

Appendix A

**MINUTES OF THE COUNCIL
OF THE
CITY OF TORONTO
SPECIAL MEETING**

TUESDAY, JULY 21, 1998 and THURSDAY, JULY 23, 1998

TUESDAY, JULY 21, 1998

City Council met at 9:35 a.m., in the Council Chamber, Metro Hall, Toronto.

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

At the request of Council, the City Clerk called the Roll at 9:35 a.m, the Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chow, Davis, Duguid, Faubert, Feldman, Flint, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair - 42.

Members present at the morning session of the first day of this Special Meeting:

Mayor: Lastman.

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

1302 Mayor Lastman read the following Notice of Special Meeting:

“In accordance with the direction of Council, a Special Meeting of Council will be held on Tuesday, July 21, 1998, and on Thursday, July 23, 1998, at 9:30 a.m., in the Metro Hall Council Chamber, 55 John Street, Toronto, for the following purposes:

- (a) to consider the reports of the Strategic Policies and Priorities Committee on assessment and tax policy matters, and other matters related thereto; and
- (b) to consider and enact a bill to confirm the proceedings of this Special Meeting.”

1303 At this point in the proceedings, Councillor Mammoliti, with the permission of Council, introduced Mr. Jerome Dill, Deputy Premier of Bermuda, Minister of Development and Opportunity and Mr. Lowdru Robinson, Director, Development and Opportunity.

1304 Councillor Adams presented the following Reports for consideration by Council:

Report No. 12 of The Strategic Policies and Priorities Committee; and
Report No. 13 of The Strategic Policies and Priorities Committee,

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

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 Adams declared an interest in those portions of Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee, headed “Residential Property Class - Phase-In Policy”, respecting those instances where building permits are issued for changes to existing residential buildings in that he and his wife are in the process of applying for a building permit to construct a new home.

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 Strategic Policies and Priorities Committee, consisting of one Clause only, without amendment, it was held in its entirety.

Upon the question of the adoption of Report No. 13 of The Strategic Policies and Priorities Committee, without amendment, it was held in its entirety.

1305

At this point in the proceedings, Councillor Mihevc, with the permission of Council, moved that the vote with respect to all the Clauses contained in Report No. 13 of The Strategic Policies and Priorities Committee be taken on July 23, 1998, at 2:00 p.m. or later.

Councillor Kinahan, in amendment, moved that the vote with respect to all the Clauses contained in Report No. 13 of The Strategic Policies and Priorities Committee be taken on Thursday, July 23, 1998, at the conclusion of the debate on these issues.

Councillor Davis, with the permission of Council, moved that Council debate Report No. 13 of The Strategic Policies and Priorities Committee in the following order: Clauses Nos. 6, 2, 1, 3, 4, 5 and 7.

Councillor Shiner, with the permission of Council, moved that Council waive the provisions of the Council Procedural By-law to permit the Chair to call staff to the floor during the debate to answer questions or clarify issues, if and when necessary.

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

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

Yeas: Mayor: Lastman.
Councillors: Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Faubert, Feldman, Filion, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, O'Brien, Ootes, Prue, Rae, Saundercook Shaw, Shiner, Silva, Sinclair, Tzekas - 36.

Nays: Councillors: Adams, Chow, Disero, Fotinos, Jakobek, Mihevc, Miller, Moeser, Nunziata, Pantalone, Walker - 11.

Decided in the affirmative by a majority of 25.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Giansante, Holyday, Jones, Kinahan, Lindsay Luby, Mammoliti, Mihevc, Nunziata, Sinclair, Tzekas, Walker - 27.

Nays: Mayor: Lastman

Councillors: Balkissoon, Bossons, Chow, Gardner, Jakobek, Johnston, King, Korwin-Kuczynski, Mahood, Miller, Minnan-Wong, Moeser, Ootes, O'Brien, Pantalone, Prue, Rae, Saundercook, Shaw, Silva - 21.

Decided in the affirmative by a majority of 6.

Having regard to the foregoing action of Council, Mayor Lastman declared the foregoing motion by Councillor Mihevc, redundant.

1306

Clause No. 1 of Report No. 12 of The Strategic Policies and Priorities Committee, headed "Provincial Property Tax System".

(See Appendix "A", page 7827.)

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

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

At this point in the proceedings, the Chief Financial Officer and Treasurer gave a presentation on the tax issues before Council.

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

Council recessed at 12:30 p.m.

2:11 P.M.

Council reconvened.

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

1307

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

Mayor: Lastman.

Councillors: Altobello, Balkissoon, Bossons, Bussin, Cho, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mihevc, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker - 34.

1308

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

Mayor: Lastman.

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

1309

Clause No. 6 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Tax Shifts - Effect of Changes to Transition Ratios".

(See Appendix "A", page 8082.)

(As directed by Council, the vote on this Clause was taken on July 23, 1998, at the conclusion of the debate on tax issues. Please refer to Minute No. 1329 for motions and votes on this Clause.)

1310

Clause No. 2 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Multi-Residential Property Class - Tax Policy Options".

(See Appendix "A", page 7920.)

(As directed by Council, the vote on this Clause was taken on July 23, 1998, at the conclusion of the debate on tax issues. Please refer to Minute No. 1330 for motions and votes on this Clause.)

1311

Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Residential Property Class - Phase-In Policy".

(See Appendix "A", page 7835.)

(As directed by Council, the vote on this Clause was taken on July 23, 1998, at the conclusion of the debate on tax issues. Please refer to Minute No. 1334 for further motions and votes on this Clause.)

Mayor Lastman, having regard to the nature of the following motion by Councillor Brown, ruled such motion out of order:

Moved by Councillor Brown:

"That Council adopt the following recommendations:

'It is further recommended that:

- (1) all assessments receiving an increase be implemented in full up to and including the assessment average and the remainder phased in over three years, that all assessments receiving a decrease be implemented immediately down to the average assessment and the remainder (balance) be phased-in over three years, and the tax rate adjusted so that everybody, in fairness, can subsidize the people who are unable to afford their increased assessment; and
- (2) all Members of Council receiving an assessment increase have their new assessment, at their listed place of residence, implemented immediately and in full, and further that all Members of Council receiving a decreased assessment forego their decrease until the taxation year in which all taxpayers have received their full decrease.'

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

Having regard that the foregoing Clause was submitted without recommendation:

- (a) Councillor Jakobek, in amendment, moved that Council defer consideration of all motions that will be put forward on this matter and that the Province of Ontario be requested to consider amending the Fair Municipal Finance Act to permit the City of Toronto to delay the implementation of Current Value Assessment for one year.

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

Councillor Jakobek challenged the ruling of the Deputy Mayor.

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

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Davis, Duguid, Feldman, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, Moscoe, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 30.

Nays: Councillors: Bossons, Bussin, Chow, Disero, Filion, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Miller, O'Brien, Pantalone, Rae, Silva, Walker - 15.

Decided in the affirmative by a majority of 15.

Deputy Mayor Ootes gave the Chair to Councillor Chong, and vacated the Chair.

Deputy Mayor Ootes resumed the Chair.

At this point in the proceedings Deputy Mayor Ootes called upon the following Notice of Motion appearing on the Order Paper under Item E:

Moved by: Councillor Walker

Seconded by: Councillor Mihevc

"WHEREAS the Association of Municipal Clerks and Treasurers of Ontario (AMCTO) has written the Honourable Ernie Eves, M.P.P., Deputy Premier and Minister of Finance to express its disapproval about placing serious time limitations for Committee hearings on Bill 16, and to express its concern about several aspects of Bill 16, namely the inability of the AMCTO to present its concerns to the Committee in order to aid the Provincial government in refining this integral piece of municipal legislation;

WHEREAS there is little opportunity for municipal councils to comment and recommend changes to the regulations, resulting in a Bill which serves only to perpetuate a bad system that the Provincial government is bent on eliminating;

WHEREAS this Bill is complicated, cumbersome, confusing and too often, badly drafted to the point where AMCTO has indicated that Bill 16, with its many regulatory controls and directions, with its excessive administrative discretion, creates an administrative and political nightmare for municipalities, leaving administrators and municipal councils without certainty;

WHEREAS any delay in establishing and publishing regulations jeopardizes the financial stability of municipal governments;

WHEREAS Ontario municipalities will be unable to implement this complex taxation system without a substantial commitment of time, effort, resources and tax dollars;

NOW THEREFORE BE IT RESOLVED THAT the Provincial government, at best, commit to a freeze of the implementation of Current Value Assessment for the minimum of a one year period; or alternatively, the Provincial government take the necessary action to establish a cap on any increases which will result from the implementation of Current Value Assessment so that the issues which are still needed to be resolved can be addressed in a more timely manner and resolved.”

Council also had before it a communication dated June 3, 1998, addressed to Mr. Steve Gilchrist, MPP - Scarborough East, from Councillor Walker, regarding comments made by Mr. Gilchrist on June 3, 1998, at Queen’s Park during the deputation hearings on Bill 16 and specifically with respect to CVA-related impacts in municipalities outside the City of Toronto.

Council also had before it a copy of a proposed motion by Councillor Walker, dated July 21, 1998, recommending that the City of Toronto delay the implementation of Current Value Assessment until January 1, 1999.

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

Councillor Walker 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, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Duguid, Feldman, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Shaw, Shiner, Sinclair, Tzekas - 30.

Nays: Councillors: Adams, Bussin, Disero, Filion, Flint, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Prue, Rae, Silva, Walker - 13.

Decided in the affirmative by a majority of 17.

Council recessed at 6:00 p.m.

8:13 P.M.

Council reconvened.

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

1313 At the request of Council, the City Clerk called the Roll at 8:13 p.m., the Members present at the call of the Roll being:

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 43.

1314 Members present at the evening session of the first day of this Special Meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 50.

1315 Council resumed consideration of Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Residential Property Class - Phase-In Policy". (See also Minute No. 1311.)

Councillor Kinahan, with the permission of Council, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, and that Council continue to meet until the list of speakers with respect to Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee has been heard, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Bossons, Bussin, Feldman, Flint, Giansante, Kinahan, Lindsay Luby, Moeser, Pantalone, Rae, Walker - 12.

Nays: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chow, Disero, Duguid, Filion, Fotinos, Gardner, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Mahood, Mihevc, Miller, Nunziata, Ootes, Prue, Shaw, Shiner, Silva, Sinclair, Tzekas - 30.

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 on in the meeting.
(See Minute No. 1317.)

Council recessed at 9:55 p.m. to reconvene at 9:30 a.m. on Thursday, July 23, 1998.

THURSDAY, JULY 23, 1998 9:45 A.M.

Council reconvened.

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

1316 Members present at the morning session of the second day of this Special Meeting:

Mayor: Lastman.

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

1317 Council resumed consideration of Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Residential Property Class - Phase-In Policy". (See also Minutes Nos. 1311 and 1315.)

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

Mayor Lastman resumed the Chair.

