Members of Parliament whose ridings are located within the boundaries of the City of Toronto to discuss an action plan to help the plight of the homeless in the City of Toronto; and
- (4) the following motion be referred to the Chief Financial Officer and Treasurer, and other appropriate staff, for report thereon to the appropriate Committees:

Moved by Councillor Chow:

“It is further recommended that:

- (1) the funds received from the Province arising out of the cancellation of the Province’s Social Housing Programs be allocated to the Social Housing Reserve fund; and
- (2) the funds received from the sale of City-owned residential properties be allocated to the Social Housing Reserve fund.” ’ ’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

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

Nay: Councillor: Holyday - 1.

Decided in the affirmative by a majority of 52.

At this point in the proceedings, Deputy Mayor Ootes proposed that Council now recess and reconvene in approximately five minutes.

Council concurred in the foregoing proposal.

Council recessed at 11:44 a.m.

12:02 P.M.

Council reconvened.

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

1721 At the request of Council, the City Clerk called the Roll at 12:02 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Walker - 46.

1722 Members present at the first afternoon session of the first day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 49.

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

1723 At this point in the proceedings, Councillor Fotinos, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 2 of Report No. 11 of The Emergency and Protective Services Committee, headed "Holistic

Practitioner Licensing Category”, be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

Clause No. 2 of Report No. 11 of The Emergency and Protective Services Committee, headed “Holistic Practitioner Licensing Category”.

Council also had before it, during consideration of the foregoing Clause, a communication (October 27, 1998) from Mr. Mario Palista, Ontario Alliance of Concerned Traditional Citizens, regarding the proposed exemption of holistic practitioners.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (1)(c) of the Emergency and Protective Services Committee the words “the inclusion of a provision related to”, and inserting in lieu thereof the words “a provision to include”, so that such recommendation shall now read as follows:

“(c) a provision to include ‘incidental touching’; and”.

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

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

- 1724 At this point in the proceedings, Mayor Lastman, with the permission of Council, invited Paramedics Ken Horton and Scott Jordan to the podium; advised the Council that Ken and his partner Scott had saved a life and rescued many others during an emergency evacuation on August 1, 1996, and presented the Governor-General’s Commendation, a national recognition of bravery, to Mr. Ken Horton.

Mayor Lastman further advised the Council that Toronto Ambulance will again be running their annual clothing drive from November 6, 1998, to December 5, 1998, and urged all Members of Council to contribute generously to this endeavour.

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

- 1725 **Clause No. 2 of Report No. 10 of The Community and Neighbourhood Services Committee, headed “Status Report on Hostel Services for Families”.**

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

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and

Neighbourhood Services Committee on the advisability of requesting the Provincial government to enact legislation which would require municipalities throughout the Province of Ontario to provide a minimum number of hostel spaces for their own communities.”

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community and Neighbourhood Services Committee on the feasibility of establishing a grants program for the purchase of equipment and food for families in the hostel system, similar to the Access Grant Program which was in place in the former City of Toronto.”

At this point in the proceedings, Councillor Duguid moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of the foregoing Clause, which was carried, more than two-thirds of Members present having voted in the affirmative.

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

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

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Disero, Duguid, Faubert, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Walker - 45.

Nays: Nil.

Decided in the affirmative, without dissent.

Council recessed at 12:31 p.m.

2:12 P.M.

Council reconvened.

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

1726 Members present at the second afternoon session of the first day of this meeting:

Mayor: Lastman.

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

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

1727 At this point in the proceedings, Councillor King, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clauses Nos. 1 and 2 of Report No. 14 of The Corporate Services Committee, headed "Agreement Between the Former City of Toronto and COTAPSAI (City of Toronto Administrative, Professional Supervisory Association, Incorporated)" and "Employees' Eligibility for Membership in COTAPSAI (City of Toronto Administrative, Professional Supervisory Association, Incorporated)", respectively, be re-opened and that consideration of such Clauses be deferred until later in the meeting, which was carried, more than two-thirds of Members present having voted in the affirmative. (See Minute No. 1733.)

1728 At this point in the proceedings, Deputy Mayor Ootes introduced the Grades 7 and 8 students of Winchester Public School, present at this meeting.

1729 **Clause No. 7 of Report No. 15 of The Corporate Services Committee, headed "Sale of the South Portion of the Public Lane Known as O'Keefe Lane and Entering into Encroachment Agreements, Rights-of-Way and Easements Over the Northerly Portion of O'Keefe Lane and Portions of Victoria and Gould Streets, East of Yonge Street Between Dundas Street East and Gould Street - Yonge Dundas Re-Development Project - (Ward 24 - Downtown)".**

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

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council proposed that Council vary the order of its proceedings to:

- (1) hold its in-camera portion of this meeting in the Council Chamber at 8:00 p.m. on Thursday, October 29, 1998, to consider all confidential matters remaining on the Order Paper;
- (2) consider Notices of Motions at 2:00 p.m. on Thursday, October 29, 1998; and
- (3) consider Clause No. 4 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Coat of Arms for the City of Toronto", at approximately 3:00 p.m. today, having regard that the Chief Herald, Mr. Watt, will be available at that time to respond to questions by Members of Council.

Council concurred in the foregoing proposal.

1730 **Clause No. 4 of Report No. 20 of The Strategic Policies and Priorities Committee, headed "Governance of Toronto Hydro-Electric Commission".**

Council also had before it, during consideration of the foregoing Clause, a communication (September 28, 1998) from the Chair, Toronto Hydro-Electric Commission advising that the Commission will be meeting on October 8, 1998, at which time they will be discussing the directives of the Strategic Policies and Priorities Committee with respect to the governance of the Toronto-Hydro Electric Commission.

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

- (i) (October 26, 1998) from the Chief Administrative Officer providing, for the information of Council, the options considered for the composition of the Board of Directors for the incorporated Toronto Hydro and recommending a process for Council to establish the business direction for the new corporation, define Council's expectations, and establish the financial and policy relationship between Council and the new Board; and
- (ii) (October 26, 1998) from the Chair, Toronto Hydro-Electric Commission, advising that the Commission on October 8, 1998, did not deliberate on Items (i) and (ii) of the recommendations of the Strategic Policies and Priorities Committee, since such recommendations have not yet been considered by Council; and that the Commission will wait to hear further on the disposition of these matters from Council.

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

- (a) Councillor Prue, in amendment, moved that the foregoing Clause be amended by:
 - (1) striking out Recommendation No. (1) of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“(1) the current citizen members of the Toronto Hydro-Electric Commission be thanked for their service and advised that their terms

of office expire upon the coming into force of Bill 35, the Energy Competition Act, and the establishment of the new corporate governance structure of Toronto Hydro;”;

- (2) striking out Recommendations Nos. (2) and (3) of the Strategic Policies and Priorities Committee; and
 - (3) adding to Recommendation No. (4) of the Strategic Policies and Priorities Committee, the words “and that the CEO not be included as a Member of the Board of Directors”.
- (b) Councillor Saundercook, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (1) of the Strategic Policies and Priorities Committee, and inserting in lieu thereof the following:
- “(1) the current five citizen members of the Board of Directors remain in office until such time as the new Board is in place;”.
- (c) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Administrative Officer be requested to submit a report to City Council, through the appropriate Committee, by December 31, 1998, on the City’s expectation of the new Hydro-Electric Commission with respect to:
- (1) rates for electricity for public consumption (e.g., street lighting);
 - (2) how the City of Toronto’s urban forest will be treated in the future development or maintenance of transmission lines; and
 - (3) any other matters affecting the City of Toronto as a municipality rather than as a shareholder.”
- Councillor Pantalone, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Mayor Lastman, seconded by Councillor McConnell, moved that Councillor Pantalone be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.
- (d) Councillor Layton, in amendment, moved that the foregoing Clause be amended by:
- (1) striking out and referring Recommendations Nos. (4), (5), (6), (7) and (8) of the Strategic Policies and Priorities Committee to the workshop process outlined in the report dated September 23, 1998, from the Chief Administrative Officer, embodied in the Clause; and

- (2) adding thereto the following:

“It is further recommended that:

- (1) the qualifications of the new Commissioners involve expertise in environmental issues; and
- (2) the report dated October 26, 1998, from the Chief Administrative Officer, entitled ‘Toronto Hydro Board Structure and Business Direction Workshops’, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Council receive the alternative options contained in Appendix 1 of this report for the composition of the Board of Directors of the new Toronto Hydro;
 - (2) Council approve the process outlined in Appendix 2 of this report for the development of Council’s policy and financial strategies for Toronto Hydro; and
 - (3) the appropriate officials be authorized to take the necessary actions to give effect thereto.’ ”
- (e) Councillor Jakobek, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendation No. (7) of the Strategic Policies and Priorities Committee to the Nominating Committee for consideration and report thereon to City Council.
- (f) Councillor Ashton, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (4) of the Strategic Policies and Priorities Committee to provide that the composition of the Board of Directors of the Toronto Hydro -Electric Commission be ten citizen members and three Councillors.
- (g) Councillor Moscoe, in amendment, moved that the foregoing Clause be struck out and referred to the Office of the Mayor for further consideration.

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

Yeas: Mayor: Lastman.
Councillors: Adams, Augimeri, Brown, Cho, Chow, Disero, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kinahan, King, Layton,

Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Shiner, Walker - 26.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berger, Bossons, Bussin, Chong, Duguid, Fotinos, Jakobek, Korwin-Kuczynski, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Saundercook, Silva - 20.

Decided in the affirmative by a majority of 6.

Having regard to the foregoing decision of Council, the foregoing motions (a), (b), (c), (d), (e) and (f), by Councillors Prue, Saundercook, Pantalone, Layton, Jakobek and Ashton, respectively, were not put to a vote.

1731 Clause No. 4 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Coat of Arms for the City of Toronto".

Council also had before it, during consideration of the foregoing Clause, a communication (undated) from Mr. Albert Smith regarding the proposed Coat of Arms for the City of Toronto.

Council also had before it, during consideration of the foregoing Clause, a report (October 23, 1998) from the Chief Administrative Officer reporting, as requested, on questions about the Coat of Arms arising from the meeting of the Strategic Policies and Priorities Committee held on October 20, 1998, and submitting recommendations in this regard.

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

- (a) Councillor Prue, in amendment, moved that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled "Coat of Arms for the City of Toronto", be amended by deleting the motto "Diversity Our Strength", and inserting in lieu thereof the motto "The Meeting Place".
- (b) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) the report dated October 23, 1998, from the Chief Administrative Officer, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the revised design for the Coat of Arms for the City of Toronto be approved; and
 - (2) the appropriate City officials be authorized to take appropriate action to give effect thereto.';
- (2) all former Metropolitan Toronto flags be lowered and replaced with Canadian flags until a new City of Toronto flag is chosen; and
 - (3) the Chief Administrative Officer be requested to expedite the design of the new City of Toronto flag and that such flag be unveiled during the 1999 New Year's Eve Celebration."
- (c) Councillor Pantalone, in amendment, moved that the report dated October 23, 1998, from the Chief Administrative Officer, entitled "Coat of Arms for the City of Toronto", be amended to provide that the stance of the Golden Eagle be the same as that recommended by the Strategic Policies and Priorities Committee.
- (d) Councillor Faubert, in amendment, moved that the foregoing Clause be struck out and referred back to the Strategic Policies and Priorities Committee for further consideration.

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

Yeas: Councillors: Augimeri, Bossons, Bussin, Cho, Duguid, Faubert, Johnston, Mammoliti, Miller, Moeser - 10.

Nays: Mayor: Lastman.
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Chong, Chow, Disero, Feldman, Flint, Giansante, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Walker - 34.

Decided in the negative by a majority of 24.

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

Yeas: Mayor: Lastman.

Councillors: Altobello, Balkissoon, Berardinetti, Berger, Chong, Disero, Duguid, Feldman, Flint, Giansante, Jakobek, Jones, King, Lindsay Luby, Li Preti, Nunziata, Pitfield, Rae, Saundercook, Shaw, Shiner - 22.

Nays: Councillors: Adams, Ashton, Augimeri, Brown, Bussin, Cho, Chow, Faubert, Holyday, Johnston, Kinahan, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Silva, Walker -25.

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

- (e) Councillor Cho, in amendment, moved that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled "Coat of Arms for the City of Toronto", be amended by:
- (1) deleting the motto "Diversity Our Strength", and inserting in lieu thereof the motto "Home to the World";
 - (2) replacing the heart on the crown with the maple leaf;
 - (3) depicting water across the front of the Coat of Arms; and
 - (4) replacing the maple leaves on the ribbon with hearts.
- (f) Councillor Bussin, in amendment, moved that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled "Coat of Arms for the City of Toronto", be amended to provide that the bear be replaced with a red fox.
- (g) Councillor Kelly, in amendment, moved that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled "Coat of Arms for the City of Toronto", be amended to provide that:
- (1) the collars of the two animals be replaced with the symbol of the former Municipality of Metropolitan Toronto;
 - (2) the maple leaves be moved slightly and trilliums be added and entwined, so as to represent Toronto as the historical capital of Ontario; and
 - (3) the motto read "Civility Our Strength".
- (h) Councillor Holyday, in amendment, moved that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled

“Coat of Arms for the City of Toronto”, be amended by deleting the motto “Diversity Our Strength”, and inserting in lieu thereof the motto “The World’s Meeting Place”.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended by deleting the motto ‘Diversity Our Strength’, and inserting in lieu thereof the motto ‘The Meeting Place’.”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Bossons, Brown, Disero, Faubert, Feldman, Flint, Giansante, Holyday, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Nunziata, Pantalone, Pitfield, Prue - 17.

Nays: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Duguid, Filion, Gardner, Jakobek, Johnston, Jones, Kelly, Kinahan, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, O’Brien, Ootes, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 32.

Decided in the negative by a majority of 15.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended by:

- (1) deleting the motto ‘Diversity Our Strength’, and inserting in lieu thereof the motto ‘Home to the World’;”

the vote was taken as follows:

Yeas: Councillors: Augimeri, Cho, Disero, Faubert, Feldman, Filion, Giansante, Jones, Lindsay Luby, Li Preti, Mahood, Mammoliti, Pitfield, Prue, Saundercook - 15.

Nays: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Duguid, Flint, Gardner, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Rae, Sgro, Shaw, Shiner, Silva, Walker - 34.

Decided in the negative by a majority of 19.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended by deleting the motto ‘Diversity Our Strength’, and inserting in lieu thereof the motto ‘The World’s Meeting Place’.”,

the vote was taken as follows:

Yeas: Councillors: Augimeri, Brown, Disero, Faubert, Giansante, Holyday, Lindsay Luby, Li Preti, Mahood, Mammoliti, Nunziata, Prue - 12.

Nays: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Duguid, Feldman, Fillion, Flint, Gardner, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moeser, Moscoe, O’Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 37.

Decided in the negative by a majority of 25.

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

“that the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended to provide that the stance of the Golden Eagle be the same as that recommended by the Strategic Policies and Priorities Committee.”,

the vote was taken as follows:

Yeas: Councillors: Balkissoon, Bussin, Disero, Faubert, Giansante, Holyday, Jones, Moeser, O’Brien, Pantalone, Saundercook, Shaw, Shiner - 13.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Duguid, Feldman, Fillion, Flint, Gardner, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Sgro, Silva, Walker - 38.

Decided in the negative by a majority of 25.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended by:

- (2) replacing the heart on the crown with the maple leaf;”

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bossons, Bussin, Cho, Faubert, Holyday, Johnston, Mammoliti, Miller, Minnan-Wong, Moscoe, O’Brien, Silva, Walker - 17.

Nays: Councillors: Adams, Berardinetti, Berger, Brown, Chong, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner - 33.

Decided in the negative by a majority of 16.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended by:

- (3) depicting water across the front of the Coat of Arms;”

the vote was taken as follows:

Yeas: Councillors: Brown, Cho, Duguid, Faubert, Jakobek, Johnston, Kelly, Mahood, Mammoliti, Minnan-Wong, Moeser, Pitfield, Prue, Rae, Saundercook, Sgro, Walker - 17.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chong, Disero, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Shaw, Shiner, Silva - 33.

Decided in the negative by a majority of 16.

Upon the question of the adoption of Part (4) of the foregoing motion (e) by Councillor Cho, viz.:

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended by:

(4) replacing the maple leaves on the ribbon with hearts.”,

the vote was taken as follows:

Yeas: Councillors: Cho, Mammoliti - 2.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 49.

Decided in the negative by a majority of 47.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended to provide that the bear be replaced with a red fox.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Bossons, Bussin, Cho, Faubert, Feldman, Filion, Jones, Lindsay Luby, Mahood, Miller, Minnan-Wong - 12.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Chong, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 39.

Decided in the negative by a majority of 27.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended to provide that:

- (1) the collars of the two animals be replaced with the symbol of the former Municipality of Metropolitan Toronto;”

the vote was taken as follows:

Yeas: Councillors: Ashton, Augimeri, Bossons, Cho, Chong, Holyday, Johnston, Kelly, Kinahan, King, Ootes - 11.

Nays: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Brown, Bussin, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Jones, Korwin Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Walker - 39.

Decided in the negative by a majority of 28.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended to provide that:

- (2) the maple leaves be moved slightly and trilliums be added and entwined, so as to represent Toronto as the historical capital of Ontario;”

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Bossons, Chong, Feldman, Flint, Giansante, Holyday, Kelly, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Silva - 19.

Nays: Councillors: Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Disero, Duguid, Faubert, Filion, Gardner, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Moscoe, O’Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Walker - 31.

Decided in the negative by a majority of 12.

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

“that the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled ‘Coat of Arms for the City of Toronto’, be amended to provide that:

(3) the motto read ‘Civility Our Strength’.”

the vote was taken as follows:

Yeas: Councillors: Kelly, Lindsay Luby, Prue - 3.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Shiner, Silva Walker - 46.

Decided in the negative by a majority of 43.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (2) of the foregoing motion (b) by Councillor Korwin-Kuczynski, ruled such Part out of order, viz.:

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

‘It is further recommended that:

(2) all former Metropolitan Toronto flags be lowered and replaced with Canadian flags until a new City of Toronto flag is chosen;’ ”

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

Upon the question “Shall the Ruling of the Deputy Mayor be upheld?”, the vote was taken as follows:

Yeas: Councillors: Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Disero, Duguid, Faubert, Feldman, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mahood, Mihevc,

Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Sgro, Shaw, Silva - 35.

Nays: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Brown, Filion, Flint, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Minnan-Wong, Rae, Shiner, Walker - 15.

Decided in the affirmative by a majority of 20.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (3) of the foregoing motion (b) by Councillor Korwin-Kuczynski, ruled such Part out of order, viz.:

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

‘It is further recommended that:

- (3) the Chief Administrative Officer be requested to expedite the design of the new City of Toronto flag and that such flag be unveiled during the 1999 New Year’s Eve Celebration.’ ”

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

Upon the question “Shall the Ruling of the Deputy Mayor be upheld?”, the vote was taken as follows:

Yeas: Councillors: Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Cho, Disero, Duguid, Faubert, Feldman, Flint, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Sgro, Shaw, Silva - 37.

Nays: Councillors: Adams, Altobello, Balkissoon, Bussin, Filion, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Rae, Shiner, Walker - 12.

Decided in the affirmative by a majority of 25.

Upon the question of the adoption of the foregoing Clause, together with the report dated October 23, 1998, from the Chief Administrative Officer, entitled “Coat of Arms for the City of Toronto”, without amendment, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Brown, Duguid, Flint, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 32.

Nays: Councillors: Ashton, Balkissoon, Bossons, Bussin, Cho, Disero, Faubert, Feldman, Filion, Giansante, King, Mahood, Mammoliti, Miller, Moeser, Prue, Shiner - 17.

Decided in the affirmative by a majority of 15.

At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, extended the appreciation of Council to the Chief Herald, Mr. Watt, for his exemplary efforts in the design of the new logo for the City of Toronto.

1732 **Clause No. 1 of Report No. 9 of The Community and Neighbourhood Services Committee, headed “The Public Housing Inquiry”.**

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

1733 **Clauses Nos. 1 and 2 of Report No. 14 of The Corporate Services Committee, headed “Agreement Between the Former City of Toronto and COTAPSAI (City of Toronto Administrative, Professional Supervisory Association, Incorporated)” and “Employees’ Eligibility for Membership in COTAPSAI (City of Toronto Administrative, Professional Supervisory Association, Incorporated)”, respectively.**

Upon the question of the adoption of the foregoing Clauses, without amendment, Councillor King, in amendment, moved that the foregoing Clauses be struck out and referred back to the Executive Director of Human Resources, with a request that she submit a report to the Corporate Services Committee on the financial and management implications of the recommendations of the Corporate Services Committee embodied in such Clauses.

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

Yeas: Councillors: Brown, Chong, Feldman, Flint, Giansante, Jakobek, Kinahan, King, Lindsay Luby, Moeser, O’Brien, Ootes, Sgro, Shiner - 14.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Disero, Duguid, Faubert, Filion, Jones, Korwin-Kuczynski, Layton, Mahood, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Walker - 28.

Decided in the negative by a majority of 14.

At this point in the proceedings, Councillor Miller, with the permission of Council, proposed that Council defer further consideration of the foregoing Clauses, in order to provide an opportunity for Councillor King to discuss this matter further with the Executive Director of Human Resources.

Council concurred in the foregoing proposal.

Council deferred further consideration of the foregoing Clauses until later in the meeting.
(See Minutes Nos. 1781 and 1782)

Council recessed at 6:00 p.m.

8:07 P.M.

Council reconvened.

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

1734 At the request of Council, the City Clerk called the Roll at 8:08 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva - 40.

1735 Members present at the evening session of the first day of this meeting:

Mayor: Lastman.

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

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

1736 **Clause No. 7 of Report No. 11 of The Emergency and Protective Services Committee, headed "Quotation for the Provision of Services Related to the Inspection of Taxicabs, Livery Cabs Including Limousines and Driving School Vehicles".**

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

“It is further recommended that the draft Terms of Reference for the tender call for the mechanical inspections of taxicabs, livery vehicles and driving school vehicles, be submitted to the Emergency and Protective Services Committee prior to the issuance of the tender call.”

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

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

- 1737 **Clause No. 56 of Report No. 12 of The Toronto Community Council, headed “Cancellation of Boulevard Marketing Locations - 492 and 494 Dundas Street West and 311 Spadina Avenue (Downtown)”.**
(See Appendix “A”, page .)

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

- (i) (October 26, 1998) from Mr. Edward Lee, General Manager, Dia Hing B.B.Q. House Ltd., requesting that consideration of the proposed cancellation of his Boulevard Marketing Licence be deferred until such time as a fair and equitable investigation can be completed; and
- (ii) (October 27, 1998) from the Commissioner of Works and Emergency Services reporting, as requested, on what goods would be permitted to be sold at the boulevard locations fronting 492 Dundas Street West and 265 Spadina Avenue.

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

- (1) deleting from the recommendation of the Toronto Community Council the words and numbers “492 and 494 Dundas Street West, 265 and”, so that such recommendation shall now read as follows:

“The Toronto Community Council recommends that City Council proceed with the cancellation of the boulevard marketing fronting 311 Spadina Avenue and that:

- (1) (a) a 30-day written notice of cancellation be provided to the licence holders; and

- (b) the licence holders be refunded the unexpired portion of the annual boulevard marketing fee; and
- (2) Municipal Code Chapter 313 of the former City of Toronto be amended substantially in the form attached as Appendix 'A' to the report (October 5, 1998) from the Acting Assistant Director, By-law Administration and Enforcement.”; and
- (2) adding thereto the following:
 - “It is further recommended that:
 - (a) the Commissioner of Works and Emergency Services be authorized to cancel the licences of 492 and 494 Dundas Street West and 265 Spadina Avenue, if these businesses revert to selling fruits and vegetables on their boulevard marketing locations; and
 - (b) the Medical Officer of Health be requested to re-examine the possibility of selling enclosed barbequed food on the boulevard.”

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

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

1738 Clause No. 63 of Report No. 12 of The Toronto Community Council, headed “Bay Adelaide Centre - Amended Percent for Public Art Plan - South Block (Downtown)”.

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

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on the possible extension of the Public Art Policy to all parts of the City of Toronto.”

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

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

1739 Clause No. 54 of Report No. 12 of The Toronto Community Council, headed “Official Plan and Zoning By-law Application - 9 Jackes Avenue (Midtown)”.

Council also had before it, during consideration of the foregoing Clause, a report (October 26, 1998) from the Commissioner of Urban Planning and Development Services recommending refusal of the application for Official Plan and Zoning By-law Amendments and Site Plan Approval for 9 Jackes Avenue in its current form and that City staff be authorized to oppose the Ontario Municipal Board appeal and referral made by the applicant.

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

“It is recommended that the report dated October 26, 1998, from the Commissioner of Urban Planning and Development Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) City Council refuse Application No. 198003 in its current form;
- (2) City Council request the City Solicitor and the Commissioner of Urban Planning and Development Services to oppose the Ontario Municipal Board appeal and referral made by the applicant, for the reasons outlined in this report;
- (3) City Council request the Commissioner of Urban Planning and Development Services to continue discussions with the applicant and neighbourhood representatives with the view to arriving at an appropriate development proposal; and
- (4) the Commissioner of Urban Planning and Development Services be directed to report to the Toronto Community Council on the outcome of discussions with the applicant and neighbourhood representatives, including possible terms of a settlement, if any.’ ”

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

1740 **Clause No. 45 of Report No. 12 of The Toronto Community Council, headed “Boulevard Cafe - 139-141 Danforth Avenue (Don River)”.**

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

1741 **Clause No. 4 of Report No. 3 of The Economic Development Committee, headed “Other Item Considered by the Committee”.**

Upon the question of the receipt for information of the foregoing Clause, without amendment, Councillor Filion, in amendment, moved that the foregoing Clause be struck out and referred to the Commissioner of Economic Development, Culture and Tourism, and the Commissioner of Urban Planning and Development Services, with a request that they submit a joint report thereon to Council, through the appropriate Committees.