Mayor Lastman, with the permission of Council, proposed that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, and that Council continue to meet until the list of speakers with respect to Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee has been heard, the vote upon which was taken as follows:

Yeas: Mayor: Lastman

Councillors: Berardinetti, Berger, Disero, Duguid, Fotinos, Gardner, Holyday, Jakobek, Jones, King, Li Preti, Mahood, Mihevc, Minnan-Wong, Moeser, Ootes, Shaw, Silva - 19.

Nays: Councillors: Adams, Augimeri, Balkissoon, Bossons, Brown, Bussin, Cho, Chow, Davis, Feldman, Filion, Flint, Giansante, Johnston, Kinahan, Korwin-Kuczynski,

Lindsay Luby, Mammoliti, McConnell, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Shiner, Tzekas, Walker - 30.

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 on in this meeting. (See Minute No. 1334.)

Council recessed at 12:30 p.m.

2:13 P.M.

Council reconvened.

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

1318 At the request of Council, the City Clerk called the Roll at 2:13 p.m., the Members present at the call of the Roll being:

Mayor: Lastman

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Moeser, Pantalone, Rae, Saundercook, Shiner, Sinclair, Walker - 34.

1319 Members present at the afternoon session of the second day of this Special Meeting:

Mayor: Lastman

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Davis, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Shiner, Walker - 37.

Mayor Lastman resumed the Chair.

1320 **Clause No. 7 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Other Items Considered by the Committee".**

(See Appendix "A", page 8112.)

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

1321 **Clause No. 3 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Property Tax Relief for Low-Income Seniors and Disabled Persons".**

(See Appendix "A", page 7959.)

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

(As directed by Council, the vote on this Clause was taken on July 23, 1998, at the conclusion of the debate on tax issues. Please refer to Minute No. 1333 for motions and votes on this Clause.)

1322

Clause No. 4 of Report No. 13 of The Strategic Policies and Priorities Committee, headed “Commercial and Industrial Property - Tax Policy Options”.

(See Appendix “A”, page 8012.)

(As directed by Council, the vote on this Clause was taken on July 23, 1998, at the conclusion of the debate on tax issues. Please refer to Minute No. 1332 for motions and votes on this Clause.)

1323

Clause No. 5 of Report No. 13 of The Strategic Policies and Priorities Committee, headed “Property Tax Rebates for Charitable and Similar Organizations”.

(See Appendix “A”, page 8061.)

(As directed by Council, the vote on this Clause was taken on July 23, 1998, at the conclusion of the debate on tax issues. Please refer to Minute No. 1331 for motions and votes on this Clause.)

1324

At this point in the proceedings, Deputy Mayor Ootes, called upon the following Notice of Motion appearing on the Order Paper under Item E:

Moved by: Councillor Bossons

Seconded by: Councillor Miller

“**WHEREAS** municipalities charge 1.25 per cent monthly (15 per cent annually) interest rate on unpaid property tax bills; and

WHEREAS many taxpayers have complained about this high interest rate; and

WHEREAS if CVA-related tax increases begin to apply in 1998, many taxpayers will have difficulties in coming up with the extra tax, at least in the beginning; and

WHEREAS many must default on taxes while they begin planning for the sale of their homes;

NOW THEREFORE BE IT RESOLVED THAT for 1998, 1999 and 2000, the City of Toronto adjust this interest rate downward.”

Deputy Mayor Ootes, having regard to the nature of the foregoing Motion proposed that such motion be referred to the Chief Financial Officer and Treasurer.

Council concurred in the foregoing proposal.

1325

Councillor Miller, on a point of personal privilege, made reference to a “Notice of Appeal Deadline” by Derwyn Shea, M.P.P. for High Park - Swansea, and requested the Mayor’s ruling as to whether the privilege of Toronto City Council has been offended by the circulation of the Notice.

Mayor Lastman ruled that the privilege of Toronto City Council has been offended by the circulation of this Notice, and agreed to write to the Premier of Ontario, on behalf of City Council, to require the M.P.P. to withdraw and apologize for his untrue and inaccurate remarks, and issue a press release accordingly.

1326 At this point in the proceedings, Councillor Miller, with the permission of Council introduced John and Jennifer Stevens from Colchester, England who were present in the Council Chamber.

Council recessed at 6:00 p.m.

8:12 P.M.

Council reconvened.

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

1327 At the request of Council, the City Clerk called the Roll at 8:13 p.m., the Members present at the call of the Roll being:

Mayor: Lastman

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

1328 Members present at the evening session of the second day of this Special Meeting:

Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, 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, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57

1329 **Clause No. 6 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Tax Shifts - Effect of Changes to Transition Ratios".**

(See Appendix "A", page 8082.)

Council also had before it, during consideration of the foregoing Clause, a report (July 20, 1998) from the Chief Financial Officer and Treasurer providing, as requested by the Assessment and Tax Policy Task Force on July 11 and 13, 1998, additional information regarding the average incomes of tenants and homeowners, the Ontario tax audit form and the commercial property class.

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

- (a) Councillor Ootes, in amendment, moved that the foregoing Clause be amended by striking out the following Recommendation No. (3)(i) embodied in the transmittal letter dated July 13, 1998, from the Assessment and Tax Policy Task Force:

“(3) the Chief Financial Officer and Treasurer be requested to report to the Strategic Policies and Priorities Committee:

- (i) once the 905 municipalities have set their final tax rates with an analysis of the difference in tax burdens with Toronto and that the Strategic Policies and Priorities Committee then recommend whether or not Council should consider a long-term plan to possibly reallocate property tax class burdens;”.

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

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Jakobek, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Silva, Tzekas, Walker - 43.

Nays: Councillors: Adams, Davis, Filion, Holyday, Johnston, Kelly, Kinahan, Moscoe, Rae, Shiner, Sinclair - 11.

Decided in the affirmative by a majority of 32.

- (b) Councillor Pantalone, in amendment, moved that the following motion (c) by Councillor Walker be amended to read as follows:

“That the foregoing Clause be amended by deleting Recommendation No. (2) embodied in the transmittal letter dated July 13, 1998, from the Assessment and Tax Policy Task Force and inserting in lieu thereof the following:

- ‘(2) Council not consider any deliberate tax shifts between classes of property in 1998, 1999 and 2000.’ ”

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

Yeas: Mayor: Lastman
Councillors: Adams, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti,

Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Tzekas, Walker - 41.

Nays: Councillors: Altobello, Ashton, Berardinetti, Brown, Chong, Disero, Fotinos, Jakobek, Jones, Mammoliti, Minnan-Wong, O'Brien, Sgro, Shiner, Sinclair - 15.

Decided in the affirmative by a majority of 26.

- (c) Councillor Walker, in amendment, moved that the foregoing Clause be amended by adding the years "1999 and 2000" at the end of Recommendation No. (2) embodied in the transmittal letter dated July 13, 1998, from the Assessment and Tax Policy Task Force so that such recommendation shall read as follows:

“(2) Council not consider any tax shifts in 1998, 1999 and 2000;”.

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

“It is further recommended that:

‘**WHEREAS** the Province of Ontario has established “bands of fairness” whereby it deems that the commercial/industrial tax rate should not be ten percent greater than the residential tax rate; and

WHEREAS the “principle of fairness” should differentiate between properties that are income-producing versus those that are not;

NOW THEREFORE BE IT RESOLVED THAT City Council petition the Province of Ontario to review its “bands of fairness” with a view to allowing more latitude in setting the tax rate for commercial/industrial properties.’ ”

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

Yeas: Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 44.

Nays: Councillors: Berardinetti, Brown, Chong, Davis, Holyday, Jakobek, Kelly, Li Preti, Mahood, Moeser, O'Brien, Sgro - 12.

Decided in the affirmative by a majority of 32.

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

Clause No. 2 of Report No. 13 of The Strategic Policies and Priorities Committee, headed “Multi-Residential Property Class - Tax Policy Options”.

(See Appendix “A”, page 7920.)

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

- (i) (July 23, 1998) from the Chief Financial Officer and Treasurer attaching draft by-laws to give effect to the recommendations in her reports respecting a residential property class phase-in program with or without a threshold; the capping of taxes at 2.5 percent per year for the years 1998 - 2000 for the multi-residential and commercial and industrial property classes; and submitting recommendations with respect thereto;
- (ii) (July 21, 1998) from Councillor Elizabeth Brown, Rexdale-Thistletown, forwarding a petition signed by over 690 constituents of Ward 5, Rexdale-Thistletown, supporting a tax-cut now:
- (iii) (July 14, 1998) from Mr. Julian Smit, Tenant Landlord Coalition for Equal Taxation, submitting a petition signed by approximately 348 individuals demanding that the multi-residential class pay the same property tax rate as the residential class, a copy of which is on file in the office of the City Clerk; and
- (iv) (May 1, 1998) from Ms. A. Colletti-Ferrari, Toronto, Ontario, regarding the multi-residential property class.

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

- (a) Councillor King, in amendment, moved that the foregoing Clause be amended by striking out Recommendation No. (2) embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force, and inserting in lieu thereof the following new Recommendation No. (2):

“(2) the Chief Financial Officer and Treasurer be requested to report on other ways to encourage construction of rental buildings;”.

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

Yeas: Councillors: Augimeri, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Prue, Saundercook, Sgro, Silva, Sinclair, Tzekas - 33.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Balkissoon, Bossons, Bussin, Chow, Disero, Flint, Johnston, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Rae, Shaw, Shiner, Walker - 23.

Decided in the affirmative by a majority of 10.

- (b) Councillor Chong, in amendment, moved that the foregoing Clause be amended by deleting from Recommendation No. (3) embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force, the words "be requested to", and inserting prior to the words "the Province", the words "Council demand that", so that such recommendation shall now read as follows:

“(3) Council demand that the Province amend the legislation to provide that the landlords be required to pass on any decreases in taxation to tenants, with detailed deadlines for passing on any decreases and providing for mandatory fines or penalties should the deadlines not be met;”.

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

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

Nay: Councillor: Ashton - 1.

Decided in the affirmative by a majority of 54.

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

Clause No. 5 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Property Tax Rebates for Charitable and Similar Organizations".

(See Appendix "A", page 8061.)

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

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Assessment and Tax Policy Task Force in October, 1998, on any hardship cases arising from the 2.5 percent cap for charitable and non-profit organizations.”

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

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to Council, through the Strategic Policies and Priorities Committee in September, 1998, on a fair tax policy for ethno-cultural centres.”

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

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to prepare for Council a communication package summarizing the details of the tax plan.”

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

Deputy Mayor Ootes, having regard to the nature of the following motion by Councillor Walker, ruled such motion out of order:

Moved by Councillor Walker:

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

‘It is further recommended that:

WHEREAS part of Bill No. 160 has been declared unconstitutional by the Court decision of Judge Peter Cumming; and

WHEREAS the educational portion of the municipal tax bill was legislated by Bill No. 160;

NOW THEREFORE BE IT RESOLVED THAT the remainder of this year’s tax be frozen at 1997 levels until the Court decision is clarified by appeal(s), and administrative procedures are developed to implement Judge Cumming’s court decision.’ ”

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

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

‘It is further recommended that the Chief Financial Officer and Treasurer be requested to:

- (1) submit a report to the Assessment and Tax Policy Task Force in October, 1998, on any hardship cases arising from the 2.5 percent cap for charitable and non-profit organizations;
- (2) submit a report to Council, through the Strategic Policies and Priorities Committee in September, 1998, on a fair tax policy for ethno-cultural centres; and
- (3) prepare for Council a communication package summarizing the details of the tax plan.’ ”,

it was carried.

Clause No. 4 of Report No. 13 of The Strategic Policies and Priorities Committee, headed “Commercial and Industrial Property - Tax Policy Options”.

(See Appendix “A”, page 8012.)

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

- (i) (July 20, 1998) from the Chief Financial Officer and Treasurer providing additional information regarding the average incomes of tenants and homeowners, the Ontario tax credit form and the commercial property class; and
- (ii) (July 23, 1998) from the Chief Financial Officer and Treasurer attaching draft by-laws to give effect to the recommendations in her reports respecting a residential property class phase-in program with or without a threshold; the capping of taxes at 2.5 percent per year for the years 1998 - 2000 for the multi-residential and commercial and industrial property classes; and submitting recommendations with respect thereto.

Council also had before it, during consideration of the foregoing Clause, the following communication (July 21, 1998) from Councillor Brown, Rexdale-Thistletown advising that she has received over 360 letters from business owners in her ward in support of the 2.5 per cent. cap on commercial property tax increase.

Council also had before it, during consideration of the foregoing Clause, the following communications in support of the proposed 2.5 per cent. cap on commercial property tax increase:

- (i) (June 29, 1998) from Mr. Robert Kelly;
- (ii) (July 13, 1998) from Mr. John Campbell, President, Brookfield Management Services;

- (iii) (July 16, 1998) from Mr. Robert C. Primeau, C.A., Vice President, Finance and Administration, Heidelberg Canada Graphic Equipment Limited;
- (iv) (July 16, 1998) from Ms. Diana Currie, Senior Vice President Director of Stores, Suzy Shier Inc.;
- (v) (July 20, 1998) from Mr. Richard Burnet, C.A., Controller, The Forzani Group Ltd.;
- (vi) (July 17, 1998) from Mr. Mitch Zabatany, President and CEO, Guess?;
- (vii) (July 17, 1998) from Mr. A. Sullivan, VP Finance and Administration, Laura Secord;
- (viii) (July 20, 1998) from Mr. Brian Worts, President and CEO, S.C. Food Services (Canada) Inc.;
- (ix) (July 20, 1998) from Yefih Grimblat, Crepe de Paris;
- (x) (July 17, 1998) from Mr. Graham Canning, Vice-President, Controller, Thriftys;
- (xi) (July 17, 1998) from Mr. Steve Somers, President, Dylex Woman's Wear Group;
- (xii) (July 17, 1998) from Mr. Elliott Wahle, President and CEO, Dylex Limited;
- (xiii) (July 17, 1998) from Mr. Marc Chouinard, President, BiWay Stores;
- (xiv) (July 17, 1998) from Mr. Lee Albert, Director, Real Estate, le chateau;
- (xv) (July 20, 1998) from Mr. I. Teitelbaum, Chairman of The Board, Suzy Shier; and
- (xvi) (July 20, 1998) from Ms. Anne Pitts, Vice President Store Operations, La Senza Inc.

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

- (a) Councillor Walker, 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:

‘WHEREAS the adoption of the three year 2.5% cap option provided by Bill 16 for any and all of the commercial, industrial and multi-residential property classes preclude these classes from a tax increase of any kind, including a general or emergency levy; and

WHEREAS should the City of Toronto be required to collect additional funds related to a budget shortfall, emergency costs, amalgamation costs, provincial downloading or any unforeseeable future costs would be restricted to the residential property class alone or in combination with other uncapped property classes, and

WHEREAS CVA related tax shifts in the residential property class have already saddled large numbers of taxpayers with unfair and unmanageable tax increases; and

WHEREAS residential property tax decreases would quickly be negated should a general tax increase, which excludes the commercial and possibly other capped property classes, become necessary; and

WHEREAS it would be unfair, irresponsible and unprecedented for Council to allow a situation which could cause residential property taxpayers to bear the full weight of a general tax increase; and

WHEREAS other options such as tax rebates, phase-in periods and the creation of separate commercial property classes, alone or in combination, provide similar tax relief to that provided by caps, while at the same time protecting taxpayers in residential and other uncapped property classes from bearing the full weight of a general tax increase;

THEREFORE BE IT RESOLVED THAT Toronto City Council:

- (1) create a separate tax class for office buildings;
- (2) create a separate class for shopping centres;
- (3) adopt graduated tax rates for the residual commercial class being:
 - (i) 4.12% for the first \$400,000.00 of a property's assessed value; and
 - (ii) 7.75% for the remainder of the property's assessed value;
- (4) provide tax rebates for properties receiving tax increases over 150%, to be financed by a 3.3% mill rate increase for all commercial properties; and
- (5) adopt an eight year phase-in of all commercial tax changes.' "

Upon the question of the adoption of Parts (1), (2), (3) and (5) of the foregoing motion by Councillor Walker, the vote was taken as follows:

Yeas: Councillors: Augimeri, Berger, Filion, Jakobek, Johnston, McConnell, Minnan-Wong, Moscoe, Silva, Walker - 10.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 46.

Decided in the negative by a majority of 36.

Upon the question of the adoption of Part (4) of the foregoing motion by Councillor Walker, the vote was taken as follows:

Yeas: Councillors: Cho, Filion, Johnston, Moscoe, Walker - 5.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 51.

Decided in the negative by a majority of 46.

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

“It is further recommended that Council:

- (1) request the Province of Ontario to:
 - (i) reassess all commercial and industrial properties solely on the basis of ‘value in current use’; and
 - (ii) provide, to City Council, the results of the assessment using 1998 values, in order that the issues of different classes and other policy issues may be evaluated well prior to the return of an assessment based on 1999 values; and
- (2) immediately establish a Task Force or continue the existing Assessment and Tax Policy Task Force in order to drive forward the broadest possible cooperation and consultation between City staff, the business community and provincial Finance, Housing and Economic Development staff, in order to arrive at a taxation scheme appropriate to the commercial and industrial section in Toronto.”

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

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Sgro, Silva, Walker - 34.

Nays: Mayor: Lastman

Councillors: Ashton, Balkissoon, Berardinetti, Brown, Cho, Duguid, Feldman, Giansante, Holyday, Kinahan, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, O'Brien, Pantalone, Shaw, Shiner, Sinclair, Tzekas - 22.

Decided in the affirmative by a majority of 12.

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

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

Yeas: Mayor: Lastman
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Davis, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Rae, Shaw, Walker - 22.

Nays: Councillors: Altobello, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Feldman Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Layton, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas - 34.

Decided in the negative by a majority of 12.

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

“It is further recommended that Council request the Province of Ontario to:

- (1) reassess all commercial and industrial properties solely on the basis of ‘value in current use’; and
- (2) provide, to City Council, the results of the assessment using 1998 values, in order that the issues of different classes and other policy issues may be evaluated well prior to the return of an assessment based on 1999 values.”,

the vote was taken as follows:

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, 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, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 53.

Nays: Councillors: Filion, Jakobek, Walker - 3.

Decided in the affirmative by a majority of 50.

Clause No. 3 of Report No. 13 of The Strategic Policies and Priorities Committee, headed "Property Tax Relief for Low-Income Seniors and Disabled Persons".

(See Appendix "A", page 7959.)

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

- (i) a Briefing Note (July 21, 1998) prepared by the Finance Department and submitted by Councillor Adams, Chair, Assessment and Tax Policy Task Force reporting on the funding implications of a graduated property tax deferral program for seniors and disabled persons; and
- (ii) a communication (July 20, 1998) from Dr. John Bossons, Professor of Economics, University of Toronto, suggesting that the recommendations of the Assessment and Tax Policy Tax Force be amended to allow any homeowner aged 65 or older to defer assessment-related tax increases.

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

- (a) Councillor King, 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 the report dated June 30, 1998, from the Chief Financial Officer and Treasurer, in the Clause, be adopted."

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

Yeas: Councillors: Balkissoon, Berardinetti, Brown, Duguid, Feldman, Giansante, Holyday, King, Lindsay Luby, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shiner, Tzekas - 16.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Sinclair, Walker - 40.

Decided in the negative by a majority of 24.

- (b) Councillor Walker, in amendment, moved that the foregoing Clause be amended by striking out Recommendations Nos. (1), (2) and (3)(a) of the Assessment and Tax Policy Task Force and inserting in lieu in lieu thereof the following:

“It is recommended that:

- (1) a program which provides for the cancellation of assessment related increases for eligible low-income seniors and low-income disabled persons be approved;
- (2) the criteria for applicants’ eligibility under the program identified be as follows:

Senior Applicants:

- (a) must be 65 years of age or older;
- (b) must have owned and occupied the residential property for the past year; and
- (c) must be receiving the Guaranteed Income Supplement (GIS) under the Old Age Security Act.

Disabled Applicants:

- (a) must be a person with a substantial physical or mental impairment, which is long term in nature;
- (b) must be in receipt of benefits under the Ontario Disability Support Program (ODSP), or the Family Benefits Act (FBA), or the Guaranteed Annual Income System (GAINS), or the Canada Pension Plan disability pension, or the Workplace and Safety Insurance Board, or under Long Term Disability Insurance, or under the Motor Vehicle Accidents Benefits (‘No-Fault’); and
- (c) must have owned and occupied the residential property for the past year.
- (3) an amount of \$10.4 million be provided for in the 1998 Operating Budget to fund this tax cancellation program.”

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

Yeas: Councillors: Augimeri, Chow, Disero, Filion, Johnston, Layton, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Shaw, Silva, Tzekas, Walker - 15.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King,

Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shiner, Sinclair - 41.

Decided in the negative by a majority of 26.

(c) Councillor Augimeri, in amendment, moved that the foregoing Clause be amended by:

(1) deleting from Recommendation No. (1) embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force the words "tax deferral program" and inserting in lieu thereof the words "tax cancellation program"; so that such recommendation shall now read as follows:

"(1) a tax cancellation program be approved to provide relief from assessment-related tax increases for eligible low-income seniors and low-income disabled persons, pursuant to the Fair Municipal Finance Act;";

(2) by adding to Recommendation No. (2) embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force the following:

"and further, that the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services strike a working group that includes staff and representatives from community senior citizens' organizations to develop criteria for an enhanced residential property tax relief program, other than tax deferrals in respect of all or part of assessment-related increases for low-income seniors and report back to the Assessment and Tax Policy Task Force by September, 1998"; and

(3) by adding to Recommendation No. (3)(b) embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force the words "other than tax deferrals" after the words "property tax relief program", so that such recommendation shall now read as follows:

"(3) (b) the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services strike a working group that includes staff and representatives from community organizations including ARCH to develop criteria for an enhanced residential property tax relief program, other than tax deferrals, in respect of all or part of assessment-related tax increases for low-income disabled persons and report back to the Task Force by September, 1998;".