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

- 1742 At this point in the proceedings, Councillor Pantalone, with the permission of Council, presented the following Reports for the consideration of Council:

Report No. 22 of The Strategic Policies and Priorities Committee,
Report No. 14 of The Special Committee to Review The Final Report of
the Toronto Transition Team, and
Report No. 7 of The Nominating Committee,

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

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

Councillor Balkissoon declared his interest in Clause No. 2 of Report No. 22 of The Strategic Policies and Priorities Committee, headed "Court Ordered Recount in Scarborough-Malvern", in that he is a City Councillor for Ward 18, Scarborough-Malvern.

Councillor Cho declared his interest in Clause No. 2 of Report No. 22 of The Strategic Policies and Priorities Committee, headed "Court Ordered Recount in Scarborough-Malvern", in that he is a City Councillor for Ward 18, Scarborough-Malvern.

Upon the question of the adoption of Report No. 14 of The Special Committee to Review the Final Report of the Toronto Transition Team, without amendment, it was carried.

Upon the question of the adoption of Report No. 22 of The Strategic Policies and Priorities Committee, without amendment, it was held in its entirety.

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

- 1743 **Clause No. 11 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Security Upgrades to Toronto City Hall".**
(See Appendix "A", page .)

Council also had before it, during consideration of the foregoing Clause, a communication (October 28, 1998) from the City Clerk forwarding the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team in this regard.

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

“It is further recommended that the following recommendations of the Sub-Committee on the Relocation of All Members of Council to City Hall, as recommended by the Special Committee to Review the Final Report of the Toronto Transition Team, embodied in the communication dated October 28, 1998, from the City Clerk, be adopted, viz.:

‘It is recommended to the Special Committee that:

- (1) City Council support the need for upgraded security at Toronto City Hall by approving the Phase 1 recommendations for securing the 2nd Floor, Council Chambers, Official Parking Garage, Taxi Tunnel, and Employee Parking Garage;
- (2) work required for securing the 2nd Floor and Official Parking Garage occur immediately upon receipt of funds;
- (3) the Commissioner of Corporate Services report back to Council in February, 1999, with the recommendations for the second phase of upgrading security at Toronto City Hall which includes the remainder of the building; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing.’ ”

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

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

1744 **Clause No. 1 of Report No. 7 of The Striking Committee, headed “Appointment of Members of Council to the Budget Committee; the Board of Directors of the Canadian Film Centre; and the Council Reference Group to Assist in Guiding Council’s Strategic Planning Process”.**

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

- (i) (October 23, 1998) from the Chief Administrative Officer reporting, as requested, on the role of the Council Reference Group; and
- (ii) (October 26, 1998) from Councillors King, Saundercook and Layton recommending that sustainability be considered a primary option for the unifying and integrating concept for the Council's Strategic Planning Process and that the Council Reference Group for Council's Strategic Plan and the Chief Administrative Officer consider how Council's Strategic Planning process will address this objective in consultation with the Environmental Task Force.

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

“It is further recommended that the following recommendation embodied in the joint communication dated October 26, 1998, from Councillors King, Layton and Saundercook, be adopted:

‘That sustainability be considered a primary option for the unifying and integrating concept for the Council's Strategic Planning Process and that the Council Reference Group for Council's Strategic Plan and the Chief Administrative Officer consider how Council's Strategic Planning process will address this objective in consultation with the Environmental Task Force.’ ”

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

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

1745 Clause No. 4 of Report No. 12 of The Urban Environment and Development Committee, headed “Cash Payment-in-Lieu of Parking Related to Development Applications”.

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

“It is further recommended that, until such time as the joint report on consolidated policies and practices for the new City with respect to cash payment-in-lieu of parking related to development applications, has been received, the Commissioner of Works and Emergency Services and the Commissioner of Urban Planning and Development Services be requested to ensure that the current practices outlined in the joint report dated September 10, 1998, as embodied in the Clause, are being followed in the former Area Municipalities.”

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

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

- 1746 At this point in the proceedings, and with the permission of Council, 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(1), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor McConnell

“**WHEREAS** the Special Committee to Review the Final Transition Team Report No. 12, Clause No. 1, makes recommendations regarding the roles and responsibilities of Community Councils, including pertaining to the protocol for planning issues; and

WHEREAS the Urban Environment and Development Committee made recommendations regarding this protocol in Report No. 9, Clause No. 2; and

WHEREAS it was appropriate that both reports should have been debated at the same time at Council; and

WHEREAS Council passed the recommendations of the Urban Environment and Development Committee at its meeting on July 29, 30 and 31, 1998; and

WHEREAS the Special Committee to Review the Final Transition Team Report was not reached at that meeting and is on today’s agenda;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 2 of Report No. 9 of The Urban Environment and Development Committee be re-opened by Council to permit debate of this issue.”

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

Yeas: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jones, Layton, Lindsay Luby, Mihevc, Miller, Moeser, Nunziata, Pitfield, Prue, Rae, Saundercook, Shiner, Sinclair - 29.

Nays: Mayor: Lastman.

Councillor: Altobello, Brown, Chong, Disero, Fotinos, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Mahood, Moscoe, O'Brien, Ootes, Pantalone, Sgro, Shaw, Silva - 19.

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

1747 **Clause No. 1 of Report No. 12 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "The Roles and Responsibilities of Community Councils in the Context of the Council-Committee Structure".**

At this point in the proceedings, Deputy Mayor Ootes, having regard that Notice of Motion J(1) was not adopted, ruled Recommendation No. (1) of the Special Committee to Review the Final Report of the Toronto Transition Team, together with Recommendation No. (3) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, out of order.

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

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

(1) amending the report dated June 13, 1998, from the Chief Administrative Officer, by adding to Recommendation No. (2) the words "and public transit, and that input be required from the Toronto Transit Commission on any changes to roads on which regularly scheduled transit vehicles operate", so that such recommendation shall now read as follows:

"(2) the UEDC continue to be responsible for policies and matters related to the road system which are of City-wide significance, such as the road classification system, traffic operations policies, road maintenance policies, right-of-way use and occupation policies, budgets prepared with input from the Community Councils, and all matters related to expressways and public transit, and that input be required from the Toronto Transit Commission on any changes to roads on which regularly scheduled transit vehicles operate;" and

(2) adding thereto the following:

"It is further recommended that Council meetings occur more frequently than once per month; and the City Clerk be requested to review the feasibility of implementing a three-week schedule."

Councillor Moscoe, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Councillor Adams, seconded by Councillor

Mihevc, moved that Councillor Moscoe be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.

- (b) Councillor Pantalone, in amendment, moved that the foregoing Clause be amended to provide that all matters relating to Community Council boundaries (except those previously approved by Council with respect to minor adjustments relating to Ward boundaries), be referred to the first meeting of Council in the year 2001.
- (c) Councillor Miller, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendation No. (9) to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration, viz.:

“Community Council Boundaries:

- (9) to assess alternative approaches to ensuring that the City’s government has an effective geographic focus, the Special Committee’s examination of Council’s political decision-making structure should include consideration of:
 - (a) the appropriateness of the current Community Council boundaries;
 - (b) the process for defining geographic committees of Council; and
 - (c) linkages to the ward boundary review being undertaken by the UEDC;”.
- (d) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by:
 - (1) striking out the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team, save and except Recommendation No. (5), and inserting in lieu thereof the following:

“It is recommended that the report dated June 13, 1998, from the Chief Administrative Officer, be adopted”; and, if Part (1) fails,
 - (2) striking out Recommendation No. (4) of the Special Committee to Review the Final Report of the Toronto Transition Team.
- (e) Councillor Flint, in amendment, moved that the foregoing Clause be amended by amending the report dated June 13, 1998, from the Chief Administrative Officer, by adding to Part (b) of Recommendation No. (1), after the words “for review by the UEDC”, the words “and Community Councils”, so that such recommendation shall now read as follows:

“(b) the Commissioner of Works and Emergency Services give priority to the preparation of a road classification system and associated traffic operations policies, for review by the UEDC and Community Councils and adoption by Council;”.

(f) Councillor Mihevc, in amendment, moved that:

- (1) the foregoing motion (c) by Councillor Miller be amended by adding thereto the words “at such time as the Ward Boundary Review Process has been finalized”; and
- (2) the foregoing Clause be amended by striking out Recommendation No. (7)(d) embodied in the report dated June 13, 1998, from the Chief Administrative Officer.

Deputy Mayor Ootes designated Councillor O’Brien to take the Chair for the next part of the meeting, and vacated the Chair.

(g) Councillor Filion, in amendment, moved that the foregoing Clause be amended by adding to Part (a)(i) of Recommendation No. (4) the words “with the provision that Ward Councillors would be notified of the applications, and if the Ward Councillor is not satisfied with the decision proposed by staff, the matter will be referred to the appropriate Community Council for a decision”, so that such recommendation shall now read as follows:

“(4) to streamline Community Council and City Council agendas:

(a) Council delegate final decision-making authority to:

- (i) the Chief Planning Official with respect to applications for permission under site plan control and ravine by-laws, with the provision that Ward Councillors would be notified of the applications, and if the Ward Councillor is not satisfied with the decision proposed by staff, the matter will be referred to the appropriate Community Council for a decision;
- (ii) the Director, Municipal Standards, with respect to applications for permission under fence by-laws; and
- (iii) the Commissioner of Economic Development, Culture and Tourism with respect to applications for permission under tree by-laws, with the provision that Ward Councillors will be notified about the applications, and if the applicant or a Member of Council is not satisfied with the proposed staff decision, staff will refer the matter to the appropriate

Community Council to hear deputations and make a decision;”.

Deputy Mayor Ootes resumed the Chair.

- (h) Councillor Berardinetti, in amendment, moved that the foregoing Clause be amended by striking out and referring Recommendation No. (4) of the Special Committee to Review the Final Report of the Toronto Transition Team to the Chief Administrative Officer for report thereon to Council through the Special Committee to Review the Final Report of the Toronto Transition Team.

At this point in the proceedings, Councillor Shiner moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, in order to conclude consideration of the foregoing Clause, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Duguid, Faubert, Filion, Flint, Giansante, Jakobek, Kelly, King, Layton, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair - 26.

Nays: Councillors: Altobello, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Fotinos, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mahood, Miller, Prue, Sgro, Walker - 21.

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

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1756)

At this point in the proceedings, Councillor Jakobek, with the permission of Council, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 3 of The Economic Development Committee, headed “Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions”, at 4:30 p.m. on Thursday, October 29, 1998, which was carried.

- 1748 Councillor Duguid, seconded by Councillor Saundercook, at 9:59 p.m., moved that leave be granted to introduce:

Bill No. 817 To confirm the proceedings of the Council at its meeting held on the 28th day of October, 1998,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?", as follows:

By-law No. 732-1998 To confirm the proceedings of the Council at its meeting held on the 28th day of October, 1998,

the vote was taken as follows:

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

Nays: Nil.

Decided in the affirmative, without dissent.

Council recessed at 10:00 p.m. to reconvene at 9:30 a.m. on Thursday, October 29, 1998.

THURSDAY, OCTOBER 29, 1998, 9:41 A.M.

Council reconvened.

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

1749 At the request of Council, the City Clerk called the Roll at 9:42 a.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bossons, Cho, Chong, Faubert, Feldman, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw - 38.

1750 Members present at the morning session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton,

Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 56.

1751 Moved by Councillor McConnell, seconded by Councillor Mihevc:

“WHEREAS on August 13, 1998, the late William Berchmans Dunphy was taken from his family and his community; and

WHEREAS Bill Dunphy was a man full of, and apparently in love with, contradictions; and

WHEREAS, as an indifferent high school student, he spent his life as an academic, and his last years as the Principal of the University of St. Michael's College, one of the largest Catholic Universities in North America; and

WHEREAS, being an American by birth, Toronto was so much his home that he could not stay away, despite a blossoming career in the United States. A devout Catholic, a professor of Philosophy, he could never resist a good joke, and managed to work Monty Python skits into lectures on metaphysics; and

WHEREAS he often feigned a strict, gruff demeanor, but never could hide the warm generosity that was his nature; and

WHEREAS three things about Bill never wavered, he was dedicated to his family, to St. Mike's and to justice and decency wherever he saw it was needed; and

WHEREAS Bill met his wife Kathleen in Toronto while studying here. He moved back here with her to raise a family. Their nine children (yes I said nine) reflected Bill and Kathleen's values. They raised journalists and lawyers who spoke out for fairness. They raised a comedienne who speaks out whenever she can. They even raised a Toronto City Councillor's Executive Assistant. At their church, in their neighbourhood and in the broader community, the Dunphy clan were always folks to be reckoned with; and

WHEREAS Bill devoted a long career to helping St. Mike's grow and prosper. He played a key role in reshaping St. Mike's role in the University of Toronto Federation, taught there, sent his children there and led the school through the 90's; and

WHEREAS Bill and Kathleen took their convictions to the community as well, playing leading roles in neighbourhood associations and community groups. Bill made important contributions to interfaith groups at the local, national and international levels. Whether labouring on the Jerusalem Committee or founding the

Religious Leaders group, Bill Dunphy always left a mark, and always left the room claiming someone else had done the hard part; and

WHEREAS our community and, most significantly, our religious communities are much richer for having had Bill Dunphy in them;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the members of Council, our sincere sympathy to the family of William Berchmans Dunphy, and that Council waive the provisions of the Council Procedural By-law in order to introduce this Motion.”

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

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

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

1752 **Clause No. 1 of Report No. 4 of The Economic Development Committee, headed “Attracting Semi-Conductor Plant Investment to Toronto”.**

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

1753 **Clause No. 3 of Report No. 11 of The Emergency and Protective Services Committee, headed “Proposal to Establish Additional Collision Reporting Centres (CRCs) in the City of Toronto”.**

Council also had before it, during consideration of the foregoing Clause, a confidential report (August 11, 1998) from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Kinahan, in amendment, moved that the foregoing Clause be struck out and referred back to the Emergency and Protective Services Committee for further consideration at such time as the report requested of the City Auditor in regard to the operations and profit margins of the existing CRCs is submitted to the Committee; and the City Auditor be requested to expedite the submission of such report.

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

1754 **Clause No. 1 of Report No. 22 of The Strategic Policies and Priorities Committee, headed “The Optional New Multi-Residential Property Class”.**

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

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Berger, Bossons, Brown, Cho, Chong, Disero, Faubert, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Walker - 41.

Nays: Councillors: Balkissoon, Berardinetti, Mahood - 3.

Decided in the affirmative by a majority of 38.

1755 Clause No. 1 of Report No. 13 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "Other Items Considered by the Committee".

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

1756 Council resumed its consideration of Clause No. 1 of Report No. 12 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed "The Roles and Responsibilities of Community Councils in the Context of the Council-Committee Structure". (See also Minute No.1747)

(i) Councillor Shiner, in amendment, moved that the foregoing Clause be amended by:

(1) striking out and referring those portions of Recommendation No. (5) of the Special Committee to Review the Final Report of the Toronto Transition Team and Recommendation No. (8) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, pertaining to the name of the Toronto Community Council, back to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration, with a request that the Chief Administrative Officer submit a report to the Committee on alternative names that would distinguish the City of Toronto Council from the Toronto Community Council; and

(2) adding thereto the following:

"It is further recommended that the City Solicitor be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on methods where Members of City Council can bring Community Council decisions to City Council to review a decision."

- (j) Councillor Saundercook, in amendment, moved that the foregoing Clause be amended to provide that Community Councils be realigned to reflect a balanced number of Members of Council on each Community Council.
- (k) Councillor Kinahan, in amendment, moved that Part (2) of the foregoing motion (a) by Councillor Moscoe be referred to the City Clerk for an analysis of the options to meet more frequently and report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team.
- (l) Councillor Adams, in amendment, moved that:
 - (1) the foregoing Clause be amended by amending the report dated June 13, 1998, from the Chief Administrative Officer, by amending Recommendation No. (7) by:
 - (i) adding to Part (g) the words “and speed humps”; and
 - (ii) adding thereto the following additional responsibilities:
 - “(l) sign variances;
 - (m) disabled persons parking spaces and loading zones;
 - (n) public lanes; and
 - (o) pedestrian crossovers.”; and
 - (2) Part (2) of the foregoing motion (a) by Councillor Moscoe be amended to provide that the City Clerk be requested to investigate an alternative workload management schedule incorporating a two-week cycle of Council meetings, with half of the Committees and Community Councils reporting to each cycle of Council meetings.

Councillor Adams, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Councillor Mihevc, seconded by Councillor Brown, moved that Councillor Adams be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.

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

“It is further recommended that:

 - (1) the Community Councils be requested to review and identify those matters which could be delegated to staff for decision-making (with Ward

Councillors on the respective Community Council(s) having final-decision power in cases of appeal by the public), and that the results of such review be submitted to the Special Committee to Review the Final Report of the Toronto Transition Team for consideration; and

- (2) the Special Committee to Review the Final Report of the Toronto Transition Team be requested to explore ways in which the Community Councils could have input into the budgetary process.”
- (n) Councillor Jones, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that the City Clerk be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the feasibility of providing a hospitality allowance for each Community Council.”
- (o) Councillor Chow, in amendment, moved that the foregoing motion (h) by Councillor Berardinetti be amended by adding thereto the words “in December, 1998”.
- (p) Councillor Minnan-Wong, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that, recognizing the importance of Community Councils and the need to eliminate the waste and duplication in the present system of dealing with matters twice, a supra-majority of two-thirds of Members of Council shall be required to overturn a decision of a Community Council.”
- (q) Councillor Sgro, in amendment, moved that the foregoing motion (p) by Councillor Minnan-Wong be referred to the City Solicitor with a request that he submit a report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team.

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

“that the foregoing Clause be amended by:

- (1) striking out the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team, save and except Recommendation No. (5), and inserting in lieu thereof the following:

‘It is recommended that the report dated June 13, 1998, from the Chief Administrative Officer, be adopted’; and, if Part (1) fails,”.

Upon the question of the adoption of the foregoing motion (o) by Councillor Chow, viz.:

“that the foregoing motion (h) by Councillor Berardinetti be amended by adding thereto the words ‘in December, 1998’.”,

the vote was taken as follows:

- Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner, Sinclair - 37.
- Nays: Councillors: Ashton, Augimeri, Balkissoon, Brown, Chong, Gardner, Giansante, Jakobek, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moscoe, Pantalone, Sgro, Shaw, Silva, Walker - 18.

Decided in the affirmative by a majority of 19.

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

“that the foregoing Clause be amended by striking out and referring Recommendation No. (4) of the Special Committee to Review the Final Report of the Toronto Transition Team to the Chief Administrative Officer for report thereon to Council through the Special Committee to Review the Final Report of the Toronto Transition Team, in December, 1998.”,

the vote was taken as follows:

- Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Duguid, Gardner, Holyday, Jakobek, Moscoe, Pantalone, Saundercook, Shaw, Silva - 12.
- Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Sgro, Shiner, Sinclair, Walker - 43.

Decided in the negative by a majority of 31.

Upon the question of the adoption of Part (2) of the foregoing motion (d) by Councillor Fotinos, insofar as it pertains to Recommendations Nos. (6)(a), (b) and (c) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Ashton, Augimeri, Brown, Cho, Chong, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Lindsay Luby, Mahood, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Silva - 26.

Nays: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chow, Faubert, Filion, Flint, Johnston, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Pitfield, Prue, Rae, Shaw, Shiner, Sinclair, Walker - 29.

Decided in the negative by a majority of 3.

Upon the question of the adoption of Part (2) of the foregoing motion (d) by Councillor Fotinos, insofar as it pertains to Recommendation No. (6)(d) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Balkissoon, Brown, Cho, Chong, Disero, Duguid, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Silva - 28.

Nays: Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chow, Faubert, Feldman, Filion, Flint, Johnston, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Pitfield, Prue, Shaw, Shiner, Sinclair, Walker - 27.

Decided in the affirmative by a majority of 1.

At this point in the proceedings, Councillor Rae requested that he be granted the permission of Council to change his vote on the foregoing decision of Council.

Deputy Mayor Ootes ruled that it would require a re-opening of the previous decision, in accordance with the Council Procedural By-law, to permit Councillor Rae to change his vote.

Councillor Rae challenged the ruling of the Deputy Mayor.

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

Yeas: Mayor: Lastman.
Councillors: Augimeri, Balkissoon, Brown, Cho, Disero, Duguid, Faubert, Feldman, Fotinos, Giansante, Holyday, Jakobek, Kelly, King,

Lindsay Luby, Mahood, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Silva - 25.

Nays: Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Filion, Flint, Gardner, Johnston, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pitfield, Prue, Rae, Shaw, Shiner, Sinclair, Walker - 30.

Decided in the negative by a majority of 5.

Again upon the question of the adoption of Part (2) of the foregoing motion (d) by Councillor Fotinos, insofar as it pertains to Recommendation No. (6)(d) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Balkissoon, Brown, Cho, Chong, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, King, Lindsay Luby, Mahood, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Silva - 26.

Nays: Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chow, Faubert, Filion, Flint, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Pitfield, Prue, Rae, Shaw, Shiner, Sinclair, Walker - 29.

Decided in the negative by a majority of 3.

Upon the question of the adoption of Part (2) of the foregoing motion (d) by Councillor Fotinos, insofar as it pertains to Recommendation No. (6)(e) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Chong, Fotinos, Holyday, Jakobek, Kelly, King, Mahood, Moscoe, Nunziata, O'Brien, Ootes, Sgro, Silva - 15.

Nays: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Walker - 40.

Decided in the negative by a majority of 25.

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

“that:

- (1) the foregoing motion (c) by Councillor Miller be amended by adding thereto the words ‘at such time as the Ward Boundary Review Process has been finalized’.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Brown, Chong, Disero, Duguid, Flint, Johnston, Jones, King, Mahood, Mihevc, Nunziata, Prue, Rae, Saundercook, Sinclair - 20.

Nays: Mayor: Lastman.
Councillors: Augimeri, Berger, Bossons, Bussin, Cho, Chow, Faubert, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, O’Brien, Pantalone, Pitfield, Sgro, Shaw, Shiner, Silva, Walker - 35.

Decided in the negative by a majority of 15.

Upon the question of the adoption of the foregoing motion (c) by Councillor Miller, without amendment, viz.:

“that the foregoing Clause be amended by striking out and referring Recommendation No. (9) to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration, viz.:

‘Community Council Boundaries:

- (9) to assess alternative approaches to ensuring that the City’s government has an effective geographic focus, the Special Committee’s examination of Council’s political decision-making structure should include consideration of:
 - (a) the appropriateness of the current Community Council boundaries;
 - (b) the process for defining geographic committees of Council;
and

- (c) linkages to the ward boundary review being undertaken by the UEDC;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Duguid, Faubert, Feldman, Fillion, Johnston, Jones, Kelly, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Saundercook, Sinclair, Walker - 30.

Nays: Mayor: Lastman.

Councillors: Augimeri, Berardinetti, Brown, Chong, Disero, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Li Preti, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Sgro, Shaw, Shiner, Silva - 25.

Decided in the affirmative by a majority of 5.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared the foregoing motions (b) and (j) by Councillors Pantalone and Saundercook, respectively, redundant.

Having regard that the Special Committee to Review the Final Report of the Toronto Transition Team is reviewing the matter of the governance structure, Deputy Mayor Ootes ruled Part (2) of the foregoing motion (l) by Councillor Adams, Part (2) of the foregoing motion (a) by Councillor Moscoe, and the foregoing motion (k) by Councillor Kinahan, out of order.

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

“that the foregoing Clause be amended by:

- (1) amending the report dated June 13, 1998, from the Chief Administrative Officer, by adding to Recommendation No. (2) the words ‘and public transit, and that input be required from the Toronto Transit Commission on any changes to roads on which regularly scheduled transit vehicles operate’, so that such recommendation shall now read as follows:

- ‘(2) the UEDC continue to be responsible for policies and matters related to the road system which are of City-wide significance, such as the road classification system, traffic operations policies, road maintenance policies, right-of-way use and occupation policies, budgets prepared with input from the Community Councils, and all

matters related to expressways and public transit, and that input be required from the Toronto Transit Commission on any changes to roads on which regularly scheduled transit vehicles operate;’ ”,

it was carried.

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

“that the foregoing Clause be amended by amending the report dated June 13, 1998, from the Chief Administrative Officer, by adding to Part (b) of Recommendation No. (1), after the words ‘for review by the UEDC’, the words ‘and Community Councils’, so that such recommendation shall now read as follows:

‘(b) the Commissioner of Works and Emergency Services give priority to the preparation of a road classification system and associated traffic operations policies, for review by the UEDC and Community Councils and adoption by Council;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Walker - 44.

Nays: Mayor: Lastman.
Councillors: Augimeri, Berardinetti, Brown, Jakobek, Kelly, O’Brien, Ootes, Pantalone, Sgro, Silva - 11.

Decided in the affirmative by a majority of 33.

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

“that:

(2) the foregoing Clause be amended by striking out Recommendation No. (7)(d) embodied in the report dated June 13, 1998, from the Chief Administrative Officer.”,

the vote was taken as follows:

Yeas: Councillors: Berger, Chow, Faubert, Feldman, Mihevc, Miller, Moeser, Nunziata - 8.

Nays: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 47.

Decided in the negative by a majority of 39.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (1) by Councillor Adams, insofar as it pertains to sign variances, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 49.

Nays: Councillors: Augimeri, Faubert, Jakobek, Kelly, Pantalone, Silva - 6.

Decided in the affirmative by a majority of 43.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (1) by Councillor Adams, insofar as it pertains to disabled persons parking spaces and loading zones, it was carried.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (1) by Councillor Adams, insofar as it pertains to public lanes, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 48.

Nays: Councillors: Brown, Feldman, Johnston, Kelly, Moscoe, O'Brien, Sgro - 7.