Mayor Lastman, having regard to the nature of Part (1) of the foregoing motion by Councillor Augimeri, ruled such portion redundant.

Councillor Miller challenged the ruling of the Mayor.

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Brown, Cho, Davis, Disero, Duguid, Feldman, Fotinos, Giansante, Holyday, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 36.

Nays: Councillors: Augimeri, Berger, Bossons, Bussin, Chong, Chow, Filion, Flint, Gardner, Johnston, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Prue, Rae - 20.

Decided in the affirmative by a majority of 16.

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

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chow, Filion, Giansante, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 31.

Nays: Mayor: Lastman
Councillors: Adams, Bossons, Brown, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Holyday, Kelly, Kinahan, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Rae, Saundercook, Sgro - 25.

Decided in the affirmative by a majority of 6.

Upon the question of the adoption of Part (3) of the foregoing motion by Councillor Augimeri, it was carried.

(d) Councillor Bossons, in amendment, moved that the foregoing Clause be amended to provide that Council approve a tax deferral program for CVA-related tax increases for persons aged 65 and over, with a household income below \$35,000.00, at no cost to the City.

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

Yeas: Mayor: Lastman
Councillors: Altobello, Berger, Bossons, Bussin, Chong, Feldman, Flint, Giansante, Jones, King, Lindsay Luby, Mahood, Mammoliti, Miller, Minnan-Wong, Moeser, Silva - 18.

Nays: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chow, Davis, Disero, Duguid, Fillion, Fotinos, Gardner, Holyday, Jakobek, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 38.

Decided in the negative by a majority of 20.

- (e) Councillor Jones, in amendment, moved that the foregoing Clause be amended to provide that Council approve a tax deferral program for CVA-related increases for persons aged 60 and over, with a household income below \$35,000 at no cost to the City.

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

Yeas: Mayor: Lastman
Councillors: Altobello, Augimeri, Berger, Bossons, Bussin, Flint, Johnston, Jones, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Miller, Minnan-Wong, Moscoe, Nunziata - 17.

Nays: Councillors: Adams, Ashton, Balkissoon, Berardinetti, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Layton, Li Preti, McConnell, Mihevc, Moeser, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 39.

Decided in the negative by a majority of 22.

- (f) Councillor Augimeri, in amendment, moved that the following motion (i) by Councillor Johnston be amended to provide that:
- (1) the definition of a low income senior be "a low income person, 55 years of age and older"; and
 - (2) the Chief Financial Officer and Treasurer be requested to submit a report to the Assessment and Tax Policy Task Force on a new definition of low income senior persons.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Bossons, Bussin, Chow, Disero, Fotinos, Johnston, Jones, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Shaw, Silva, Walker - 24.

Nays: Mayor: Lastman

Councillors: Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Minnan-Wong, Moeser, Ootes, Rae, Saundercook, Sgro, Shiner, Sinclair, Tzekas - 32.

Decided in the negative by a majority of 8.

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report, as soon as possible, to Council, through the Strategic Policies and Priorities Committee, to explore the possibility of implementing the sliding scale proposed in the following motion (j) by Councillor Adams in 1999.”

Councillor Davis, with the permission of Council, withdrew the forgoing motion.

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

“It is further recommended that Recommendation No. (2)(i) embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force be amended by adding at the end thereof the words “or a person by reason of age or infirmity who is in receipt of a pension”.

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 45.

Nays: Councillors: Balkissoon, Berardinetti, Brown, Davis, Holyday, Kelly, Kinahan, King, Korwin-Kuczynski, Saundercook, Sgro - 11.

Decided in the affirmative by a majority of 34.

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

“It is further recommended that for the purpose of Current Value Assessment, a senior be defined as someone who has attained the age of 25.”

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

Yeas: Councillors: Davis, Johnston, Layton, Mammoliti - 4.

Nays: Mayor: Lastman

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

Decided in the negative by a majority of 48.

(j) Councillor Adams, in amendment, moved that the foregoing Clause be amended by:

(1) striking out Recommendation No. 2 embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force and inserting in lieu thereof the following:

“(2) the following eligibility criteria for low-income seniors be adopted:

To be eligible as a low-income senior, a person:

- (i) must be 55 years of age or older;
- (ii) must have owned and occupied the residential property for one year;

(2) to provide that for assessment-related increases, the amount eligible for deferral shall be dependent on income as follows:

<u>Combined House Income</u>	<u>Amount of assessment-related increase eligible for deferral (percentage)</u>
GIS approx. \$20,000.00 or less	100%
more than \$20,000.00 and less than or equal to \$25,000.00	75%
more than \$25,000.00 and less than or equal to \$30,000.00	50%

more than \$30,000.00 and less than or equal to \$35,000.00 25%

(3) by adding thereto the following:

“It is further recommended that an amount of \$250,000.00 be provided in the 1998 Operating Budget to fund the first year of the tax deferral program for low-income seniors and low-income disabled persons, and that such funds be provided from the Corporate Contingency Account.”

Councillor Moscoe, with the permission of Council, requested Mayor Lastman to rule whether Part (1)(2)(i) of the foregoing motion was in order.

Mayor Lastman, having regard to the nature of Part (1)(2)(i) of the foregoing motion by Councillor Adams, ruled such portion out of order.

Councillor Moscoe challenged the ruling of the Mayor.

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

Yeas: Mayor: Lastman
 Councillors: Balkissoon, Berardinetti, Berger, Brown, Cho, Davis, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Lindsay Luby, Li Preti, Mahood, Miller, Moeser, Nunziata, Ootes, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 31.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Bossons, Bussin, Chong, Chow, Disero, Flint, Fotinos, Johnston, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Prue, Silva, Walker - 23.

Decided in the affirmative by a majority of 8.

Upon the question of the adoption of Parts (1)(2)(ii), (2) and (3) of the foregoing motion by Councillor Adams, the vote was taken as follows:

Yeas: Mayor: Lastman
 Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Sinclair, Tzekas, Walker - 43.

Nays: Councillors: Balkissoon, Berger, Brown, Gardner, Holyday, Kelly, Kinahan, Li Preti, O'Brien, Ootes, Saundercook, Sgro, Shiner - 13.

Decided in the affirmative by a majority of 30.

- (k) Councillor Bossons, in amendment, moved that the foregoing Clause be amended to provide that the percent figure in any deferral option be replaced with the words "City's borrowing rate plus administrative costs".

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

Yeas: Councillors: Bossons, Brown, Feldman, King, Lindsay Luby, Li Preti, Mahood, Ootes, Sgro - 9.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 47.

Decided in the negative by a majority of 38.

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

"It is further recommended that the Province of Ontario be requested to extend the tax deferral program to allow municipalities the option to provide tax deferrals to all low-income residents who own residential property."

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Chow, Disero, Filion, Fotinos, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Rae, Sgro, Shaw, Silva, Walker - 31.

Nays: Councillors: Ashton, Balkissoon, Cho, Chong, Davis, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Saundercook, Shiner, Sinclair, Tzekas - 25.

Decided in the affirmative by a majority of 6.

- (m) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended to provide that all seniors, as defined by Council, be eligible for relief from an assessment related tax increase as follows:
- (a) the first group to be eligible as per the low-income criteria being established, with the deferral being at a zero percent interest rate; and
 - (b) the second group to include any other senior property owner, with the deferral being at an interest rate equal to the rate being paid by the City (thus being at no expense to the City).

and the Province of Ontario be requested to enact enabling legislation in this regard.

Councillor Jakobek, with the permission of Council, requested Mayor Lastman to rule whether the foregoing motion was in order.

Mayor Lastman ruled that the foregoing motion by Councillor Mihevc was in order.

Councillor Jakobek challenged the ruling of the Mayor.

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

- Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Fotinos, Gardner, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 45.
- Nays: Councillors: Davis, Feldman, Filion, Giansante, Jakobek, Kinahan, Minnan-Wong, Moeser, Nunziata, Prue, Sinclair - 11.

Decided in the affirmative by a majority of 34

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

- Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 46.
- Nays: Councillors: Ashton, Balkissoon, Bossons, Brown, Chong, Flint, Holyday, Kelly, King, Sgro - 10.

Decided in the affirmative by a majority of 36.

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chow, Fotinos, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Prue, Rae, Sgro, Silva, Sinclair, Walker - 32.

Nays: Councillors: Balkissoon, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Moeser, Ootes, Pantalone, Saundercook, Shaw, Shiner, Tzekas - 24.

Decided in the affirmative by a majority of 8.

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

“It is further recommended that the Province of Ontario be requested to enact special legislation to allow low-income seniors and low-income disabled persons, as defined by the Assessment and Tax Policy Task Force, who are entitled to a decrease under CVA to get the full decrease immediately despite any phase-in program.”

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

Yeas: Councillors: Altobello, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Johnston, Jones, Kinahan, Lindsay Luby, Li Preti, Mammoliti, Miller, Nunziata, O'Brien, Sgro, Shaw, Silva, Sinclair - 26.

Nays: Mayor: Lastman
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Chong, Chow, Davis, Disero, Fotinos, Gardner, Holyday, Kelly, King, Korwin-Kuczynski, Layton, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Tzekas, Walker - 30.

Decided in the negative by a majority of 4.

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the appropriate Committee on the details of the mechanism for establishing the tax deferral program.”

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, 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, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 56.

Nays: Nil.

Decided in the affirmative, without dissent.

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

- (1) by amending the recommendations embodied in the transmittal letter dated July 12, 1998, from the Assessment and Tax Policy Task Force as follows:
 - (a) by adding the words “or a person by reason of age or infirmity who is in receipt of a pension” at the end of Recommendation No. (2)(i), so that Recommendation No. (2) shall now read as follows:

“(2) the following eligibility criteria for low-income seniors be adopted:

To be eligible as a low-income senior, a person:

 - (i) must be 65 years of age or older, or in the case of a widowed person receiving the Spouse’s Allowance, between the age of 60 and 64, or a person by reason of age or infirmity who is in receipt of a pension;
 - (ii) must have owned and occupied the residential property for one year; and
 - (iii) must be receiving the Guaranteed Income Supplement (GIS) under the Old Age Security Act, and in the case of widowed person between the age of 60 and 64, receiving a Spouse’s Allowance under the Old Age Security Act;”;
 - (b) by adding to Recommendation No. (2) the following:

“and further, that the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services strike a working group that includes staff and representatives from community senior citizens’ organizations to develop criteria for an enhanced residential property tax relief program, other than tax deferrals in respect of all or part of assessment-related increases for low-income seniors and report back to the Assessment and Tax Policy Task Force by September, 1998”; and

- (c) by adding to Recommendation No. (3)(b) the words “other than tax deferrals” after the words “property tax relief program”, so that such recommendation shall now read as follows:

“(3) (b) the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services strike a working group that includes staff and representatives from community organizations including ARCH to develop criteria for an enhanced residential property tax relief program, other than tax deferrals, in respect of all or part of assessment-related tax increases for low-income disabled persons and report back to the Task Force by September, 1998;”;

- (2) to provide that for assessment-related increases, the amount eligible for deferral shall be dependent on income as follows:

<u>Combined House Income</u>	<u>Amount of assessment-related increase eligible for deferral (percentage)</u>
GIS approx. \$20,000.00 or less	100%
more than \$20,000.00 and less than or equal to \$25,000.00	75%
more than \$25,000.00 and less than or equal to \$30,000.00	50%
more than \$30,000.00 and less than or equal to \$35,000.00	25%

- (3) to provide that all seniors, as defined by Council, be eligible for relief from an assessment related tax increase as follows:

- (a) the first group to be eligible as per the low-income criteria being established, with the deferral being at a zero percent interest rate; and
- (b) the second group to include any other senior property owner, with the deferral being at an interest rate equal to the rate being paid by the City (thus being at no expense to the City);

and the Province of Ontario be requested to enact enabling legislation in this regard; and

(4) by adding thereto the following:

“It is further recommended that:

- (a) an amount of \$250,000.00 be provided in the 1998 Operating Budget to fund the first year of the tax deferral program for low-income seniors and low-income disabled persons, and that such funds be provided from the Corporate Contingency Account;
- (b) the Province of Ontario be requested to extend the tax deferral program to allow municipalities the option to provide tax deferrals to all low-income residents who own residential property; and
- (c) the Chief Financial Officer and Treasurer be requested to submit a report to the appropriate Committee on the details of the mechanism for establishing the tax deferral program.”,

The vote was taken as follows:

Yeas: Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, 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, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 53.

Nays: Councillors: Brown, Holyday, Sgro - 3.

Decided in the affirmative by a majority of 50.

1334 **Clause No. 1 of Report No. 13 of The Strategic Policies and Priorities Committee, headed “Residential Property Class - Phase-In Policy”.**

(See Appendix “A”, page 7835.) (See also Minutes Nos. 1311, 1315 and 1317.)

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

- (i) (undated) from Mayor Lastman, reporting as requested by the Strategic Policies and Priorities Committee on July 13, 1998, on a compromise proposal for the phase-in of assessment related changes in residential property class; and recommending that in order to allow individuals time to adjust their financial affairs, the increases and decreases related to property tax reform with respect to residential property tax reform be phased-in over a five-

- year period in combination with an annual minimum payment of \$300.00 for tax increases and an annual minimum payment of \$200.00 for tax decreases;
- (ii) (July 22, 1998) from the Chief Financial Officer and Treasurer providing, as requested, additional information with respect to a residential property class five-year phase-in, as well as a table summarizing the City-wide impact of each threshold;
 - (iii) (July 23, 1998 - 2 reports) from the Chief Financial Officer and Treasurer:
 - (a) attaching draft by-laws to give effect to the recommendations in her reports respecting a residential property class phase-in program with or without a threshold; the capping of taxes at 2.5 percent per year for the years 1998 - 2000 for the multi-residential and commercial and industrial property classes; and submitting recommendations with respect thereto;
 - (b) commenting on the implications of a tax phase-in as recommended in Councillor Kinahan's motion, viz:

“the phase-in for decreases in effect be three years and the phase-in for increases be five years with the thresholds recommended in the report from Mayor Lastman;”;
 - (iv) (undated) from the Chief Financial Officer and Treasurer forwarding a communication dated July 20, 1998, from the City Solicitor, providing a legal opinion on the motion by Councillor Walker recommending that the City refuse to assume any costs related to the implementation of Current Value Assessment; and commenting that the City of Toronto cannot lawfully refuse to implement CVA or to assume the costs it is statutorily required to bear under the Ontario Property Assessment Corporation Act;
 - (v) (July 23, 1998) from Councillor Cho, Scarborough-Malvern forwarding three motions regarding the implementation of CVA;
 - (vi) (March 12, 1998) submitted by Councillor Adams, Midtown, addressed to The Honourable Ernie Eves, Minister of Finance, from the City Clerk forwarding Clause No. 3 of Report No. 3 of The Strategic Policies and Priorities Committee, headed “Reassessment and Tax Policy Information and Communications Plan,” which was adopted, as amended, by the Council of the City of Toronto on March 4, 5, and 6, 1998;
 - (vii) (April 6, 1998) submitted by Councillor Adams, Midtown, addressed to the Assistant Deputy Minister, Office of the Budget and Taxation, Ministry of Finance, and to the Acting Assistant Deputy Minister, Municipal Policy Development, Ministry of Municipal Affairs and Housing, from the Chief Financial Officer and Treasurer requesting, as directed by Council, necessary assessment information to determine assessments based on current value in current use;

- (viii) (July 21, 1998) from Councillor Brown, Rexdale-Thistletown forwarding a petition signed by over 690 constituents of Ward 5, Rexdale-Thistletown, supporting a tax-cut now;
- (ix) (July 21, 1998) from Councillor Shaw, Scarborough-Agincourt forwarding a petition signed by over 1,600 constituents of Ward 17, Scarborough-Agincourt, supporting a full tax-cut now;
- (x) (July 23, 1998) from Councillor Miller, High Park-Parkdale, submitting samples of letters he has received from constituents relating to Current Value Assessment and forwarding samples of numerous letters he has received from constituents supporting a phase-in period for CVA;
- (xi) (May 11, 1998) from Ms. Joanne Olsen, Etobicoke, in opposition to the phase-in period;
- (xii) (July 14, 1998) from Mr. Ken B. McLeod, Etobicoke, in opposition to the phase-in period;
- (xiii) (July 14, 1998) from Mr. Peter Storey, in favour of a phase-in period;
- (xiv) (July 15, 1998) from Mr. Paul Fantauzzi, in opposition to the phase-in period;
- (xv) (July 17, 1998) from Mr. Ernie Ashford, Etobicoke, in opposition to the phase-in period;
- (xvi) (July 20, 1998) from Mr. Jarvis K. Postnikoff, Barrister and Solicitor, on behalf of owners of properties within Toronto, in opposition to the phase-in period;
- (xvii) (July 20, 1998) from Mr. Gary M. Kuchar, Barrister and Solicitor, on behalf of owners of properties within Toronto, in opposition to the phase-in period; and
- (xvii) (July 21, 1998) from Mr. Helmut Boek, Toronto, suggesting that implementation of CVA be postponed for one year.

At this point in the proceedings, Mayor Lastman made reference to a proposed motion by Councillor Walker, dated July 21, 1998, a copy of which was circulated to Members of Council, recommending that:

- (1) The City of Toronto refuse to assume any costs related to the implementation or operation of the Current Value Assessment system until the province has carried out a study which verifies the accuracy of their assessment data.
- (2) The City of Toronto refuse to assume any costs related to the implementation or operation of the Current Value Assessment system until the assessment roll has been finalized and all appeals and re-assessment related to this year's assessments have been processed and settled by the Provincial Government;

and the report dated July 20, 1998 from the City Solicitor, addressed to the Chief Financial Officer and Treasurer advising that the City of Toronto cannot lawfully refuse to implement Current Value Assessment or to assume the costs it is statutorily required to bear under the Ontario Property Assessment Corporation Act.

Having regard for the legal opinion above, Mayor Lastman ruled the foregoing proposed motion out of order.

Councillor Walker challenged the ruling of the Mayor.

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

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 41.

Nays: Councillors Augimeri, Bussin, Chow, Disero, Filion, Flint, Jakobek, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Silva, Walker - 15.

Decided in the affirmative by a majority of 26.

(b) Councillor Pantalone, in amendment, moved that Council adopt the following recommendation:

"It is recommended that a threshold not be considered by Council as part of the phase-in program."

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

Yeas: Councillors: Chow, Disero, Filion, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Layton, McConnell, Moeser, O'Brien, Pantalone, Silva - 13.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 43.

Decided in the negative by a majority of 30.

- (c) Councillor Tzekas, in amendment, moved the following motion (q) by Mayor Lastman be amended to provide that the annual minimum payment for tax increases be \$650.00 and the annual minimum payment for tax decreases be \$400.00.

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

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Brown, Cho, Davis, Duguid, Kelly, Kinahan, Moeser, Shaw, Sinclair, Tzekas - 13.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Walker - 43.

Decided in the negative by a majority of 30.

- (d) Councillor Cho, in amendment, moved that the following motion (q) by Mayor Lastman be amended to provide that:

- (1) those who are to receive a decrease in their property taxes will receive their decrease in graduated amounts:

1st year	\$500.00 decrease,
2nd year	\$400.00 decrease,
3rd year	\$300.00 decrease,
4th year	\$200.00 decrease,
5th year	\$100.00 decrease; and

- (2) those who are to receive an increase in their property taxes will receive this increase in balanced graduated amounts.

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

Yeas: Councillors: Balkissoon, Berardinetti, Brown, Cho, Davis, Kinahan, Moeser, Nunziata, Shaw - 9.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Bussin, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante,

Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 47.

Decided in the negative by a majority of 38.

- (e) Councillor Balkissoon, in amendment, moved that the following motion (q) by Mayor Lastman be amended to provide that the annual minimum payment for tax increases and decreases be as follows:

year 1 -	increase \$477.00	decrease \$300.00
year 2 -	increase \$477.00	decrease \$300.00
year 3 -	increase \$299.00	decrease \$200.00.

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

Yeas: Councillors: Balkissoon, Berardinetti, Brown, Cho, Davis, Duguid, Giansante, Kelly, Kinahan, King, Mahood, Moeser, Nunziata, Saundercook, Shaw, Sinclair, Tzekas - 17.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay-Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Walker - 39.

Decided in the negative by a majority of 22.

- (f) Councillor Duguid, in amendment, moved that the following motion (q) by Mayor Lastman be amended to provide that the annual minimum payment for tax increases be \$477.00 and the annual minimum payment for tax decreases be \$300.00.

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

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Brown, Cho, Davis, Duguid, Giansante, Jones, Kelly, Kinahan, King, Mahood, Moeser, Nunziata, O'Brien, Shaw, Sinclair, Tzekas - 19.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston,

Korwin-Kuczynski, Layton, Lindsay-Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Walker - 37.

Decided in the negative by a majority of 18.

- (g) Councillor King, in amendment, moved that the following motion (q) by Mayor Lastman be amended to provide that the annual minimum payment for tax increases be \$393.00 and the annual minimum payment for tax decreases be \$250.00.

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

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti Brown, Cho, Davis, Duguid, Giansante, Jones, Kelly, Kinahan, King, Mahood, Moeser, Nunziata, O'Brien, Sgro, Shaw, Sinclair, Tzekas - 20.

Nays: Mayor: Lastman
Councillors: Adams Altobello, Ashton, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Korwin-Kuczynski, Layton, Lindsay-Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Walker - 36.

Decided in the negative by a majority of 16.

- (h) Councillor Jakobek, in amendment, moved that the following motion (q) by Mayor Lastman be amended by deleting the figures "\$300.00" and "\$200.00", respectively, from the recommendation embodied in the report from Mayor Lastman, and inserting in lieu thereof the figures "\$200.00" and "\$100.00", respectively."