Decided in the affirmative by a majority of 41.

Upon the question of the adoption of Part (1)(ii) of the foregoing motion (1) by Councillor Adams, insofar as it pertains to pedestrian crossovers, the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 45.

Nays: Councillors: Augimeri, Disero, Fotinos, Holyday, Jakobek, Kelly, Kinahan, Moeser, Moscoe, Pantalone - 10.

Decided in the affirmative by a majority of 35.

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

“that:

(1) the foregoing Clause be amended by amending the report dated June 13, 1998, from the Chief Administrative Officer, by amending Recommendation No. (7) by:

(i) adding to Part (g) the words ‘and speed humps’;”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 42.

Nays: Mayor: Lastman.

Councillors: Faubert, Holyday, Jakobek, Kelly, Mahood, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Shiner, Sinclair - 13.

Decided in the affirmative by a majority of 29.

Upon the question of the adoption of the foregoing motion (g) by Councillor Filion, viz.:

“that the foregoing Clause be amended by adding to Part (a)(i) of Recommendation No. (4) the words ‘with the provision that Ward Councillors would be notified of the applications, and if the Ward Councillor is not satisfied with the decision proposed by staff, the matter will be referred to the appropriate Community Council for a decision’, so that such recommendation shall now read as follows:

‘(4) to streamline Community Council and City Council agendas:

(a) Council delegate final decision-making authority to:

- (i) the Chief Planning Official with respect to applications for permission under site plan control and ravine by-laws, with the provision that Ward Councillors would be notified of the applications, and if the Ward Councillor is not satisfied with the decision proposed by staff, the matter will be referred to the appropriate Community Council for a decision;
- (ii) the Director, Municipal Standards, with respect to applications for permission under fence by-laws; and
- (iii) the Commissioner of Economic Development, Culture and Tourism with respect to applications for permission under tree by-laws, with the provision that Ward Councillors will be notified about the applications, and if the applicant or a Member of Council is not satisfied with the proposed staff decision, staff will refer the matter to the appropriate Community Council to hear deputations and make a decision;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes,

Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 53.

Nays: Councillors: Faubert, Kelly - 2.

Decided in the affirmative by a majority of 51.

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

“that the foregoing Clause be amended by:

- (1) striking out and referring those portions of Recommendation No. (5) of the Special Committee to Review the Final Report of the Toronto Transition Team and Recommendation No. (8) embodied in the report dated June 13, 1998, from the Chief Administrative Officer, pertaining to the name of the Toronto Community Council, back to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration, with a request that the Chief Administrative Officer submit a report to the Committee on alternative names that would distinguish the City of Toronto Council from the Toronto Community Council;”

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Balkissoon, Brown, Cho, Filion, Jones, Kelly, Kinahan, Lindsay Luby, Li Preti, Mammoliti, O'Brien, Ootes, Sgro, Shaw, Shiner, Silva - 17.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Saundercook, Sinclair, Walker - 38.

Decided in the negative by a majority of 21.

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

“that the foregoing Clause be amended by:

- (2) adding thereto the following:

‘It is further recommended that the City Solicitor be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on methods where Members of City Council can bring Community Council decisions to City Council to review a decision.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Disero, Faubert, Feldman, Fillion, Fotinos, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Miller, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Prue, Sgro, Shaw, Shiner, Silva, Sinclair - 38.

Nays: Councillors: Adams, Ashton, Augimeri, Chong, Duguid, Flint, Gardner, Jakobek, Kinahan, King, Mihevc, Minnan-Wong, Pantalone, Pitfield, Rae, Saundercook, Walker - 17.

Decided in the affirmative by a majority of 21.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (2) of the foregoing motion (m) by Councillor Bossons, redundant, viz.:

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

‘It is further recommended that:

- (2) the Special Committee to Review the Final Report of the Toronto Transition Team be requested to explore ways in which the Community Councils could have input into the budgetary process.’ ”

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

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

'It is further recommended that:

- (1) the Community Councils be requested to review and identify those matters which could be delegated to staff for decision-making (with Ward Councillors on the respective Community Council(s) having final-decision power in cases of appeal by the public), and that the results of such review be submitted to the Special Committee to Review the Final Report of the Toronto Transition Team for consideration;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Chong, Chow, Disero, Duguid, Faubert, Filion, Fotinos, Gardner, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shaw, Sinclair, Walker - 35.

Nays: Mayor: Lastman.
Councillors: Augimeri, Brown, Bussin, Cho, Feldman, Flint, Giansante, Jakobek, Jones, Kinahan, King, Lindsay Luby, McConnell, O'Brien, Ootes, Pitfield, Sgro, Shiner, Silva - 20.

Decided in the affirmative by a majority of 15.

At this point in the proceedings, Councillor Bossons requested the permission of Council to amend Part (1) of her foregoing motion (m) by deleting the word “on” after the words “with Ward Councillors” and inserting in lieu thereof the word “and”.

Council concurred in the foregoing request.

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

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

'It is further recommended that:

- (1) the Community Councils be requested to review and identify those matters which could be delegated to staff for decision-making (with Ward Councillors and the respective Community Council(s) having final-decision power in cases of appeal by the public), and that the results of such review be submitted to the Special Committee to

Review the Final Report of the Toronto Transition Team for consideration;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 48.

Nays: Mayor: Lastman.
Councillors: Augimeri, Bussin, Jakobek, Jones, Mammoliti, Ootes - 7.

Decided in the affirmative by a majority of 41.

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

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

‘It is further recommended that the City Clerk be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the feasibility of providing a hospitality allowance for each Community Council.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pitfield, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 47.

Nays: Councillors: Holyday, Jakobek, King, Minnan-Wong, Nunziata, O'Brien, Pantalone, Rae - 8.

Decided in the affirmative by a majority of 39.

Upon the question of the adoption of the foregoing motion (q) by Councillor Sgro, viz.:

“that the foregoing motion (p) by Councillor Minnan-Wong be referred to the City Solicitor with a request that he submit a report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Feldman, Gardner, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 34.

Nays: Councillors: Adams, Altobello, Ashton, Bossons, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Giansante, Jakobek, Kinahan, Li Preti, Mahood, Mammoliti, McConnell, Minnan-Wong, Nunziata, Prue, Walker - 21.

Decided in the affirmative by a majority of 13.

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

“that the foregoing Clause be amended by:

- (1) amending the report dated June 13, 1998, from the Chief Administrative Officer, by:
 - (a) adding to Part (b) of Recommendation No. (1), after the words ‘for review by the UEDC’, the words ‘and Community Councils’, so that such recommendation shall now read as follows:

‘(b) the Commissioner of Works and Emergency Services give priority to the preparation of a road classification system and associated traffic operations policies, for review by the UEDC and Community Councils and adoption by Council;’;
 - (b) adding to Recommendation No. (2) the words ‘and public transit, and that input be required from the Toronto Transit Commission on any changes to roads on which regularly scheduled transit vehicles operate’, so that such recommendation shall now read as follows:

‘(2) the UEDC continue to be responsible for policies and matters related to the road system which are of City-wide significance, such as the road classification system, traffic operations policies, road maintenance policies, right-of-way use and occupation policies, budgets prepared with input

from the Community Councils, and all matters related to expressways and public transit, and that input be required from the Toronto Transit Commission on any changes to roads on which regularly scheduled transit vehicles operate;';

- (c) adding to Part (a)(i) of Recommendation No. (4) the words 'with the provision that Ward Councillors would be notified of the applications, and if the Ward Councillor is not satisfied with the decision proposed by staff, the matter will be referred to the appropriate Community Council for a decision', so that such recommendation shall now read as follows:

'(4) to streamline Community Council and City Council agendas:

(a) Council delegate final decision-making authority to:

- (i) the Chief Planning Official with respect to applications for permission under site plan control and ravine by-laws, with the provision that Ward Councillors would be notified of the applications, and if the Ward Councillor is not satisfied with the decision proposed by staff, the matter will be referred to the appropriate Community Council for a decision;
- (ii) the Director, Municipal Standards, with respect to applications for permission under fence by-laws; and
- (iii) the Commissioner of Economic Development, Culture and Tourism with respect to applications for permission under tree by-laws, with the provision that Ward Councillors will be notified about the applications, and if the applicant or a Member of Council is not satisfied with the proposed staff decision, staff will refer the matter to the appropriate Community Council to hear deputations and make a decision;';

(d) amending Recommendation No. (7) by:

- (i) adding to Part (g) the words 'and speed humps'; and

(ii) adding thereto the following additional responsibilities:

- ‘(l) sign variances;
- (m) disabled persons parking spaces and loading zones;
- (n) public lanes; and
- (o) pedestrian crossovers.’,

so that such recommendation shall now read as follows:

‘(7) to explore Council’s options to delegate to Community Councils certain prescribed categories of final decisions involving the application of some discretion, the City Solicitor and the City Clerk, in consultation with the Chief Administrative Officer and the Commissioners, submit a report to the Special Committee on the feasibility and legality of the delegation of the following responsibilities to another level within the legislative structure:

- (a) licensing and extension of boulevard cafes;
- (b) special occasion LLBO permits;
- (c) street name changes;
- (d) parking pad issues;
- (e) temporary road closures for special events;
- (f) installation of stop signs on local roads;
- (g) installation of speed bumps and speed humps;
- (h) changes to parking prohibitions on local roads;
- (i) preliminary evaluation reports for planning applications;
- (j) regular contract awards to the lowest bidder where funding for the project has already been approved in the budget;

- (k) appointments to local BIAs and recreation centre boards;
 - (l) sign variances;
 - (m) disabled persons parking spaces and loading zones;
 - (n) public lanes; and
 - (o) pedestrian crossovers;';
- (e) striking out and referring Recommendation No. (9) to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration, viz.:

'Community Council Boundaries:

- (9) to assess alternative approaches to ensuring that the City's government has an effective geographic focus, the Special Committee's examination of Council's political decision-making structure should include consideration of:
- (a) the appropriateness of the current Community Council boundaries;
 - (b) the process for defining geographic committees of Council; and
 - (c) linkages to the ward boundary review being undertaken by the UEDC;'; and
- (2) adding thereto the following:

'It is further recommended that:

- (a) the Community Councils be requested to review and identify those matters which could be delegated to staff for decision-making (with Ward Councillors and the respective Community Council(s) having final-decision power in cases of appeal by the public), and that the results of such review be submitted to the Special Committee to Review the Final Report of the Toronto Transition Team for consideration;
- (b) the City Solicitor be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition

Team on methods where Members of City Council can bring Community Council decisions to City Council to review a decision;

- (c) the City Clerk be requested to submit a report to the Special Committee to Review the Final Report of the Toronto Transition Team on the feasibility of providing a hospitality allowance for each Community Council; and
- (d) the following motion be referred to the City Solicitor with a request that he submit a report thereon to the Special Committee to Review the Final Report of the Toronto Transition Team:

Moved by Councillor Minnan-Wong:

“It is further recommended that, recognizing the importance of Community Councils and the need to eliminate the waste and duplication in the present system of dealing with matters twice, a supra-majority of two-thirds of Members of Council shall be required to overturn a decision of a Community Council.” ’ ’ ,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Duguid, Faubert, Feldman, Fillion, Flint, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Walker - 38.

Nays: Mayor: Lastman.
Councillors: Ashton, Augimeri, Brown, Disero, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, O'Brien, Ootes, Pantalone, Sgro, Silva - 17.

Decided in the affirmative by a majority of 21.

1757 **Clause No. 1 of Report No. 12 of The Urban Environment and Development Committee, headed “Vital Services in Rental Residential Properties in the City of Toronto”.**

Council also had before it, during consideration of the foregoing Clause, a report (October 20, 1998) from the City Solicitor responding to a request from the Urban Environment and Development Committee for a report to accompany a draft vital services

by-law which would contain the provisions recommended by the Urban Environment and Development Committee.

Council also had before it, during consideration of the foregoing Clause, a report (October 26, 1998) from the Chief Financial Officer and Treasurer responding to a request from the Urban Environment and Development Committee for additional information regarding the cost recovery implications of implementing a vital services by-law for rental residential properties.

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

- (a) Councillor McConnell, in amendment, moved that the foregoing Clause be amended by:
- (1) adding to Recommendation (A) of the Urban Environment and Development Committee the words “representatives of the Federation of Metro Tenants Associations and the Advocacy Group for the Legal Clinics” after the word “necessary”, so that such recommendation shall now read as follows:

“(A) establish a working group comprised of representatives of Municipal Standards, Public Health, other staff members as necessary, representatives of the Federation of Metro Tenants Associations and the Advocacy Group for the Legal Clinics, and relevant utility/fuel suppliers, to establish policies with respect to discontinuing service/supply;”;
 - (2) striking out the draft by-law attached as Appendix “A” to the report dated October 20, 1998, from the City Solicitor, and substituting therefor the following draft by-law:

CITY OF TORONTO

Draft By-law

BY-LAW

“To prohibit vital service suppliers from ceasing to provide vital services without providing thirty days notice to the City Clerk

WHEREAS property standards by-laws in force in the City of Toronto require landlords to provide vital services to rented premises; and

WHEREAS the Tenant Protection Act, 1997, provides that a municipality may pass a by-law requiring a vital service supplier to give the municipality thirty days notice of the intention to discontinue provision of the

vital service where the landlord has breached a contract with a supplier for the supply of the vital service; and

WHEREAS, during the thirty day notice period, the City may use other methods to avoid discontinuation of a vital service, including the enforcement of property standards by-laws where appropriate; and

WHEREAS the property standards by-law in force in the City of Toronto, (including the Housing Standards provisions of the Municipal Code of the former City of Toronto) require landlords to provide vital services to rented premises; and

WHEREAS the provisions of the Building Code Act, as amended, provide that the officer may issue an emergency order with respect to a non-conformity that may pose an immediate danger to the health or safety of any person and further, take any measures necessary to terminate the danger; and

WHEREAS the provisions of the City of Toronto Act, as amended, provide that the inspector may issue an order with respect to a violation that constitutes an urgent hazard to the health or safety of any person and further, take whatever measures necessary to correct the violation; and

WHEREAS it is in the best interests of the City to have advance notice of the intention of any vital service provider to discontinue the provision of a vital service and in order that any interruption to a vital service may be averted; and

WHEREAS the Tenant Protection Act, 1997 provides that a municipality may pass a by-law requiring a vital service provider to give the municipality thirty days notice of the intention to discontinue provision of the vital service where the landlord has breached a contract with a supplier for the supply of the vital service;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In this by-law the following definitions apply:
 - (a) 'City' means the City of Toronto.
 - (b) 'Commissioner' means the Commissioner of Urban Planning and Development Services.
 - (c) 'Landlord' includes,

- (i) the owner or other person permitting occupancy of a rental unit;
 - (ii) the heirs, assigns, personal representatives and successors in title of a person referred to in clause (i); and
 - (iii) a person, other than a tenant occupying a rental unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a landlord under the tenancy agreement or the Tenant Protection Act, including the right to collect rent.
- (d) 'Rental Unit' means any living accommodation used or intended for use as rented residential premises, and includes,
- (i) a room in a boarding house, rooming house or lodging house and a unit in a care home; and
 - (ii) a site for a mobile home or a site on which there is a land lease home used or intended for use as rented residential premises.
- (e) 'Tenant' includes a person who pays rent in return for the right to occupy a rental unit and includes a tenant's heirs, assigns and personal representatives, but 'tenant' does not include a person who has the right to occupy a rental unit by virtue of being,
- (i) a co-owner of the residential complex in which the rental unit is located, or
 - (ii) a shareholder of a corporation that owns the residential complex.
- (f) 'Vital Service' means fuel, hydro, gas, or hot or cold water.

2. No supplier of a vital service shall cease to provide the vital service to a rental unit unless notice of the intended discontinuance of the vital service has been given in writing to the City Clerk at least thirty (30) days before the supplier ceases to provide the vital service.

3. Despite section 2, the notice of intended discontinuance shall be given only if the vital service is to be discontinued for a rental unit

because the landlord has breached a contract with the supplier for the supply of the vital service.

4. The supplier of a vital service shall immediately restore the vital service when directed to do so by the Commissioner. The Commissioner shall issue such a direction when the vital service has been discontinued in a manner that is contrary to section 2 of this by-law.

5. Every person who contravenes or fails to comply with sections 2 or 4 of this by-law is guilty of an offence for each day or part of a day on which the offence occurs or continues.

6. Every director or officer of a corporation that is convicted of an offence who knowingly concurs in the commission of the offence is guilty of an offence.

ENACTED AND PASSED this day of October, A.D. 1998.”; and

(3) adding thereto the following:

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on an appropriate way to designate or include elevators as a vital service, as well as the powers of the City to ensure that tenants have access to their apartments.”

(b) Councillor Mammoliti, in amendment, moved that the foregoing motion (a) by Councillor McConnell be amended to provide that elevators be included in the definition of “Vital Service” under section (1)(f) of the by-law.

Council deferred further consideration of the foregoing Clause until later in the meeting.
(See Minute No. 1773)

Council recessed at 12:30 p.m.

2:14 P.M.

Council reconvened.

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

1758 At the request of Council, the City Clerk called the Roll at 2:15 p.m., those Members present at the call of the Roll being:

Councillors: Altobello, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw - 34.

1759 Members present at the afternoon session of the second day of this meeting:

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

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

1760 **Clause No. 14 of Report No. 10 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council".**

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

1761 At this point in the proceedings, Councillor Korwin-Kuczynski, with the permission of Council, introduced the following delegation from the City of Kyiv, Ukraine, present at this meeting:

- Mrs. Tatianna Melihova, head of the delegation;
- Mr. Viktor Bilych, responsible for the Administration of Municipal Property;
- Mr. Serhij Lubnin, Office of Foreign Affairs; and
- Mr. Myrola Kyrychenko, Consul General of Ukraine in Toronto.

1762 At this point in the proceedings, and with the permission of Council, Councillor Pantalone moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(2), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Miller

"WHEREAS the Corporate Services Committee on September 14, 1998 considered a confidential report (September 4, 1998) from the Commissioner of Corporate

Services respecting a property matter at 1258 Queen Street West, and recommended the adoption of Option 3 embodied in the aforementioned confidential report; and

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

WHEREAS the Commissioner of Corporate Services has prepared a confidential report (October 26, 1998) on an urgent matter that needs to be addressed by City Council relative to 1258 Queen Street West;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the confidential report from the Commissioner of Corporate Services (October 26, 1998) respecting 1258 Queen Street West.”

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

Council subsequently adopted, without amendment, the confidential report dated October 26, 1998, from the Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act.

1763 At this point in the proceedings, and with the permission of Council, Councillor O’Brien moved that, in accordance with subsection 28(2) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(3), which was carried:

Moved by: Councillor O’Brien

Seconded by: Councillor Mahood

“**WHEREAS** City Council at its meeting of July 29, 30 and 31, 1998, by the adoption of Clause No. 2 of Report No. 10 of The Corporate Services Committee, authorized the City to enter into natural gas supply and related agreements, commencing November 1, 1998, for City-owned facilities and to procure natural gas for certain interested Agencies, Boards and Commissions; and

WHEREAS the Corporation of the Town of Markham (the ‘Town’), by Resolution of the Town Council at its meeting of August 18, 1998, authorized the Town to join with the City in procuring natural gas, and authorized the City, under agreement with the Town, to act on behalf of the Town in administering the natural gas supply and related agreements; and

WHEREAS in order for the City to meet its legal contractual commitments prior to November 1, 1998, it is necessary for City Council to authorize the City to enter into agreements with the Town and Consumers' Gas and to approve the City acting as the Town's agent for the purposes of procuring natural gas and administering the natural gas supply agreement for the Town;

NOW THEREFORE BE IT RESOLVED THAT the City be authorized to enter into agreements with The Corporation of the Town of Markham and with Consumers' Gas to act as the Town's agent for the purposes of procuring natural gas for the Town under the City's contractual arrangements, commencing November 1, 1998, and for the purposes of doing anything necessary to administer the natural gas supply and related agreements on the Town's behalf."

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

- 1764 At this point in the proceedings, and with the permission of Council, Councillor Jakobek moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(5), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Councillor Jakobek

"WHEREAS City Council at its meeting held on April 29 and 30, 1998, adopted, as amended, Report No. 6 of the Strategic Policies and Priorities Committee, which included recommendations pertaining to the 1998 Capital Budget and financing authorities; and

WHEREAS City Council at its meeting on October 1 and 2, 1998, during its consideration of Clause No. 3 of Report No. 20 of The Strategic Policies and Priorities Committee, headed 'Toronto Transit Commission - Procurement Authorization - Excavation and Paving 1998 Surface Track Program', was advised by the City Clerk that any increase to the Capital Program would first require a re-opening of that specific portion of the 1998 Capital Budget; and

WHEREAS the Chief Financial Officer and Treasurer has now submitted a report dated October 19, 1998, entitled 'Approved 1998 Debenture Issuance', embodying the following recommendation:

- '(2) The report "Toronto Transit Commission - Excavation and Paving 1998 Surface Track Program" as considered at its meeting on October 1 and 2, 1998, be amended by the following:

“That the approved 1998 Capital Program of the TTC be increased by \$1.891 million, that it be financed through the issuance of debentures for a term not exceeding twenty years, that the amount is within the City’s updated debt and financial obligation limit and direct the City Solicitor to apply to the OMB for approval as required under the City of Toronto Act,”’;

NOW THEREFORE BE IT RESOLVED THAT Recommendation No. (2) of the October 19, 1998 report be deleted and replaced by the following:

‘That the approved 1998 Capital Program of the TTC be increased by \$1.891 million and that it be financed from the TTC Capital Subsidy Reserve Fund and direct the City Solicitor to apply to the Ontario Municipal Board for approval as required under the City of Toronto Act;’;

AND BE IT FURTHER RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Report No. 6 of The Strategic Policies and Priorities Committee, insofar as it pertains to the 1998 Capital Budget and Financing Authorities, specifically the Excavation and Paving 1998 Surface Track Program for the Toronto Transit Commission, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the approved 1998 Capital Program of the TTC be increased by \$1.891 million and that it be financed from the TTC Capital Subsidy Reserve Fund and direct the City Solicitor to apply to the Ontario Municipal Board for approval as required under the City of Toronto Act.”

Council also had before it, during consideration of the foregoing Motion, a report (October 19, 1998) from the Chief Financial Officer and Treasurer, submitting recommendations in this regard. (See Attachment No. 1)

Upon the question of the adoption of the second Operative Paragraph embodied in foregoing Motion, without amendment, it was carried, more than two-thirds of Members present having voted in the affirmative.

Council deferred further consideration of the balance of the foregoing Motion until later in the meeting. (See Minute No. 1771)

1765 At this point in the proceedings, and with the permission of Council, Councillor Jakobek moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(6), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Jakobek

Seconded by: Councillor Bussin

“**WHEREAS** City Council at its meeting held on June 3, 4 and 5, 1998, adopted Clause No. 38 of Report No. 6 of The Toronto Community Council, headed ‘Naming of New Park - East of Main Development (Ward 26) East Toronto’; and

WHEREAS Council adopted, without amendment, the recommendation of the Toronto Community Council that the proposed park in the East of Main lands be named after Mr. Joe McNulty; and

WHEREAS after the naming had been approved, information was forthcoming which placed Mr. McNulty as a participant in the Christie Street riots and the Canadian Jewish Congress, other community members and residents at large have expressed their objection to this naming;

NOW THEREFORE BE IT RESOLVED THAT the previous action of Council respecting the naming of the new park after Mr. Joe McNulty be rescinded as recommended in the report dated October 27, 1998, from the Commissioner of Economic Development, Culture and Tourism.”

Council also had before it, during consideration of the foregoing Motion, a report dated October 27, 1998, from the Commissioner of Economic Development, Culture and Tourism, recommending that the previous action of City Council respecting the naming of the proposed park in the East of Main lands after Joe McNulty be rescinded. (See Attachment No. 2)

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried, more than two-thirds of Members present having voted in the affirmative.

- 1766 At this point in the proceedings, and with the permission of Council, Councillor Rae moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(9), moved by Councillor Rae, seconded by Councillor Adams, and, in the absence of Councillor Adams, seconded by Councillor O’Brien, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor O’Brien

“**WHEREAS** CANFAR, the Canadian Foundation for AIDS Research, hosts a fundraising gala each year, and this year it will occur on November 7, 1998, in the lobbies of the CN Tower; and

WHEREAS the event will occur prior to the next meeting of the Toronto Community Council;

NOW THEREFORE BE IT RESOLVED THAT City Council declare this event being held by CANFAR on November 7, 1998, from 6:00 p.m. to 3:00 a.m., to be an event of municipal significance for liquor licence purposes and that the Alcohol and Gaming Commission be advised that the City has no objection to it taking place nor to the extension of the service hours.”

Council also had before it, during consideration of the foregoing Motion, a communication (October 20, 1998) from Mr. J. Roick, Canadian Foundation for AIDS Research, respecting the extension of a liquor licence for their fund-raising event.

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

- 1767 At this point in the proceedings, and with the permission of Council, Councillor Flint moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(10), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Berger

“**WHEREAS** Council at its meeting of July 29, 1998, approved the construction of a sidewalk on Wimpole Drive; and

WHEREAS for reasons of economy, it is proposed to construct the sidewalk in conjunction with a local improvement for this street that is currently underway; and

WHEREAS recently several residents of Wimpole Drive have expressed opposition to the construction of a sidewalk on their street; and

WHEREAS prior to 1998, City of North York residents who opposed sidewalk construction on their street could appear before the Works Committee to state the reasons for opposing the sidewalk and ask that it not be built; and

WHEREAS the next meeting of the North York Community Council is scheduled for November 12, 1998; and

WHEREAS the road construction schedule indicates that the proposed sidewalk will not be installed before November 12, 1998;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 11 of Report No. 8 of The North York Community Council, headed ‘Sidewalks - Local Improvement Initiatives in the Approved 1998 Capital Budget - North York Spadina, North York Centre and North

York Centre South', pertaining to the construction of the sidewalk on Wimpole Drive only, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the aforementioned matter be referred to the North York Community Council meeting of November 12, 1998, to allow local residents an opportunity to speak to the issue."