Councillor Jakobek, with the permission of Council, withdrew the foregoing motion.

- (i) Councillor Chow, in amendment, moved that the following motion (q) by Mayor Lastman be amended to provide that the annual minimum payment for tax increases be \$200.00 and the annual minimum payment for tax decreases be \$145.00.

Councillor Chow, with the permission of Council, withdrew the foregoing motion.

- (j) Councillor Jakobek, in amendment, moved that the following motion (q) by Mayor Lastman be amended by deleting all of the words after the word "period", from the recommendation embodied in the report from Mayor Lastman, so that such recommendation shall now read as follows:

“It is recommended that in order to allow individuals time to adjust their financial affairs, the increases and decreases related to property tax reform with respect to residential property tax reform be phased-in over a five year period.”

Councillor Jakobek, with the permission of Council, withdrew the foregoing motion.

(k) Councillor King, in amendment, moved that the following motion (m) by Councillor Kinahan be amended by adding thereto the following:

“and further that, if the Provincial legislation is not enacted, the compromise proposed by Mayor Lastman remain in effect.”

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

Yeas: Councillors: Adams Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Tzekas - 36.

Nays: Mayor: Lastman
Councillors: Augimeri, Balkissoon, Bussin, Cho, Davis, Holyday, Jakobek, Johnston, Kelly, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, O'Brien, Saundercook, Sgro, Shaw, Sinclair, Walker - 20.

Decided in the affirmative by a majority of 16.

(l) Councillor Miller, in amendment, moved that:

- (1) the first part of the following motion (m) by Councillor Kinahan be amended by deleting the words “five years” and inserting in lieu thereof the words “eight years”; and
- (2) the second part of the foregoing motion (m) by Councillor Kinahan be amended by deleting the years “1999 and 2000” and the years “2001 and 2002”, and replacing them with the years “2001 and 2002” and “2003 and 2004”, respectively.

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

Yeas: Councillors: Chow, Filion, Flint, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Pantalone, Rae, Silva - 11.

Nays: Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 45.

Decided in the negative by a majority of 34.

- (m) Councillor Kinahan, in amendment, moved that the following motion (q) by Mayor Lastman be amended to provide that the phase-in for decreases in effect be three years and the phase-in for increases be five years, with the thresholds recommended in the report from Mayor Lastman; the Province of Ontario be requested to enact legislation to permit the City of Toronto to fund, in 1999 and 2000, the large decreases that would have remained in years four and five with a five-year phase-in plan; and that such a program be funded from either reserves or debenturing directly or debenturing indirectly through the lowering of capital out of current, with repayment being made in years 2001 and 2002 from the increases phased-in in 2001 and 2002 or by other means; and the Mayor be requested to meet with the Premier of Ontario, as soon as possible, to obtain the necessary legislation.

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

Yeas: Councillors: Balkissoon, Berardinetti, Cho, Chow, Davis, Flint, Kinahan, King, Layton, Miller, Shaw, Shiner - 12.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Bussin, Chong, Disero, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Holyday; Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva,, Sinclair, Tzekas, Walker - 44.

Decided in the negative by a majority of 32.

- (n) Councillor Adams, in amendment, moved that the following motion (o) by Councillor Minnan-Wong be amended by adding thereto the following:

“and further that, if the Provincial legislation is not enacted, the compromise proposed by the Mayor remain in effect.”

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

Yeas: Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Tzekas - 43.

Nays: Councillors: Augimeri, Balkissoon, Cho, Holyday, Jakobek, Johnston, Kelly, Li Preti, Nunziata, O'Brien, Sgro, Shaw, Walker - 13.

Decided in the affirmative by a majority of 30.

(o) Councillor Minnan-Wong, in amendment, moved that the following motion (q) by Mayor Lastman be amended by adding thereto the following:

“that those homeowners receiving a decrease be given an additional \$100.00 per year for the first three years making the decrease threshold \$300.00 and the Province of Ontario be requested to provide legislative authority to allow the added decrease and Council the authority to fund the added cost from its own budget.”

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

Yeas: Councillors: Balkissoon, Brown, Cho, Davis, Duguid, Giansante, Kelly, Kinahan, King, Miller, Moeser, Nunziata, Sgro, Shaw, Shiner - 15.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay-Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker - 41.

Decided in the negative by a majority of 26.

(p) Councillor Tzekas, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the Province of Ontario be requested to provide legislation to allow the phase-in for decreases in effect be for three years and the phase-in for increases be for five years with the thresholds recommended in the report from Mayor Lastman; and further that the Province be requested to provide a one-time grant in the amount of the differential between the phase-in of the increase and the decrease.”

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante,

Johnston, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mihevc, Moeser, Nunziata, Ootes, O'Brien, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 35.

Nays: Councillors: Berger, Bossons, Chong, Chow, Filion, Gardner, Holyday, Jakobek, Jones, Korwin-Kuczynski, Layton, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Pantalone, Prue, Silva, Walker - 21.

Decided in the affirmative by a majority of 14.

(q) Mayor Lastman moved that Council adopt the following recommendations:

“It is recommended that the report (undated) from Mayor Lastman, entitled ‘Residential Property Class - A Compromise Proposal’, embodying the following recommendation, be adopted:

‘It is recommended that, in order to allow individuals time to adjust their financial affairs the increases and decreases related to property tax reform with respect to residential property tax reform be phased-in over a five-year period in combination with an annual minimum payment of \$300.00 for tax increases and an annual minimum payment of \$200.00 for tax decreases.’ ”

Upon the question of the adoption of the following portion of the foregoing motion by Mayor Lastman, viz.:

“with an annual minimum payment of \$300.00 for tax increases and an annual minimum payment of \$200.00 for tax decreases.”,

the vote was taken as follows:

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas. - 43.

Nays: Councillors: Augimeri, Balkissoon, Brown, Cho, Giansante, Holyday, Jones, King, Moeser, Nunziata, O'Brien, Shaw, Walker - 13.

Decide in the affirmative by a majority of 30.

(r) Councillor Mahood, in amendment, moved that the vote on the phase-in of the Current Value Assessment System be taken in the following order:

1. 8 years,
2. 1 year,
3. 7 years,
4. 2 years,
5. 6 years,
6. 3 years,
7. 5 years, and
8. 4 years.

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

Yeas: Councillors: Altobello, Ashton, Augimeri, Berardinetti, Berger, Brown, Cho, Davis, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Tzekas - 34.

Nays: Mayor: Lastman
Councillors: Adams, Balkissoon, Bossons, Bussin, Chong, Chow, Disero, Filion, Fotinos, Gardner, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Rae, Shaw, Shiner, Silva, Sinclair, Walker - 22.

Decided in the affirmative by a majority of 12.

- (s) Councillor Adams, in amendment, moved that the balance of the foregoing motion (q) by Mayor Lastman be amended to provide that Council adopt an eight year phase-in of the Current Value Assessment system.

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

Yeas: Councillors: Adams, Berger, Bossons, Bussin, Chow, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Ootes, Pantalone, Prue, Rae, Silva - 21.

Nays: Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Davis, Duguid, Feldman, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 35.

Decided in the negative by a majority of 14.

- (t) Councillor Brown, in amendment, moved that the balance of the foregoing motion (q) by Mayor Lastman be amended to provide that Council immediately implement the Current Value Assessment system proposed by the Province of Ontario.

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

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Brown, Cho, Duguid, Kelly, Mammoliti, Moeser, Shaw, Shiner, Sinclair - 12.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, O'Brien, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Tzekas, Walker - 44.

Decided in the negative by a majority of 32.

- (u) Councillor Jakobek, in amendment, moved that the balance of the foregoing motion (q) by Mayor Lastman be amended to provide that Council adopt a seven year phase-in of the Current Value Assessment system.

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

Yeas: Councillors: Adams, Bossons, Bussin, Chow, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Pantalone, Rae, Silva - 18.

Nays: Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Feldman, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 38.

Decided in the negative by a majority of 20.

- (v) Councillor Mahood, in amendment, moved that the balance of the foregoing motion (q) by Mayor Lastman be amended to provide that Council adopt a two year phase-in of the Current Value Assessment system.

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

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Brown, Cho, Kelly, Mahood, Mammoliti, Moeser, Nunziata, Saundercook, Shaw, Sinclair - 13.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Tzekas, Walker - 43.

Decided in the negative by a majority by 30.

- (w) Councillor Johnston, in amendment, moved that the balance of the foregoing motion (q) by Mayor Lastman be amended to provide that Council adopt a six year phase-in of the Current Value Assessment system.

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

Yeas: Councillors: Adams, Bossons, Bussin, Chow, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Layton, McConnell, Miller, Pantalone, Rae, Silva - 18.

Nays: Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Duguid, Feldman, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 38.

Decided in the negative by a majority of 20.

- (x) Councillor Sinclair, in amendment, moved that the balance of the foregoing motion (q) by Mayor Lastman be amended to provide that Council adopt a three year phase-in of the Current Value Assessment system.

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

Yeas: Councillors: Augimeri, Balkissoon, Berardinetti, Brown, Cho, Davis, Duguid, Giansante, Holyday, Jones, Kelly, Kinahan, King, Mahood, Moeser, Nunziata, O'Brien, Shaw, Sinclair, Tzekas - 20.

Nays: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Walker - 36.

Decided in the negative by a majority of 16.

(y) Upon the question of the adoption of the balance of the foregoing motion (q) by Mayor Lastman,

the vote was taken as follows:

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Tzekas - 40.

Nays: Councillors: Augimeri, Balkissoon, Brown, Cho, Davis Duguid, Holyday, Jones, Kelly, King, Moeser, Nunziata, O'Brien, Shaw, Sinclair, Walker - 16.

Decided in the affirmative by a majority of 24.

(z) Councillor Brown, seconded by Councillor Mahood, in amendment, moved that:

“**WHEREAS**, the stated purpose of any proposed phase-in program is to help long-term home owners ‘get used to the idea of paying more’ and to prevent seniors, disabled and low or fixed-income residents from losing their homes because of inability to pay their new increased tax rates;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council petition the Province of Ontario to pass legislation allowing that, upon the change of ownership on or after January 1, 1999, of any residential property, any tax increase or decrease become immediately effective at its full new rate for the new owner, and

(i) excluding those changes where title passes through the death of one or more partners in a home where the title is held by a joint-tenants-in-common agreement held prior to July 1, 1998; and

- (ii) excluding those joint-tenants-in-common agreements where title passes from parent to child, unless the child has already reached the age of 55.”

Upon the question of the adoption of Part (i) of the Operative Paragraph of the foregoing motion by Councillor Brown, the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 43.

Nays: Mayor: Lastman
Councillors: Adams, Bossons, Bussin, Chow, Filion, Korwin-Kuczynski, Layton, McConnell, Miller, Walker - 11

Decided in the affirmative by a majority of 32.

Councillor Miller, with the permission of Council, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 10:00 p.m. recess, and that Council continue to meet to complete the business of this meeting, which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of Part (ii) of the Operative Paragraph of the foregoing motion by Councillor Brown, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Brown, Cho, Chong, Davis, Disero, Duguid, Filion, Fotinos, Gardner, Johnston, Jones, Kelly, King, Lindsay Luby, Li Preti, Mihevc, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Sinclair, Tzekas - 32.

Nays: Mayor: Lastman
Councillors: Ashton, Balkissoon, Berger, Bossons, Bussin, Chow, Feldman, Flint, Giansante, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Nunziata, Pantalone, Shiner, Silva, Walker - 23.

Decided in the affirmative by a majority of 9.

- (aa) Councillor Brown, seconded by Councillor Davis, moved that:

“**WHEREAS** capital improvements, including renovations and additions would have triggered reassessment causing a higher tax bill under any assessment system; and

WHEREAS building a new home on a formerly vacant lot would have triggered immediate reassessment under any assessment system; and

WHEREAS demolition of a building would have triggered immediate reassessment under any assessment system; and

WHEREAS building a new home or homes on a site vacant because of demolition would have triggered immediate reassessment under any assessment system; and

WHEREAS any of these reassessment situations would have initiated an immediate supplementary tax bill being issued to the property owner, such bill being due and payable in full in the year in which it was issued;

NOW THEREFORE BE IT RESOLVED THAT changes in assessment caused by change of use, or caused by renovation or addition, or caused by demolition or caused by building a new structure (construction) be captured and implemented immediately and be specifically excluded from any phase-in program developed by Toronto City Council.”

Councillor Brown, with the permission of Council, withdrew the foregoing motion.

(bb) Mayor Lastman, having regard to the nature of the following motion by Councillor Bussin, ruled such motion out of order.

“That Council adopt the following recommendation:

‘It is recommended that the Provincial Government be requested to pass enabling legislation to allow Toronto City Council to permit a 2.5 percent cap on residential properties.’ ”

Councillor Layton challenged the ruling of the Mayor.

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

Yeas: Mayor: Lastman
Councillors: Altobello, Balkissoon, Berardinetti, Brown, Cho, Chong, Davis, Duguid, Feldman, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Moeser, Ootes, Saundercook, Shiner, Sinclair, Tzekas - 26.

Nays: Councillors: Adams, Ashton, Augimeri, Berger, Bossons, Bussin, Chow, Disero, Filion, Flint, Fotinos, Jakobek, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Pantalone, Prue, Rae, Sgro, Silva, Walker - 29.

Decided in the negative by a majority of 3.

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

Yeas: Councillors: Adams, Berger, Bossons, Bussin, Chow, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Rae, Silva, Tzekas, Walker - 26.

Nays: Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Duguid, Feldman, Giansante, Holyday, Jones, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Mihevc, O'Brien, Ootes, Prue, Saundercook, Sgro, Shiner, Sinclair - 28.

Decided in the negative by a majority of 2.

(cc) Councillor Cho, in amendment, moved that Council adopt the following recommendations:

“It is recommended that the Provincial Government be requested to amend the legislation to allow the establishment of a Current Value Assessment Adjustment Fund and a Current Value Assessment Mortgage Program to permit the following:

- (1) those who deserve a decrease in their residential property taxes from CVA get immediate implementation with 2 percent of the anticipated decrease being contributed to a newly-established CVA Adjustment Fund. This means that on an anticipated decrease of \$1,000.00, residents would receive \$980.00 immediately and \$20.00 would be contributed to the CVA Adjustment Fund;
- (2) however, if some of those who are expecting a decrease do not wish to make this 2 percent contribution, their decrease is phased-in over 8 years at \$125.00 per year for the next 8 years and they do not contribute anything to the CVA Adjustment Fund, but they also do not realize the full decrease until 8 years have passed;
- (3) those who are to receive an increase in their residential property taxes from CVA can apply for a ‘loan’ from a newly-established CVA Mortgage Program which can be facilitated by the CVA Adjustment Fund. If their taxes are to increase by \$1000.00 for example, and they are able to pay the total increase in taxes now, they may do so; and
- (4) however, if they can not pay the increased sum of \$1000.00 now, they may apply for CVA Mortgage and pay this amount plus interest over the next 5, 8, 10 or 20 years, whatever is suitable for them.”

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

Yeas: Councillors: Augimeri, Brown, Cho, Kinahan, Li Preti, Mammoliti - 6.

Nays: Mayor: Lastman

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

Decided in the negative by a majority of 43.

(dd) Councillor Mammoliti, in amendment, moved that Council adopt the following recommendation:

“It is recommended that an arm’s length municipal office be set up immediately to help the City’s taxpayers to appeal their property tax assessment.”

Earlier in the meeting, Deputy Mayor Ootes, having regard to the nature of the foregoing motion by Councillor Mammoliti, ruled such motion out of order.

Councillor Miller 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: Berardinetti, Berger, Bossons, Brown, Chong, Fotinos, Giansante, Holyday, Jones, King, Lindsay Luby, Mahood, Moeser, O'Brien, Ootes, Prue, Sinclair - 17.

Nays: Councillors: Adams, Altobello, Augimeri, Balkissoon, Bussin, Cho, Davis, Disero, Duguid, Feldman, Flint, Jakobek, Johnston, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Pantalone, Rae, Shaw, Shiner, Silva, Tzekas, Walker - 27.

Decided in the negative by a majority of 10.

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

Yeas: Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Flint, Fotinos, Gardner, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Rae, Shiner, Silva, Walker - 30.

Nays: Mayor: Lastman
Councillors: Augimeri, Balkissoon, Bossons, Brown, Chong, Duguid, Feldman, Filion, Giansante, Holyday, Kelly, King, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Prue, Saundercook, Sgro, Sinclair, Tzekas - 23.

Decided in the affirmative by a majority of 7.

(ee) Councillor Mammoliti, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the Assessment and Tax Policy Task Force be instructed to work towards a recommendation that a portion of one’s property taxes be based on income.”

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

Yeas: Councillors: Adams, Altobello, Augimeri, Bossons, Brown, Bussin, Cho, Chow, Duguid, Filion, Giansante, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Sgro, Silva, Tzekas, Walker - 31.

Nays: Mayor: Lastman
Councillors: Ashton, Balkissoon, Berardinetti, Berger, Chong, Disero, Feldman, Flint, Fotinos, Gardner, Holyday, Jakobek, Kinahan, King, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Shiner, Sinclair - 23.

Decided in the affirmative by a majority of 8.

(ff) Councillor Miller, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

‘**WHEREAS** there is increasing evidence that the hurriedly conducted assessment is inaccurate; and

WHEREAS the Province has consistently refused to provide evidence, easily available to it, to support its claim that the assessment accurately measures the current value of properties; and

WHEREAS the assessment must be accurate in order to achieve any fairness, particularly between neighbourhoods in diverse areas of the City;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to immediately make application to the Ontario Court, General Division, for an order

declaring that the assessment rolls as delivered by the Province are so inaccurate that they do not reflect a "Current Value Assessment" as required in the legislation;

AND BE IT FURTHER RESOLVED THAT such application be made prior to the issuing of any tax bills based on implementing CVA;

AND BE IT FURTHER RESOLVED THAT whatever implementation programme is endorsed by Council, Council take the position that no steps be taken to implement such a programme if the Court action is successful.' "

Councillor Miller, with the permission of Council, withdrew the third Operative Paragraph of the foregoing motion.

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

Yeas: Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Bussin, Chow, Disero, Filion, Flint, Fotinos, Gardner, Jakobek, Johnston, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Silva, Walker - 28.

Nays: Mayor: Lastman.
Councillors: Ashton, Balkissoon, Berardinetti, Brown, Cho, Chong, Davis, Duguid, Feldman, Giansante, Holyday, Kelly, Kinahan, King, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 28.

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

(gg) Councillor Shiner, in amendment, moved that Council adopt the following recommendation:

"It is recommended that the Provincial Government be requested to assist the taxpayers of the City of Toronto by participating in the 'Kinahan proposal' outlined in the foregoing motion (m) by Councillor Kinahan, and also phase-in its education portion of the property tax increase."

Councillor Shiner, with the permission of Council, withdrew the foregoing motion.

(hh) Councillor Bossons, in amendment, moved that Council adopt the following recommendation:

"It is recommended that the Province of Ontario be requested, for those instances where building permits are issued for changes to existing residential buildings, to implement the same procedure that is followed for non-residential buildings which is that a partial

reassessment be carried out when the Province is informed of the value of the building permit, and a full assessment be carried out when the building permit is close.”

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

Yeas: Councillors: Ashton, Balkissoon, Berger, Bossons, Brown, Cho, Chong, Chow, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Kinahan, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Nunziata, O'Brien, Prue, Rae, Sgro, Silva, Sinclair, Walker - 31.

Nays: Mayor: Lastman.
Councillors: Altobello, Augimeri, Berardinetti, Bussin, Davis, Disero, Duguid, Fotinos, Gardner, Jakobek, Jones, Kelly, Korwin-Kuczynski, Li Preti, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Saundercook, Shiner, Tzekas - 23.

Decided in the affirmative by a majority of 8.

(ii) Councillor Silva, in amendment, moved Council adopt the following recommendation:

“It is recommended that Council petition the Province of Ontario for additional tax tools for setting residential property tax rates, such tools to include setting graduated tax rates such as the ones considered by the Chief Financial Officer and Treasurer for commercial and industrial taxes.”

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

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 46.

Nays: Councillors: Balkissoon, Brown, Davis, Duguid, Holyday, Kelly, Kinahan, O'Brien, Shiner - 9.

Decided in the affirmative by a majority of 37.

- (jj) Councillor Johnston, in amendment, moved that Council adopt the following recommendation:

“It is recommended that, when sending out the tax bill, it be clearly noted on the envelope that ‘the disaster inside has been caused by the Premier of Ontario’.”

Councillor Mahood, with the permission of Council, requested Mayor Lastman to rule whether the foregoing motion was in order.

Mayor Lastman, having regard to the nature of the foregoing motion by Councillor Johnston, ruled such motion out of order.

Councillor Johnston challenged the ruling of the Mayor.

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

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Jakobek, Kelly, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Nunziata, Ootes, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 33.

Nays: Councillors: Augimeri, Berger, Bussin, Chow, Davis, Filion, Flint, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O’Brien, Pantalone, Prue, Rae, Silva, Walker - 23.

Decided in the affirmative by a majority of 10.

- (kk) Councillor Adams, in amendment, moved that Council adopt the following recommendation:

“It is recommended that Mayor Lastman be requested to write to the Minister of Finance again requesting information respecting the Current Value Assessment (CVA) system which was originally requested by City Council at its meeting held on March 4, 5 and 6, 1998.”

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

- (ll) Councillor Adams, in amendment, moved that Council adopt the following recommendation:

“It is recommended that Mayor Lastman be requested to write to the Minister of Finance again requesting information previously requested in the communication dated April 6, 1998, from the Chief Financial Officer and Treasurer, addressed to the Assistant Deputy Minister, Office of Budget and Taxation, respecting necessary assessment information to determine assessments based on current value in current use.”