Upon the question of the adoption of the first Operative Paragraph embodied in the foregoing Motion, without amendment, it was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the second Operative Paragraph embodied in the foregoing Motion, without amendment, it was carried.

1768 At this point in the proceedings, Councillor Johnston as canvasser for the United Way, with the permission of Council, extended her appreciation to the Members of Council for their generous donations, totalling \$11,000.00, to the 1998 United Way Campaign.

1769 At this point in the proceedings, Councillor Rae, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 12 of The Toronto Community Council, headed "Criteria for Boulevard Cafe Decks (All Wards in the Former City of Toronto)", be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

Clause No. 1 of Report No. 12 of The Toronto Community Council, headed "Criteria for Boulevard Cafe Decks (All Wards in the Former City of Toronto)".

Council also had before it, during consideration of the foregoing Clause, a communication (October 15, 1998) from Mr. David C. Poynton, Donahue and Partners regarding a request for raised decked installations for boulevard cafes.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Rae, in amendment, moved that the foregoing Clause be amended by adding to the end of Recommendation No. (3) of the Toronto Community Council the words "with the exception of those boulevard cafe decks previously approved by the former City of Toronto Council", so that such recommendation now reads as follows:

"(3) all boulevard cafe owners be required to comply with the proposed criteria for boulevard cafe decks, with the exception of those boulevard cafe decks previously approved by the former City of Toronto Council;"

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

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

1770 **Clause No. 3 of Report No. 10 of The North York Community Council, headed “Broadlands Community Centre - Parking Lot - Don Parkway”.**

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

- (i) (October 27, 1998) addressed to Councillor Gordon Chong, Don Parkway, from Mr. John Murphy, requesting Councillor Chong to recommend to Council that the two subject homes in this matter be sold by the City as single family homes and the proceeds be returned to North York’s Parkland Acquisition Reserve Fund, and that a decision on any parking lot at Broadlands Community Centre be deferred until March 1999;
- (ii) (October 28, 1998) from Mr. Erich Wabin, Chairman, Broadlands Older Adults, advising that the Broadlands Older Adults, which represents over 400 residents, passed a motion at their General Meeting recognizing the need for additional parking at the Broadlands Community Centre and supporting the construction of the parking lot at 23 and 25 Castlegrove Boulevard; and
- (iii) (October 28, 1998) from Mr. Larry March opposing the demolition of the two homes for the purpose of constructing a parking lot; submitting arguments in support his position; and attaching various correspondence respecting this matter.

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

- (a) Councillor Chong, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated August 26, 1998, from the Commissioner of Economic Development, Culture and Tourism, be adopted, subject to amending Recommendation No. (2) by deleting the words ‘Parkland Acquisition and Reserve Account’ and inserting in lieu thereof the words ‘Homeless Initiatives Fund’.”

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1773)

1771 **Clause No. 3 of Report No. 20 of The Strategic Policies and Priorities Committee, headed “Toronto Transit Commission - Procurement Authorization - Excavation and Paving 1998 Surface Track Program”.**

(See Appendix “A”, page .)

Council also had before it, during consideration of the foregoing Clause, a report (September 29, 1998) from the City Clerk reporting, as requested, on whether the action recommended in the September 23, 1998 report from the Chief Financial Officer and Treasurer would be a reconsideration of Council’s action respecting the Capital Program.

Having regard that the foregoing Clause was submitted without recommendation and that Council, by its adoption of the first Operative Paragraph embodied in Notice of Motion J(5), moved by Councillor Ootes, seconded by Councillor Jakobek, re-opened consideration of Report No. 6 of The Strategic Policies and Priorities Committee, insofar as it pertains to the 1998 Capital Budget and Financing Authorities, specifically the Excavation and Paving 1998 Surface Track Program for the Toronto Transit Commission, Councillor Kinahan moved that Council adopt the balance of the following Motion J(5):

Moved by: Councillor Ootes

Seconded by: Councillor Jakobek

“WHEREAS City Council at its meeting held on April 29 and 30, 1998, adopted, as amended, Report No. 6 of the Strategic Policies and Priorities Committee, which included recommendations pertaining to the 1998 Capital Budget and financing authorities; and

WHEREAS City Council at its meeting on October 1 and 2, 1998, during its consideration of Clause No. 3 of Report No. 20 of The Strategic Policies and Priorities Committee, headed ‘Toronto Transit Commission - Procurement Authorization - Excavation and Paving 1998 Surface Track Program’, was advised by the City Clerk that any increase to the Capital Program would first require a re-opening of that specific portion of the 1998 Capital Budget; and

WHEREAS the Chief Financial Officer and Treasurer has now submitted a report dated October 19, 1998, entitled ‘Approved 1998 Debenture Issuance’, embodying the following recommendation:

‘(2) The report “Toronto Transit Commission - Excavation and Paving 1998 Surface Track Program” as considered at its meeting on October 1 and 2, 1998, be amended by the following:

“That the approved 1998 Capital Program of the TTC be increased by \$1.891 million, that it be financed through the issuance of debentures for a term not exceeding twenty years, that the amount is within the City’s updated debt and financial obligation limit and direct the City Solicitor to apply to the OMB for approval as required under the City of Toronto Act,” ’;

NOW THEREFORE BE IT RESOLVED THAT Recommendation No. (2) of the October 19, 1998 report be deleted and replaced by the following:

‘That the approved 1998 Capital Program of the TTC be increased by \$1.891 million and that it be financed from the TTC Capital Subsidy Reserve Fund and direct the City Solicitor to apply to the Ontario Municipal Board for approval as required under the City of Toronto Act,’;

AND BE IT FURTHER RESOLVED THAT the approved 1998 Capital Program of the TTC be increased by \$1.891 million and that it be financed from the TTC Capital Subsidy Reserve Fund and direct the City Solicitor to apply to the Ontario Municipal Board for approval as required under the City of Toronto Act.”

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

1772 **Clause No. 6 of Report No. 15 of The Corporate Services Committee, headed “Sale of Surplus Spadina Property at 549 Arlington Avenue (Ward 28 - York-Eglinton)”.**

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

1773 Council resumed its consideration of Clause No. 3 of Report No. 10 of The North York Community Council, headed “Broadlands Community Centre - Parking Lot - Don Parkway”. (See also Minute No. 1771)

- (b) Councillor Bossons, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated August 26, 1998, from the Commissioner of Economic Development, Culture and Tourism, be adopted, subject to amending Recommendation No. (2) by deleting the words ‘with the proceeds credited to the Parkland Acquisition Reserve Account’ and inserting in lieu thereof the words ‘and that the funds from the sale of these two properties be used for the construction of publicly-owned housing, and further, that the manner of disposal of these funds and any necessary changes to applicable by-laws be referred to the Strategic Policies and Priorities Committee for consideration’.”

- (c) Councillor Flint, in amendment, moved that the foregoing Clause be struck out and referred back to the North York Community Council for further consideration, together with the foregoing motions (a) and (b) by Councillors Chong and Bossons, respectively, and the appropriate City officials be requested to submit a report thereon to the North York Community Council.

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

Yeas: Councillors: Altobello, Ashton, Berardinetti, Berger, Bussin, Cho, Duguid, Feldman, Flint, Johnston, Kelly, Kinahan, King, Lindsay Luby, Miller, Pitfield, Sinclair - 17.

Nays: Councillors: Augimeri, Balkissoon, Bossons, Brown, Chong, Filion, Holyday, Jones, Layton, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Prue, Sgro, Shaw, Shiner, Silva - 23.

Decided in the negative by a majority of 6.

(d) Councillor Flint, with the permission of Council, in further amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that, in the event that Council decides to keep the two residential properties for housing stock, they be placed on the list for the moratorium of properties referred to in Clause No. 4 of Report No. 10 of The Community and Neighbourhood Services Committee, if the moratorium is approved by Council.”

(e) Councillor Cho, in amendment, moved that consideration of the foregoing Clause be deferred to the next meeting of Council to be held on November 25, 1998, and the Chief Financial Officer and Treasurer be requested to submit a report directly to Council, for consideration therewith, on the best way of disposing of these properties.

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

Yeas: Councillors: Cho, Duguid, Flint, Lindsay Luby, Pitfield, Sinclair - 6.

Nays: Councillors: Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Chong, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, King, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Shaw, Shiner, Silva, Walker - 33.

Decided in the negative by a majority of 27.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing motion (b) by Councillor Bossons, ruled such motion out of order, viz.:

“that the foregoing Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

‘It is recommended that the report dated August 26, 1998, from the Commissioner of Economic Development, Culture and Tourism, be adopted, subject to amending Recommendation No. (2) by deleting the words “with the proceeds credited to the Parkland Acquisition Reserve Account” and inserting in lieu thereof the words “and that the funds from the sale of these

two properties be used for the construction of publicly-owned housing, and further, that the manner of disposal of these funds and any necessary changes to applicable by-laws be referred to the Strategic Policies and Priorities Committee for consideration”.’ ”

At this point in the proceedings, Councillor Chong, with the permission of Council, withdrew the words “subject to amending Recommendation No. (2) by deleting the words ‘Parkland Acquisition and Reserve Account’ and inserting in lieu thereof the words ‘Homeless Initiatives Fund’ ”, from his foregoing motion (a), so that such motion shall now read as follows:

“that the foregoing Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

‘It is recommended that the report dated August 26, 1998, from the Commissioner of Economic Development, Culture and Tourism, be adopted.’ ”

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

Yeas: Councillors: Ashton, Bossons, Chong, Feldman, Giansante, Holyday, Kelly, King, Layton, Lindsay Luby, O’Brien, Ootes, Pantalone, Shaw - 14.

Nays: Councillors: Altobello, Augimeri, Balkissoon, Berger, Bussin, Filion, Flint, Jones, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pitfield, Prue, Shiner, Sinclair, Walker - 22.

Decided in the negative by a majority of 8.

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

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

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berger, Bussin, Filion, Flint, Jones, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pitfield, Prue, Shiner, Sinclair, Walker - 22.

Nays: Councillors: Ashton, Bossons, Chong, Feldman, Giansante, Holyday, King, Layton, Lindsay Luby, O’Brien, Ootes, Pantalone, Shaw - 13.

Decided in the affirmative by a majority of 9.

1774 At the request of Council, the City Clerk called the Roll at 3:50 p.m., those Members present at the call of the Roll being:

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Bussin, Feldman, Filion, Giansante, Holyday, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sinclair, Walker - 30.

1775 Council resumed its consideration of Clause No. 1 of Report No. 12 of The Urban Environment and Development Committee, headed "Vital Services in Rental Residential Properties in the City of Toronto". (See also Minute No. 1757)

(c) Councillor Layton, in amendment, moved that the foregoing motion (b) by Councillor Mammoliti be referred to the Commissioner of Urban Planning and Development Services for a report thereon to the Urban Environment and Development Committee.

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

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

"that the foregoing Clause be amended by:

(2) striking out the draft by-law attached as Appendix 'A' to the report dated October 20, 1998, from the City Solicitor, and substituting therefor the following draft by-law:

CITY OF TORONTO

Draft By-law

BY-LAW

'To prohibit vital service suppliers from ceasing to provide vital services without providing thirty days notice to the City Clerk

WHEREAS property standards by-laws in force in the City of Toronto require landlords to provide vital services to rented premises; and

WHEREAS the Tenant Protection Act, 1997, provides that a municipality may pass a by-law requiring a vital service supplier to give the municipality thirty days notice of the intention to discontinue provision of the vital service where the landlord has breached a contract with a supplier for the supply of the vital service; and

WHEREAS, during the thirty day notice period, the City may use other methods to avoid discontinuation of a vital service, including the enforcement of property standards by-laws where appropriate; and

WHEREAS the property standards by-law in force in the City of Toronto, (including the Housing Standards provisions of the Municipal Code of the former City of Toronto) require landlords to provide vital services to rented premises; and

WHEREAS the provisions of the Building Code Act, as amended, provide that the officer may issue an emergency order with respect to a non-conformity that may pose an immediate danger to the health or safety of any person and further, take any measures necessary to terminate the danger; and

WHEREAS the provisions of the City of Toronto Act, as amended, provide that the inspector may issue an order with respect to a violation that constitutes an urgent hazard to the health or safety of any person and further, take whatever measures necessary to correct the violation; and

WHEREAS it is in the best interests of the City to have advance notice of the intention of any vital service provider to discontinue the provision of a vital service and in order that any interruption to a vital service may be averted; and

WHEREAS the Tenant Protection Act, 1997 provides that a municipality may pass a by-law requiring a vital service provider to give the municipality thirty days notice of the intention to discontinue provision of the vital service where the landlord has breached a contract with a supplier for the supply of the vital service;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In this by-law the following definitions apply:
 - (a) “City” means the City of Toronto.
 - (b) “Commissioner” means the Commissioner of Urban Planning and Development Services.
 - (c) “Landlord” includes,
 - (i) the owner or other person permitting occupancy of a rental unit;

- (ii) the heirs, assigns, personal representatives and successors in title of a person referred to in clause (i); and
 - (iii) a person, other than a tenant occupying a rental unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a landlord under the tenancy agreement or the Tenant Protection Act, including the right to collect rent.
- (d) “Rental Unit” means any living accommodation used or intended for use as rented residential premises, and includes,
- (i) a room in a boarding house, rooming house or lodging house and a unit in a care home; and
 - (ii) a site for a mobile home or a site on which there is a land lease home used or intended for use as rented residential premises.
- (e) “Tenant” includes a person who pays rent in return for the right to occupy a rental unit and includes a tenant’s heirs, assigns and personal representatives, but “tenant” does not include a person who has the right to occupy a rental unit by virtue of being,
- (i) a co-owner of the residential complex in which the rental unit is located, or
 - (ii) a shareholder of a corporation that owns the residential complex.
- (f) “Vital Service” means fuel, hydro, gas, or hot or cold water.

2. No supplier of a vital service shall cease to provide the vital service to a rental unit unless notice of the intended discontinuance of the vital service has been given in writing to the City Clerk at least thirty (30) days before the supplier ceases to provide the vital service.

3. Despite section 2, the notice of intended discontinuance shall be given only if the vital service is to be discontinued for a rental unit because the landlord has breached a contract with the supplier for the supply of the vital service.

4. The supplier of a vital service shall immediately restore the vital service when directed to do so by the Commissioner. The Commissioner shall issue such a direction when the vital service has been discontinued in a manner that is contrary to section 2 of this by-law.

5. Every person who contravenes or fails to comply with sections 2 or 4 of this by-law is guilty of an offence for each day or part of a day on which the offence occurs or continues.

6. Every director or officer of a corporation that is convicted of an offence who knowingly concurs in the commission of the offence is guilty of an offence.

ENACTED AND PASSED this day of October, A.D. 1998.’;”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Brown, Bussin, Chong, Chow, Disero, Feldman, Fillion, Flint, Giansante, Holyday, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Sinclair, Walker - 33.

Nay: Councillor: Mahood - 1.

Decided in the affirmative by a majority of 32.

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

“that the foregoing Clause be amended by:

(1) adding to Recommendation (A) of the Urban Environment and Development Committee the words ‘representatives of the Federation of Metro Tenants Associations and the Advocacy Group for the Legal Clinics’ after the word ‘necessary’, so that such recommendation shall now read as follows:

‘(A) establish a working group comprised of representatives of Municipal Standards, Public Health, other staff members as necessary, representatives of the Federation of Metro Tenants Associations and the Advocacy Group for the Legal Clinics, and relevant utility/fuel suppliers, to establish policies with respect to discontinuing service/supply;’ ”,

it was carried.

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

“that the foregoing Clause be amended by:

(3) adding thereto the following:

‘It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on an appropriate way to designate or include elevators as a vital service, as well as the powers of the City to ensure that tenants have access to their apartments.’ ”,

it was carried.

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

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berger, Brown, Bussin, Cho, Chong, Chow, Disero, Filion, Flint, Giansante, Holyday, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sinclair, Walker - 35.

Nays: Nil.

Decided in the affirmative, without dissent.

1776 Clause No. 2 of Report No. 3 of The Economic Development Committee, headed “Proposed Plan for Developing an Economic Development Strategy for the City of Toronto”.

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

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

“It is further recommended that an Economic Development Strategy Steering Committee be created to oversee the process of developing an economic development strategy for the City of Toronto, with the following membership:

- (a) the Committee Chair, being the Chair of the Economic Development Committee;
- (b) Councillor Davis, as a Member of the Economic Development Committee;
- (c) Councillor Faubert, as a Member of the Economic Development Committee;

- (d) the Commissioner of Economic Development, Culture and Tourism;
 - (e) the Managing Director of Economic Development; and
 - (f) three representatives of Toronto's business community.”
- (b) Councillor Moscoe, in amendment, moved that the foregoing motion (a) by Councillor Ashton be amended by:
- (1) adding to Part (f) the words “to be nominated by the business community”; and
 - (2) adding thereto a new Part (g) as follows:
 - “(g) one representative of the Labour Council of Metropolitan Toronto and York Region, to be nominated by the Labour Council.”

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

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

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

1777 Clause No. 3 of Report No. 3 of The Economic Development Committee, headed “Fashion Industry Liaison Committee Membership and 1997/1998 Activities”.

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

- (a) Councillor Moscoe, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
 - “It is further recommended that a representative of the North York garment district be added to the membership of the Fashion Industry Liaison Committee.”
- (b) Councillor Brown, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
 - “It is further recommended that a representative of the Etobicoke garment industry be added to the membership of the Fashion Industry Liaison Committee.”
- (c) Councillor Ashton, in amendment, moved that:

- (1) the foregoing motions (a) and (b) by Councillors Moscoe and Brown, respectively, be referred to the Economic Development Committee for consideration; and
- (2) the foregoing Clause be amended by adding thereto the following:

“It is further recommended that Councillor Kelly be appointed to the Fashion Industry Liaison Committee as the representative of the Economic Development Committee.”

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

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Brown, Cho, Chong, Chow, Disero, Duguid, Gardner, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Sinclair, Walker - 32.

Nays: Councillors: Flint, Kinahan, King, McConnell, Shiner - 5.

Decided in the affirmative by a majority of 27.

Upon the question of the adoption of Part (2) of the foregoing motion (c) by Councillor Ashton, it was carried.

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

1778 Clause No. 1 of Report No. 20 of The Strategic Policies and Priorities Committee, headed “Business Case Review of the ‘Works Best Practices Program’”.

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

- (i) (October 7, 1998) from the City Clerk advising that the Works and Utilities Committee directed that the communication dated October 5, 1998, from Councillor Chow, respecting the establishment of a work group to address the Works Best Practices Program, be forwarded directly to Council and that Locals 416 and 79 of the Canadian Union of Public Employees be requested to indicate in writing their concerns on this matter;
- (ii) (October 1, 1998) from the National Representative, Toronto Civic Employees' Union, CUPE, Local 416 requesting that Council refer the matter of the Works Best Practices Program back to the Works and Utilities Committee and that Council conduct a thorough audit of the program; and

- (iii) (October 22, 1998) from the President, Toronto Civic Employees' Union, CUPE, Local 416 advising that Local 416 is in favour of the creation of a "Working Group" to report to the Works and Utilities Committee with recommendations that enhance co-operation between staff and management to ensure that the delivery of high level public services is maintained.

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

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

"It is further recommended that:

- (1) City Council establish a work group to address the Works Best Practices Program, especially as it relates to restructuring;
 - (2) the work group report to the Works and Utilities Committee with recommendations that enhance co-operation between staff and management to ensure that the delivery of high level services to the public is maintained;
 - (3) the work group be comprised of two representatives of management, two representatives of Local 416, and two Members of Council; and
 - (4) Councillors Altobello and Layton be appointed to such work group."
- (b) Councillor Chow, in amendment, moved that the foregoing motion (a) by Councillor Layton be amended to provide that Councillor Shiner also be appointed to the work group to address the Works Best Practices Program.

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

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

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

1779 Clause No. 8 of Report No. 4 of The Economic Development Committee, headed "Other Items Considered by the Committee".

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

1780 At the request of Council, the City Clerk called the Roll at 4:41 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Walker - 41.

1781 Council resumed its consideration of Clause No. 1 of Report No. 14 of The Corporate Services Committee, headed "Agreement Between the Former City of Toronto and COTAPSAI (City of Toronto Administrative, Professional Supervisory Association, Incorporated)". (See also Minutes Nos. 1727 and 1733)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor King, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the Corporate Services Committee and inserting in lieu thereof the following:

"It is recommended that the report dated September 29, 1998, from the Executive Director, Human Resources, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the correspondence from COTAPSAI be received; and
- (2) the current practice continue; that letters to employees confirming eligibility for a separation package as a result of a position termination be sent at the time it is determined that they cannot be placed in an equivalent position.' "

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

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, O'Brien, Ootes, Saundercook, Shiner, Sinclair - 26.

Nays: Councillors: Bossons, Bussin, Chow, Disero, Johnston, Jones, Layton, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Silva, Walker - 15.

Decided in the affirmative by a majority of 11.

- 1782 Council resumed its consideration of Clause No. 2 of Report No. 14 of The Corporate Services Committee, headed “Employees’ Eligibility for Membership in COTAPSAI (City of Toronto Administrative, Professional Supervisory Association, Incorporated)”. (See also Minutes Nos. 1727 and 1733)

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor King, in amendment, moved that the foregoing Clause be amended by striking out the recommendations of the Corporate Services Committee and inserting in lieu thereof the following:

“It is recommended that the report dated September 29, 1998, from the Executive Director, Human Resources, embodying the following recommendation, be adopted:

‘It is recommended that the correspondence from COTAPSAI be received.’ ”

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

Yeas: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, O’Brien, Ootes, Saundercook, Shiner, Sinclair - 26.

Nays: Councillors: Bossons, Bussin, Chow, Disero, Johnston, Jones, Layton, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Prue, Walker - 14.

Decided in the affirmative by a majority of 12.

- 1783 **Clause No. 1 of Report No. 3 of The Economic Development Committee, headed “Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions”.**

Council also had before it, during consideration of the foregoing Clause, a report (September 30, 1998) from the Commissioner of Economic Development, Culture and Tourism reporting, as requested by the Economic Development Committee, on a draft brief to the Minister of Finance on the issue of bank mergers and recommending that Council approve, in principle, the brief and request the Mayor, or his designate, to make a deputation to the Senate and Commons hearings.

Council also had before it, during consideration of the foregoing Clause, a Research Bulletin (undated) from the Canadian Federation of Independent Business, entitled “Toronto Small Business Views on Bank Mergers”.

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

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

“It is further recommended that:

- (1) the report dated September 30, 1998, from the Commissioner of Economic Development, Culture and Tourism, entitled ‘Brief to the Federal Minister of Finance re Bank Mergers’, be adopted; and
- (2) City Council request the federal government to:
 - (a) create an independent Ombudsman for the banking industry;
 - (b) create a Consumer Protection Agency, in the event of a bank merger;
 - (c) establish a protocol with the major banks within the City of Toronto, in the event of any branch closures, and that advance notice and discussions be held with the appropriate City of Toronto staff and local Councillors prior to the closures; and
 - (d) declare the City of Toronto an International Banking Centre.”

- (b) Councillor Moscoe, in amendment, moved that:

- (1) the foregoing Clause be received; and
- (2) Council adopt the following recommendation:

“It is recommended that the Government of Canada be advised that the proposed mergers of the Canadian Imperial Bank of Commerce and the Toronto Dominion Bank, and the Royal Bank of Canada and the Bank of Montreal, are not in the best interests of the people of the City of Toronto.”

Councillor Moscoe, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Councillor Nunziata, seconded by Councillor Fotinos, moved that Councillor Moscoe be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.

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

“It is further recommended that City Council request of the Government of Canada that:

- (1) a mechanism be established (such as the Community Reinvestment Act) which would allow access to the banks' credit information, with a view to achieving accountability; and
- (2) membership on the Boards of Directors of banks be opened up to include representation from sectors such as consumers, shareholders, financial consulting groups, etc., in order to make banks more accountable."

Councillor Pantalone, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Councillor Korwin-Kuczynski, seconded by Councillor Fotinos, moved that Councillor Pantalone be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minutes Nos. 1804 and 1830)

Council recessed at 6:00 p.m.

8:08 P.M.

Council reconvened.

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

1784 Members present at the first evening session of the second day of this meeting:

Councillors: Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 45.

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

The Committee of the Whole recessed at 8:09 p.m. to meet privately to consider the following confidential matters remaining on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (1) Clause No. 2 of Report No. 9 of The Works and Utilities Committee, headed "Biosolids Beneficial Reuse Program at the Main Treatment Plant";
- (2) Clause No. 6 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Funding Sources to Offset the Financial Impact of the 1998 Toronto Police Association Contract Settlement";

- (3) Clause No. 15 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Status of Negotiations - A Proposal for Eliminating the City's Obligation to Provide an Annual Subsidy to the Toronto Harbour Commissioners"; and
- (4) Clause No. 2 of Report No. 22 of The Strategic Policies and Priorities Committee, headed "Court Ordered Recount in Scarborough-Malvern".

9:42 P.M.

Committee of the Whole reconvened in the Council Chamber.

Committee of the Whole rose.

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

1785 Members present at the second evening session of the second day of this meeting:

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 46.

1786 **Clause No. 2 of Report No. 9 of The Works and Utilities Committee, headed "Biosolids Beneficial Reuse Program at the Main Treatment Plant".**

(See Appendix "A", page .)

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

- (i) (October 14, 1998) from Mr. Moe Zolghadr, C. Eng., Ph.D., QEP, Senior Consultant, Zorix Consultants Inc. regarding the proposed odour control program by HR&T at the Main Treatment Plant;
- (ii) (October 19, 1998) from Ms. Karey Shinn, Co-Chair, The Safe Sewage Committee regarding the shortlisting for the Request for Proposal call for the Biosolids Beneficial Use Program at the Main Treatment Plant;
- (iii) (October 22, 1998) from Ms. Karen Buck, Board Member, Citizens for a Safe Environment; Member, Biosolids Multi-Stakeholder Committee and Member, Independent Review Committee submitting a history of Terratec Environmental Limited with respect to the biosolids beneficial use demonstration projects;

- (iv) (October 22, 1998) from Ms. Karen Buck, Board Member, Citizens for a Safe Environment; Member, Biosolids Multi-Stakeholder Committee and Member, Independent Review Committee (October 22, 1998) submitting a history of HR&T with respect to the biosolids beneficial use demonstration projects;
- (v) (October 26, 1998) from Mr. Fred Dominelli, President of Operation, HR&T regarding the Harbour Remediation and Transfer Inc. Alkaline Biosolids Demonstration Project at the Main Treatment Plant;
- (vi) (October 26, 1998) from Mr. Carmen Costa, President and Chief Executive Officer, HR&T in response to the communication (October 22, 1998) from Ms. Karen Buck regarding the demonstration project of HR&T at the Main Treatment Plant;
- (vii) (October 23, 1998) from R.V. Anderson Associates Limited, Consulting Engineers, Architects, Technology Managers submitting a report, as requested, on the Biosolids Beneficial Use Program, Expressions of Interest short list, Alkaline Stabilization and Composting; and
- (viii) (October 7, 1998) from Mr. Tony O'Donohue, Environmental Probe Limited forwarding suggestions with respect to the disposal of sludge from the Main Sewage Treatment Plant.

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

- (i) (October 26, 1998) from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act;
- (ii) (October 28, 1998) from Mr. Fred Dominelli, President of Operation, HR&T regarding the Harbour Remediation and Transfer Inc. Alkaline Biosolids Demonstration Project at the Main Treatment Plant; and
- (iii) (October 27, 1998) from Mr. Stephen Connell submitting copies of various correspondence with respect to the beneficial reuse of sewage biosolids.

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 connection with the foregoing Clause:

Moved by Councillor Bussin, seconded by Councillor Layton:

“That Council adopt the following recommendation:

‘It is recommended that the confidential report dated October 26, 1998, from the Commissioner of Works and Emergency Services, be

adopted, such report to remain confidential in accordance with the provisions of the Municipal Act.' ”

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

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, also reported that Council, at its in-camera meeting, had issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

1787 **Clause No. 6 of Report No. 21 of The Strategic Policies and Priorities Committee, headed “Funding Sources to Offset the Financial Impact of the 1998 Toronto Police Association Contract Settlement”.**

Council also had before it, during consideration of the foregoing Clause, a confidential transmittal letter (October 13, 1998) from the City Clerk, such transmittal letter to remain confidential in accordance with the provisions of the Municipal Act.)

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that Council, at its in-camera meeting, had amended the foregoing Clause to provide for confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

1788 **Clause No. 15 of Report No. 21 of The Strategic Policies and Priorities Committee, headed “Status of Negotiations - A Proposal for Eliminating the City’s Obligation to Provide an Annual Subsidy to the Toronto Harbour Commissioners”.**

(See Appendix “A”, page .)

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

1789 **Clause No. 2 of Report No. 22 of The Strategic Policies and Priorities Committee, headed “Court Ordered Recount in Scarborough-Malvern”.**

(See Appendix “A”, page .)

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

- (i) confidential communication (September 23, 1998) from Councillor Balkissoon, Scarborough Malvern, such communication to remain confidential in accordance with the provisions of the Municipal Act; and
- (ii) report (October 28, 1998) from the City Solicitor, as requested by the Strategic Policies and Priorities Committee, on issues raised in the communication (September 23, 1998) from Councillor Balkissoon, and the option of retaining the

same solicitor who would give a factum report on issues identified in the recount which could assist the City in seeking legislative amendments to the Elections Act.

Having regard that the foregoing Clause was submitted without recommendation:

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

“It is recommended that the report dated October 28, 1998, from the City Solicitor, be received.”

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

“It is recommended that:

(1) Council indicate its intent to retain the services of Mr. Ayers to provide City Council with a synopsis report on the election recount, together with recommendations on how the City of Toronto could request the provincial government to amend the legislation so that individuals such as Councillor Balkissoon are not economically challenged out of office; and

(2) the City Solicitor be requested to submit a report to the next meeting of the Strategic Policies and Priorities Committee on the fee requested by Mr. Ayers.”

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

“It is recommended that the City Solicitor be requested to submit a report to the Strategic Policies and Priorities Committee on the feasibility of the City paying for the costs incurred by Councillor Balkissoon, and that such payment be deemed to be a grant and also be deemed to be in the interests of the municipality, in accordance with the provisions of the Municipal Act.”

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

At this point in the proceedings, Councillor Gardner moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess in order to conclude consideration of the foregoing Clause, which was carried, more than two-thirds of Members present having voted in the affirmative.

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

“It is recommended that the City Solicitor be requested to submit a report to the Corporate Services Committee on the feasibility of Council establishing a

mechanism for its own automatic recount procedures for the next municipal election.”

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

“It is recommended that the City Solicitor be requested to petition the Court for a determination on whether Councillor Balkissoon can recover the cost of his participation in the Court proceedings.”

- (f) Councillor Miller moved that Council adopt the following recommendation:

“It is recommended that the City Solicitor be requested to seek a court order directing the City to pay the reasonable costs of Councillor Balkissoon and Ms. Montgomery, including legal costs incurred with respect to the court-ordered recount in Scarborough-Malvern.”

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

Yeas: Councillors: Berardinetti, Bossons, Chow, Disero, Duguid, Flint, Jakobek, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Saundercook, Shaw, Silva, Walker - 25.

Nays: Councillors: Altobello, Ashton, Augimeri, Brown, Bussin, Chong, Gardner, Holyday, Kelly, Kinahan, King, Ootes, Rae, Sgro, Shiner, Sinclair - 16.

Decided in the affirmative by a majority of 9.

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

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Flint, Gardner, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 37.

Nays: Councillors: Ashton, Holyday, Kelly - 3.

Decided in the affirmative by a majority of 34.

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

Yeas: Councillors: Ashton, Augimeri, Chong, Disero, Gardner, Holyday, Kelly, King, Layton, Mihevc, Moeser, Ootes, Pantalone, Sgro, Shiner, Silva, Walker - 17.

Nays: Councillors: Altobello, Berardinetti, Bossons, Brown, Bussin, Chow, Duguid, Flint, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Miller, Moscoe, Nunziata, Pitfield, Prue, Rae, Shaw, Sinclair - 23.

Decided in the negative by a majority of 6.

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

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

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the report dated October 28, 1998, from the City Solicitor, be received;
- (2) Council indicate its intent to retain the services of Mr. Ayers to provide City Council with a synopsis report on the election recount, together with recommendations on how the City of Toronto could request the provincial government to amend the legislation so that individuals such as Councillor Balkissoon are not economically challenged out of office; and
- (3) the City Solicitor be requested to:
 - (a) submit a report to the next meeting of the Strategic Policies and Priorities Committee on the fee requested by Mr. Ayers;
 - (b) submit a report to the Corporate Services Committee on the feasibility of Council establishing a mechanism for its own automatic recount procedures for the next municipal election; and
 - (c) seek a court order directing the City to pay the reasonable costs of Councillor Balkissoon and Ms. Montgomery, including legal costs incurred with respect to the court-ordered recount in Scarborough-Malvern.”

1790 Councillor Ashton, seconded by Councillor Shiner, at 10:28 p.m., moved that leave be granted to introduce:

Bill No. 818 To confirm the proceedings of the Council at its meeting held on the 28th and 29th days of October, 1998,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?", as follows:

By-law No. 733-1998 To confirm the proceedings of the Council at its meeting held on the 28th and 29th days of October, 1998,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Berardinetti, Brown, Chong, Chow, Disero, Duguid, Flint, Gardner, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 34.

Nays: Nil.

Decided in the affirmative, without dissent.

Council recessed at 10:29 p.m. to reconvene at 9:30 a.m. on Friday, October 30, 1998.

FRIDAY, OCTOBER 30, 1998, 9:43 A.M.

Council reconvened.

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

1791 Members present at the morning session of the third day of this meeting:

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Walker - 45.

1792 At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, invited Mr. Michael Coulis of "Ride Canada Awareness" and Councillors Chow, and Kinahan to the podium; advised the Council that Mr. Coulis began his cross Canada ride on May 3, 1998, to raise awareness for childhood sexual abuse; further advised the Council that October, 1998, has been proclaimed "Prevention of Child Abuse Month"; encouraged Members of Council to wear the purple ribbons that had been distributed in support of the

prevention of child abuse; and, on behalf of Council, extended the appreciation of Council to Mr. Coulis for his endeavours in this regard.

- 1793 At this point in the proceedings, and with the permission of Council, Councillor Altobello moved that in accordance with subsection 27(4) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(11), which was carried:

Moved by: Councillor Altobello

Seconded by: Councillor Ashton

“WHEREAS a substantial number of existing church sites in the Birchcliff and Clairlea Communities of the former City of Scarborough are zoned ‘Limited Institutional’ permitting senior citizens’ homes and nursing homes in addition to places of worship; and

WHEREAS the recent submission of an application for a senior citizens’ home under the ‘Limited Institutional’ zoning has revealed the absence of any height or density standards applying to these sites and has brought into question whether certain of these sites are suitable for senior citizens’ homes and nursing homes; and

WHEREAS in a October 27, 1998 memorandum, the Director, Community Planning, East District, advises that it would be prudent to study these sites to first, assess their suitability for these uses and second, if they are appropriate locations, to establish performance standards for incorporation into the Zoning By-law, in order to ensure an appropriate fit within the existing neighbourhood context;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Planning and Development Services be directed to undertake a planning study pertaining to all sites zoned ‘Limited Institutional’ within the Birchcliff and Clairlea communities:

- (a) to make recommendations concerning whether senior citizens’ homes and nursing homes should continue to be permitted under the ‘Limited Institutional’ zoning applying to the various sites; and
- (b) for sites where the permission for senior citizens’ homes and/or nursing homes will continue, to recommend performance standards for incorporation into the Zoning By-law, including but not limited to height and density standards, to ensure an appropriate fit within the existing neighbourhood context;

The above study to be provided to Council no later than September 1, 1999;

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.”

Council also had before it, during consideration of the foregoing motion, a communication (October 27, 1998) from the Director, Community Planning, East District, addressed to Councillors Altobello and Ashton, in regard to limited institutional zones in the Birchcliff and Clairlea communities.

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

1794 Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper for this meeting of Council, as follows:

Moved by: Councillor Silva

Seconded by: Councillor Pantalone

“**WHEREAS** City Council at its meeting held on July 8, 9 and 10, 1998, adopted, as amended, Clause No. 30 of Report No. 9 of The Corporate Services Committee, headed ‘Provision of Food Services at City Hall’; and

WHEREAS the following action was taken by Council:

‘That the foregoing Clause be amended by striking out the recommendations of The Corporate Services Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the Commissioner of Corporate Services be instructed to finalize the lease previously negotiated and signed by Mr. Palermo on behalf of 1158093 Ontario Limited; and
- (2) the lease include a provision that the operator be granted the right to exclusivity in terms of catering services for City Hall functions, except in those cases where religious dietary restrictions, such as Kosher or Hallal, are involved for special events.” ’; and

WHEREAS by the foregoing decision, the operation of the Cafeteria was given to a specific individual, by-passing the Proposal Call process; and

WHEREAS the Hotel Employees, Restaurant Employees Union, Local 75, is charging that this Council action may actually be in contravention of the Municipal Act; and

WHEREAS the Cafeteria staff has signed a petition requesting that Council re-open this issue and have also indicated that a new operator will not honour their collective agreement and recognize their Union for its membership;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, Clause No. 30 of Report No. 9 of The Corporate Services Committee, headed 'Provision of Food Services at City Hall', be re-opened for further consideration."

Council also had before it, during consideration of the foregoing Motion, a petition (August 10, 1998) from the Hotel Employees, Restaurant Employees Union, Local 75, requesting that Council re-open consideration of Clause No. 30 of Report No. 9 of The Corporate Services Committee, headed "Provision of Food Services at City Hall", for further consideration.

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

Yeas: Councillors: Ashton, Chong, Chow, Disero, Filion, Flint, Jakobek, Johnston, Jones, Kinahan, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Sgro, Silva, Walker - 23.

Nays: Councillors: Altobello, Cho, Duguid, Giansante, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mahood, Nunziata, Shiner - 11.

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

Clause No. 30 of Report No. 9 of The Corporate Services Committee, headed "Provision of Food Services at City Hall".

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Silva, in amendment, moved that the foregoing Clause be referred to the Corporate Services Committee for further consideration at its meeting to be held on November 9, 1998.

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

- 1795 At this point in the proceedings, and with the permission of Council, Councillor Disero moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(12), moved by Councillor Fotinos, seconded by Councillor Disero, and, in the absence of Councillor Fotinos, moved by Councillor Disero, seconded by Councillor Mihevc, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Mihevc

“**WHEREAS** the July 8, 1998 meeting of Council ratified the Agreement between the City and the Canadian Olympic Association (COA) defining their relationship, roles and responsibilities in bidding for the 2008 Olympic Games in Toronto and recommending that City officials be authorized to take the necessary action to give effect thereto, including participating in the incorporation and organization of the 2008 Toronto Olympic Bid Corporation (TO-Bid) required under the Agreement; and

WHEREAS it is necessary to fulfil the requirements of the Agreement concerning the TO-Bid Board membership, it is imperative that the final eight nominees of the COA be endorsed, completing the proportional representation requirements of the Board in time for its meeting on November 10, 1998;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report dated October 28, 1998, from the Commissioner of Economic Development, Culture and Tourism, and that such report be adopted.”

Council also had before it, during consideration of the foregoing Motion, a report (October 28, 1998) from the Commissioner of Economic Development, Culture and Tourism, recommending additional appointments to the Board of Directors of the 2008 Olympic Bid Corporation (TO-Bid). (See Attachment No. 3)

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

Council, by its adoption of the foregoing Motion, without amendment, adopted the report dated October 28, 1998, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendation:

“It is recommended that Council endorse the additional appointments to the Board of Directors of the 2008 Olympic Bid Corporation (TO-Bid), those persons named in Appendix 1 of this report.”

- 1796 At this point in the proceedings, and with the permission of Council, Councillor Walker moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(13), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Layton

“**WHEREAS** City Council, at its meeting held on June 3, 4 and 5, 1998, adopted, as amended, Clause No. 13 of Report No. 7 of the Corporate Services Committee, headed ‘Office Administration and Expenses of Members of Council’, wherein it is noted that:

‘. . . City Council approved a global budget of \$70,000.00 for each Councillor to cover the cost of general office requirements, communication and constituency office accommodation.

The global budget does not cover expenses that are corporate in nature, such as sponsorships and donations. These are similar in nature to grants and considered by Council as a whole . . .’; and

WHEREAS the following Recommendations Nos. (1) and (2) contained in Clause No. 66 of Report No. 12 of The Toronto Community Council, headed ‘Construction at 411 Duplex Avenue/33 Orchard Park Boulevard (North Toronto)’, appear to be contrary to the policy adopted by Council:

‘The Toronto Community Council recommends that:

- (1) City Council establish that the expenditure of the Councillor’s Communications Budget is entirely within the discretion of the Councillor, and that public scrutiny ensures the necessary accountability, and that no approval of the request by Councillor Walker is required;
- (2) in the event that Recommendation No. (1) fails,
 - (a) a grant in the amount of \$5,000.00 be given to the 33 Orchard View Boulevard and 411 Duplex Avenue Tenant Association, for the purpose of engaging legal and consulting assistance in the tenant appeal to the Ontario Housing Tribunal for a rent abatement;

- (b) the grant be deemed to be in the interest of the municipality; and
- (c) the funds be provided from Councillor Walker's Communication Budget; and

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 13 of Report No. 7 of The Corporate Services Committee be re-opened in order to permit Council to give consideration to the foregoing recommendations.”

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

Yeas: Councillors: Chow, Disero, Filion, Flint, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Prue, Shiner, Silva, Walker - 15.

Nays: Councillors: Altobello, Ashton, Chong, Duguid, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Lindsay Luby, Mahood, Minnan-Wong, Nunziata, Ootes, Rae, Saundercook - 17.

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

1797 At this point in the proceedings, and with the permission of Council, Councillor Rae moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(14), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

“**WHEREAS** the applicant is proposing to erect two illuminated fascia signs on the south and west elevations of the building to identify the new commercial tenants; and

WHEREAS the proposed signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code and are the subject of a minor variance application;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report of the Commissioner of Urban Planning and Development Services dated October 29, 1998 and that Recommendations Nos. (1) and (2) of such report be adopted.”

Council also had before it, during consideration of the foregoing motion, a report (October 29, 1998) from the Commissioner of Urban Planning and Development Services, submitting recommendations in this regard. (See Attachment No. 4)

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

Council, by its adoption of the foregoing Motion, without amendment, adopted the report dated October 29, 1998, from the Commissioner of Urban Planning and Development Services, embodying the following recommendations:

“It is recommended that:

- (1) City Council approve Application No. 998086 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two illuminated fascia signs (at 229 Yonge Street); and
- (2) the applicant be advised, upon approval of Application No. 998086, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.”

1798 At this point in the proceedings, and with the permission of Council, Councillor Bussin 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 was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bussin

Seconded by: Councillor Jakobek

“**WHEREAS** the Council of the former City of Toronto, by the adoption of Clause No. 26 of Report No. 9 of The Executive Committee at its meeting of March 4 and 5, 1996, authorized the acquisition of certain lands for the proposed Kingston Road extension and the widening of Queen Street East and, by the adoption of Clause No. 17 of Report No. 11 of The City Services Committee at its meeting of September 22 and 23, 1997, authorized the construction of the portion of the Kingston Road extension connecting into Eastern Avenue (the ‘Eastern Avenue extension’); and

WHEREAS a portion of the land required for the Eastern Avenue extension was laid out and dedicated on Plan of Subdivision No. 66M-2311 (identified as Eastern Avenue on the Plan) and is now in a condition to be assumed as a public highway and named to form part of Eastern Avenue; and

WHEREAS a portion of land required for the Eastern Avenue extension (Block 153 on Plan of Subdivision No. 66M-2311) is now in a condition to be laid out and dedicated as a public highway and named to form part of Eastern Avenue; and

WHEREAS a portion of the land required for the Queen Street East widening was laid out and dedicated on Plan of Subdivision No. 66M-2311 as Block 151 is now in a condition to be assumed as a public highway and named to form part of Queen Street East; and

WHEREAS in order for the City to open up the above portions of highway for use by motor vehicles on or about November 2, 1998, it is necessary to authorize the introduction of bills to lay out and dedicate, assume and name those portions of highway;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) a by-law or by-laws be introduced in Council to:
 - (a) authorize the laying out, dedication and naming of a portion of highway (Block 153 on Plan of Subdivision No. 66M-2311) to form part of Eastern Avenue;
 - (b) authorize the assumption and naming of the portion of highway identified as Eastern Avenue on Plan of Subdivision No. 66M-2311 to form part of Eastern Avenue; and
 - (c) authorize the assumption and naming of the portion of highway identified as Block 151 on Plan of Subdivision No. 66M-2311 to form part of Queen Street East; and
- (2) the by-law or by-laws referred to in Recommendation No. (1) become effective on November 2, 1998.”

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

1799 **Clause No. 6 of Report No. 11 of The Emergency and Protective Services Committee, headed “Amendments to the Criminal Code of Canada - Unlawful Avoidance of Police”.**

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

“It is further recommended that City Council request the Provincial Government to introduce amendments to the Highway Traffic Act which would significantly increase the penalties for unlawful vehicular flight from Police, in order to better reflect the gravity of this offence.”

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

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

1800 **Clause No. 9 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Toronto Transit Commission - Sheppard Subway - Bessarion Station".**

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

1801 **Clause No. 6 of Report No. 20 of The Strategic Policies and Priorities Committee, headed "Staff Lay-Offs in Works and Emergency Services".**

Council also had before it, during consideration of the foregoing Clause, a report (October 1, 1998) from the Commissioner of Works and Emergency Services regarding the pending lay-offs at the Water and Sewage Plants and advising that there is no plan with respect to lay-offs in 1998.

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

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

1802 **Clause No. 7 of Report No. 4 of The Economic Development Committee, headed "Celebrate Toronto Street Festival".**

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

"It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a further report to the Economic Development Committee on the feasibility of expanding the Celebrate Toronto Street Festival to include some activities along the waterfront, specifically in the former City of Etobicoke area of the City of Toronto."

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

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

1803 **Clause No. 1 of Report No. 10 of The Emergency and Protective Services Committee, headed "Seizing and Impounding of Vehicles Used by Persons Charged with Prostitution Offence".**

Council also had before it, during consideration of the foregoing Clause, a communication (October 28, 1998) addressed to the City Solicitor, from the Director - Litigation, responding to a request for information from Councillor Blake Kinahan, Lakeshore Queensway, on whether vehicles could be seized and impounded without any specific new legislation.

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

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

"It is further recommended that the communication dated October 28, 1998, from the Director, Litigation, addressed to the City Solicitor, respecting the seizing and impounding of vehicles used by persons charged with prostitution offences, be referred to the Chief of Police with a request that the Chief look into the subject matter further and consider seeking the advice of the Crown Attorney with respect to the use of Section 489 of the Criminal Code, and report thereon to the Police Services Board and the Emergency and Protective Services Committee."

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

"It is further recommended that the federal and provincial governments be requested to come to a quick conclusion to their consultation process and bring forward recommendations no later than the summer of 1999, to deal with the issue of prostitution."

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1818)

1804 Council resumed its consideration of Clause No. 1 of Report No. 3 of The Economic Development Committee, headed "Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions".
(See also Minutes Nos. 1783 and 1830)

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

"It is further recommended that:

- (1) City Council indicate to the federal government that it has no opinion on bank mergers at this time, pending adequate information being provided to make an informed decision; and
- (2) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development Committee on what impact bank mergers will have on:
 - (a) future bank closures;
 - (b) employment; and
 - (c) small businesses in Canada.”
- (e) Councillor Prue, in amendment, moved that the foregoing Clause be struck out and referred to the Mayor, together with all motions moved by Members of Council in this regard, and the Commissioner of Economic Development, Culture and Tourism be requested to submit a report directly to Council following the release of the report on bank mergers.
- (f) Councillor Miller, in amendment, moved that Part (1) of the foregoing motion (a) by Councillor Silva be amended by adding thereto the words “subject to deleting the first paragraph of the brief prepared by the Commissioner of Economic Development, Culture and Tourism and inserting in lieu thereof the following new paragraph:

‘I’m here before your committee today about the megabank mergers to ask you to stop!

It’s crazy.

Literally thousands of people out of work. Hundreds of branches would close. And for what? To let these big banks get even bigger?

Are they nuts??

Small business doesn’t want it.
The residents of Toronto don’t want it.
City Council doesn’t want it.
I don’t want it. Who wants megabanks?
NO BODY!’ ”
- (g) Councillor Ashton, in amendment, moved that the foregoing motion (e) by Councillor Prue be amended to provide that the Clause, together with the motions moved by Members of Council, be referred back to the Economic Development Committee for further consideration, and the Commissioner of Economic

Development, Culture and Tourism be requested to develop a position on this matter which addresses the concerns of Council and report thereon to the Committee.

- (h) Councillor Chow, in amendment, moved that Part (1) of the foregoing motion (a) by Councillor Silva, be amended to provide that the Mayor's brief to the Commons and Senate Hearings include the following:
- (1) that the federal government be requested to develop measures to force banks to:
 - (a) disclose more information on lending activities;
 - (b) disclose information on the cost structures of their service charges; and
 - (c) reinvest in their local communities;
 - (2) that the federal government be requested to enhance competition in Canadian banking by broadening access to the Canadian payment system; and
 - (3) that any mention of bank mergers that could lead to employment gains be deleted from the Mayor's brief.

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of the foregoing motion (f) by Councillor Miller, ruled such motion out of order.

Councillor Mahood challenged the ruling of the Deputy Mayor.

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

Yeas: Councillors: Altobello, Ashton, Cho, Chong, Disero, Duguid, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Nunziata, Ootes, Pantalone, Saundercook, Sgro, Silva - 21.

Nays: Councillors: Chow, Filion, Kinahan, Layton, Mahood, McConnell, Mihevc, Miller, Moscoe, Prue, Rae, Walker - 12.

Decided in the affirmative by a majority of 9.

Upon the question of the adoption of the foregoing motion (g) by Councillor Ashton, viz.:

"that the foregoing motion (e) by Councillor Prue be amended to provide that the Clause, together with the motions moved by Members of Council, be referred back

to the Economic Development Committee for further consideration, and the Commissioner of Economic Development, Culture and Tourism be requested to develop a position on this matter which addresses the concerns of Council and report thereon to the Committee.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Cho, Chong, Duguid, Flint, Giansante, Holyday, Johnston, Korwin-Kuczynski, Layton, Lindsay Luby, Ootes, Saundercook, Sgro, Silva - 16.

Nays: Councillors: Chow, Disero, Filion, Fotinos, Gardner, Kelly, Kinahan, Mahood, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Rae, Walker - 16.

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

Upon the question of the adoption of the foregoing motion (e) by Councillor Prue, without amendment, viz.:

“that the foregoing Clause be struck out and referred to the Mayor, together with all motions moved by Members of Council in this regard, and the Commissioner of Economic Development, Culture and Tourism be requested to submit a report directly to Council following the release of the report on bank mergers.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Cho, Chong, Duguid, Flint, Giansante, Johnston, Lindsay Luby, Nunziata, Prue, Saundercook - 11.

Nays: Councillors: Ashton, Chow, Disero, Filion, Fotinos, Gardner, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mahood, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Rae, Sgro, Silva, Walker - 22.

Decided in the negative by a majority of 11.

(i) Councillor Lindsay Luby, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Economic Development Committee and inserting in lieu thereof the following:

“It is recommended that the Commissioner of Economic Development, Culture and Tourism be requested to prepare a more definitive position for the City of Toronto respecting bank mergers, taking into account the most recent Hearings on this matter, and report thereon to the Economic Development Committee.”

Council deferred further consideration of the foregoing Clause until later in the meeting. (See also Minutes Nos. 1783 and 1830)

- 1805 At the request of Council, the City Clerk called the Roll at 10:51 a.m., those Members present at the call of the Roll being:

Councillors: Altobello, Ashton, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Saundercook, Sgro, Silva, Walker - 35.

- 1806 At this point in the proceedings, Deputy Mayor Ootes, with the permission of Council, introduced the Grades 4 and 5 students from Holy Cross School, present at this meeting.

Councillor Moscoe, with the permission of Council, introduced the following School Trustees, present at this meeting:

- Ms. Sheine Mankovsky;
- Ms. Gerri Gershon;
- Ms. Elizabeth Hill; and
- Ms. Christine Ferreira.

- 1807 **Clause No. 2 of Report No. 12 of The Urban Environment and Development Committee, headed "School Facility Review City-Wide".**

Council also had before it, during consideration of the foregoing Clause, a communication (October 21, 1998) from the City Clerk forwarding recommendations from the Economic Development Committee with respect to School Facility Reviews, City-Wide.

Council also had before it, during consideration of the foregoing Clause, a copy of the presentation made by the Commissioner, Urban Planning and Development Services, headed "Toronto District School Board's Candidates for School Closures", and background information dated October, 1998, from the Toronto District School Board, headed "School Closures--A Response to the Provincial Government's Student-Focused Funding Model".

At the request of Council, the Manager, Policy and Programs, City Planning Division, Urban Planning and Development Services Department, gave a presentation to the Council in regard to the proposed school closings.

Deputy Mayor Ootes designated Councillor Johnston to take the Chair for the next part of the meeting, and vacated the Chair.

Deputy Mayor Ootes resumed the Chair.

Council deferred further consideration of the foregoing Clause until later in the meeting.
(See Minutes Nos. 1825 and 1829)

Council recessed at 12:30 p.m.

2:12 P.M.

Council reconvened.

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

1808 At the request of Council, the City Clerk called the Roll at 2:13 p.m., those Members present at the call of the Roll being:

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pitfield, Saundercook, Sgro, Shiner, Silva, Walker - 33.

1809 Members present at the afternoon session of the third day of this meeting:

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Walker - 46.

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

1810 **Clause No. 1 of Report No. 7 of The Nominating Committee, headed "Appointments to the Toronto Licensing Commission/Tribunal".**

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

1811 **Clause No. 4 of Report No. 10 of The Community and Neighbourhood Services Committee, headed "Disposition of 'Property Houses' Owned by the City of Toronto".**

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

- (a) Councillor Kinahan, in amendment, moved that the foregoing Clause be struck out and referred to the Strategic Policies and Priorities Committee for further consideration in conjunction with the report to be submitted to the Committee by the Corporate Services Committee on a corporate-wide policy for the sale of 'Property Houses'.
- (b) Councillor Layton, in amendment, moved that the foregoing motion (a) by Councillor Kinahan be amended by adding thereto the words "and that Council adopt the following recommendation:

'It is recommended that the Commissioner of Corporate Services, in consultation with the Commissioner of Community and Neighbourhood Services, be requested, at their discretion, to house homeless families in those houses that are currently vacant and suitable for occupancy, such action to be taken as soon as possible.' "

- (c) Councillor Pantalone, in amendment, moved that the foregoing motion (a) by Councillor Kinahan be amended by adding thereto the words "with a request that this matter be considered by the Committee during the afternoon session of its meeting or at a subsequent meeting".

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

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

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

- 1812 **Clause No. 4 of Report No. 10 of The North York Community Council, headed "Construction Noise - The Majestic Condominium - 20, 24, 26, 30 and 32 Empress Avenue and 11, 15, 17 and 21 Kingsdale Avenue - Performance Bond - North York Centre".**

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

- 1813 **Clause No. 16 of Report No. 21 of The Strategic Policies and Priorities Committee, headed "Financial Impact to the City of Toronto - Recent Provincial Actions".**

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

- 1814 At this point in the proceedings, and with the permission of Council, Councillor Adams moved that, in accordance with subsection 28(2) of the Council Procedural By-law, Council now give consideration to the following Notice of Motion J(7), which was carried:

Moved by: Councillor Adams

Seconded by: Councillor Bossons

“WHEREAS the Ontario Municipal Board, in 1992, granted an application for the extension and enlargement of the residence at 9 Elderwood Drive, subject to certain conditions, including the provision of two rows of cedar hedge along the rear of the property in order to provide privacy and buffering to the owner/residents of 8 Silverwood Drive (OMB File V920196); and

WHEREAS the City’s Committee of Adjustment, in 1994, granted a minor variance permitting the demolition of the detached garage of 9 Elderwood Drive on condition that the cedar hedges referred to in the OMB decision dated December 4, 1992, (V920196) *‘be extended along the southerly boundary of the site for the full width of the lot’* (Committee Decision A-403-94); and

WHEREAS the owners of 9 Elderwood Drive have requested that the Ontario Municipal Board vary its December, 1992, Decision V920196 to remove the condition requiring the cedar hedge and such motion is scheduled to be heard November 24, 1998; and

WHEREAS it is important for the City to enforce its 1994 Committee of Adjustment decision; provide sufficient screening and buffering for 8 Silverwood Drive and to ensure compliance with the conditions imposed by the Board;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the City continue to support the condition originally imposed by the Ontario Municipal Board and expanded upon and reimposed by the Committee of Adjustment in 1994 that a double row of cedars be constructed along the entire rear property line of 9 Elderwood Drive;
- (2) the City Solicitor and a representative from Urban Forestry be directed to attend at the OMB hearing to uphold this requirement and to seek that an official landscape plan be added to the OMB Order;
- (3) if requested by the parties, that Richard Ubbens of Urban Forestry attend at the site to explore the potential resolution of this matter without the necessity of an Ontario Municipal Board hearing; and

- (4) the Buildings Department be requested to attend at 9 Elderwood Drive to ensure that all conditions attached to the extension and enlargement have been complied with and are enforced.”

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

- 1815 At this point in the proceedings, and with the permission of Council, Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(8), which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Adams

Seconded by: Councillor Bossons

“**WHEREAS** the City of Toronto Council authorized a pilot program of transferable parking permits in Area 5E in Midtown Ward for the initial six-month period ending November 30, 1998; and

WHEREAS residents in the pilot program area are requesting that the program continue; and

WHEREAS the pilot program will end November 30, 1998, unless Council authorizes the extension; and

WHEREAS City staff require some lead time to implement an extension of the pilot program;

NOW THEREFORE BE IT RESOLVED THAT City Council approve the continuation of the pilot program of a transferable parking permits in Area 5E and the Commissioner of Works and Emergency Services be requested to report prior to the conclusion of the December 1, 1998, and May 31, 1999, term of residential of parking permits, on the possible expansion of the transferable parking permits across all authorized permit parking areas and streets within the former City of Toronto.”

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

- 1816 **Clause No. 1 of Report No. 12 of The Board of Health, headed “Air Quality and a Federal Standard for Sulphur in Fuel”.**

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

- (1) deleting from the recommendation of the Board of Health, Recommendation No. (3) of the report dated July 29, 1998, from the Environmental Task Force, viz.:

“(3) City Council establish a high level delegation of Councillors and appropriate staff, including the Mayor, if possible, to make representations at both the federal and provincial levels;” and

- (2) adding thereto the following:

“It is further recommended that the federal and provincial governments be requested to purchase low sulphur fuel for their fleets of vehicles as soon as possible.”

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

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

- 1817 **Clause No. 7 of Report No. 12 of The Urban Environment and Development Committee, headed “Thirty Kilometre Per Hour Speed Limits Applied in Conjunction with Substantive Traffic-Calming Projects - Renewal and Extension of Enabling Legislation”.**

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

- 1818 Council resumed its consideration of Clause No. 1 of Report No. 10 of The Emergency and Protective Services Committee, headed “Seizing and Impounding of Vehicles Used by Persons Charged with Prostitution Offence”.

(See also Minute No. 1803)

- (c) Councillor Layton, in amendment, moved that the foregoing Clause be amended by deleting the word “charged” from the first Recital and the first Operative Paragraph of the Resolution embodied in the Clause and inserting in lieu thereof the word “convicted”.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Duguid, Filion, Gardner, Johnston, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Ootes, Pantalone, Pitfield, Saundercook, Shiner, Silva, Sinclair, Walker - 28.

Nays: Councillors: Ashton, Disero, Flint, Fotinos, Giansante, Holyday, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Nunziata, Prue - 12.

Decided in the affirmative by a majority of 16.

At this point in the proceedings, Councillor Layton, with the permission of Council, requested that the foregoing motion (a) by Councillor Kinahan be amended by deleting the word "charged" and inserting in lieu thereof the word "convicted".

Council concurred in the foregoing request.

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

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

'It is further recommended that the communication dated October 28, 1998, from the Director, Litigation, addressed to the City Solicitor, respecting the seizing and impounding of vehicles used by persons convicted with prostitution offences, be referred to the Chief of Police with a request that the Chief look into the subject matter further and consider seeking the advice of the Crown Attorney with respect to the use of Section 489 of the Criminal Code, and report thereon to the Police Services Board and the Emergency and Protective Services Committee.' "

it was carried.

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

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

'It is further recommended that the federal and provincial governments be requested to come to a quick conclusion to their consultation process and bring forward recommendations no later than the summer of 1999, to deal with the issue of prostitution.' "

it was carried.

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

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell,

Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shiner, Silva, Sinclair, Walker - 40.

Nay: Councillor: Kelly - 1.

Decided in the affirmative by a majority of 39.

1819 **Clause No. 4 of Report No. 7 of The Striking Committee, headed “Representation on the Board of Directors of the Metropolitan Toronto Housing Authority (MTHA)”.**

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

“It is further recommended that:

- (1) in the event that a response is not forthcoming by December 31, 1998, the City proceed to make its appointments;
- (2) the schedule of meetings and order paper of the MTHA be placed on the agenda of the Community and Neighbourhood Services Committee in sufficient time for the Committee to provide input to the process;
- (3) the MTHA be requested to permit Members of City Council to attend Board meetings and make deputations to the MTHA Board;
- (4) the agenda of the MTHA be provided to the City’s Housing Authority and included on its agenda; and
- (5) City Council request that a full copy of the MTHA agenda for each meeting be filed with the City Clerk.”

Council deferred further consideration of the foregoing Clause until later in the meeting.
(See Minute No. 1827)

1820 **Clause No. 2 of Report No. 20 of The Strategic Policies and Priorities Committee, headed “Service Level Harmonization”.**

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

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

“It is further recommended that the process of service level harmonization include input from the Community Councils at the early stages.”

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

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

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1830)

1821 **Clause No. 10 of Report No. 21 of The Strategic Policies and Priorities Committee, headed “Funding Requirements - City Hall Council Chamber and Main Committee Room”.**

Council also had before it, during consideration of the foregoing Clause, a communication (October 28, 1998) from the City Clerk forwarding the recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team in this regard.

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

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

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Corporate Services Committee outlining a total breakdown of monies spent on the City Hall Council Chamber and main Committee Room and all other renovations pertaining to the move to City Hall.”

- (b) Councillor Miller, in amendment, moved that the foregoing Clause be amended by striking out the recommendation of the Strategic Policies and Priorities Committee and inserting in lieu thereof the following:

“It is recommended that Recommendation No. (2) of the Sub-Committee to Consider the Relocation of All Members of Council to City Hall, as amended and recommended by the Special Committee to Review the Final Report of the Toronto Transition Team, embodied in the communication dated October 28, 1998, from the City Clerk, be adopted, viz.:

- ‘(2) funding in the amount of \$7,000.00 (plus applicable taxes) for the installation of millwork in the Live Production Unit area in the renovated Council Chamber, and funding in the amount of \$31,000.00 (plus applicable taxes) for the reinstallation of an existing electronic voting system into the main Committee Room at City Hall

be provided from the City Hall Renovation Project Contingency Fund.' ”

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

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

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

1822 **Clause No. 5 of Report No. 11 of The Emergency and Protective Services Committee, headed “Enactment of Bill C-68 - Gun Control Legislation”.**

Council also had before it, during consideration of the foregoing Clause, a communication (October 28, 1998) from Ms. Wendy Cukier, Coalition for Gun Control, regarding the enactment of Bill C-68 - Gun Control Legislation.

Council also had before it, during consideration of the foregoing Clause, communications from the following organizations requesting that the motion dealing with the enactment of Bill C-68 be referred back to the Emergency and Protective Services Committee in order to allow for further review and the hearing of depositions:

- (i) (October 27, 1998) from Mr. Larry Whitmore, Executive Manager, Ontario Handgun Association;
- (ii) (October 27, 1998) from Mr. Tony Bernardo, Executive Director, Canadian Institute for Legislative Action; and
- (iii) (October 27, 1998) from Mr. Gordon Gallant, Firearms Specialist, Ontario Federation of Anglers & Hunters.

Upon the question of the adoption of the foregoing Clause, without amendment, Councillor Holyday, in amendment, moved that the foregoing Clause be struck out and referred back to the Emergency and Protective Services Committee for further consideration and the hearing of depositions.

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

Yeas: Councillors: Gardner, Holyday, Korwin-Kuczynski, Pitfield, Saundercook - 5.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Duguid, Fillion, Flint, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Layton,

Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Shiner, Sinclair, Walker - 33.

Decided in the negative by a majority of 28.

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

Yeas Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Fillion, Flint, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Saundercook, Shiner, Sinclair, Walker - 36.

Nays: Councillors: Gardner, Holyday, Korwin-Kuczynski - 3.

Decided in the affirmative by a majority of 33.

1823 At this point in the proceedings, and with the permission of Council, Councillor McConnell, seconded by Councillor Mihevc, moved that leave be granted to introduce:

Bill No. 730 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.

Bill No. 731 To amend By-law No. 307, a by-law "To designate certain locations in the Borough of East York as pedestrian crossovers", being a by-law of the former Borough of East York.

Bill No. 732 To stop up and close part of the public lane abutting premises 323 Richmond Street East.

Bill No. 733 To exempt from municipal taxation certain lands of Toronto and Region Conservation Authority used as City Parks.

Bill No. 734 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bedford Road, College Street, Davisville Avenue, Ethel Avenue, Glenlake Avenue, Helendale Avenue, Lombard Street, Pine Crest Road, Violet Avenue, West Toronto Street.

Bill No. 735 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Coe Hill Drive, Dovercourt Road, Granby Street, Mackenzie Crescent, Scollard Street, St. Clarens Avenue.

- Bill No. 736 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
- Bill No. 737 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Madison Avenue.
- Bill No. 738 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as No. 1117 Dundas Street West.
- Bill No. 739 To amend the General Zoning By-law No. 438-86 with respect to lands known as No. 1117 Dundas Street West.
- Bill No. 740 To amend further By-law No. 20-85, a by-law "Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area", being a by-law of the former Municipality of Metropolitan Toronto.
- Bill No. 741 To repeal By-law No. 604-1998 exempting certain lands within the Eaton Centre from part-lot control.
- Bill No. 742 To exempt certain lands within the Eaton Centre from the provisions of subsection 50(5) of the Planning Act.
- Bill No. 743 To amend By-law No. 1997-0229, being "A By-law To amend General Zoning By-law 438-86 respecting the lands known as 1090 Shaw Street".
- Bill No. 744 To amend Section 15 of By-law No. 438-86 respecting the Index of Exceptions.
- Bill No. 745 To prohibit vital service suppliers from ceasing to provide vital services without providing thirty days notice to the City Clerk.
- Bill No. 746 To amend By-law Number 13219, the Malvern East Agricultural Holding By-law and Scarborough Zoning By-law Number 14402 with respect to the Malvern Community.
- Bill No. 747 To amend Scarborough Zoning By-law No. 12360, with respect to the Tam O'Shanter Community.
- Bill No. 748 To designate certain lands on a registered plan not subject to Part Lot Control in the Clairlea Community.
- Bill No. 749 To adopt Amendment No. 1016 of the Official Plan for the former City of Scarborough.

- Bill No. 750 To adopt Amendment No. 1018 of the Official Plan for the former City of Scarborough.
- Bill No. 751 A By-law to designate certain lands on a registered plan not subject to Part Lot Control.
- Bill No. 752 To amend City of North York By-law No. 7625.
- Bill No. 753 To adopt Amendment No. 468 of the Official Plan for the City of North York.
- Bill No. 754 To amend City of North York By-law No. 7625.
- Bill No. 755 To amend By-law number 3499-97 of the former City of York.
- Bill No. 756 To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
- Bill No. 757 To amend further By-law No. 23503, respecting the regulation of traffic on Toronto Roads.
- Bill No. 758 To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
- Bill No. 759 To amend Scarborough Zoning By-law, the Employment Districts Zoning By-law Number 24982 with respect to the Rouge Employment District.
- Bill No. 760 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Baldwin Street.
- Bill No. 761 To amend the former City of Toronto Municipal Code Ch. 400 Traffic and Parking, respecting Bedford Park Avenue.
- Bill No. 762 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hayden Street.
- Bill No. 763 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Madison Avenue.
- Bill No. 764 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Prince Arthur Avenue.
- Bill No. 765 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Shaftesbury Avenue.

- Bill No. 766 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Osler Street.
- Bill No. 767 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Clinton Street.
- Bill No. 768 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gerrard Street East.
- Bill No. 769 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Paton Road.
- Bill No. 770 To amend further Metropolitan Toronto By-law No. 108-86 designating certain locations on former Metropolitan Roads at Pedestrian Crossovers.
- Bill No. 771 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- Bill No. 772 To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
- Bill No. 773 To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
- Bill No. 774 To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
- Bill No. 775 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Borden Street.
- Bill No. 776 To amend the former City of Toronto Municipal Code Ch. 20, Business Improvement Areas, to make changes to the size and quorum for certain Boards of Management.
- Bill No. 777 To dedicate certain lands on Kipling Avenue for the purposes of a public highway.
- Bill No. 778 To dedicate certain lands on Finch Avenue East for the purposes of a public highway.
- Bill No. 779 To dedicate certain lands on Dufferin Street for the purposes of a public highway.
- Bill No. 780 To dedicate certain lands on Sheppard Avenue West for the purposes of a public highway.

- Bill No. 781 To dedicate certain lands on Millwood Road for the purposes of a public highway.
- Bill No. 782 To dedicate certain lands on Islington Avenue for the purposes of a public highway.
- Bill No. 783 To amend City of York By-law Number 196-84 being a By-law "To Regulate traffic on City of York roads".
- Bill No. 784 To amend City of York By-law Number 2958-94, being a By-law "To Regulate traffic on City of York roads".
- Bill No. 785 To close a portion of Roselawn Avenue in the City of Toronto (formerly the City of York) for vehicular traffic only.
- Bill No. 787 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 788 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 789 To authorize the designation of Fire Routes under Chapter 134 of The Etobicoke Municipal Code:
- 44 and 50 Montgomery Road (Memorial Pool and Health Club and Central Arena).
- Bill No. 790 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 791 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 792 To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.
- Bill No. 793 To amend Chapters 304 and 324 of the Etobicoke Zoning Code with respect to certain lands located at 31 Goodmark Place (Etobicoke).
- Bill No. 794 To amend former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to with respect to the regulation of goods sold at licensed boulevard marketing areas.

- Bill No. 795 To designate the property at 93 Balsam Avenue as being of architectural and historical value or interest.
- Bill No. 796 To amend City of York By-law Number 3491-80, being a By-law "To Provide for night-time parking of motor vehicles on Borough of York highways".
- Bill No. 797 To authorize the removal of certain trees growing on the highways of the Municipality.
- Bill No. 798 To designate the property at 4 and 8 South Kingsway as being of historical value or interest.
- Bill No. 799 To amend By-law No. 31001 of the former City of North York as amended.
- Bill No. 800 To amend By-law No. 31001 of the former City of North York, as amended.
- Bill No. 801 To amend By-law 31878 of the former City of North York, as amended.
- Bill No. 803 To Amend Chapters 340 and 342 of the Zoning Code with Respect to Certain Lands Located on the Southeast Corner of Royal York Road and Newcastle Street (Mimico).
- Bill No. 804 To amend further Metropolitan Toronto By-law No. 20-85, a by-law "Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area", a by-law of the former Municipality of Metropolitan Toronto.
- Bill No. 805 To adopt Amendment No. 67-98 to the Official Plan of the Etobicoke Planning Area in order to redesignate lands on the east side of Kipling Avenue at Bethridge Road.
- Bill No. 806 To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the east side of Kipling Avenue at Bethridge Road.
- Bill No. 807 To amend City of York By-law Number 196-84, being a By-law "To Regulate traffic on City of York roads".
- Bill No. 808 To amend City of York By-law Number 2958-94, being a By-law "To Regulate traffic on City of York roads".
- Bill No. 809 To designate the land and buildings at 3885 Yonge Street as being of architectural and historical value or interest.

- Bill No. 810 To designate the land and buildings at 250 Beecroft Road as being of architectural and historical value or interest.
- Bill No. 811 To lay out and dedicate for public highway purposes certain land extending southerly and westerly from Queen Street East, opposite Kingston Road, to form part of Eastern Avenue; to assume certain land, identified as Eastern Avenue, laid out and dedicated by Plan 66M-2311, for public highway purposes, to form part of Eastern Avenue; and to assume certain land, identified as Block 151, laid out and dedicated by Plan 66M-2311, for public highway purposes to form part of Queen Street East.
- Bill No. 812 To authorize the construction of certain asphalt and curbing works as local improvements on Council's initiative.
- Bill No. 813 To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located at the southeast corner of The West Mall and Holiday Drive.
- Bill No. 814 To Opt to have the New Multi-Residential Property Class apply within the City of Toronto.
- Bill No. 815 To effect interim control on certain lands zoned "Limited Institutional" in the Birchcliff Community Zoning By-law No. 8786 and Clairlea Community Zoning By-law No. 8978.
- Bill No. 816 To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former City of Toronto to adjust the rates for parking meters located on Elm Street, from University Avenue to Yonge Street,

which was carried.

Upon the question, "Shall these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws?", as follows:

- By-law No. 734-1998 To amend Restricted Area Zoning By-law No. 6752, as amended, of the Former Township of East York.
- By-law No. 735-1998 To amend By-law No. 307, a by-law "To designate certain locations in the Borough of East York as pedestrian crossovers", being a by-law of the former Borough of East York.
- By-law No. 736-1998 To stop up and close part of the public lane abutting premises 323 Richmond Street East.

- By-law No. 737-1998 To exempt from municipal taxation certain lands of Toronto and Region Conservation Authority used as City Parks.
- By-law No. 738-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bedford Road, College Street, Davisville Avenue, Ethel Avenue, Glenlake Avenue, Helendale Avenue, Lombard Street, Pine Crest Road, Violet Avenue, West Toronto Street.
- By-law No. 739-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Coe Hill Drive, Dovercourt Road, Granby Street, Mackenzie Crescent, Scollard Street, St. Clarens Avenue.
- By-law No. 740-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
- By-law No. 741-1998 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Madison Avenue.
- By-law No. 742-1998 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as No. 1117 Dundas Street West.
- By-law No. 743-1998 To amend the General Zoning By-law No. 438-86 with respect to lands known as No. 1117 Dundas Street West.
- By-law No. 744-1998 To amend further By-law No. 20-85, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, being a by-law of the former Municipality of Metropolitan Toronto.
- By-law No. 745-1998 To repeal By-law No. 604-1998 exempting certain lands within the Eaton Centre from part-lot control.
- By-law No. 746-1998 To exempt certain lands within the Eaton Centre from the provisions of subsection 50(5) of the Planning Act.
- By-law No. 747-1998 To amend By-law No. 1997-0229, being “A By-law To amend General Zoning By-law 438-86 respecting the lands known as 1090 Shaw Street”
- By-law No. 748-1998 To amend Section 15 of By-law No. 438-86 respecting the Index of Exceptions.

By-law No. 749-1998	To prohibit vital service suppliers from ceasing to provide vital services without providing thirty days notice to the City Clerk.
By-law No. 750-1998	To amend By-law Number 13219, the Malvern East Agricultural Holding By-law and Scarborough Zoning By-law Number 14402 with respect to the Malvern Community.
By-law No. 751-1998	To amend Scarborough Zoning By-law No. 12360, with respect to the Tam O'Shanter Community.
By-law No. 752-1998	To designate certain lands on a registered plan not subject to Part Lot Control in the Clairlea Community.
By-law No. 753-1998	To adopt Amendment No. 1016 of the Official Plan for the former City of Scarborough.
By-law No. 754-1998	To adopt Amendment No. 1018 of the Official Plan for the former City of Scarborough.
By-law No. 755-1998	A By-law to designate certain lands on a registered plan not subject to Part Lot Control.
By-law No. 756-1998	To amend City of North York By-law No. 7625.
By-law No. 757-1998	To adopt Amendment No. 468 of the Official Plan for the City of North York.
By-law No. 758-1998	To amend City of North York By-law No. 7625.
By-law No. 759-1998	To amend By-law number 3499-97 of the former City of York.
By-law No. 760-1998	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
By-law No. 761-1998	To amend further By-law No. 23503, respecting the regulation of traffic on Toronto Roads.
By-law No. 762-1998	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.

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| By-law No. 763-1998 | To amend Scarborough Zoning By-law, the Employment Districts Zoning By-law Number 24982 with respect to the Rouge Employment District. |
| By-law No. 764-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Baldwin Street. |
| By-law No. 765-1998 | To amend the former City of Toronto Municipal Code Ch. 400 Traffic and Parking, respecting Bedford Park Avenue. |
| By-law No. 766-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hayden Street. |
| By-law No. 767-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Madison Avenue. |
| By-law No. 768-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Prince Arthur Avenue. |
| By-law No. 769-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Shaftesbury Avenue. |
| By-law No. 770-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Osler Street. |
| By-law No. 771-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Clinton Street. |
| By-law No. 772-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gerrard Street East. |
| By-law No. 773-1998 | To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Paton Road. |
| By-law No. 774-1998 | To amend further Metropolitan Toronto By-law No. 108-86 designating certain locations on former Metropolitan Roads at Pedestrian Crossovers. |
| By-law No. 775-1998 | To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads. |
| By-law No. 776-1998 | To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads. |

By-law No. 777-1998	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
By-law No. 778-1998	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
By-law No. 779-1998	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Borden Street.
By-law No. 780-1998	To amend the former City of Toronto Municipal Code Ch. 20, Business Improvement Areas, to make changes to the size and quorum for certain Boards of Management.
By-law No. 781-1998	To dedicate certain lands on Kipling Avenue for the purposes of a public highway.
By-law No. 782-1998	To dedicate certain lands on Finch Avenue East for the purposes of a public highway.
By-law No. 783-1998	To dedicate certain lands on Dufferin Street for the purposes of a public highway.
By-law No. 784-1998	To dedicate certain lands on Sheppard Avenue West for the purposes of a public highway.
By-law No. 785-1998	To dedicate certain lands on Millwood Road for the purposes of a public highway.
By-law No. 786-1998	To dedicate certain lands on Islington Avenue for the purposes of a public highway.
By-law No. 787-1998	To amend City of York By-law Number 196-84 being a By-law "To Regulate traffic on City of York roads".
By-law No. 788-1998	To amend City of York By-law Number 2958-94, being a By-law "To Regulate traffic on City of York roads".
By-law No. 789-1998	To close a portion of Roselawn Avenue in the City of Toronto (formerly the City of York) for vehicular traffic only.
By-law No. 790-1998	To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I.

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| By-law No. 791-1998 | To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I. |
| By-law No. 792-1998 | To authorize the designation of Fire Routes under Chapter 134 of The Etobicoke Municipal Code:

44 and 50 Montgomery Road (Memorial Pool and Health Club and Central Arena). |
| By-law No. 793-1998 | To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I. |
| By-law No. 794-1998 | To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I. |
| By-law No. 795-1998 | To amend the Etobicoke Municipal Code with respect to Traffic - Chapter 240, Article I. |
| By-law No. 796-1998 | To amend Chapters 304 and 324 of the Etobicoke Zoning Code with respect to certain lands located at 31 Goodmark Place (Etobicoke). |
| By-law No. 797-1998 | To amend former City of Toronto Municipal Code Chapter 313, Streets and Sidewalks, to with respect to the regulation of goods sold at licensed boulevard marketing areas. |
| By-law No. 798-1998 | To designate the property at 93 Balsam Avenue as being of architectural and historical value or interest. |
| By-law No. 799-1998 | To amend City of York By-law Number 3491-80, being a By-law "To Provide for night-time parking of motor vehicles on Borough of York highways". |
| By-law No. 800-1998 | To authorize the removal of certain trees growing on the highways of the Municipality. |
| By-law No. 801-1998 | To designate the property at 4 and 8 South Kingsway as being of historical value or interest. |
| By-law No. 802-1998 | To amend By-law No. 31001 of the former City of North York as amended. |
| By-law No. 803-1998 | To amend By-law No. 31001 of the former City of North York, as amended. |

- By-law No. 804-1998 To amend By-law 31878 of the former City of North York, as amended
- By-law No. 805-1998 To amend Chapters 340 and 342 of the Zoning Code with Respect to Certain Lands Located on the Southeast Corner of Royal York Road and Newcastle Street (Mimico).
- By-law No. 806-1998 To amend further Metropolitan Toronto By-law No. 20-85, a by-law "Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area" a by-law of the former Municipality of Metropolitan Toronto.
- By-law No. 807-1998 To adopt Amendment No. 67-98 to the Official Plan of the Etobicoke Planning Area in order to redesignate lands on the east side of Kipling Avenue at Bethridge Road.
- By-law No. 808-1998 To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the east side of Kipling Avenue at Bethridge Road.
- By-law No. 809-1998 To amend City of York By-law Number 196-84, being a By-law "To Regulate traffic on City of York roads".
- By-law No. 810-1998 To amend City of York By-law Number 2958-94, being a By-law "To Regulate traffic on City of York roads".
- By-law No. 811-1998 To designate the land and buildings at 3885 Yonge Street as being of architectural and historical value or interest.
- By-law No. 812-1998 To designate the land and buildings at 250 Beecroft Road as being of architectural and historical value or interest.
- By-law No. 813-1998 To lay out and dedicate for public highway purposes certain land extending southerly and westerly from Queen Street East, opposite Kingston Road, to form part of Eastern Avenue; to assume certain land, identified as Eastern Avenue, laid out and dedicated by Plan 66M-2311, for public highway purposes, to form part of Eastern Avenue; and to assume certain land, identified as Block 151, laid out and dedicated by Plan 66M-2311, for public highway purposes to form part of Queen Street East.
- By-law No. 814-1998 To authorize the construction of certain asphalt and curbing works as local improvements on Council's initiative.

- By-law No. 815-1998 To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located at the southeast corner of The West Mall and Holiday Drive.
- By-law No. 816-1998 To Opt to have the New Multi-Residential Property Class apply within the City of Toronto.
- By-law No. 817-1998 To effect interim control on certain lands zoned "Limited Institutional" in the Birchcliff Community Zoning By-law No. 8786 and Clairlea Community Zoning By-law No. 8978.
- By-law No. 818-1998 To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former City of Toronto to adjust the rates for parking meters located on Elm Street, from University Avenue to Yonge Street,

it was carried.

- 1824 At this point in the proceedings, and with the permission of Council, Councillor Berardinetti, seconded by Councillor Adams, at 2:36 p.m., moved that leave be granted to introduce:

Bill No. 819 To confirm the proceedings of the Council at its meeting held on the 28th, 29th and 30th days of October, 1998,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?", as follows:

By-law No. 819-1998 To confirm the proceedings of the Council at its meeting held on the 28th, 29th and 30th days of October, 1998,

it was carried, without dissent.

- 1825 Council resumed its consideration of Clause No. 2 of Report No. 12 of The Urban Environment and Development Committee, headed "School Facility Review City-Wide". (See also Minutes Nos 1807 and 1829)

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

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

"It is further recommended that:

- (1) **‘WHEREAS** the City of Toronto faces crippling school closures that will damage community services as well as education; and
- WHEREAS** the GTA municipalities also face school closures that undermine the fabric of their community services; and
- WHEREAS** the Province’s rigid funding formula is responsible for forcing boards to close schools; and
- WHEREAS** the Provincial Government has shown itself to be deaf to the pleading of the City of Toronto, when it acts alone;
- NOW THEREFORE BE IT RESOLVED THAT** City Council, in tandem with the School Boards, conduct an organized effort to reach out to the School Boards and municipalities in the 905 area to initiate a co-ordinated effort to lobby the Province of Ontario for changes to the funding formula;
- AND BE IT FURTHER RESOLVED THAT** the Mayor take the lead in this effort;
- AND BE IT FURTHER RESOLVED THAT** the Commissioner of Urban Planning and Development Services be directed to take the necessary action to give effect to the foregoing.’;
- (2) the Chief Financial Officer and Treasurer be requested to submit a report to the School Tax Sub-Committee for its meeting to be held on November 16, 1998, on the financial resources necessary to combat the Province of Ontario’s attack on the schools in the City of Toronto and the appropriate source of funds; and
- (3) the City Solicitor be requested to submit a report to the School Tax Sub-Committee for its meeting to be held on November 16, 1998, on any legal avenues open to the City of Toronto to prevent the closing of schools, including:
- (a) injunctions against the disposal of facilities in which we have invested;
 - (b) constitutional challenges on the ability of the Province to usurp the will of taxpayers who funded and built these schools; and
 - (c) any other avenues deemed to be potentially productive.”

Councillor McConnell, having spoken to the matter for a period of five minutes, as provided for in Section 24 of the Council Procedural By-law, Councillor Walker, seconded by

Councillor Adams, moved that Councillor McConnell be granted a further period of five minutes in order to permit the conclusion of her remarks, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Duguid, Filion, Fotinos, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Saundercook, Sgro, Walker - 28.

Nays: Councillors: Bossons, Chong, Flint, Holyday, Kinahan - 5.

Decided in the affirmative by a majority of 23.

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

“It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the Mayor’s Office, be requested to expeditiously develop a strong and consistent communications campaign to rally public opposition against the mass closings of schools, in an effort to convince the Provincial government to take action to avoid these school closings, and the resulting communications campaign material and information be circulated to Members of Council to assist them in their own proactive efforts in their respective Wards to ensure a consistent and effective communications strategy.”

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

“It is further recommended that City Council request the School Boards to develop:

- (1) a space formula on student population to be applied to the outdoor space of a school yard; and
- (2) another formula to determine the appropriate number of students living outside the community school who should be accepted into that school and will have to be bussed in.”

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

“It is further recommended that the Mayor and Members of Council express to the Province of Ontario deep concern and dismay with respect to the Provincial government’s education funding policy and its impact on our community.”

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

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee in late November or early December, 1998, on immediate steps that could be taken to protect our neighbourhoods from the impact of school closings and preserve these valuable community resources by restricting, where appropriate, the alternate uses for closed schools to those which are supportive of the local communities.”

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

“It is further recommended that:

- (1) City Council condemn the wanton and reckless attack on the City of Toronto’s precious educational resources unleashed by the Provincial educational funding policies;
- (2) City Council call on all citizens and organizations in the City of Toronto to inform themselves fully on the magnitude of the school closing crisis and to join with the City in defending the school system in whatever ways they can;
- (3) the Mayor be requested to convene a summit of all key leaders in the City of Toronto, from all sectors -- including business, the media, social and community organizations, educational sectors (including universities), the labour movement, religious leadership, and all other organizations, and that this summit provide information about the extent of the crisis of school funding and proposed facility closures and solicit the full involvement of the community in developing the City’s strategy to oppose the proposals;
- (4) the City Solicitor, in consultation with the senior management of the City, be requested to assemble a legal team to develop and analyze options to take legal action against the provincial government so as to prevent the proposed dramatic school closures, and the Mayor be requested to call an emergency meeting of Council, if necessary, when this strategy analysis is complete; and
- (5) the City Solicitor and the Commissioner of Urban Planning and Development Services be requested to jointly analyze the statements of the Minister of Education concerning his contention that school space need not be closed because space reductions can be achieved through reduction of administrative space, in order to determine the validity of the Minister’s

statements, and report thereon to Council, through the Urban Environment and Development Committee, such report to include full background information.”

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

“It is further recommended that as part of Council’s communications campaign to raise awareness of the school closing issue, City Councillors be authorized to use funds from their office budgets and:

- (1) erect signs on the City-owned boulevards in front of schools, in order to publicize the school closures; and/or
- (2) undertake other communications campaigns in order to raise the awareness.”

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

“It is further recommended that:

- (1) City Council approach the School Boards to form a joint ‘Strategy Team’ with respect to the proposed school closings;
- (2) the City component be chaired by the Mayor or his designate and be comprised of five Members of Council who have previous experience in education administration or were former School Trustees;
- (3) the School Boards be requested to name a joint Chair and appoint an equivalent number of School Trustees;
- (4) the Strategy Team begin meeting as soon as possible and be given the responsibility of steering the political strategies for dealing with this issue; and
- (5) the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on the displacement that might have to occur at any of the parochial and other schools that are currently leasing space, as a result of the Minister of Education’s decision.”

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

“It is further recommended that:

- (1) the City of Toronto refuse to participate with the provincial operation review of child care centres until such time as the Province of Ontario agrees to:
 - (a) fund the impact of relocation of children as a result of school closures; and
 - (b) ensure the City of Toronto that no children would lose their child care service as a result of school closures;
 - (2) the City of Toronto provide support to the School Board's review by:
 - (a) notifying all ratepayers/homeowners/Tenant Associations, B.I.A.s, Child Care and Resource Centres and Community Centres of the facts, figures and impact of school closures;
 - (b) assisting in bringing interested people from the above organizations to the Area Review Committee; and
 - (c) assisting local Councillors in bringing interested people to public meetings to discuss school closures;
 - (3) interested Councillors be provided with up to 100 signs each with the words:

‘MIKE HARRIS, PLEASE DON'T CLOSE OUR SCHOOL’,

and four signs per school designated to close; and
 - (4) in future, if Councillors have additional strategies related to school closures and its impact, such strategies be forwarded to the School Tax Sub-Committee for the development of a joint strategy with the School Boards, and to the Children and Youth Action Committee for action and information.”
- (j) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) the Fire Chief be instructed to meet with the Ontario Fire Marshall in order to provide Council, the School Boards and the Ministry of Education with the maximum person capacity for each school in the City of Toronto;
 - (2) the Fire Chief be instructed to inform the Ministry of Education and the School Boards that the Fire Code will be strictly enforced and over-crowding in schools will not be permitted; and

(3) the City of Toronto Buildings and Inspections Department be instructed to enforce the Building Code with respect to prohibiting over-crowding in schools in the City of Toronto.”

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

“It is further recommended that every Department, Agency, Board and Commission be requested to:

(1) analyze the impact of the school closures; and

(2) make proposals on how the school closures can be opposed from their jurisdictional perspective.”

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

“It is further recommended that the Commissioner of Urban Planning and Development Services be instructed to immediately begin the process to designate publicly-owned school properties as public open space, wherever feasible, or to initiate any other measures needed to preserve community use of school properties and protect neighbourhoods from in appropriate use of closed schools.”

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

“It is further recommended that:

(1) the Minister of Community and Social Services be requested to develop an immediate plan to ensure that the same quality and level of child care service is provided for each child who is displaced by the closing of any school in the City of Toronto prior to finalization of the school closure plan; and

(2) the Minister of Education be requested to develop a plan that:

(a) guarantees that any student who is displaced by the closing of a City of Toronto school will be provided with the same quality and level of educational learning, including any special education classes, that he or she received in the former school; and

(b) ensures that any immigrant child will receive the same level and continuity of instruction in English as a Second Language (ESL) that he or she would have received in the former school.”

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

“It is further recommended that:

‘**WHEREAS** the Progressive Conservative party pledged during the last Provincial election campaign that, if elected, their government would make no cuts to education funding; and

WHEREAS the new Provincial school funding formula, based on square feet per student, includes hallways, gymnasiums, washrooms, libraries and boiler rooms in the square footage calculations, has, in fact, resulted in cuts to education funding that will force the closure of 130 schools by the Toronto District School Board and at least 30 schools by the Toronto Catholic District School Board, and will have a negative impact on the quality of education in the schools that remain open; and

WHEREAS this square footage formula of 100 square feet for elementary students and 130 square feet for secondary students, has no educational rationale and is an unacceptable method for determining educational funding to communities in the Province; and

WHEREAS the allocation of office space for MPPs is, on average, 900 square feet, but has no relation to the funding provided to the MPP to operate their legislative office;

NOW THEREFORE BE IT RESOLVED THAT City Council request that the Toronto Board of Education declare that it cannot facilitate the closings of schools for the Harris government, and rejects any educational funding formula based on square footage which will result in the closing of schools throughout the City;

AND BE IT FURTHER RESOLVED THAT City Council develop a joint strategy with the School Tax Sub-Committee to co-ordinate opposition to the new Provincial funding formula and explore alternative funding mechanisms;

AND BE IT FURTHER RESOLVED THAT a copy of this Resolution be forwarded to all Toronto area MPPs;

AND BE IT FURTHER RESOLVED THAT Members of Council who are interested be added to the membership of the School Tax Sub-Committee and that they be identified today and so approved.’ ”

Deputy Mayor Ootes designated Councillor Chong to take the Chair for the next part of the meeting, and vacated the Chair.

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

“It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on the impact of the school closures on Community School programs in the former City of Etobicoke area of the City of Toronto.”

Deputy Mayor Ootes resumed the Chair.

- (p) Councillor Ashton, in amendment, moved that the foregoing Clause be amended in accordance with the recommendations of the Economic Development Committee embodied in the communication dated October 21, 1998, from the City Clerk, wherein it is recommended that the recommendations of the Urban Environment and Development Committee be amended as follows:

- (1) Recommendation (C) be amended to include the Toronto French School Boards in the joint meeting, so that such recommendation shall now read as follows:

“(C) direct that an emergency joint meeting be convened between City Council, the Toronto District School Board, the Toronto Catholic District School Board and the French School Boards with respect to this matter;” and

- (2) Recommendation (D)(a) be amended by adding thereto the words “or those that could be converted to much needed community uses”, so that such recommendation shall now read as follows:

“(D) request the Commissioner of Urban Planning and Development Services:

- (a) in developing the plan for school facilities referred to in Recommendation No. (1), embodied in the report (September 17, 1998) from the Commissioner of Urban Planning and Development Services, to consider a system of incentives for retaining lands and space that deliver important community programs and amenities or those that could be converted to much needed community uses;”.

- (q) Councillor Augimeri, in amendment, moved that:

- (1) the foregoing Clause be amended by adding thereto the following:

“It is further recommended that:

- (a) the City of Toronto request the assistance of the federal government to document the funds that have been spent on schools through their infrastructure program; and
- (b) the Federal government be requested to join with the City of Toronto in order to recover, through the Court system, the funds spent by the City, the Federal government and the public.”; and

- (2) the foregoing motions (h) and (l), by Councillors Moscoe and Filion, respectively, be referred to the School Tax Sub-Committee for report thereon.

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

“It is further recommended that the City Solicitor, in consultation with the appropriate City officials, be requested to submit a report to the School Tax Sub-Committee on:

- (1) the possibility of the City seeking an injunction in view of the adverse effect on the municipal programs in the schools;
- (2) whether the parents of Allenby School and John Wanless School would have cause to seek an injunction because of the domino effect of these closings on the child care programs in which they have invested money;
- (3) when it would be appropriate to designate schools in the City of Toronto under the Ontario Heritage Act; and
- (4) any other legal tools that may be available to the City of Toronto.”

- (s) Councillor Disero, in amendment, moved that:

- (1) the foregoing motion (g) by Councillor Pantalone be amended by inserting in Part (1), after the words “front of schools”, the words “and on private property where the property owner consents”; and

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

“It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the City Solicitor, be requested

to submit a report to the Urban Environment and Development Committee on any legal penalties should the School Board Trustees not proceed with the school closings.”

At this point in the proceedings, Councillor Disero moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 4:00 p.m. adjournment, and that Council continue to meet until 4:30 p.m., the vote upon which was taken as follows:

Yeas: Councillors: Ashton, Augimeri, Berardinetti, Bussin, Cho, Chong, Disero, Duguid, Fillion, Flint, Fotinos, Giansante, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 33.

Nays: Councillors: Holyday, Jakobek - 2.

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

Council deferred further consideration of the foregoing Clause until later in the meeting. (See Minute No. 1829)

1826 **Clause No. 6 of Report No. 10 of The Community and Neighbourhood Services Committee, headed “Provincial Operational Review of the City of Toronto’s Implementation of Ontario Works and Child Care Fee Subsidy Programs”.**

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

1827 Council resumed its consideration of Clause No. 4 of Report No. 7 of The Striking Committee, headed “Representation on the Board of Directors of the Metropolitan Toronto Housing Authority (MTHA)”. (See also Minute No. 1819)

At this point in the proceedings, Deputy Mayor Ootes, having regard to the nature of Part (1) of the foregoing motion by Councillor Moscoe, ruled such Part out of order, viz.:

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

‘It is further recommended that:

- (1) in the event that a response is not forthcoming by December 31, 1998, the City proceed to make its appointments;’ ”

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

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

‘It is further recommended that:

- (2) the schedule of meetings and order paper of the MTHA be placed on the agenda of the Community and Neighbourhood Services Committee in sufficient time for the Committee to provide input to the process;
- (3) the MTHA be requested to permit Members of City Council to attend Board meetings and make depositions to the MTHA Board;
- (4) the agenda of the MTHA be provided to the City’s Housing Authority and included on its agenda; and
- (5) City Council request that a full copy of the MTHA agenda for each meeting be filed with the City Clerk.’ ”,

it was carried.

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

1828 **Clause No. 17 of Report No. 12 of The Toronto Community Council, headed “Front Yard Parking (All Wards in the Former City of Toronto)”.**

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

- (i) (October 13, 1998) from Mr. Rashmi M. Nathwani, Namara Associates Limited in support of a request by the Greater Toronto Home Builders’ Association to establish a Reference Group or Task Force to develop guidelines on “New Urbanism” which include encouraging porches and other urban design features; and
- (ii) (October 14 1998) from Ms. Judy Brase and Mr. Ernest Giambrone expressing support for re-opening the debate on front yard parking.

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

- (i) (October 27, 1998) from representatives of the Toronto Environmental Alliance outlining their concerns with respect to the proposal to permit front yard parking; requesting that the report be referred back to the Community Council so that residents of the City have an opportunity to examine the environmental and

community streetscape implications of these significant changes; and attaching a copy of Mr. William E. Brown's submission to the Committee of the Whole at its budget debate on April 14, 1998; and

- (ii) (October 27, 1998) from Ms. Mary Lawson, President, Greater Toronto Home Builders' Association suggesting, for reasons outlined in the communication, that Toronto City Council not approve the recommendations of the Toronto Community Council.

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

- (a) Councillor Disero, in amendment, moved that the foregoing Clause be amended by striking out and referring that portion of the foregoing Clause pertaining to the Midtown Ward back to the Toronto Community Council for further consideration and the hearing of depositions.
- (b) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

"It is further recommended that the Commissioner of Works and Emergency Services be requested to use the Midtown Ward as a model to develop front yard parking policies and fees that are standard throughout the City and report thereon to the Works and Utilities Committee."

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

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

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

- 1829 Council resumed its consideration of Clause No. 2 of Report No. 12 of The Urban Environment and Development Committee, headed "School Facility Review City-Wide". (See also Minute No. 1807 and 1825)

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

"that:

- (1) the foregoing motion (g) by Councillor Pantalone be amended by inserting in Part (1), after the words 'front of schools', the words 'and on private property where the property owner consents';",

it was carried.

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

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

‘It is further recommended that as part of Council’s communications campaign to raise awareness of the school closing issue, City Councillors be authorized to use funds from their office budgets and:

- (1) erect signs on the City-owned boulevards in front of schools and on private property where the property owner consents, in order to publicize the school closures; and/or
- (2) undertake other communications campaigns in order to raise the awareness.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 36.

Nays: Councillors: Holyday, Lindsay Luby - 2.

Decided in the affirmative by a majority of 34.

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

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

‘It is further recommended that:

- (1) “**WHEREAS** the City of Toronto faces crippling school closures that will damage community services as well as education; and

WHEREAS the GTA municipalities also face school closures that undermine the fabric of their community services; and

WHEREAS the Province’s rigid funding formula is responsible for forcing boards to close schools; and

WHEREAS the Provincial Government has shown itself to be deaf to the pleading of the City of Toronto, when it acts alone;

NOW THEREFORE BE IT RESOLVED THAT City Council, in tandem with the School Boards, conduct an organized effort to reach out to the School Boards and municipalities in the 905 area to initiate a co-ordinated effort to lobby the Province of Ontario for changes to the funding formula;

AND BE IT FURTHER RESOLVED THAT the Mayor take the lead in this effort;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Planning and Development Services be directed to take the necessary action to give effect to the foregoing.”;’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Duguid, Filion, Flint, Fotinos, Gardner, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 33.

Nays: Councillors: Giansante, Holyday, Lindsay Luby - 3.

Decided in the affirmative by a majority of 30.

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

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

‘It is further recommended that:

- (2) the Chief Financial Officer and Treasurer be requested to submit a report to the School Tax Sub-Committee for its meeting to be held on November 16, 1998, on the financial resources necessary to combat the Province of Ontario’s attack on the schools in the City of Toronto and the appropriate source of funds;’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Fotinos, Gardner, Giansante, Jakobek,

Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Silva, Walker - 35.

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

Decided in the affirmative by a majority of 32.

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

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

‘It is further recommended that:

- (3) the City Solicitor be requested to submit a report to the School Tax Sub-Committee for its meeting to be held on November 16, 1998, on any legal avenues open to the City of Toronto to prevent the closing of schools, including:
 - (a) injunctions against the disposal of facilities in which we have invested;
 - (b) constitutional challenges on the ability of the Province to usurp the will of taxpayers who funded and built these schools; and
 - (c) any other avenues deemed to be potentially productive.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Fillion, Fotinos, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Walker - 35.

Nays: Councillors: Chong, Flint, Gardner, Holyday - 4.

Decided in the affirmative by a majority of 31.

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

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

‘It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the Mayor’s Office, be requested to expeditiously develop a strong and consistent communications campaign to rally public opposition against the mass closings of schools, in an effort to convince the Provincial government to take action to avoid these school closings, and the resulting communications campaign material and information be circulated to Members of Council to assist them in their own proactive efforts in their respective Wards to ensure a consistent and effective communications strategy.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 36.

Nays: Councillors: Chong, Flint, Lindsay Luby - 3.

Decided in the affirmative by a majority of 33.

Upon the question of the adoption of the foregoing motion (c) by Councillor Saundercook, Councillor Moscoe, with the permission of Council, in amendment, moved that the foregoing motion (c) by Councillor Saundercook be referred to the Commissioner of Urban Planning and Development Services for report thereon to the Urban Environment and Development Committee, which was carried.

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

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

‘It is further recommended that the Mayor and Members of Council express to the Province of Ontario deep concern and dismay with respect to the Provincial government’s education funding policy and its impact on our community.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 38.

Nay: Councillor: Holyday - 1.

Decided in the affirmative by a majority of 37.

Upon the question of the adoption of the foregoing motion (e) by Councillor Korwin-Kuczynski, seconded by Councillor Layton, viz.:

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

‘It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee in late November or early December, 1998, on immediate steps that could be taken to protect our neighbourhoods from the impact of school closings and preserve these valuable community resources by restricting, where appropriate, the alternate uses for closed schools to those which are supportive of the local communities.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 40.

Nays: Nil.

Decided in the affirmative, without dissent.

Upon the question of the adoption of Parts (1), (2), (3) and (5) of the foregoing motion (f) by Councillor Layton, viz.:

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

‘It is further recommended that:

- (1) City Council condemn the wanton and reckless attack on the City of Toronto’s precious educational resources unleashed by the Provincial educational funding policies;
- (2) City Council call on all citizens and organizations in the City of Toronto to inform themselves fully on the magnitude of the school

closing crisis and to join with the City in defending the school system in whatever ways they can;

- (3) the Mayor be requested to convene a summit of all key leaders in the City of Toronto, from all sectors -- including business, the media, social and community organizations, educational sectors (including universities), the labour movement, religious leadership, and all other organizations, and that this summit provide information about the extent of the crisis of school funding and proposed facility closures and solicit the full involvement of the community in developing the City's strategy to oppose the proposals; and
- (5) the City Solicitor and the Commissioner of Urban Planning and Development Services be requested to jointly analyze the statements of the Minister of Education concerning his contention that school space need not be closed because space reductions can be achieved through reduction of administrative space, in order to determine the validity of the Minister's statements, and report thereon to Council, through the Urban Environment and Development Committee, such report to include full background information.' ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 36.

Nays: Councillors: Gardner, Giansante, Holyday, Lindsay Luby - 4.

Decided in the affirmative by a majority of 32.

Upon the question of the adoption of Part (4) of the foregoing motion (f) by Councillor Layton, viz.:

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

‘It is further recommended that:

- (4) the City Solicitor, in consultation with the senior management of the City, be requested to assemble a legal team to develop and analyze options to take legal action against the provincial government so as to prevent the proposed dramatic school closures, and the Mayor be

requested to call an emergency meeting of Council, if necessary, when this strategy analysis is complete;’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Fotinos, Gardner, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 33.

Nays: Councillors: Chong, Flint, Giansante, Holyday, Kelly, Lindsay Luby, Ootes - 7.

Decided in the affirmative by a majority of 26.

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

“that:

- (2) the foregoing motions (h) and (l), by Councillors Moscoe and Filion, respectively, be referred to the School Tax Sub-Committee for report thereon.”,

it was carried.

Upon the question of the adoption of the foregoing motion (i) by Councillor Chow, as amended by the foregoing motion (g) by Councillor Pantalone, viz.:

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

‘It is further recommended that:

- (1) the City of Toronto refuse to participate with the Provincial operation review of child care centres until such time as the Province of Ontario agrees to:
 - (a) fund the impact of relocation of children as a result of school closures; and
 - (b) ensure the City of Toronto that no children would lose their child care service as a result of school closures;
- (2) the City of Toronto provide support to the School Board’s review by:

- (a) notifying all ratepayers/homeowners/Tenant Associations, B.I.A.s, Child Care and Resource Centres and Community Centres of the facts, figures and impact of school closures;
 - (b) assisting in bringing interested people from the above organizations to the Area Review Committee; and
 - (c) assisting local Councillors in bringing interested people to public meetings to discuss school closures;
- (3) interested Councillors be provided with up to 100 signs each with the words:
- “MIKE HARRIS, PLEASE DON'T CLOSE OUR SCHOOL”,
- and four signs per school designated to close, funds therefor to be provided from the respective Councillor's office budget; and
- (4) in future, if Councillors have additional strategies related to school closures and its impact, such strategies be forwarded to the School Tax Sub-Committee for the development of a joint strategy with the School Boards, and to the Children and Youth Action Committee for action and information.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Fillion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 34.

Nays: Councillors: Chong, Gardner, Holyday, Kelly, Ootes - 5.

Decided in the affirmative by a majority of 29.

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

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

‘It is further recommended that:

- (1) the Fire Chief be instructed to meet with the Ontario Fire Marshall in order to provide Council, the School Boards and the Ministry of

Education with the maximum person capacity for each school in the City of Toronto;

- (2) the Fire Chief be instructed to inform the Ministry of Education and the School Boards that the Fire Code will be strictly enforced and over-crowding in schools will not be permitted; and
- (3) the City of Toronto Buildings and Inspections Department be instructed to enforce the Building Code with respect to prohibiting over-crowding in schools in the City of Toronto.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 40.

Nays: Nil.

Decided in the affirmative, without dissent.

At this point in the proceedings, Councillor Mihevc moved that, in accordance with subsection 11(6) of the Council Procedural By-law, Council waive the requirement of the 4:30 p.m. recess, in order to conclude consideration of this Clause, which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing motion (k) by Councillor Mihevc, viz.:

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

‘It is further recommended that every Department, Agency, Board and Commission be requested to:

- (1) analyze the impact of the school closures; and
- (2) make proposals on how the school closures can be opposed from their jurisdictional perspective.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-

Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 38.

Nays: Councillors: Chong, Ootes - 2.

Decided in the affirmative by a majority of 36.

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

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

‘It is further recommended that:

- (1) the Minister of Community and Social Services be requested to develop an immediate plan to ensure that the same quality and level of child care service is provided for each child who is displaced by the closing of any school in the City of Toronto prior to finalization of the school closure plan; and
- (2) the Minister of Education be requested to develop a plan that:
 - (a) guarantees that any student who is displaced by the closing of a City of Toronto school will be provided with the same quality and level of educational learning, including any special education classes, that he or she received in the former school; and
 - (b) ensures that any immigrant child will receive the same level and continuity of instruction in English as a Second Language (ESL) that he or she would have received in the former school.’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 38.

Nays: Councillors: Chong, Holyday - 2.

Decided in the affirmative by a majority of 36.

Upon the question of the adoption of the foregoing motion (n) by Councillor Nunziata, save and except the last Operative Paragraph, viz.:

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

‘It is further recommended that:

“**WHEREAS** the Progressive Conservative party pledged during the last Provincial election campaign that, if elected, their government would make no cuts to education funding; and

WHEREAS the new Provincial school funding formula, based on square feet per student, includes hallways, gymnasiums, washrooms, libraries and boiler rooms in the square footage calculations, has, in fact, resulted in cuts to education funding that will force the closure of 130 schools by the Toronto District School Board and at least 30 schools by the Toronto Catholic District School Board, and will have a negative impact on the quality of education in the schools that remain open; and

WHEREAS this square footage formula of 100 square feet for elementary students and 130 square feet for secondary students, has no educational rationale and is an unacceptable method for determining educational funding to communities in the Province; and

WHEREAS the allocation of office space for MPPs is, on average, 900 square feet, but has no relation to the funding provided to the MPP to operate their legislative office;

NOW THEREFORE BE IT RESOLVED THAT City Council request that the Toronto Board of Education declare that it cannot facilitate the closings of schools for the Harris government, and rejects any educational funding formula based on square footage which will result in the closing of schools throughout the City;

AND BE IT FURTHER RESOLVED THAT City Council develop a joint strategy with the School Tax Sub-Committee to co-ordinate opposition to the new Provincial funding formula and explore alternative funding mechanisms;

AND BE IT FURTHER RESOLVED THAT a copy of this Resolution be forwarded to all Toronto area MPPs;’ ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 36.

Nays: Councillors: Chong, Gardner, Holyday, Lindsay Luby - 4.

Decided in the affirmative by a majority of 32.

Upon the question of the adoption of the last Operative Paragraph embodied in the foregoing motion (n) by Councillor Nunziata, Councillor Moscoe, with the permission of Council, moved that such Operative Paragraph be referred to the School Tax Sub-Committee for report thereon, which was carried.

Upon the question of the adoption of the foregoing motion (o) by Councillor Jones, viz.:

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

‘It is further recommended that the Commissioner of Urban Planning and Development Services be requested to submit a report to the Urban Environment and Development Committee on the impact of the school closures on Community School programs in the former City of Etobicoke area of the City of Toronto.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (p) by Councillor Ashton, viz.:

“that the foregoing Clause be amended in accordance with the recommendations of the Economic Development Committee embodied in the communication dated October 21, 1998, from the City Clerk, wherein it is recommended that the recommendations of the Urban Environment and Development Committee be amended as follows:

(1) Recommendation (C) be amended to include the Toronto French School Boards in the joint meeting, so that such recommendation shall now read as follows:

‘(C) direct that an emergency joint meeting be convened between City Council, the Toronto District School Board, the Toronto Catholic

District School Board and the French School Boards with respect to this matter;’; and

- (2) Recommendation (D)(a) be amended by adding thereto the words ‘or those that could be converted to much needed community uses’, so that such recommendation shall now read as follows:

‘(D) request the Commissioner of Urban Planning and Development Services:

- (a) in developing the plan for school facilities referred to in Recommendation No. (1), embodied in the report (September 17, 1998) from the Commissioner of Urban Planning and Development Services, to consider a system of incentives for retaining lands and space that deliver important community programs and amenities or those that could be converted to much needed community uses;’ ”,

it was carried.

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

“that:

- (1) the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (a) the City of Toronto request the assistance of the federal government to document the funds that have been spent on schools through their infrastructure program; and
- (b) the federal government be requested to join with the City of Toronto in order to recover, through the Court system, the funds spent by the City, the federal government and the public.’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (r) by Councillor Johnston, viz.:

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

'It is further recommended that the City Solicitor, in consultation with the appropriate City officials, be requested to submit a report to the School Tax Sub-Committee on:

- (1) the possibility of the City seeking an injunction in view of the adverse effect on the municipal programs in the schools;
- (2) whether the parents of Allenby School and John Wanless School would have cause to seek an injunction because of the domino effect of these closings on the child care programs in which they have invested money;
- (3) when it would be appropriate to designate schools in the City of Toronto under the Ontario Heritage Act; and
- (4) any other legal tools that may be available to the City of Toronto.' ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 38.

Nays: Councillors: Chong, Flint - 2.

Decided in the affirmative by a majority of 36.

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

“that:

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

'It is further recommended that the Commissioner of Urban Planning and Development Services, in consultation with the City Solicitor, be requested to submit a report to the Urban Environment and Development Committee on any legal penalties should the School Board Trustees not proceed with the school closings.' ”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan,

Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 40.

Nays: Nil.

Decided in the affirmative, without dissent.

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

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 38.

Nay: Councillor: Holyday - 1.

Decided in the affirmative by a majority of 37.

1830 At this point in the proceedings, Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on November 25, 1998:

REPORT NO. 15 OF THE CORPORATE SERVICES COMMITTEE

Clause No. 1 - "John Street Roundhouse - Request for Expressions of Interest (Ward 24 - Downtown)".

Clause No. 2 - "Toronto City Hall - Accommodation of Press Gallery (Ward 24 - Downtown)".

Clause No. 5 - "Financial Incentive for Tenants to Vacate Surplus Houses in the Scarborough Transportation Corridor (Ward 13 - Scarborough Bluffs, Ward 14 - Scarborough Highland Creek and Ward 26 - East Toronto)".

Clause No. 15 - "Pay Equity for Women in the Federal Public Service".

Clause No. 17 - "Other Items Considered by the Committee".
Items (a), (i) and (l), entitled "Sale of 'Property Houses' (Multiple Wards - Former City of Toronto)", "Court Application by

COTAPSAI to Quash the Decision of Council Respecting the Agreement with COTAPSAI” and “Union Station Negotiations”.

REPORT NO. 3 OF THE ECONOMIC DEVELOPMENT COMMITTEE

Clause No. 1 - “Bank Mergers - Impact on Toronto as a Financial Centre and Legislation Respecting Canadian Financial Institutions”.

REPORT NO. 10 OF THE EMERGENCY AND PROTECTIVE SERVICES COMMITTEE

Clause No. 2 - “Other Item Considered by the Committee”.

REPORT NO. 11 OF THE EMERGENCY AND PROTECTIVE SERVICES COMMITTEE

Clause No. 4 - “By-law to Amend By-law No. 20-85 - Accident Towing - Mandatory Drop and Accreditation of Vehicle Repair Facilities”.

REPORT NO. 20 OF THE STRATEGIC POLICIES AND PRIORITIES COMMITTEE

Clause No. 2 - “Service Level Harmonization”.

REPORT NO. 14 OF THE EAST YORK COMMUNITY COUNCIL

Clause No. 2 - “Other Item Considered by the Community Council”.

REPORT NO. 10 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 13 - “Amendment to the Etobicoke Official Plan and Zoning Code - Fieldgate Apartments, 2 Triburnham Place - File No. Z-2255”.

REPORT NO. 10 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 1 - “Process for Disposal of City Property”.

REPORT NO. 11 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 2 - “Sign By-law Variance Request - First Floor Wall Signage and Roof Level Signage - Trimark Trust and Steel Art Signs - 5140 Yonge Street - North York Centre”.

REPORT NO. 12 OF THE TORONTO COMMUNITY COUNCIL

Clause No. 66 - “Construction at 411 Duplex Avenue/33 Orchard Park Boulevard (North Toronto)”.

NOTICE OF MOTION

Moved by Councillor Flint, seconded by Councillor Feldman, respecting the acquisition and disposal of Real Property.

Council concurred in the foregoing proposal.

1831 Councillor Rae, seconded by Councillor Gardner, moved that the absence of Councillors Davis and Tzekas be excused from this Council meeting, which was carried.

1832 Councillor Johnston, seconded by Councillor Duguid, at 4:39 p.m., moved that leave be granted to introduce:

Bill No. 820 To confirm the proceedings of the Council at its meeting held on the 28th, 29th and 30th days of October, 1998,

which was carried.

Upon the question, "Shall this Bill, prepared for this meeting of Council be passed and hereby declared as a By-law?", as follows:

By-law No. 820-1998 To confirm the proceedings of the Council at its meeting held on the 28th, 29th and 30th days of October, 1998,

the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Walker - 40.

Nays: Nil.

Decided in the affirmative, without dissent.

Council adjourned at 4:44 p.m.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

Attachment No. 1

(Report dated October 19, 1998, from the Chief Financial Officer and Treasurer, entitled “Approved 1998 Debenture Issuance”- See Minute No. 1764.)

Purpose:

To summarize the amount of 1998 debenture issuance approved by Council, to date.

Funding Sources, Financial Implications and Impact Statement:

Not Applicable.

Recommendations:

It is recommended that:

- (1) this report be received as information;
- (2) the report headed “Toronto Transit Commission - Excavation and Paving 1998 Surface Track Program”, as considered at its meeting on October 1 and 2, 1998, be amended by the following:

“That the approved 1998 Capital Program of the Toronto Transit Commission (TTC) be increased by \$1.891 million, that it be financed through the issuance of debentures for a term not exceeding 20 years, that the amount is within the City’s updated debt and financial obligation limit and direct the City Solicitor to apply to the OMB for approval as required under the City of Toronto Act;” and
- (3) that a motion to re-open the 1998 Capital Budget be presented to Council in conjunction with this report as required to adopt Recommendation No. (2).

Council Reference/Background/History:

At its meeting held on September 24, 1998, the Strategic Policies and Priorities Committee received the report “Annual Debt and Financial Obligation Limit” that arose out of discussion on the additional surface track program of \$1.891 million for the 1998 TTC Capital Program and requested that a further report be submitted directly to City Council which reconciles the amount of debt approved for issuance resulting from the 1998 Capital Budget and additional project approvals.

Comments and/or Discussion and/or Justification:

At its meeting on April 29, 1998, City Council adopted Clause No. 1 of Report No. 6 of The Strategic Policies and Priorities Committee, headed “Proposed Capital Financing Management Plan and Other Capital Funding Issues”, that contained a total amount to be borrowed of \$123 million

required to finance the 1998 Capital Budget. This amount consists of \$93 million related to the City's base capital program and \$30 million resulting from new TTC downloading. Council approved an additional amount of \$9.1 million at its meeting held on April 29, 1998 for Transportation projects. This amount was subsequently offset in the Capital Budget by \$1.0 million for potential underspending.

Further, in a joint report from the Chief Administrative Officer and the Commissioner of Corporate Services, dated June 22, 1998, to Budget Committee, and adopted by Council on July 9, 1998, information regarding the proposed sale of surplus land and properties was provided. The report stated that uncommitted proceeds available for other purposes was \$8,118,265.00 and that this uncommitted revenue from the sale of property assets be used to fund the remaining portion of the \$9.1 million for the 1998 Capital Program for Transportation as approved by City Council on April 29 and 30, 1998.

At its meeting held on July 29, 1998, Council approved \$85.5 million in transition costs. The \$40.5 million was designated for transition projects and \$40.0 million was designated for severance costs. The \$40.5 million is being financed by the Transition Reserve Fund and will not require debenture issuance. The \$40.0 million in severance costs could require up to \$30 million in debenture financing in addition to \$10 million that is being provided from reserve funds. The \$30.0 million has not been included in the \$123.0 million as previously mentioned and will be reported on separately in November.

While this amount represents the estimated debenture financing requirement with respect to capital projects approved during 1998, it does not represent the actual amount of debt that may be issued during the year. The \$110 million amount that is mentioned in Recommendation No. (1) of the above report refers to an annual average borrowing amount over a five-year period for tax-supported projects not including RTEP expenditures. Since it is the City's normal policy that capital expenditures are not normally permanently financed until the funds have been spent, there is a lag between the capital expenditure and the timing of the associated debenture issuance. Since the majority of projects may not be financed through the issuance of debentures during the year when approval has been received, the level of debt approved in the Capital Budget may differ from the amount of actual debenture issuance during a given year.

Many factors such as current and projected capital market conditions and capital expenditure variances contribute to the amount, structure and timing of a proposed debenture issue which do not always coincide with the amount mentioned in the Capital Program. That is the reason why an average amount of \$110 million over a five-year period is used to relate the amount of proposed debt issuance to the annual Capital Budget in order to allow some flexibility in being able to respond to changing capital market conditions.

Various issues pertaining to capital financing and debt will be addressed in the Debt Management Report, which is being drafted as part of the capital budgeting process.

Contact Name and Phone Number:

Martin Willschick, Manager, Treasury - 392-8072
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Attachment No. 2

(Report dated October 27, 1998, from the Commissioner of Economic Development, Culture and Tourism, entitled "Naming of New Park - East of Main Development (Ward 26) East Toronto", See Minute No. 1765.)

Source of Funds:

There is no financial impact.

Recommendation:

It is recommended that the previous action of City Council respecting the naming of the proposed park in the East of Main lands after Joe McNulty be rescinded.

Comments:

At its meeting of June 3, 4 and 5, 1998, Toronto City Council adopted Clause No. 38 of Report No. 6 of The Toronto Community Council respecting the naming of the new park proposed for the east of Main development after Joe McNulty. The original motion to name the park after Mr. McNulty was put forward in response to a request from a large number of community members and area residents. Mr. McNulty was a lifetime resident of the Beach area and had been actively involved in the community as a founding member of the Balmy Beach Club and as a strong supporter of a variety of sports activities and clubs. Mr. McNulty had recently been diagnosed with cancer at the time of the motion and the community was seeking to honour him in a suitable manner. Mr. McNulty passed away on July 6, 1998.

Unfortunately, after the naming had been approved, information was forthcoming which placed Mr. McNulty as a participant in the Christie Street riots. In light of Mr. McNulty's participation, the Canadian Jewish Congress, other community members and residents at-large have expressed their objection to honouring Mr. McNulty in this manner to Councillor Jakobek, Councillor Bussin and other City officials. Consultations with the local Councillors on this matter has occurred and they concur with the Council Members that the objections are justifiable. In this regard, it is recommended that the previous action of Council respecting the naming of the new park be rescinded.

Contact Name:

Rob Watson

Telephone: 392-0582

Fax: 392-0023

Attachment No. 3

(Report dated October 28, 1998, from the Commissioner of Economic Development, Culture and Tourism, headed "2008 Toronto Olympic Bid"- See Minute No. 1795.)

Purpose:

To seek endorsement of the additional members to the Board of Directors to the 2008 Toronto Olympic Bid Corporation (TO-Bid).

Financial Implications:

None arising from this report.

Recommendation:

It is recommended that Council endorse the additional appointments to the Board of Directors of the 2008 Olympic Bid Corporation (TO-Bid), named in Appendix 1 of this report.

Comments:

At its meetings on July 8, 1998 and October 1, 1998, Council endorsed 62 and 29 appointments to the Board, respectively. To maintain the balance of membership pursuant to the Bid City Agreement, it remained for the City and the Canadian Olympic Association to nominate an additional eight members which are being presented for endorsement (see Appendix 1). These appointments will bring the final Board membership to 99.

Contact Name:

Joe Halstead, Commissioner
Economic Development, Culture and Tourism
Telephone: (416) 395-6188 / Fax: (416) 395-0388

Appendix 1: Toronto Olympic Bid Corporation***Additional Board Members***
(October 28, 1998)

Lisa Alexander, a 12-year member for the Canadian National Synchronized Swimming Team, followed her double-gold performance at the 1994 Commonwealth Games with a Silver as Team Captain at the 1996 Olympics. Ms Alexander is currently Marketing Manager at Cara Operations Ltd., while continuing her involvement in her sport as Olympium Club Team Leader and part time Coach.

Maxine Armstrong is a CHUM Ltd. radio sales executive who has been a member of the Canadian Women's Softball Team, a Canadian Olympic Association volunteer, and most recently a member of the Canadian mission staff at the 1998 Winter Games.

Dino Chiesa is an Assistant Deputy Minister with the Ontario Ministry of Municipal Affairs and Housing. Mr. Chiesa has extensive public and private sector experience in real estate development including commercial developments and institutional and residential housing. His expertise in public/private partnerships and management of large scale public assets is widely recognized.

Curt Harnett is a fourteen year veteran of the Canadian Cycling Team. He recently retired from competitive cycling after winning his third Olympic Medal attending his fourth Olympic Games. Currently, Mr. Harnett works for IMG, an events marketing firm, and is currently managing the Toyota Queen's Park Grand Prix, an annual cycling, in-line and wheelchair race in Toronto. As well, Mr. Harnett sits on the Board of Directors of the Canadian Cycling Association and the Canadian Olympic Association and is the vice-Chair of the COA's Athlete Council.

Robert J. McGavin is a Senior Vice-President with the Toronto Dominion bank whose extensive volunteer service to the Olympic Movement in Canada includes Chairmanship of the Canadian Olympic Foundation, as well as Board and Finance Committee membership.

Marnie McBean, a member of the national Rowing Team since 1989, is the only Canadian woman to win three Olympic gold medals, and is the first rower to win a World Championship medal in every class. When not competing, Ms McBean is a very active supporter for her sport. She has initiated a number of fund raising campaigns, is a volunteer at Junior Development Camps, and has given numerous motivational speeches to schools and corporations about her life as a dedicated Canadian athlete.

Clint Ward is a retired Air Canada Captain, a graduate of the Olympic Academy of Canada and a Director of the Canadian Olympic Association. Mr. Ward's life-long involvement in sport ranges from champion athlete through national team coach to executive leadership in national and international organizations. Mr. Ward has organized two World Water Ski Championships, one of which was held in Toronto in 1979.

Attachment No. 4

(Report dated October 29, 1998, from the Commissioner of Urban Planning and Development Services, entitled “229 Yonge Street, Application No.998086: Request for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code, upon application by E.R.A. Architect Inc., 10 Mary Street, Suite 801, Toronto, Ontario, M4Y 1P9, on behalf of Milkin Holdings Limited, 7 Dundas Square, Suite 300, Toronto, Ontario, M5B 1N8. (Downtown)”, See Minute No. 1797.)

Purpose:

To review and make recommendations respecting an application for variances to permit two illuminated fascia signs at 229 Yonge Street.

Source of Funds:

Not applicable.

Recommendations:

It is recommended that:

- (1) City Council approve Application No. 998086 respecting minor variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit two illuminated fascia signs; and
- (2) the applicant be advised, upon approval of Application No. 998086, of the requirement to obtain the necessary permits from the Commissioner of Urban Planning and Development Services.

Comments:

The property is located on the north-east corner of Yonge Street and Shuter Street, in a mixed-use (commercial residential) district. The property accommodates a five-storey commercial building. The building is listed on the City’s Inventory of Heritage Properties. The applicant is requesting permission to install two illuminated fascia signs on the south and west elevations of the building to identify the new commercial tenants (see Figures 1 and 2). The sign on the west elevation has a length of 9.0 metres and a height of 2.7 metres, with an area of 24 m² and the sign on the south elevation has a length of 33.0 metres and a height of 0.7 metres, with an area of 25 m².

The signs do not comply with Chapter 297 of the Municipal Code in the following ways:

- (1) the sign on the west elevation will block or interfere with windows of the building; and
- (2) the sign on the south elevation will be erected above the second-storey of the building.

The first variance occurs because the sign would partially block windows on the second-storey level of the building. However, the applicant has confirmed that the second-storey level has now been incorporated into the main floor sales area and therefore the location of the sign will not affect views into or out of the building.

The second variance occurs because the sign will be located above the second-storey level of the building. Signs are permitted to be located within the first two storeys of a building. The intent of this provision is to prevent oversignage and to limit the possible negative impact of signage on the streetscape and on the appearance of buildings. The sign consists of individual letters that would be mounted horizontally across the stone fascia. The proposed location has been approved by Heritage Toronto. If the sign were installed any lower, it would interfere with the architectural details on the building columns. Further, while the sign would be located above the second-storey level, the sign would be well within the 10 metre height limit for fascia signs in this district. I therefore consider the variance to be acceptable in this circumstance.

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(A copy of each of the map and figures referred to in the foregoing report, is on file in the office of the City Clerk.)