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

(mm) Councillor Adams, in amendment, moved that Council adopt the following recommendation:

“It is recommended that Council record its appreciation for the diligence and professional conduct of all City staff involved in the tax policies issues, in particular, staff of Finance, Economic Development, Legal, Housing, Information Technology, Clerk’s and Chief Administrative Officer’s Office.”

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

(nn) At this point in the proceedings and with the permission of Council, Councillor Ootes moved that the report dated July 23, 1998 from the Chief Financial Officer and City Treasurer, entitled “1998 Levy By-law for the Collection of Taxes - City of Toronto; 1998 Levy of Special Charge for Certain Business Improvement Areas”, embodying the following recommendations, be adopted:

“It is recommended that:

- (1) Council authorize the levy and collection of taxes for the 1998 taxation year, the imposition of a penalty charge for non-payment of 1998 taxes, the provision of interest to be added to tax arrears and to establish tax ratios for the year 1998;
- (2) Council approve the levy of a special charge for 1998 for the following Business Improvement Areas and to provide for its collection: Bloor by the Park; Bloor Court Village; Bloor West Village; Bloor-Bathurst-Madison; Bloor-Yorkville; Bloordale Village; Corso Italia; Danforth by the Valley; Eglinton Way Village; Forest Hill Village; Gerrard India Bazaar; Greektown on the Danforth; Harbord Street; Islington Village; Junction Gardens; Kennedy Road; Kingsway; Lakeshore; Little Italy; Long Branch; Mimico Village; Old Cabbagetown; Parkdale Village; Queen/Broadview Village; Roncesvalles Village; St. Lawrence Neighbourhood; Upper Village and Weston;
- (3) authority be granted for the introduction of the necessary bills in Council to levy taxes for the year 1998 and to provide for the collection of taxes for 1998 other than those levied under By-law No. 10-1998, to impose a penalty charge for non-payment of taxes, to provide for interest to be added to tax arrears, to establish tax ratios for the 1998 taxation year and to levy a special charge for 1998 for certain Business Improvement Areas and provide for its collection, in the form or substantially in the form of the draft by-laws attached thereto; and
- (4) subject to Council adopting a residential property class phase-in program with or without a threshold; and the capping of taxes at 2.5 percent per year for the years 1998 - 2000 for the multi-residential, commercial and industrial property classes, that

leave be granted for the introduction of the necessary bills in Council to give effect thereto in the form or substantially in the form of the draft by-laws attached hereto.”

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

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

“It is recommended that:

- (1) the report (undated) from Mayor Lastman, entitled ‘Residential Property Class - A Compromise Proposal’, embodying the following recommendation, be adopted:

‘It is recommended that, in order to allow individuals time to adjust their financial affairs, the increases and decreases related to property tax reform with respect to residential property tax reform be phased-in over a five-year period in combination with an annual minimum payment of \$300.00 for tax increases and an annual minimum payment of \$200.00 for tax decreases.’;

- (2) an arm’s length municipal office be set up immediately to help the City’s taxpayers to appeal their property tax assessment;
- (3) the Assessment and Tax Policy Task Force be instructed to work towards a recommendation that a portion of one’s property taxes be based on income;
- (4) **WHEREAS**, the stated purpose of any proposed phase-in program is to help long-term home owners ‘get used to the idea of paying more’ and to prevent seniors, disabled and low or fixed-income residents from losing their homes because of inability to pay their new increased tax rates;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council petition the Province of Ontario to pass legislation allowing that, upon the change of ownership on or after January 1, 1999, of any residential property, any tax increase or decrease become immediately effective at its full new rate for the new owner, and excluding those changes where title passes through the death of one or more partners in a home where the title is held by a joint-tenants-in-common agreement held prior to July 1, 1998; and excluding those joint-tenants-in-common agreements where title passes from parent to child, unless the child has already reached the age of 55;

- (5) the Province of Ontario be requested to provide legislation to allow the phase-in for decreases in effect be for three years and the phase-in for increases be for five years with the thresholds recommended in the report from Mayor Lastman; and further that the Province be requested to provide a one-time grant in the amount of the differential between the phase-in of the increase and the decrease;

- (6) the Province of Ontario be requested, for those instances where building permits are issued for changes to existing residential buildings, to implement the same procedure that is followed for non-residential buildings which is that a partial reassessment be carried out when the Province is informed of the value of the building permit, and a full assessment be carried out when the building permit is closed;
- (7) Council petition the Province of Ontario for additional tax tools for setting residential property tax rates, such tools to include setting graduated tax rates such as the ones considered by the Chief Financial Officer and Treasurer for commercial and industrial taxes;
- (8) Mayor Lastman be requested to write to the Minister of Finance again requesting:
 - (a) information respecting the Current Value Assessment (CVA) system which was originally requested by City Council at its meeting held on March 4, 5 and 6, 1998; and
 - (b) information previously requested in the communication dated April 6, 1998, from the Chief Financial Officer and Treasurer, addressed to the Assistant Deputy Minister, Office of Budget and Taxation, respecting necessary assessment information to determine assessments based on current value in current use;
- (9) Council record its appreciation for the diligence and professional conduct of all City staff involved in the tax policies issues, in particular, staff of Finance, Economic Development, Legal, Housing, Information Technology, Clerk's and Chief Administrative Officer's Office; and
- (10) the report dated July 23, 1998, from the Chief Financial Officer and Treasurer embodying the following recommendations, be adopted:

'It is recommended that:

 - (1) Council authorize the levy and collection of taxes for the 1998 taxation year, the imposition of a penalty charge for non-payment of 1998 taxes, the provision of interest to be added to tax arrears and to establish tax ratios for the year 1998;
 - (2) Council approve the levy of a special charge for 1998 for the following Business Improvement Areas and to provide for its collection: Bloor by the Park; Bloor Court Village; Bloor West Village; Bloor-Bathurst-Madison; Bloor-Yorkville; Bloordale Village; Corso Italia; Danforth by the Valley; Eglinton Way Village; Forest Hill Village; Gerrard India Bazaar; Greektown on the Danforth; Harbord Street; Islington Village; Junction Gardens; Kennedy Road; Kingsway; Lakeshore; Little Italy; Long Branch; Mimico Village; Old Cabbagetown; Parkdale Village; Queen/Broadview Village;

Roncesvalles Village; St. Lawrence Neighbourhood; Upper Village and Weston;

- (3) authority be granted for the introduction of the necessary bills in Council to levy taxes for the year 1998 and to provide for the collection of taxes for 1998 other than those levied under By-law No. 10-1998, to impose a penalty charge for non-payment of taxes, to provide for interest to be added to tax arrears, to establish tax ratios for the 1998 taxation year and to levy a special charge for 1998 for certain Business Improvement Areas and provide for its collection, in the form or substantially in the form of the draft by-laws attached thereto; and
- (4) subject to Council adopting a residential property class phase-in program with or without a threshold; and the capping of taxes at 2.5 percent per year for the years 1998 - 2000 for the multi-residential, commercial and industrial property classes, that leave be granted for the introduction of the necessary bills in Council to give effect thereto in the form or substantially in the form of the draft by-laws attached hereto.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Disero, Feldman, Filion, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Tzekas - 43.

Nays; Councillors: Augimeri, Balkissoon, Brown, Cho, Davis, Duguid, Flint, Holyday, Kelly, Moeser, Nunziata, Shaw, Walker - 13.

Decided in the affirmative by a majority of 30.

1335 At this point in the proceedings and with the permission of Council, Councillor Lindsay-Luby, seconded by Councillor Giansante, 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, which was carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Giansante

“**WHEREAS** Council at its meeting held on May 13 and 14, 1998, approved the budget for the Village of Islington Business Improvement Area; and

WHEREAS in previous taxation years maximum and minimum charges were levied on businesses in the Village of Islington Business Improvement Area; and

WHEREAS, if maximum and minimum charges are levied in this taxation year, billing will be further delayed because notice of passage of a maximum and minimum charge by-law must be given and the Business Improvement Area will not be able to continue with its planned program of activities; and

WHEREAS the Board of Management of the Village of Islington Business Improvement Area by letter dated July 17, 1998, has advised that it has met and approved proceeding with levying their BIA based on the standard procedures used for the majority of BIAs in 1998 and requested that it be levied and billed in 1998 in the same manner as are the majority of other Business Improvement Areas in the City;

NOW THEREFORE BE IT RESOLVED THAT Council approve billing for the Village of Islington Business Improvement Area for the 1998 taxation year in the same manner as the majority of other Business Improvement Areas in the City and request that the Commissioner of Economic Development work towards a solution for future billing.”

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

1336 Councillor Li Preti, seconded by Councillor Korwin-Kuczynski, moved that leave be granted to introduce:

“Bill No. 464 To Levy and Collect Taxes for the Year 1998, to Impose a penalty charge for non-payment of 1998 taxes, to Provide for interest to be added to tax arrears and to Establish Tax Ratios for the Year 1998.”

“Bill No. 465 To provide for the Levy and Collection of Special Charges in Respect of Certain Business Improvement Areas.”

“Bill No. 466 To Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class.”

“Bill No. 467 To Cap Increases and Decreases of Property Taxes on the Commercial, Industrial and Multi-residential Property Classes for the Taxation Years 1998, 1999 and 2000.”,

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. 470-1998 To Levy and Collect Taxes for the Year 1998, to Impose a penalty charge for non-payment of 1998 taxes, to Provide for interest to be added to tax arrears and to Establish Tax Ratios for the Year 1998.”

- “By-law No. 471-1998 To provide for the Levy and Collection of Special Charges in Respect of Certain Business Improvement Areas.”
- “By-law No. 472-1998 To Phase-in 1998 Assessment-Related Tax Increases and Decreases for the Residential Property Class.”
- “By-law No. 473-1998 To Cap Increases and Decreases of Property Taxes on the Commercial, Industrial and Multi-residential Property Classes for the Taxation Years 1998, 1999 and 2000.”,

the vote was taken as follows:

Yeas: Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Disero, Duguid, Feldman, Filion, Fotinos, Gardner, Giansante, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas - 42.

Nays: Councillors: Augimeri, Balkissoon, Brown, Davis, Holyday, Jakobek, Kelly, Moeser, Nunziata, Shaw, Walker - 11.

Decided in the affirmative by a majority of 31.

1337 Councillor Li Preti, seconded by Councillor Korwin-Kuczynski, moved that leave be granted to introduce:

“Bill No. 468 To confirm the proceedings of the Council at its Special Meeting held on the 21st and 23rd days of July, 1998.”,

which was carried.

Upon the question, “Shall this bill, prepared for this meeting of Council, be passed and hereby declared as a By-law”, as follows:

“By-law No. 474-1998 To confirm the proceedings of the Council at its Special Meeting held on the 21st and 23rd days of July, 1998.”,

the vote was taken as follows:

Yeas: Mayor: Lastman.
Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski,

Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 46.

Nays: Councillors: Augimeri, Balkissoon, Brown, Cho, Jakobek, Moeser, Nunziata, Shaw - 8.

Decided in the affirmative by a majority of 38.

Council adjourned at 10:27 p.m.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk