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These Minutes were confirmed by City Council on May 21, 2002.

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

**MONDAY, MARCH 4, 2002,
TUESDAY, MARCH 5, 2002,
WEDNESDAY, MARCH 6, 2002,
THURSDAY, MARCH 7, 2002, AND
FRIDAY, MARCH 8, 2002**

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

CALL TO ORDER

S2.1 Deputy Mayor Ootes took the Chair and called the Members to order.

The meeting opened with O Canada.

NOTICE OF SPECIAL MEETING

S2.2 Deputy Mayor Ootes read the following Notice of Special Meeting:

“In accordance with the direction of Council, this Special Meeting of Council is called for the following purposes:

- (1) to consider the 2002-2006 Recommended Capital Budget and Program, the 2002 Recommended Operating Budget and urgent items from the Community Councils; and
- (2) to consider and enact a confirming by-law for the Special Meeting.”

PRESENTATION OF REPORTS

S2.3 Councillor Shiner presented the following Reports for consideration by Council:

Report No. 3 of The Policy and Finance Committee,
Report No. 4 of The Policy and Finance Committee,
Report No. 3 of The Etobicoke Community Council,
Report No. 3 of The Humber York Community Council,
Report No. 2 of The Midtown Community Council,
Report No. 2 of The North York Community Council, and
Report No. 2 of The Toronto East York Community Council,

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

S2.4 DECLARATIONS OF INTEREST

Councillor Balkissoon declared his interest in Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program", and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed "City of Toronto 2002 Recommended Operating Budget", insofar as such Clauses pertain to the Capital and Operating Budgets of the Toronto Public Library and the Parks and Recreation Division, in that his wife is an employee of the Toronto Public Library Board and his son is a part-time employee of the Parks and Recreation Division.

Councillor Disero declared her interest in Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program", Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed "City of Toronto 2002 Recommended Operating Budget", and Motion J(3), moved by Councillor Pantalone, seconded by Councillor Ootes, respecting the City of Toronto representative on the Toronto Port Authority Board, insofar as such Clauses and Motion pertain to the Toronto Port Authority, in that she is one of the parties named in a litigation matter related to the Toronto Port Authority.

Mayor Lastman declared his interest in Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program", and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed "City of Toronto 2002 Recommended Operating Budget", insofar as such Clauses pertain to the Business Improvement Areas, in that his son is the President of the Kennedy Road BIA.

Councillor Moscoe declared his interest in Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program", and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed

“City of Toronto 2002 Recommended Operating Budget”, insofar as such Clauses pertain to the Toronto District School Board, in that he is a supplier of signs to the Toronto District School Board.

Councillor Walker declared his interest in Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”, Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”, and Motion J(3), moved by Councillor Pantalone, seconded by Councillor Ootes, respecting the City of Toronto representative on the Toronto Port Authority Board, insofar as such Clauses and Motion pertain to the Toronto Port Authority, in that he is one of the parties named in a litigation matter related to the Toronto Port Authority.

S2.5 PETITIONS

The following petitions were submitted by Members of Council:

- (a) a petition signed by 42 persons regarding the occupancy cost agreement for day care space in schools, filed by Councillor Bussin;
- (b) a petition signed by 105 persons in opposition to the child care occupancy fees, filed by Councillor Bussin;
- (c) a petition signed by 2,769 persons in opposition to the closing of school pools, filed by Councillor Bussin;
- (d) a petition, entitled “Don’t Drop The Ball”, signed by numerous school children in opposition to the closing of school pools, submitted by Councillor Chow;
- (e) a petition signed by 154 persons in opposition to an increase in TTC fares, filed by Councillor Layton;
- (f) a petition signed by 201 persons regarding the issue of sharing the costs of public buildings, like schools for community programs serving high need and underserved areas, filed by Councillor Mammoliti;
- (g) the following petitions in opposition to the closing of school pools, filed by Councillor Miller:
 - petition signed by 4 persons, addressed to Councillor Altobello;
 - petition signed by 226 persons, addressed to Councillor Augimeri;
 - petition signed by 4 persons, addressed to Councillor Berardinetti;

- petition signed by 3 persons, addressed to Councillor Bussin;
 - petition signed by 283 persons, addressed to Councillor Di Giorgio;
 - petition signed by 42 persons, addressed to Councillor Disero;
 - petition signed by 5 persons, addressed to Councillor Duguid;
 - petition signed by 225 persons, addressed to Councillor Flint;
 - petition signed by 132 persons, addressed to Councillor Johnston;
 - petition signed by 1,155 persons, addressed to Councillor Layton;
 - petition signed by 567 persons, addressed to Councillor Lindsay Luby;
 - petition signed by 32 persons, addressed to Councillor Mammoliti;
 - petition signed by 10 persons, addressed to Councillor McConnell;
 - petition signed by 149 persons, addressed to Councillor Mihevc;
 - petition signed by 228 persons, addressed to Councillor Miller;
 - petition signed by 409 persons, addressed to Councillor Shiner;
 - petition signed by 63 persons, addressed to Councillor Silva;
 - petition signed by 188 persons, addressed to Councillor Soknacki;
 - petition signed by 106 persons, addressed to Councillor Moscoe;
 - petition signed by 108 persons, addressed to Councillor Nunziata; and
 - petition signed by 319 persons, addressed to Councillor Walker;
- (h) a petition signed by 2,312 persons in opposition to the proposal to extend the life of the Keele Valley Landfill Site, filed by Councillor Ootes;
- (i) a petition signed by 288 persons in opposition to the proposed cuts to the in-house translation services for Portuguese and Italian, filed by Councillor Silva;
- (j) a petition signed by 42 persons regarding the occupancy cost agreement for day care space in schools, filed by Councillor Tziretas; and
- (k) petitions signed by 143 persons in opposition to any possible cuts to childcare funding, filed by Councillor Walker.

The aforementioned petitions were filed with the City Clerk.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

S2.6 The following Clauses were held by Council for further consideration:

Report No. 3 of The Policy and Finance Committee, Clause No. 1

Clause No. 1 - "City of Toronto 2002-2006 Recommended Capital Budget and Program":

The following Programs embodied in this Clause were held for further consideration:

- (A) Children's Services
- (C) Shelter, Housing and Support
- (E) Solid Waste Management
- (F) Fire
- (G) Transportation
- (H) Water/Wastewater (Non Levy)
- (J) Emergency Preparedness Plan
- (L) Economic Development
- (M) Parks and Recreation
- (O) Waterfront Revitalization
- (Q) Court Services
- (R) Facilities and Real Estate
- (S) Fleet Services
- (U) Finance
- (V) Toronto Public Health
- (W) Toronto Public Library
- (X) Exhibition Place
- (AA) Toronto Transit Commission (excluding RTEP)
- (AA) Toronto Transit Commission - Sheppard Subway
- (BB) Toronto Police Services
- (CC) Special Corporate Projects

Report No. 4 of The Policy and Finance Committee, Clauses Nos. 1 and 2

Clause No. 1 - "City of Toronto 2002 Recommended Operating Budget":

The following Programs embodied in this Clause were held for further consideration:

- (A) Children's Services
- (C) Shelter, Housing and Support
- (E) Social Services
- (G) Solid Waste Management Services
- (H) Fire Services
- (I) Transportation Services
- (J) WES - Support Services
- (K) WES - Technical Services
- (L) Emergency Management Preparedness

- (M) Culture
- (O) Economic Development
- (P) Parks and Recreation
- (R) Tourism (Special Events)
- (T) Urban Development Services
- (U) City Clerk's
- (V) Court Services
- (X) Corporate Communications
- (Y) Facilities and Real Estate
- (AA) Human Resources
- (BB) Information and Technology
- (DD) Finance
- (GG) Council
- (HH) Office of the Mayor
- (II) Toronto Public Health
- (JJ) Toronto Public Library
- (KK) Exhibition Place
- (MM) Toronto Zoo
- (OO) Toronto and Region Conservation Authority
- (QQ) Toronto Transit Commission
- (RR) Toronto Police Service and Toronto Police Services Board
- (SS) Consolidated Grants Program
- (TT) Capital and Corporate Financing/Non Program
- (UU) Parking Authority
- (VV) Water and Wastewater

Report No. 3 of The Etobicoke Community Council, Clause No. 2.

Report No. 2 of The Midtown Community Council, Clause No. 2.

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

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

Report No. 3 of The Policy and Finance Committee, Clause No. 1 - "City of Toronto 2002-2006 Recommended Capital Budget and Program":

The following Programs embodied in this Clause were adopted without amendment or further discussion:

- (A) Children's Services
- (F) Fire

- (J) Emergency Preparedness Plan
- (O) Waterfront Revitalization
- (Q) Court Services
- (U) Finance
- (V) Toronto Public Health
- (X) Exhibition Place

Report No. 4 of The Policy and Finance Committee, Clause No. 1 - "City of Toronto 2002 Recommended Operating Budget":

The following Programs embodied in this Clause were adopted without amendment or further discussion:

- (E) Social Services
- (J) WES - Support Services
- (K) WES - Technical Services
- (R) Tourism (Special Events)
- (V) Court Services
- (BB) Information and Technology
- (OO) Toronto and Region Conservation Authority
- (VV) Water and Wastewater

The Clauses not held by Council for further consideration were deemed to have been adopted by Council, without amendment, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code.

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

S2.7 **Clause No. 2 of Report No. 3 of The Etobicoke Community Council, headed "Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code - Zanini Developments Inc., 232-240 Berry Road, File No. TA ZBA 2002 0003 (Ward 5 - Etobicoke-Lakeshore)".**

Motion:

Councillor Jones moved that the Clause be amended by deleting from Recommendation No. (1) of the Etobicoke Community Council, all of the words after the words "be adopted", so that such recommendation shall now read as follows:

- "(1) the supplementary report dated February 8, 2002, from the Director, Community Planning, West District, be adopted;"

Votes:

Adoption of motion by Councillor Jones:

Yes - 39	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Ford, Holyday, Milczyn

Carried by a majority of 36.

Adoption of Clause, as amended:

Yes - 38	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Ford, Holyday, Milczyn

Carried by a majority of 35.

Motion to Re-Open:

Councillor Jones, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Jones moved that the Clause be amended by:

- (1) deleting Recommendation No. (1) of the Etobicoke Community Council, and inserting in lieu thereof the following new Recommendation No. (1):

“(1) the supplementary report dated February 8, 2002, from the Director, Community Planning, West District, be adopted, subject to amending the Draft Revised Zoning By-law Amendment contained in Attachment 5 by deleting Section (4)(g) and inserting in lieu thereof the following:

‘(g) The maximum building height shall be 11.6 metres, except for the most easterly unit where the maximum height shall be 11.6 metres at the highest point of the roof sloping down at a 45 degree angle to the easterly limit of the roof which shall be at a maximum height of 8.5 metres;’ ”; and

- (2) adding thereto the following:

“It is further recommended that Council, under Section 34(17) of the Planning Act, determine that no further notice to the public is required with respect to the amendment to the Zoning By-law.”

Votes:

Adoption of motion by Councillor Jones:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Ootes, Rae, Shiner, Silva, Tziretas, Walker
No - 2	
Councillors:	Ford, Holyday

Carried by a majority of 24.

The Clause, as amended, carried.

S2.8 Clause No. 7 of Report No. 2 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - 915 and 1005 King Street West (Trinity-Spadina, Ward 19)”.

Motion:

Councillor Pantalone moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on April 16, 2002.

Vote on Deferral:

The motion by Councillor Pantalone carried.

S2.9 Clause No. 6 of Report No. 2 of The Toronto East York Community Council, headed “Settlement of Outstanding Issues with Atrium on Queens Quay Inc. (Trinity-Spadina, Ward 20)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendation:

“It is recommended that Council adopt the confidential joint report dated March 4, 2002, from the Acting City Solicitor and the Acting Commissioner of Community and Neighbourhood Services, such joint report to remain confidential in accordance with the provisions of the Municipal Act, having regard that the subject matter pertains to the security of the property of the municipality, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) the City assume the costs to bring the daycare Centre into legal compliance;
- (2) negotiations be undertaken to secure cost reductions from the Developer; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

S2.10 Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”, and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Councillor Shiner in the Chair.

Cap on Property Tax Increase:

Ruling by Acting Chair:

Councillor Miller requested Acting Chair Shiner to rule on whether the debate and vote on Recommendation No. (I) of the Policy and Finance Committee, pertaining to the proposed percentage cap on the property tax increase, as embodied in both Clauses, was in order at this point in the proceedings.

Acting Chair Shiner, having regard to the substantive nature of Recommendation No. (I) of the Policy and Finance Committee, ruled that such Recommendation be considered as the first item of the 2002 Budget debate.

Councillor Miller challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 22	
Mayor:	Lastman
Councillors:	Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas
No - 19	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Fillion, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Rae, Silva, Walker

Carried by a majority of 3.

Motion:

- (a) Councillor Moscoe moved that the Clauses be amended by striking out Recommendation No. (I) of the Policy and Finance Committee, and inserting in lieu thereof the following new recommendation:

“(I) that the net expenditure increase be capped at 1.7 percent or less which would reflect a 4.6 percent (or less) increase on the residential component and that any additions to the Budget Advisory Committee recommended 2002 Capital/Operating Budget be offset by an identified source of funds, unless specifically authorized by Council;”.

Ruling of Acting Chair:

Acting Chair Shiner, having regard to the nature of the words “unless specifically authorized by Council”, as embodied in motion (a) by Councillor Moscoe, ruled such words out of order.

Councillor Moscoe challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Cho, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 14	
Councillors:	Ashton, Bussin, Chow, Di Giorgio, Filion, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Rae, Silva, Walker

Carried by a majority of 8.

Motions:

- (b) Councillor Pitfield moved that motion (a) by Councillor Moscoe be amended by inserting after the words “expenditure increase”, the words “after assessment growth”.
- (c) Councillor Jones moved that motion (a) by Councillor Moscoe be amended by:

- (1) deleting the figure “1.7”, and inserting in lieu thereof the figure “1.83”; and
- (2) deleting the figure “4.6”, and inserting in lieu thereof the figure “4.95”.
- (d) Councillor Mihevc moved that motion (a) by Councillor Moscoe be amended by adding thereto the following preamble:

“noting that a 1.7 percent budget increase would have had a zero percent tax impact on multi-residential, commercial and industrial properties, and a 4.6 percent impact on single family residential properties”.
- (e) Councillor Korwin-Kuczynski moved that the Clauses be amended to provide that the tax increase be reduced by \$19 million, such funds to be allocated from the 2001 surplus.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (e) by Councillor Korwin-Kuczynski, ruled such motion out of order.

Councillor Korwin-Kuczynski challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 21	
Mayor:	Lastman
Councillors:	Ashton, Cho, Di Giorgio, Disero, Duguid, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 10	
Councillors:	Altobello, Augimeri, Chow, Ford, Korwin-Kuczynski, Layton, McConnell, Miller, Moscoe, Pitfield

Carried by a majority of 11.

- (f) Councillor Holyday moved that motion (a) by Councillor Moscoe be amended by:
 - (1) deleting the figure “1.7” and inserting in lieu thereof the figure “1.0”; and
 - (2) deleting the figure “4.6” and inserting in lieu thereof the figure “2.75”.
- (g) Councillor Ford moved that the Clauses be amended to provide that there be a zero percent tax increase to a possible 5.0 percent tax decrease with no reduction in staff.

- (h) Councillor Pantalone moved that motion (a) by Councillor Moscoe be amended by:
- (1) deleting the figure “1.7” and inserting in lieu thereof the figure “1.8”; and
 - (2) deleting the figure “4.6” and inserting in lieu thereof the figure “4.8”.
- (i) Councillor Miller moved that the Clauses be amended by deleting Recommendation No. (I) of the Policy and Finance Committee and inserting in lieu thereof the following new recommendation:
- “(I) that for the 2002 Capital/Operating Budget debate, Council adopt a policy that motions seeking additions or deletions to the budget as proposed by the Policy and Finance Committee identify the source of funds, including from the levy or the specific cuts proposed.”

Votes:

Adoption of motion (i) by Councillor Miller:

Yes - 18	
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Rae, Silva, Tziretas, Walker
No - 23	
Mayor:	Lastman
Councillors:	Altobello, Cho, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 5.

Motion (b) by Councillor Pitfield carried.

Motion (d) by Councillor Mihevc carried.

Adoption of motion (c) by Councillor Jones:

Yes - 13 Councillors:	Balkissoon, Bussin, Chow, Di Giorgio, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Rae, Walker
No - 28 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Cho, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas

Lost by a majority of 15.

Adoption of motion (f) by Councillor Holyday:

Yes - 7 Councillors:	Altobello, Holyday, Korwin-Kuczynski, Milczyn, Minnan-Wong, Moeser, Nunziata
No - 34 Mayor: Councillors:	Lastman Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 27.

Adoption of motion (h) by Councillor Pantalone:

Yes - 13	
Councillors:	Ashton, Bussin, Chow, Di Giorgio, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Rae, Walker
No - 28	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Cho, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas

Lost by a majority of 15.

Adoption of motion (a) by Councillor Moscoe, and in the absence of Councillor Moscoe, moved by Councillor Pitfield, as amended:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Disero, Duguid, Feldman, Flint, Hall, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas
No - 16	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Filion, Ford, Holyday, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Rae, Silva, Walker

Carried by a majority of 9.

Acting Chair Shiner, having regard to the foregoing decision of Council, declared motion (g) by Councillor Ford, redundant.

In summary, Council struck out Recommendation No. (I) of the Policy and Finance Committee, embodied in the Clauses, and inserted in lieu thereof the following:

“Having noted that a 1.7 percent budget increase would have had a zero percent tax impact on multi-residential, commercial and industrial properties, and a 4.6 percent impact on single family residential properties, it is recommended that:

- (I) the net expenditure increase, after assessment growth, be capped to reflect a 4.6 percent (or less) increase on the residential component and that any additions to the Budget Advisory Committee recommended 2002 Capital/Operating Budget be offset by an identified source of funds;’ ”.

Council subsequently re-opened this matter and further amended Recommendation No. (I) of the Policy and Finance Committee. [See Minute No. S2.11, Page 75, headed “Motion by Councillor Shiner Respecting Various 2002 Capital and Operating Budgets”.]

Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”.

Capital Program: Toronto Transit Commission - Sheppard Subway

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for the Toronto Transit Commission - Sheppard Subway, without amendment:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 4	
Councillors:	Filion, Johnston, Korwin-Kuczynski, Walker

Carried by a majority of 36.

Capital Program: (C) Shelter, Housing and Support

Motion:

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

“It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee and the Budget Advisory Committee on plans related to the Capital Revolving Fund for Affordable Housing for 2003 and beyond.”

Votes:

The motion by Councillor Layton carried.

The Clause, insofar as it pertains to the 2002 Capital Budget for Shelter, Housing and Support, as amended, carried.

Capital Program: (E) Solid Waste Management*Motion:*

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

“It is further recommended that Council, at this time, indicate its intention to approve the budget allocation in the 2003 Capital Budget to accommodate the purchase of the trucks required for the roll out of the Waste Diversion Program.”

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (a) by Councillor Layton, ruled such motion out of order.

Councillor Layton challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Moeser, Nunziata, Ootes, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 10	
Councillors:	Augimeri, Chow, Disero, Jones, Layton, McConnell, Miller, Moscoe, Pantalone, Pitfield

Carried by a majority of 15.

Motions:

- (b) Councillor Holyday moved that the Clause be amended by adding to Recommendation No. (23) of the Policy and Finance Committee, the words “such report to give consideration to contracting out garbage disposal in the former City of Scarborough, and how it would affect the costs of the program, and also include the cost of the trucks to the City when the trucks are provided by a private contractor and the City is charged a fee on a per tonne basis”, so that such recommendation shall now read as follows:

“(23) The Commissioner of Works and Emergency Services report back no later than the Works Committee meeting scheduled for June 25, 2002, to allow for Council pre-approval for the purchase of the collection vehicles of \$9.2 million no later than September 2002, such report to give consideration to contracting out garbage disposal in the former City of Scarborough, and how it would affect the costs of the program, and also include the cost of the trucks to the City when the trucks are provided by a private contractor and the City is charged a fee on a per tonne basis;”.

- (c) Mayor Lastman moved that the Clause be amended by:

- (1) striking out further Recommendation (A) of the Policy and Finance Committee, viz.:

“(A) that City Council file an application with the Minister of the Environment to extend the Keele Valley Landfill site for an additional six years based on the 1992 Metro application;”;

- (2) adding thereto the following:

“It is further recommended that Council adopt the following motion:

‘WHEREAS the Province of Ontario has committed to the closure of the Keele Valley Landfill site by December 2002, and has previously indicated that it would not provide a Certificate of Approval for expanded capacity; and

WHEREAS the Province of Ontario’s Bill 140 restricts the City of Toronto’s ability to raise taxes from properties other than from the residential class; and

WHEREAS the financial impact from the forced closure of the Keele Valley Landfill site is an increase of \$42.0 million year on the backs of Toronto homeowners only, on top of other pressures, such as additional firefighters, police, ambulance and inflation;

NOW THEREFORE BE IT RESOLVED THAT the Mayor request a meeting with the Province of Ontario to reach an agreement to help mitigate the financial hardships placed on the City of Toronto that will result from the forced closure of the Keele Valley Landfill site.’ ”

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to review the Keele Valley Landfill Site Perpetual Care Agreement, in order to determine whether any future revenue opportunities exist for the City of Toronto, and submit a report thereon to the Works Committee.”

- (e) Councillor Miller moved that the Clause be amended by adding to further Recommendation (A) of the Policy and Finance Committee, the words “and if the extension is granted, any savings be directed to the appropriate Waste Management reserve for Task Force 2010”, so that such recommendation shall now read as follows:

“(A) that City Council file an application with the Minister of the Environment to extend the Keele Valley Landfill site for an additional six years based on the 1992 Metro application, and if the extension is granted, any savings be directed to the appropriate Waste Management reserve for Task Force 2010;”.

Councillor Shiner in the Chair.

Votes:

Adoption of motion (b) by Councillor Holyday:

Yes - 9	
Councillors:	Di Giorgio, Duguid, Ford, Holyday, Li Preti, Milczyn, Minnan-Wong, Pitfield, Shiner
No - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Disero, Feldman, Flint, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 21.

Adoption of motion (c) by Mayor Lastman:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Li Preti, Lindsay Luby, Mihevc, Moeser, Nunziata, Ootes, Pitfield, Shaw, Soknacki, Tziretas, Walker
No - 16	
Councillors:	Bussin, Chow, Ford, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Silva, Sutherland

Carried by a majority of 6.

Acting Chair Shiner, having regard to the foregoing decision of Council, declared motion (e) by Councillor Miller, redundant.

Motion (d) by Councillor Moscoe carried.

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for Solid Waste Management, as amended:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Kelly, Korwin-Kuczynski, Layton

Carried by a majority of 33.

Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Operating Program: (C) Shelter, Housing and Support

Motion:

(a) Councillor Layton moved that the Clause be amended:

(1) by adding thereto the following:

“It is further recommended that:

- (i) the City Solicitor be requested to develop a legal strategy to sue the Province of Ontario to recover the estimated \$13.0 million in additional funds that the Province is supposed to provide under the funding regulations governing the hostels that prescribes 80 percent of the costs are to be paid through provincial transfers; and
- (ii) the Federal Government be requested to give a clear indication that it is prepared to provide access to the armouries in the City for emergency shelters as it has done, on the request of the City, in the past.”; and

(2) to provide that:

- (a) the full base funding of the Shelter, Housing and Support Division be restored through the addition of \$1.1 million to fund the “non-bed services and client service programming” and that the \$1.1 million be drawn from the \$146.5 million (capital-from-current) payment that is proposed to be made into the City’s capital financing program from the City’s current account and that the City’s borrowing for capital expenditures be increased accordingly by \$1.1 million; and
- (b) should the Province provide some or all of the additional funds that are due to the City for hostel operations, then the capital-from-current funding be restored accordingly.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Part (2) of the foregoing motion (a) by Councillor Layton, ruled such Part out of order.

Motions:

- (a) Councillor Layton, with the permission of Council, revised Part (2) of his motion (a) so that it now reads as follows:
 - “(2) to provide that the full base funding of the Shelter, Housing and Support Division be restored through the addition of \$1.1 million to fund the “non-bed services and client service programming”, and that, at the same time, a \$1.1 million reduction in the capital expenditure program (funded from capital-from-current financing \$146.5 million) be made to meet the 4.6 percent cap for 2002.”
- (b) Councillor Holyday moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer and the City Solicitor be requested to submit a joint report to the Community Services Committee on actions that could be taken by the City of Toronto to prevent sleeping on the street, such joint report to include measures taken by other jurisdictions, such as the Cities of Montreal, New York and Vancouver to resolve this problem.”
- (c) Councillor Mammoliti moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Provincial Government be requested to follow through on its commitment to provide rent supplement to tenants to be used for market rents; and
 - (2) the Board of Directors of the Toronto Community Housing Corporation be requested to review the feasibility of using the Corporation's Lands as collateral against borrowing, with the funds borrowed to be applied towards the building of affordable housing.”
- (d) Councillor Walker moved that the Clause be amended by adding back \$1.1 million to the Shelter, Housing and Support Operating Budget, such funding to be offset by reducing the Toronto Police Services Operating Budget, Information Technology Infrastructure Program.
- (e) Councillor Kelly moved that:
- (1) Part (1)(i) of motion (a) moved by Councillor Layton be referred to the City Solicitor for report thereon to the Community Services Committee; and
 - (2) the Clause be amended by adding thereto the following:

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

(i) the impact of de-institutionalization by the Province of Ontario during the 1970s and the degree to which this has contributed to Toronto's homelessness; and further, provide suggestions as to how the de-institutionalization policy could be reversed; and

(ii) the length of stay by the homeless in the City's shelter system.”
- (f) Councillor Duguid moved that the Clause be amended:
- (1) to provide that the Shelter, Housing and Support Division continue to provide priority shelter non-bedded services, while also seeking provincial funding support; and further, that the Chief Financial Officer and Treasurer and the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, as part of the June 2002 variance report, on the appropriate funding required to maintain those priority services for the rest of the year, after any provincial intentions are made clear, and any funding strategy required, should no provincial funding be forthcoming, including other departmental under-spending or

constraints; and

- (2) by adding thereto the following:

“It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to prepare a report outlining the average costs of providing shelter services, the programs and services needed to assist clients in moving from a state of dependence to independence, and the impact on the shelter system and the City of Toronto in general, if the City provided shelter services at the level of funding provided by the Provincial Government, such report to be submitted to the Community Services Committee and the Minister of Community and Social Services.”

Withdrawal of Motion:

Councillor Walker, with the permission of Council, withdrew his motion (d).

Motion:

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

“It is further recommended that the City Solicitor, the Commissioner of Urban Development Services and the Acting Commissioner of Community and Neighbourhood Services be requested to review the Vancouver model of requiring the building of affordable rental housing in conjunction with new developments, and submit a joint report to the Planning and Transportation Committee on the lessons that can be learned and applied to the City of Toronto.”

Withdrawal of Motion:

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

Votes:

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

Yes - 37	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
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No - 3	Councillors: Ford, Moeser, Ootes
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Carried by a majority of 34.

Adoption of Part (1) of motion (e) by Councillor Kelly:

Yes - 34	Mayor: Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Soknacki, Tziretas, Walker

No - 5	Councillors: Ford, Holyday, Ootes, Shiner, Sutherland
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Carried by a majority of 29.

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

Yes - 34	Mayor: Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Flint, Ford, Johnston, Jones, Kelly, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Soknacki, Tziretas, Walker

No - 5	Councillors: Duguid, Hall, Holyday, Pitfield, Sutherland
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Carried by a majority of 29.

Adoption of motion (b) by Councillor Holyday:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Soknacki, Sutherland, Tziretas
No - 17	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Hall, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 5.

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

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Johnston, Kelly, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 6	
Councillors:	Ashton, Ford, Holyday, Jones, Minnan-Wong, Moeser

Carried by a majority of 28.

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

Yes - 29	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 11	
Mayor:	Lastman
Councillors:	Ashton, Disero, Flint, Ford, Holyday, Milczyn, Minnan-Wong, Moeser, Nunziata, Shiner

Carried by a majority of 18.

Adoption of Part (2)(i) of motion (e) by Councillor Kelly:

Yes - 16	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Chow, Duguid, Ford, Kelly, Mammoliti, Miller, Moeser, Ootes, Pantalone, Soknacki, Sutherland, Walker
No - 24	
Councillors:	Ashton, Bussin, Cho, Di Giorgio, Disero, Feldman, Flint, Hall, Holyday, Johnston, Jones, Layton, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Pitfield, Rae, Shiner, Silva, Tziretas

Lost by a majority of 8.

Adoption of Part (2)(ii) of motion (e) by Councillor Kelly:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Kelly, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 10	
Councillors:	Bussin, Chow, Jones, Layton, Mammoliti, McConnell, Mihevc, Pantalone, Rae, Walker

Carried by a majority of 18.

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

Motion (g) by Councillor Miller carried.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Shelter, Housing and Support, as amended:

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 2	
Councillors:	Ford, Minnan-Wong

Carried by a majority of 35.

In summary, Council adopted the recommendations of the Policy and Finance Committee embodied in the Clause pertaining to the 2002 Operating Budget for Shelter, Housing and Support, subject to the following amendments:

- (1) to provide that the Shelter, Housing and Support Division continue to provide priority shelter non-bedded services, while also seeking provincial funding support; and further, that the Chief Financial Officer and Treasurer and the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, as part of the June 2002 variance report, on the appropriate funding required to maintain those priority services for the rest of the year, after any provincial intentions are made clear, and any funding strategy required, should no provincial funding be forthcoming, including other departmental under-spending or constraints; and
- (2) adding thereto the following:

“It is further recommended that:

 - (a) the Federal Government be requested to give a clear indication that it is prepared to provide access to the armouries in the City for emergency shelters as it has done, on the request of the City, in the past;
 - (b) the Provincial Government be requested to follow through on its commitment to provide rent supplement to tenants to be used for market rents;

- (c) the Chief Administrative Officer and the City Solicitor be requested to submit a joint report to the Community Services Committee on actions that could be taken by the City of Toronto to prevent sleeping on the street, such joint report to include measures taken by other jurisdictions, such as the Cities of Montreal, New York and Vancouver to resolve this problem;
- (d) the Board of Directors of the Toronto Community Housing Corporation be requested to review the feasibility of using the Corporation's Lands as collateral against borrowing, with the funds borrowed to be applied towards the building of affordable housing;
- (e) the Acting Commissioner of Community and Neighbourhood Services be requested to:
 - (i) submit a report to the Community Services Committee on the length of stay by the homeless in the City's shelter system; and
 - (ii) prepare a report outlining the average costs of providing shelter services, the programs and services needed to assist clients in moving from a state of dependence to independence, and the impact on the shelter system and the City of Toronto in general, if the City provided shelter services at the level of funding provided by the Provincial Government, such report to be submitted to the Community Services Committee and the Minister of Community and Social Services;
- (f) the City Solicitor, the Commissioner of Urban Development Services and the Acting Commissioner of Community and Neighbourhood Services be requested to review the Vancouver model of requiring the building of affordable rental housing in conjunction with new developments, and submit a joint report to the Planning and Transportation Committee on the lessons that can be learned and applied to the City of Toronto; and
- (g) the following motion be referred to the City Solicitor for report thereon to the Community Services Committee:

Moved by Councillor Layton:

"It is further recommended that the City Solicitor be requested to develop a legal strategy to sue the Province of Ontario to recover the estimated \$13.0 million in additional funds that the Province is supposed to provide under the funding regulations governing the

hostels that prescribes 80 percent of the costs are to be paid through provincial transfers.”

Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”.

Capital Program: (G) Transportation

Motion:

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

- (1) adding to Recommendation No. (31) of the Policy and Finance Committee, as amended, the words “and the funding for traffic calming be increased by \$300,000.00, such increase to be offset by reducing the Efficiency Incentive Fund (Reserve) by \$300,000.00”, so that such recommendation shall now read as follows:

“(31) The 2002 Capital Budget for Transportation consisting of a total 2002 cash flow of \$201.373 million be approved. The program consists of 33 new and change in scope projects with a total project cost of \$202.520 million that require cash flow of \$163.938 million in 2002; \$218.008 million in 2003; \$201.598 million in 2004; \$206.075 million in 2005 and \$252.279 million in 2006. The previously approved program consists of 13 projects that require cash flow of \$37.435 million in 2002; \$70.092 million in 2003; \$59.400 million in 2004; \$47.750 million in 2005 and \$14.591 million in 2006; and that \$480,000.00 be re-allocated for traffic calming from within the Recommended Capital Program, and the funding for traffic calming be increased by \$300,000.00, such increase to be offset by reducing the Efficiency Incentive Fund (Reserve) by \$300,000.00.”; and

- (2) adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to study the efficiency of replacing the asphalt used in speed humps with alternative material, like concrete and rubber derived from used tires.”

(b) Councillor Bussin moved that:

- (1) the Clause be amended by adding \$1.2 million for traffic calming, such addition to be included in the 2002 Transportation Capital Budget for Traffic

Calming and offset by a corresponding reduction in the Local Road Reconstruction Program; and

- (2) in the event that Part (1) of motion (b) by Councillor Bussin fails, the Clause be amended by adding \$270,000.00 for Traffic Calming, such addition to be included in the 2002 Transportation Capital Budget for Traffic Calming, and offset by a corresponding reduction in the Local Road Reconstruction Program.

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

- (1) adding to Recommendation No. (31) of the Policy and Finance Committee, as amended, the words “and an amount of \$720,000.00 be approved to build all of the traffic calming that has been approved by Council or is in the process of being approved by Council, such funding to be taken from the Local Road Reconstruction Program”, so that such recommendation shall now read as follows:

“(31) The 2002 Capital Budget for Transportation consisting of a total 2002 cash flow of \$201.373 million be approved. The program consists of 33 new and change in scope projects with a total project cost of \$202.520 million that require cash flow of \$163.938 million in 2002; \$218.008 million in 2003; \$201.598 million in 2004; \$206.075 million in 2005 and \$252.279 million in 2006. The previously approved program consists of 13 projects that require cash flow of \$37.435 million in 2002; \$70.092 million in 2003; \$59.400 million in 2004; \$47.750 million in 2005 and \$14.591 million in 2006; and that \$480,000.00 be re-allocated for traffic calming from within the Recommended Capital Program; and an amount of \$720,000.00 be approved to build all of the traffic calming that has been approved by Council or is in the process of being approved by Council, such funding to be taken from the Local Road Reconstruction Program;”;
and

- (2) adding thereto the following:

“It is further recommended that:

- (i) Council vote on the motions placed with respect to the Transportation Capital Budget for traffic calming in the following order:
 - (a) whether to support, in principle, a decision to increase funding

- for traffic calming;
 - (b) the amount of such increase, starting with the highest amount; and
 - (c) the source of funds to offset the increase; and
- (ii) in the event Council supports adding money back to the Transportation Capital Budget for traffic calming, the Commissioner of Works and Emergency Services be requested to submit a report to Council on Thursday, March 7, 2002, advising which options recommended by Members of Council are the most desirable.”

Motion to Extend Time to Speak:

Councillor Mihevc, having spoken to this matter for a period of five minutes, Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived and that Councillor Mihevc be granted a further period of five minutes, in order to permit the conclusion of his remarks, the vote upon which was taken as follows:

Yes - 24	
Councillors:	Altobello, Bussin, Cho, Chow, Flint, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Silva, Sutherland, Tziretas, Walker
No - 8	
Councillors:	Duguid, Feldman, Ford, Hall, Holyday, Kelly, Nunziata, Soknacki

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

- (d) Councillor Sutherland moved that the Clause be amended by:
- (1) deleting from Recommendation No. (31) of the Policy and Finance Committee, as amended, the words “and that \$480,000.00 be re-allocated for traffic calming from within the Recommended Capital Program”; and that the resultant savings be used to decrease the property tax increase accordingly; and
 - (2) adding thereto the following:

“It is further recommended that, subject to the previously requested report to Council, through the Planning and Transportation Committee, funds for any

study related to the Don Valley Parkway/401 South Interchange come from the Development Charges Reserve Fund, or as recommended by the Commissioner of Works and Emergency Services.”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the success of traffic circles as a means of traffic calming, and that consideration be given to designing traffic calming measures into streets which are scheduled for repair, where the volume and speed of traffic warrant such measures.”

- (f) Councillor Minnan-Wong moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee respecting non-priority traffic calming as a local improvement initiative to be funded by the residents on the affected streets.”

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on how observation cameras could be utilized to monitor and control speeding on residential streets.”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the feasibility of installing speed humps in front of every school in the City of Toronto, with the exception of main arterial roads.”

- (i) Councillor Filion moved that the Clause be amended to provide that any funds allocated for traffic calming in the 2002 Capital Budget be earmarked to address traffic safety around schools.

- (j) Councillor Silva moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Policy and Finance Committee, as part of the June 2002 variance report, on any funds available for traffic calming.”

- (k) Councillor Layton moved that the Clause be amended to provide that four local road reconstruction projects in Ward 30, totalling approximately \$530,000.00, be removed from the reconstruction schedule for 2002, namely the reconstruction of certain blocks of the following small residential streets:
- (a) Badgerow Street;
 - (b) Cavell Avenue;
 - (c) Mountjoy Avenue; and
 - (d) Thompson Street;

and that these funds be transferred to the Cycling Infrastructure Capital Account, in order to proceed with the designated projects in the bicycle lane projects identified as priorities in the bicycle plan.

- (l) Councillor Cho moved that Part (1) of motion (d) by Councillor Sutherland be amended to provide that the \$480,000.00 in savings be allocated equally to the following three areas supporting children:
- (1) Day Care;
 - (2) Swimming Pools; and
 - (3) Children and Youth Action Plan.

Councillor Shiner in the Chair.

Withdrawal of Motion:

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

Vote:

Adoption of Parts (2)(i)(b) and (2)(i)(c) of motion (c) by Councillor Mihevc:

Yes - 15	
Councillors:	Ashton, Augimeri, Bussin, Chow, Di Giorgio, Jones, Layton, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Tziretas, Walker
No - 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Cho, Disero, Duguid, Fillion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland

Lost by a majority of 10.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Part (2)(ii) of motion (c) by Councillor Mihevc and motion (l) by Councillor Cho, ruled such motions out of order.

Votes:

Adoption of Part (1) of motion (d) by Councillor Sutherland, without amendment:

Yes - 15	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Duguid, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Pitfield, Sutherland
No - 27	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker

Lost by a majority of 12.

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

Yes - 12	
Councillors:	Bussin, Cho, Chow, Di Giorgio, Johnston, Jones, Layton, McConnell, Miller, Pantalone, Rae, Walker
No - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Disero, Duguid, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 17.

Ruling of Acting Chair:

Councillor Balkissoon requested Acting Chair Shiner to rule on whether Part (1) of motion (a) by Councillor Moscoe was in order.

Acting Chair Shiner ruled Part (1) of motion (a) by Councillor Moscoe in order.

Councillor Balkissoon challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 30	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Holyday, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Tziretas, Walker
No - 13	
Councillors:	Altobello, Balkissoon, Feldman, Filion, Ford, Kelly, Korwin-Kuczynski, Mihevc, Minnan-Wong, Moeser, Pitfield, Shaw, Sutherland

Carried by a majority of 17.

Votes:

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

Yes - 14	
Councillors:	Bussin, Chow, Di Giorgio, Disero, Johnston, Jones, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Rae, Walker
No - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 15.

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

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Di Giorgio, Disero, Duguid, Filion, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Soknacki, Sutherland, Tziretas, Walker
No - 11	
Councillors:	Augimeri, Chow, Feldman, Flint, Ford, Holyday, Minnan-Wong, Nunziata, Pitfield, Shaw, Shiner

Carried by a majority of 21.

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

Yes - 14	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Johnston, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Soknacki, Walker
No - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland, Tziretas

Lost by a majority of 15.

Acting Chair Shiner, having regard to the foregoing decision of Council, declared Part (1) of motion (b) by Councillor Bussin redundant.

Adoption of motion (k) by Councillor Layton:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Soknacki, Walker
No - 10	
Councillors:	Balkissoon, Ford, Holyday, Kelly, Li Preti, Minnan-Wong, Pitfield, Shiner, Sutherland, Tziretas

Carried by a majority of 23.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (g) by Councillor Kelly and motion (i) by Councillor Filion, ruled such motions out of order.

Councillor Mihevc requested Acting Chair Shiner to rule on whether Part (2) of motion (d) by Councillor Sutherland was in order.

Acting Chair Shiner ruled Part (2) of motion (d) by Councillor Sutherland in order.

Councillor Mihevc challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Nunziata, Ootes, Pantalone, Shaw, Shiner, Soknacki, Sutherland, Tziretas
No - 12	
Councillors:	Augimeri, Bussin, Filion, Korwin-Kuczynski, Layton, Mihevc, Minnan-Wong, Moeser, Moscoe, Pitfield, Rae, Walker

Carried by a majority of 19.

Votes:

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

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Di Giorgio, Disero, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Sutherland, Tziretas, Walker
No - 10	
Councillors:	Bussin, Chow, Duguid, Filion, Korwin-Kuczynski, Layton, Mihevc, Moeser, Moscoe, Soknacki

Carried by a majority of 22.

Motion (e) by Councillor Johnston carried.

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

Yes - 13	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Duguid, Holyday, Johnston, Kelly, Layton, Mammoliti, Milczyn, Miller, Minnan-Wong, Soknacki
No - 30	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Di Giorgio, Disero, Feldman, Filion, Flint, Ford, Hall, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Sutherland, Tziretas, Walker

Lost by a majority of 17.

Adoption of motion (h) by Councillor Mammoliti:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Bussin, Chow, Di Giorgio, Disero, Duguid, Filion, Johnston, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Tziretas, Walker
No - 20	
Councillors:	Augimeri, Balkissoon, Cho, Feldman, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland

Carried by a majority of 3.

Adoption of motion (j) by Councillor Silva:

Yes - 34	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 10	
Councillors:	Altobello, Balkissoon, Feldman, Filion, Ford, Holyday, Milczyn, Minnan-Wong, Moeser, Shiner

Carried by a majority of 24.

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for Transportation, as amended:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas
No - 10	
Councillors:	Augimeri, Balkissoon, Ford, Holyday, Jones, Kelly, Minnan-Wong, Moscoe, Silva, Walker

Carried by a majority of 24.

In summary, Council adopted the recommendations of the Policy and Finance Committee embodied in the Clause pertaining to the 2002 Capital Budget for Transportation, subject to the following amendments:

- (1) to provide that four local road reconstruction projects in Ward 30, totalling approximately \$530,000.00, be removed from the reconstruction schedule for 2002, namely the reconstruction of certain blocks of the following small residential streets:
 - (a) Badgerow Street;
 - (b) Cavell Avenue;
 - (c) Mountjoy Avenue; and
 - (d) Thompson Street;

and that these funds be transferred to the Cycling Infrastructure Capital Account, in order to proceed with the designated projects in the bicycle lane projects identified as priorities in the bicycle plan; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) subject to the previously requested report to Council, through the Planning and Transportation Committee, funds for any study related to the Don Valley Parkway/401 South Interchange come from the Development Charges Reserve Fund, or as recommended by the Commissioner of Works and Emergency Services; and

- (b) the Commissioner of Works and Emergency Services be requested to:
 - (i) study the efficiency of replacing the asphalt used in speed humps with alternative materials, such as concrete or rubber derived from used tires;
 - (ii) submit a report to the Works Committee on the success of traffic circles as a means of traffic calming, and that consideration be given to designing traffic calming measures into streets which are scheduled for repair, where the volume and speed of traffic warrant such measures;
 - (iii) submit a report to the Works Committee on the feasibility of installing speed humps in front of every school in the City of Toronto, with the exception of main arterial roads; and
 - (iv) submit a report to the Policy and Finance Committee, as part of the June 2002 variance report, on any funds available for traffic calming.”

Capital Program: (H) Water and Wastewater

Motion:

Councillor Disero moved that the Clause be amended:

- (1) by deleting from Recommendation No. (40) of the Policy and Finance Committee, the words “report directly to Council prior to final deliberations of the 2002 Capital Budget”, and inserting in lieu thereof the words “report to the Works Committee for its meeting scheduled to be held on June 25, 2002”, so that such recommendation shall now read as follows:
 - “(40) The Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services report to the Works Committee for its meeting scheduled to be held on June 25, 2002, regarding the budgeting and accounting treatment of the dedication of 4 percent of the service rate increase specifically identified for rehabilitation projects.”; and
- (2) to provide that any use of funding from within the 2002 Capital Budget for Water and Wastewater towards the inter-departmental communications campaign for reduction in the use of pesticides be subject to the following stipulations:
 - (a) there be a clear focus on the reduction of pesticides entering watercourses;

- (b) there be a recognition of the input from all stakeholders; and
- (c) the General Manager of Water and Wastewater Services authorize and sign-off any portion of the communications campaign using Water and Wastewater funding.

Votes:

The motion by Councillor Disero carried.

The Clause, insofar as it pertains to the 2002 Capital Budget for Water and Wastewater, as amended, carried.

Capital Program: (L) Economic Development

Councillor Disero in the Chair.

Ruling of Acting Chair:

Councillor Ootes requested Acting Chair Disero to rule on whether motions proposing the transfer of funds between the Operating and Capital Budgets would be in order.

Acting Chair Disero ruled that such motions would not be in order.

Councillor Mihevc challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Bussin, Disero, Duguid, Feldman, Flint, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 16	
Councillors:	Ashton, Augimeri, Cho, Chow, Filion, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Rae, Silva, Walker

Carried by a majority of 6.

Motions:

- (a) Councillor Rae moved that the Clause be amended to provide that an amount of \$751,200.00 be deferred from the MAP Project for 2002, such funds to be allocated to the BIA Capital Program.
- (b) Councillor Bussin moved that the Clause be amended to provide that:
- (1) an amount of \$751,200.00 be reduced from Division 43 (City Capital Reserve) for 2002, such funds to be allocated to the BIA Capital Program; and
 - (2) an amount of \$751,200.00 be reduced from the Efficiency Incentive Fund, such funds to be allocated to the BIA Capital Program.
- (c) Councillor Layton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to examine the Chinese Gate Proposal from East Chinatown to see what options may be available in 2003, and submit a report to the Economic Development and Parks Committee during the 2003 budget process, after consultation with the Ward Councillor.”

Withdrawal of Motion:

Councillor Bussin, with the permission of Council, withdrew Part (1) of her motion (b).

Councillor Shiner in the Chair.

Votes:

Adoption of motion (a) by Councillor Rae:

Yes - 28	Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 13	Councillors: Balkissoon, Duguid, Filion, Holyday, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Pitfield, Shiner, Soknacki, Sutherland

Carried by a majority of 15.

Acting Chair Shiner, having regard to the foregoing decision of Council, declared Part (2) of motion (b) by Councillor Bussin redundant.

Motion (c) by Councillor Layton carried.

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for Economic Development, as amended, save and except the BIA Capital Program:

Yes - 42	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 41.

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for the BIA Capital Program:

Yes - 37	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Sutherland, Tziretas, Walker
No - 5	
Councillors:	Holyday, Kelly, Moeser, Pitfield, Soknacki

Carried by a majority of 32.

Capital Program: (M) Parks and Recreation

Motions:

- (a) Councillor Augimeri moved that the Clause be amended to provide that:

“**WHEREAS** the Capital Program dealing with the playground retrofit was designed to bring all 833 City-owned playgrounds to the new standards dictated by the Canadian Standards Association; and

WHEREAS \$1.5 million was allocated to this program in each of the years 2000, 2001, 2002 and 2003, in order to complete the retrofits; and

WHEREAS the Chief Administrative Officer, the Executive Management Team, the Budget Advisory Committee and the Policy and Finance Committee approved that \$750,000.00 of the 2002 allocation be deferred; and

WHEREAS this will have the effect of extending the timeframe for completion of the retrofit program, which may increase the liability of the City of Toronto and the utility of the playgrounds and their communities;

NOW THEREFORE BE IT RESOLVED THAT \$750,000.00 be restored in the 2002 playground retrofit operating program in the Parks and Recreation Division;

AND BE IT FURTHER RESOLVED THAT funding therefor be transferred from the Efficiency Incentive Fund.”

- (b) Councillor Moscoe moved that the Clause be amended to provide that, given that the Chief Financial Officer and Treasurer will be submitting a quarterly report on capital spending during 2002, the Chief Financial Officer and Treasurer be requested to submit a report on any underspending that may occur, and comment on the following Capital projects on a priority basis:
- (1) Parks and Playgrounds (\$500,000.00); and
 - (2) Maria Shchuka Library (\$50,000.00).
- (c) Councillor Minnan-Wong moved that motion (b) by Councillor Moscoe be amended by deleting all the words after the word “occur” and inserting in lieu thereof the words “and any variance be used to decrease any increase in the property tax for 2003.”

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (c) by Councillor Minnan-Wong, ruled such motion out of order.

Votes:

Adoption of motion (a) by Councillor Augimeri:

Yes - 17	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Disero, Filion, Jones, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Tziretas
No - 14	
Mayor:	Lastman
Councillors:	Cho, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Moeser, Shiner, Soknacki, Sutherland

Carried by a majority of 3.

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

Yes - 16	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Filion, Flint, Jones, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Tziretas, Walker
No - 17	
Mayor:	Lastman
Councillors:	Cho, Disero, Duguid, Feldman, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Moeser, Nunziata, Pitfield, Shiner, Soknacki, Sutherland

Lost by a majority of 1.

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for Parks and Recreation, as amended:

Yes - 27	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
No - 8	
Councillors:	Feldman, Flint, Ford, Holyday, Moeser, Shiner, Soknacki, Sutherland

Carried by a majority of 19.

[Council subsequently re-opened the 2002 Capital Budget for Parks and Recreation for further consideration. See Minute No. S2.11, Page 75, headed "Motion by Councillor Shiner Respecting Various 2002 Capital and Operating Budgets".]

Capital Program: (R) Facilities and Real Estate

Motion:

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

"It is further recommended that Metro Hall be sold."

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (a) by Councillor Ford, ruled such motion out of order.

Motion:

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

"It is further recommended that the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, in consultation with representatives of the Toronto Atmospheric Fund, the Better Building Partnerships and Toronto Hydro, be requested to explore the various practices emerging in Canadian municipalities governing the financing of energy retrofit projects and submit a joint report to the Administration Committee on possibilities for alternate financial practices to facilitate the retrofit of City buildings."

Votes:

Motion (b) by Councillor Layton carried.

The Clause, insofar as it pertains to the 2002 Capital Budget for Facilities and Real Estate, as amended, carried.

Capital Program: (S) Fleet Services

Motion:

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

“It is further recommended that the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services be requested to consult with Toronto Hydro on Toronto Hydro’s experience with bio-fuel vehicles, and submit a joint report thereon to the Works Committee.”

Votes:

The motion by Councillor Layton carried.

The Clause, insofar as it pertains to the 2002 Capital Budget for Fleet Services, as amended, carried.

Capital Program: (W) Toronto Public Library

Motions:

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

“It is further recommended that:

- (1) the feasibility studies and the public consultations for the Beaches, Long Branch and Pape Library renovations commence, and that the funds be derived from the Court Services Capital Budget; and further, that the Chair, Toronto Public Library Board be requested to submit a report to the Policy and Finance Committee on what efficiencies could be achieved from conducting a comprehensive approach in preparing the feasibility studies; and
- (2) the feasibility studies and the public consultations for the Beaches, Long Branch and Pape Library renovations commence, and further, that the Chair, Toronto Public Library Board be requested to submit a report to the Policy and Finance Committee on what efficiencies could be achieved from conducting a comprehensive approach in preparing the feasibility studies and renovations for 2003.”

(b) Councillor Moscoe moved that the Clause be amended:

- (1) by adding thereto the following:

“It is further recommended that approval of the Toronto Public Library Capital Budget be conditional on the Toronto Public Library Board being required to replace community space in the new Maria A. Shchuka Library, at least in the

equivalent amount of the existing space, and that funding therefor be provided from either the approved Capital Budget for this facility or from elsewhere in the Library Budget.”; and

- (2) to provide that the Maria A. Shchuka District Library Reconstruction Project be deferred for one year.
- (c) Councillor Bussin moved that the Clause be amended by adding to Recommendation No. (145) of the Policy and Finance Committee, the words “and that the Beaches, Long Branch and Pape-Danforth Libraries be considered as high priorities in 2003”, so that such recommendation shall now read as follows:

“(145) The Chief Administrative Officer report back in 2003 on a long-term capital budget strategy for the Toronto Public Library; and that the Beaches, Long Branch and Pape-Danforth Libraries be considered as high priorities in 2003;”.

Withdrawal of Motions:

Councillor Jones, with the permission of Council, withdrew her motion (a).

Councillor Moscoe, with the permission of Council, withdrew his motion (b).

Votes:

Adoption of motion (c) by Councillor Bussin:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Holyday, Johnston, Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Duguid, Hall, Nunziata

Carried by a majority of 27.

The Clause, insofar as it pertains to the 2002 Capital Budget for the Toronto Public Library, as amended, carried.

Capital Program: (AA) Toronto Transit Commission (Excluding RTEP)

Motion:

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

“It is further recommended that the Toronto Transit Commission be requested to officially invite Councillor Anne Johnston to the opening of the Sheppard Subway.”

Votes:

Adoption of motion by Councillor Ashton:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Di Giorgio, Disero, Duguid, Flint, Hall, Holyday, Jones, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Rae, Shaw, Shiner, Silva, Tziretas
No - 4	
Councillors:	Johnston, Ootes, Sutherland, Walker

Carried by a majority of 22.

The Clause, insofar as it pertains to the 2002 Capital Budget for the Toronto Transit Commission (Excluding RTEP), as amended, carried.

Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Operating Program: (H) Fire Services

Deputy Mayor Ootes in the Chair.

Motion:

Councillor Holyday moved that the Clause be amended by deleting the following Recommendation No. (32) of the Policy and Finance Committee, and the Commissioner of Works and Emergency Services be directed to eliminate the Fire Incident Technician positions and redeploy the firefighters to regular duties and, if there is still a shortfall, the Fire Chief be requested to submit a report on this matter to the Community Services Committee:

“(32) The 2002 Operating Budget include an additional 55 firefighters, of which 30 to commence training April 29, 2002 and the remaining 25 to commence training August 19, 2002, with funding in the amount of \$1.6 million to be absorbed within the existing Fire Services 2002 Operating Budget; and”.

Votes:

Adoption of motion by Councillor Holyday:

Yes - 1 Councillor: Holyday
No - 38 Mayor: Lastman Councillors: Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 37.

The Clause, insofar as it pertains to the 2002 Operating Budget for Fire Services, carried, without amendment.

Operating Program: (I) Transportation Services

Motions:

(a) Councillor Bussin moved that the Clause be amended:

(1) to provide that:

- (i) the fee for permit parking not be increased in 2002;
- (ii) the previously approved increase in front yard parking fees, to have been effective July 1, 2002, be rescinded; and
- (iii) the annualized revenue estimate of \$880,000.00 (which indicates \$440,000.00 in 2002) for the increased fees be offset by a correcting

annual cost reduction in cleaning around parked cars from every four weeks to once every six weeks, to generally maintain the level of service provided in 2001; and

- (2) by adding thereto the following:

“It is further recommended that:

- (i) the Commissioner of Works and Emergency Services be requested to submit, as part of the 2003 budget process, a report on revenue generating proposals regarding residential sidewalk snow clearing and windrow clearing; and
- (ii) there be no further increase in permit parking fees and front yard parking fees for the duration of the term of Council.”

- (b) Councillor Holyday moved that the Clause be amended:

- (1) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested:

- (i) to submit a report to the Works Committee in July 2002, on the cost of providing a snow removal program similar to the programs previously provided in the former Cities of Etobicoke and Scarborough, such report to include a comparison of the costs with the City’s current program, including all related repairs and expenses;
 - (ii) to submit a report, in the event that any savings are realized due to the sidewalk snow clearing program being reduced or not required, to the Works Committee for consideration at its meeting scheduled to be held in September 2002, with any such savings to be applied to the vacuum leaf program; and
 - (iii) to approach the contractors for sidewalk snow clearance, with a view to renegotiating the winter 2002/2003 contracts at a reduced level of service similar to that provided in the former Cities of Etobicoke and Scarborough, and submit a report thereon to the Works Committee.”;
- (2) by deleting the funding for the expanded sidewalk snow clearing on all but arterial roads, and directing the Commissioner of Works and Emergency

Services to implement a plan to clear sidewalks for seniors and the disabled;
and

- (3) to provide that the necessary funds be added back to the Transportation Services 2002 Operating Budget for the implementation of the leaf vacuuming program, such funds to be offset by reducing the Efficiency Incentive Account.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Part (1)(ii) and Part (2) of motion (b) by Councillor Holyday, ruled such Parts out of order.

Motions:

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee in June 2002, on the total amount of funds required for sidewalk snow clearing in 2001 and 2002, and a projected saving from this budget if the City provided this service only for school areas, hospital areas, seniors and the disabled.”

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

“It is further recommended that, in view of the fact that pedestrian deaths continue at an average rate of three per month, and injuries at more than 2,000 per year, which is unacceptable, the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on:

- (i) an analysis of the data (age, disability, etc.); and
- (ii) how road and sidewalk design and traffic operations may be contributing to these deaths and accidents, so that appropriate recommendations can be made for the 2003 Operating and/or Capital Budget.”

- (e) Councillor Lindsay Luby moved that:

- (1) the Clause be amended by adding \$125,000.00 to the Transportation Services 2002 Operating Budget for the mechanical leaf collection program on ditched streets which are heavily treed, and as selected by staff, such addition to be

offset by reducing the Efficiency Incentive Fund by \$125,000.00; and

- (2) Part (1)(i) of motion (b) by Councillor Holyday be amended by adding thereto the following words “and to also address all of the negative aspects of the former snow clearing programs, specifically, Senior’s Programs”.
- (f) Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to review the feasibility and savings of reducing the sidewalk snow clearing program to a level which would include reverse frontages and areas adjacent to civic properties, arterial roads and public transit routes, while allowing for sidewalk snow removal for seniors and disabled persons and submit a report thereon to the Works Committee for consideration during the 2003 budget process, such report to include all related costs.”

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

“It is further recommended that the Chief Administrative Officer and appropriate City staff be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on proposed user fees, prior to building such fees into the 2003 budget.”

- (h) Councillor Ashton moved that the Clause be amended by adding \$25,000.00 to the Transportation Services 2002 Operating Budget for mechanical leaf collection in the Birchcliffe community, such addition to be funded by reducing the Efficiency Incentive Fund.

Votes:

Adoption of Parts (1)(i), (1)(ii) and (1)(iii) of motion (a) by Councillor Bussin:

Yes - 29	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pitfield, Rae, Shaw, Silva, Sutherland, Tziretas
No - 7	

Councillors: Chow, Duguid, Layton, Moeser, Ootes, Pantalone, Shiner

Carried by a majority of 22.

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

Yes - 14 Councillors:	Augimeri, Bussin, Cho, Ford, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, Milczyn, Moeser, Ootes, Shaw, Tziretas
No - 24 Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Sutherland

Lost by a majority of 10.

Adoption of Part (1) of motion (e) by Councillor Lindsay Luby:

Yes - 20 Councillors:	Ashton, Bussin, Cho, Di Giorgio, Disero, Ford, Hall, Holyday, Jones, Kelly, Li Preti, Lindsay Luby, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Rae, Shaw, Tziretas
No - 19 Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Chow, Duguid, Johnston, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Pantalone, Pitfield, Shiner, Silva, Sutherland, Walker

Carried by a majority of 1.

Adoption of motion (h) by Councillor Ashton:

Yes - 14 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Ford, Lindsay Luby, Ootes, Shaw, Silva, Tziretas
No - 25 Councillors:	Balkissoon, Chow, Duguid, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Sutherland, Walker

Lost by a majority of 11.

Ruling by Deputy Mayor:

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

Part (2) of motion (e) by Councillor Lindsay Luby carried.

Adoption of Part (1)(i) of motion (b) by Councillor Holyday, as amended:

Yes - 24 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Mihevc, Milczyn, Moeser, Ootes, Pantalone, Pitfield, Silva, Sutherland, Tziretas, Walker
No - 15 Councillors: Bussin, Chow, Johnston, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, Rae, Shaw, Shiner

Carried by a majority of 9.

Adoption of Part (2)(i) of motion (a) by Councillor Bussin:

Yes - 20 Councillors: Balkissoon, Bussin, Cho, Chow, Disero, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Silva, Tziretas, Walker
No - 20 Councillors: Altobello, Ashton, Augimeri, Berardinetti, Di Giorgio, Duguid, Ford, Hall, Jones, Layton, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Moscoe, Pitfield, Rae, Shaw, Shiner, Sutherland

Lost, there being an equal division of votes.

Adoption of motion (c) by Councillor Cho:

Yes - 25 Councillors:	Ashton, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Ford, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Moeser, Ootes, Pantalone, Pitfield, Silva, Sutherland, Tziretas, Walker
No - 15 Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moscoe, Nunziata, Rae, Shaw, Shiner

Carried by a majority of 10.

Motion (d) by Councillor Johnston carried.

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

Yes - 21 Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Duguid, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Ootes, Rae, Silva, Tziretas, Walker
No - 19 Councillors:	Augimeri, Berardinetti, Chow, Di Giorgio, Disero, Ford, Hall, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Shaw, Shiner, Sutherland

Carried by a majority of 2.

Adoption of Part (1)(iii) of motion (b) by Councillor Holyday:

Yes - 15 Councillors:	Altobello, Ashton, Balkissoon, Cho, Duguid, Ford, Holyday, Korwin-Kuczynski, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Tziretas, Walker
No - 24 Councillors:	Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Shaw, Shiner, Silva, Sutherland

Lost by a majority of 9.

Motion (g) by Councillor Sutherland carried.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Transportation Services, as amended:

Yes - 31	Councillors: Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Sutherland, Tziretas
No - 9	Councillors: Altobello, Augimeri, Balkissoon, Korwin-Kuczynski, Layton, Minnan-Wong, Moeser, Pitfield, Walker

Carried by a majority of 22.

In summary, Council adopted the recommendations of the Policy and Finance Committee embodied in the Clause pertaining to the 2002 Operating Budget for Transportation Services, subject to the following amendments:

- (1) to provide that:
 - (a) the fee for permit parking not be increased in 2002;
 - (b) the previously approved increase in front yard parking fees, to have been effective July 1, 2002, be rescinded; and
 - (c) the annualized revenue estimate of \$880,000.00 (which indicates \$440,000.00 in 2002) for the increased fees be offset by a correcting annual cost reduction in cleaning around parked cars from every four weeks to once every six weeks, to generally maintain the level of service provided in 2001;
- (2) adding \$125,000.00 to the Transportation Services 2002 Operating Budget for the mechanical leaf collection program on ditched streets which are heavily treed, and as selected by staff, such addition to be offset by reducing the Efficiency Incentive Fund by \$125,000.00; and
- (3) adding thereto the following:

“It is further recommended that:

- (a) the Chief Administrative Officer and appropriate City staff be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on proposed user fees, prior to building such fees into the 2003 budget;
- (b) in view of the fact that pedestrian deaths continue at an average rate of three per month, and injuries at more than 2,000 per year, which is unacceptable, the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on:
 - (i) an analysis of the data (age, disability, etc.); and
 - (ii) how road and sidewalk design and traffic operations may be contributing to these deaths and accidents, so that appropriate recommendations can be made for the 2003 Operating and/or Capital Budget;
- (c) the Commissioner of Works and Emergency Services be requested to review the feasibility and savings of reducing the sidewalk snow clearing program to a level which would include reverse frontages and areas adjacent to civic properties, arterial roads and public transit routes, while allowing for sidewalk snow removal for seniors and disabled persons and submit a report thereon to the Works Committee for consideration during the 2003 budget process, such report to include all related costs;
- (d) the Commissioner of Works and Emergency Services be requested to submit reports to the Works Committee:
 - (i) in June 2002, on the total amount of funds required for sidewalk snow clearing in 2001 and 2002, and a projected saving from this budget if the City provided this service only for school areas, hospital areas, seniors and the disabled; and
 - (ii) in July 2002, on the cost of providing a snow removal program similar to the programs previously provided in the former Cities of Etobicoke and Scarborough, such report to include a comparison of the costs with the City's current program, including all related repairs and expenses, and to also address all of the negative aspects of the former snow clearing programs, specifically, Senior's Programs."

Operating Program: (O) Economic Development

Motion:

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism and the General Manager, National Trade Centre, be requested to submit a joint report to the Economic Development and Parks Committee on the feasibility of relocating Tradelink to an alternative location, in order to free up valuable space at the National Trade Centre for lease to trade shows and to attract additional trade shows.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, insofar as it pertains to the 2002 Operating Budget for Economic Development, as amended, carried.

Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”.

Capital Program: (BB) Toronto Police Service

Motion:

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

“It is further recommended that the Toronto Police Services Board be requested to initiate the process for the construction of Division 43 in 2002, utilizing \$1.1 million of funding from the Division 43 City Capital Reserve.”

Withdrawal of Motion:

Councillor Cho, with the permission of Council, withdrew his motion.

Councillor Shiner in the Chair.

Vote:

Adoption of the Clause, insofar as it pertains to the 2002 Capital Budget for the Toronto Police Service, without amendment:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 0	

Carried, without dissent.

Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Operating Program: (L) Emergency Management Preparedness

Deputy Mayor Ootes in the Chair.

Motion:

Councillor Shiner moved that the Clause be amended by increasing the Emergency Management Preparedness Operating Budget by \$1.9 million gross, zero net, for the Anti-Terrorism Unit, subject to receiving funding from senior levels of government.

Votes:

The motion by Councillor Shiner carried.

The Clause, insofar as it pertains to the 2002 Operating Budget for Emergency Management Preparedness, as amended, carried.

Operating Program: (RR) Toronto Police Services Board - Toronto Police Service

Motions:

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

“It is further recommended that the Chief of Police be requested to seek authorization from the Federal Government to retain the proceeds from crime recovered in the City of Toronto.”

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

“It is further recommended that the Chief of Police be requested to update the Toronto Police Services Board and the Policy and Finance Committee on the cost of policing for the Woodbine Racetrack and Slots, identifying need and service requirements by May 2002.”

- (c) Councillor Moscoe moved that motion (a) by Councillor Li Preti be amended by adding thereto the words “on an in-trust basis for distribution to the victims of crime”.

Councillor Shiner in the Chair.

Votes:

Adoption of motion (c) by Councillor Moscoe:

Yes - 25	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Pitfield, Rae, Shaw, Silva, Sutherland, Walker
No - 19	
Councillors:	Altobello, Balkissoon, Cho, Disero, Feldman, Filion, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Layton, Moeser, Nunziata, Ootes, Pantalone, Shiner, Soknacki, Tziretas

Carried by a majority of 6.

Adoption of motion (a) by Councillor Li Preti, as amended:

Yes - 38	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 6	
Councillors:	Balkissoon, Holyday, Korwin-Kuczynski, Nunziata, Ootes, Shiner

Carried by a majority of 32.

Motion (b) by Councillor Hall carried.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for the Toronto Police Services Board - Toronto Police Service, as amended:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 3	
Councillors:	Ashton, Moscoe, Walker

Carried by a majority of 38.

Operating Program: (TT) Capital and Corporate Financing/Non Program

Motion:

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

“It is further recommended that, prior to the implementation of the wide-scale enforcement of the overnight three-hour parking limit, the Parking Enforcement Unit be requested to discuss the enforcement protocol with the Parking Enforcement-Transportation Service Liaison Group.”

Vote:

Adoption of motion (a) by Councillor Walker:

Yes - 35	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Flint, Ford, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 10	
Mayor:	Lastman
Councillors:	Ashton, Feldman, Holyday, Kelly, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata

Carried by a majority of 25.

Ruling of Acting Chair:

Acting Chair Shiner ruled that questions of staff with respect to the Toronto Police Service 2002 Capital and Operating Budgets had been concluded, and therefore, further questions would not be in order.

Councillor Walker challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 33	
Mayor:	Lastman
Councillors:	Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 11	

Councillors: Altobello, Ashton, Balkissoon, Bussin, Layton, Mihevc, Moscoe, Pitfield, Rae, Tziretas, Walker
--

Carried by a majority of 22.

The Clause, insofar as it pertains to the 2002 Operating Budget for Capital and Corporate Financing/Non-Program, as amended, carried.

[Council subsequently re-opened the 2002 Operating Budget for Capital and Corporate Financing/Non-Program for further consideration. See Minute No. S2.11, Page 75, headed “Motion by Councillor Shiner Respecting Various 2002 Capital and Operating Budgets”.]

Operating Program: (G) Solid Waste Management

Deputy Mayor Ootes in the Chair.

Vote:

The Clause, insofar as it pertains to the 2002 Operating Budget for Solid Waste Management, carried, without amendment.

Motion to Re-Open:

Councillor Korwin-Kuczynski, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause, insofar as it pertains to the 2002 Operating Budget for Solid Waste Management, be re-opened for further consideration in order that he may be recorded in opposition thereto.

Ruling of Deputy Mayor:

Deputy Mayor Ootes, having regard that Councillor Korwin-Kuczynski was not present in the Council Chamber during the vote on the 2002 Operating Budget for Solid Waste Management, ruled the motion by Councillor Korwin-Kuczynski out of order.

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

Vote to Uphold Ruling of Deputy Mayor:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Sutherland, Tziretas
No - 3	
Councillors:	Augimeri, Korwin-Kuczynski, Walker

Carried by a majority of 22.

Operating Program: (T) Urban Development Services

Motions:

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

“It is further recommended that:

- (1) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on:
 - (i) current City administrative practices and measures to improve the timely delivery of building permit issuance; and
 - (ii) various measures which are effectively utilized in other municipalities in Ontario and Canada to improve building permit approvals; and
 - (2) a Task Force be established, comprised of Councillors Disero, Pantalone and Silva, such Task Force to consider and make recommendations on the implementation of a one-window approach to development approvals, including reducing the time taken to issue building permits, to consult with appropriate representatives of the Building and Labour Industry in this regard, and report thereon to the Planning and Transportation Committee, in September 2002.”
- (b) Councillor Pantalone moved that the Clause be amended in accordance with the supplementary report dated February 28, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that Council amend the Operating Budget Program Recommendations Nos. (68)(d)(1) and (73)(a), under the heading ‘Urban Development Services’, on fees relating to unlawful construction, so that, for construction projects where permit applications are submitted for each stage of construction, the additional fee shall be calculated for the stage under construction at the time the permit is issued, by replacing these clauses with the following:

‘An additional fee equal to 50 percent of the permit fees for the project, or \$100.00, whichever is greater, up to a maximum of \$20,000.00, be charged when construction has commenced prior to the issuance of a building permit. For construction projects where permit applications are submitted for each stage of construction, the additional fee shall be calculated for the stage under construction at the time the permit is issued and that such fees be capped at a maximum of \$20,000.00 to be charged when construction has commenced prior to the issuance of a building permit.’ ”

Votes:

Motion (b) by Councillor Pantalone carried.

Motion (a) by Councillor Silva carried.

The Clause, insofar as it pertains to the 2002 Operating Budget for Urban Development Services, as amended, carried.

Councillor Silva requested that his opposition to the 2002 Operating Budget for Urban Development Services be noted in the Minutes of this meeting.

Operating Program: (QQ) Toronto Transit Commission

Councillor Shiner in the Chair.

Motion to Extend Time to Speak:

Councillor Layton, having spoken to this matter for a period of five minutes, Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived and that Councillor Layton be granted a further period of five minutes, in order to permit the conclusion of his remarks, the vote upon which was taken as follows:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Ford, Holyday, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland
No - 0	

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

Motions:

- (a) Councillor Layton moved that the Clause be amended to provide that \$10 million be restored to the Toronto Transit Commission to prevent a fare increase in mid-year, and that such funds be found within the \$214.2 million expenditure in the non-program area, namely the \$7.7 million contribution towards the Insurance Reserve Fund and \$2.3 million contribution to the Employee Related Liabilities Fund.
- (b) Councillor Ford moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Toronto Transit Commission be requested to immediately cease the practice of providing free TTC passes to individuals who are not TTC employees.”
- (c) Councillor Ashton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Administrative Officer and the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the Policy and Finance Committee on the following proposal:
- (1) the City entering into immediate discussions with the Toronto Transit Commission to establish a multi-year operating funding agreement;
 - (2) such agreement to protect the transit service in the City of Toronto and rationally and reasonably address the multi-year operating needs of the TTC and the service expectations of the public; and
 - (3) such an agreement to be drafted and executed as a binding contractual obligation between the parties.”

- (d) Councillor Mihevc moved that Part (1) of motion (c) by Councillor Ashton be amended by adding thereto the words “and in considering such agreement, Council re-affirm the principle of an 80/20 cost recovery ratio”.
- (e) Councillor Miller moved that the Clause be amended by adding thereto the following:
“It is further recommended that the Province of Ontario be requested to restore funding to the Toronto Transit Commission (TTC) for its Operating Budget on the same basis as previously provided.”
- (f) Councillor Shaw moved that the Clause be amended by adding thereto the following:
“It is further recommended that the Chief General Manager, Toronto Transit Commission, be requested to consider providing complimentary transit passes to MPs and MPPs within the City of Toronto, and Members of the City Hall Media Bureau.”

Votes:

Adoption of motion (a) by Councillor Layton:

Yes - 20 Councillors:	Ashton, Augimeri, Bussin, Chow, Ford, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Shaw, Silva, Walker
No - 21 Mayor: Councillors:	Lastman Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 1.

Adoption of motion (b) by Councillor Ford:

Yes - 5	
Councillors:	Ford, Layton, Moeser, Nunziata, Pitfield
No - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 31.

Adoption of motion (d) by Councillor Mihevc:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Tziretas, Walker
No - 7	
Councillors:	Duguid, Ford, Holyday, Minnan-Wong, Moeser, Shiner, Sutherland

Carried by a majority of 27.

Adoption of Part (3) of motion (c) by Councillor Ashton:

Yes - 29	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 12	
Mayor:	Lastman
Councillors:	Duguid, Ford, Holyday, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Shiner

Carried by a majority of 17.

Parts (1) and (2) of motion (c) by Councillor Ashton, as amended, carried.

Adoption of motion (e) by Councillor Miller:

Yes - 39	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 2	
Councillors:	Ford, Kelly

Carried by a majority of 37.

Adoption of motion (f) by Councillor Shaw:

Yes - 13	
Mayor:	Lastman
Councillors:	Augimeri, Di Giorgio, Disero, Duguid, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Pantalone, Shaw, Soknacki, Tziretas
No - 28	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Chow, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Rae, Shiner, Silva, Sutherland, Walker

Lost by a majority of 15.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for the Toronto Transit Commission, as amended:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 13	
Councillors:	Augimeri, Bussin, Chow, Ford, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Rae, Silva

Carried by a majority of 15.

In summary, Council adopted the recommendations of the Policy and Finance Committee embodied in the Clause pertaining to the 2002 Operating Budget for the Toronto Transit Commission, subject to adding thereto the following:

“It is further recommended that:

- (a) the Province of Ontario be requested to restore funding to the Toronto Transit Commission (TTC) for its Operating Budget on the same basis as previously provided; and

- (b) the Chief Administrative Officer and the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the Policy and Finance Committee on the following proposal:
 - (i) the City entering into immediate discussions with the Toronto Transit Commission to establish a multi-year operating funding agreement and in considering such agreement, Council re-affirm the principle of an 80/20 cost recovery ratio;
 - (ii) such agreement to protect the transit service in the City of Toronto and rationally and reasonably address the multi-year operating needs of the TTC and the service expectations of the public; and
 - (iii) such an agreement to be drafted and executed as a binding contractual obligation between the parties.”

S2.11 Motion by Councillor Shiner Respecting Various 2002 Capital and Operating Budgets as embodied in Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”, and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Deputy Mayor Ootes in the Chair.

Motion to Re-Open:

Councillor Shiner, with the permission of Council, advised that a motion had been prepared which would affect the following 2002 Capital/Operating Budgets:

- Capital: Parks and Recreation;
- Capital: Special Corporate Projects;
- Operating: Children’s Services;
- Operating: Culture;
- Operating: Parks and Recreation;
- Operating: Toronto Public Health;
- Operating: Toronto Public Library;
- Operating: Consolidated Grants; and
- Operating: Capital and Corporate Financing/Non-Program;

and moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Council re-open for further consideration its previous decisions with respect to:

- (1) those portions of the Clauses pertaining to the aforementioned 2002 Capital/Operating Budgets, as necessary, only in order to give consideration to the motion; and
- (2) the 4.6 percent cap on the property tax increase, only to establish a new cap of 4.32 percent, reflecting a reduction of \$2.758 million in the 2002 net property tax levy recommended by the Policy and Finance Committee. [See the section headed “Cap on Property Tax Increase”, embodied in Minute No. S2.10, Page 11.]

Vote:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Chow, Di Giorgio, Duguid, Ford, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Holyday, Korwin-Kuczynski, Moeser

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

Motions:

- (a) Councillor Shiner moved that Council approve the following adjustments:
 - (1) the Children’s Services Operating Budget be increased:
 - (i) by \$500,000.00 net for health and safety and playground projects;
 - (ii) by \$480,000.00 for the occupancy cost paid to the Toronto District School Board on behalf of child care centres and family resource programs, and the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on the lease agreements with the various School Boards; and
 - (iii) by \$160,000.00 for the York “Before and After-School Program”;

- (2) the Consolidated Grants Operating Budget be increased:
 - (i) by \$60,000.00 for children's nutrition programs in 11 elementary schools, reaching 2,500 children; and
 - (ii) by \$250,000.00 as a partial adjustment for inflationary pressures;
- (3) the Toronto Public Library Operating Budget be increased by \$90,000.00 for the "Leading to Reading Program", both in the summer and during the school year;
- (4) the Toronto Public Health Operating Budget be increased by \$110,000.00 for the Seniors' Fall Prevention Program;
- (5) the Parks and Recreation Operating Budget be increased:
 - (i) by \$100,000.00 for the youth violence prevention program; and
 - (ii) by \$150,000.00 for turf improvement and weed control for parks under the pesticide reduction program;
- (6) the Capital and Corporate Financing/Non-Program Budget be amended:
 - (i) by decreasing the proposed contribution to the Utility Conservation/Retrofit Reserve by \$633,000.00;
 - (ii) by decreasing the Division 43 Project Reserve (City Capital Reserve) by \$1.9 million; and
 - (iii) by amending Part (b) of Recommendation No. (174) of the Policy and Finance Committee, embodied in the section headed "General", to provide that the initial investment for the Efficiency Incentive Fund be further reduced by \$625,000.00;
- (7) the Special Corporate Projects Capital Budget be further amended by deferring \$750,000.00 for the Master Accommodation Plan (MAP) Project;
- (8) the Culture Budget be amending by deleting from Part (e) of Recommendation No. (46) of the Policy and Finance Committee, the amount of "\$1 million" and inserting in lieu thereof the amount of "\$500,000.00", so that such recommendation now reads as follows:

- “(e) the \$500,000.00 in additional one-time funding be provided from 2001 Surplus funds and that the Culture Division’s 2002 Operating Budget be adjusted to reflect a budgeted contribution to a reserve fund to be established for this purpose;”.
- (9) the Parks and Recreation Capital Budget for playground equipment, as amended, be decreased by \$250,000.00.
- (b) Councillor Augimeri moved that the Clause, insofar as it pertains to the Parks and Recreation Operating Budget, be amended by adding thereto the following:

“It is further recommended that Council adopt the following motion:

‘WHEREAS the recent rise of youth-related violence has reinforced the need for youth violence prevention programs ; and

WHEREAS research indicates that the areas where most of the recent gun deaths occurred are also areas where there is a lack of youth programs or where youth programs are underfunded; and

WHEREAS five quick start programs to build resilient youth in our communities arose out of the Mayor’s Task Force on Youth Gangs in 1999;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council reaffirm its support and commitment to an expansion of programs that support youth violence prevention, as identified in the Children and Youth Strategy, the Building Hope Coalition and the Toronto Youth Cabinet;

AND BE IT FURTHER RESOLVED THAT this resolution be forwarded to the Commissioner of Economic Development, Culture and Tourism, the Acting Commissioner of Community and Neighbourhood Services and the Task Force on Community Safety for serious consideration in their allocation of the funding already set aside for youth crime reduction and youth anti-violence programs;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism and the Acting Commissioner of Community and Neighbourhood Services be encouraged to consider additional youth violence prevention and anti-violence initiatives in their 2003 budget submissions.’ ”

- (c) Councillor Li Preti moved that the Clause, insofar as it pertains to the Parks and Recreation Operating Budget, be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the health and safety issues for children using soccer fields in the summer months.”
- (d) Councillor Kelly moved that motion (a) by Councillor Shiner be amended by deleting Part (6)(ii) thereby restoring the \$1.9 million for the Division 43 Project Reserve, such increase to be offset by:
- (i) amending Part (6)(i) by deleting the figure “\$633,000.00” and inserting in lieu thereof the figure “\$1,533,000.00”;
 - (ii) amending Part (8) by deleting the figure \$500,000.00” and inserting in lieu thereof the figure “\$0.00”; and
 - (iii) amending Part (6)(iii) to provide that no initial investment be made to the Efficiency Incentive Fund, for a savings of \$500,000.00.
- (e) Councillor Holyday moved that:
- (1) motion (a) by Councillor Shiner be amended by deleting Part (1)(ii); and
 - (2) the Clause be amended:
 - (i) by striking out and referring that portion pertaining to the School Pools issue to the Commissioner of Economic Development, Culture and Tourism with a request that he submit a report to the Economic Development and Parks Committee on how the School Pools can be fairly utilized in order to achieve more equity throughout the City of Toronto; and
 - (ii) to provide that the Consolidated Grants Budget be reduced by 10 percent.
- (f) Councillor Chow moved that the Clause be amended by adding to Recommendation No. (174) of the Policy and Finance Committee, the following new Parts (e) and (f):
- “(e) the program design and implementation of the Efficiency Incentive Fund be reported to Council, through the Administration Committee; and

- (f) the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee, prior to the next budget cycle, on the effectiveness and merit of the Fund, and a clear criteria for how this Fund will be evaluated.”

Vote Be Now Taken:

Councillor Pantalone moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote on Councillor Shiner’s motion respecting various 2002 Capital and Operating Budgets, as well as those motions with respect thereto, be now taken, the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Johnston, Jones, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 9	
Councillors:	Altobello, Holyday, Kelly, Korwin-Kuczynski, Layton, Moeser, Ootes, Shaw, Walker

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

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of his motion (a), ruled that the vote shall be taken on such motion in its entirety, save and except those portions pertaining to the Toronto Public Library and the Parks and Recreation Operating Budget, which would be voted on separately, having regard that some Members of Council had previously made declarations of interest therein.

Councillor Korwin-Kuczynski challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 30	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Johnston, Jones, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker
No - 10	
Councillors:	Duguid, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Moeser, Ootes, Shaw

Carried by a majority of 20.

Votes:

Adoption of Part (3) of motion (a) by Councillor Shiner (respecting the 2002 Operating Budget for the Toronto Public Library):

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 4	
Councillors:	Duguid, Ford, Holyday, Moeser

Carried by a majority of 30.

Adoption of Parts (5) and (9) of motion (a) by Councillor Shiner (respecting the 2002 Operating Budget for Parks and Recreation):

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker
No - 5	

Councillors: Ford, Holyday, Mammoliti, Moeser, Shaw

Carried by a majority of 27.

Adoption of the balance of motion (a) by Councillor Shiner:

Yes - 33
Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker
No - 6
Councillors: Balkissoon, Ford, Holyday, Kelly, Moeser, Shaw

Carried by a majority of 27.

Acting Chair Shiner, having regard to the foregoing decision of Council, declared motion (d) by Councillor Kelly and Parts (1) and (2)(ii) of motion (e) by Councillor Holyday, redundant.

Adoption of motion (b) by Councillor Augimeri:

Yes - 37
Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 2
Councillors: Ford, Moeser

Carried by a majority of 35.

Motion (c) by Councillor Li Preti carried.

Adoption of Part (2)(i) of motion (e) by Councillor Holyday:

Yes - 5	
Councillors:	Ford, Holyday, Lindsay Luby, Milczyn, Nunziata
No - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 28.

Adoption of 2002 Operating Budget for Parks and Recreation, as further amended:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Korwin-Kuczynski, Moeser

Carried by a majority of 30.

Motion (f) by Councillor Chow carried.

Councillor Ford requested that his opposition to motion (f) by Councillor Chow be noted in the Minutes for this meeting.

Council resumed its consideration of the balance of the 2002 Capital and Operating Budgets.

Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Operating Program: (AA) Human Resources

Deputy Mayor Ootes in the Chair.

Motion:

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

“It is further recommended that the Commissioner of Corporate Services, in consultation with the Chief Administrative Officer, be requested to submit a report to the Administration Committee for consideration during the 2003 budget process, on a one percent reduction in staff across the Corporation.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 6	
Councillors:	Ford, Hall, Holyday, Minnan-Wong, Nunziata, Pitfield
No - 27	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Disero, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 21.

The Clause, insofar as it pertains to the 2002 Operating Budget for Human Resources, carried, without amendment.

Operating Program: (GG) Council

Councillor Shiner in the Chair.

Motion:

Councillor Ford moved that consideration of the 2002 Operating Budget for Council be deferred in order to allow the Commissioner of Corporate Services to provide him with information on the average amount spent on Councillors' Global Office Budgets in the year 2000.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of the motion by Councillor Ford, ruled such motion out of order.

Councillor Ford challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Chow, Di Giorgio, Disero, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Milczyn, Nunziata

Carried by a majority of 22.

Motion:

Councillor Ford moved that the Clause be amended:

- (1) to provide that Councillors' Global Office Budgets be reduced from \$51,300.00 per Councillor to \$35,000.00 per Councillor; and
- (2) by adding thereto the following:

“It is further recommended that a constituency fund be established to allow any Member of Council who does not use his/her entire Office Budget to apply the amount remaining to a property tax decrease for his/her constituents.”

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Part (2) of the motion by Councillor Ford, ruled such Part out of order.

Votes:

Adoption of Part (1) of the motion by Councillor Ford:

Yes - 6 Councillors:	Ford, Holyday, Lindsay Luby, Milczyn, Nunziata, Pitfield
No - 28 Mayor: Councillors:	Lastman Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Duguid, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker

Lost by a majority of 22.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Council, without amendment:

Yes - 32 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 5 Councillors:	Ford, Holyday, Milczyn, Nunziata, Pitfield

Carried by a majority of 27.

Motion to Re-Open:

Councillor Layton, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause, insofar as it pertains to the 2002 Operating Budget for Council, be re-opened for further consideration, and that Councillor Ford be permitted to move additional motions, the vote upon which was taken as follows:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Shaw, Soknacki, Tziretas, Walker
No - 4	
Councillors:	Bussin, Mammoliti, Rae, Silva

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

Additional Motion:

Councillor Ford moved that the Clause be amended:

- (1) by reducing the food and beverage budget for Council from \$100,000.00 to \$10,000.00 for all Council, Committee, Community Council, and all other meetings, with only water and coffee being served;
- (2) to provide that the City's lease for the Skydome Box be terminated, and the Box be sold;
- (3) to provide that all Members of Council be required to pay for their own cell phones;
- (4) to provide that each Member of Council reduce their office staff by one position in order to achieve a savings of \$2.2 million; and
- (5) to provide that the Council Travel Budget be capped at \$50,000.00 for foreign travel.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Part (2) of the motion by Councillor Ford, ruled such Part out of order.

Votes:

Adoption of Part (3) of the motion by Councillor Ford:

Yes - 5 Councillors: Ford, Holyday, Nunziata, Pitfield, Walker
No - 34 Mayor: Lastman Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas

Lost by a majority of 29.

Adoption of Part (4) of the motion by Councillor Ford:

Yes - 2 Councillors: Ford, Holyday
No - 37 Mayor: Lastman Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 35.

Adoption of Part (5) of the motion by Councillor Ford:

Yes - 8	
Councillors:	Altobello, Ford, Holyday, Milczyn, Nunziata, Pitfield, Soknacki, Tziretas
No - 32	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Walker

Lost by a majority of 24.

Adoption of Part (1) of the motion by Councillor Ford:

Yes - 8	
Councillors:	Disero, Ford, Korwin-Kuczynski, Milczyn, Minnan-Wong, Moeser, Nunziata, Tziretas
No - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Hall, Holyday, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Walker

Lost by a majority of 24.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Council, without amendment:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 5	
Councillors:	Ford, Holyday, Korwin-Kuczynski, Milczyn, Nunziata

Carried by a majority of 30.

Operating Program: (U) City Clerk's

Motions:

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

“It is further recommended that:

- (1) the Chief Administrative Officer be requested to submit a report to the Administration Committee, as part of the 2003 budget process, on a mechanism to provide administrative and clerical support to committees appointed by Council; and
 - (2) the City Clerk be requested to undertake a review of all courier services used by City departments, agencies, boards and commissions, and submit a report to the Administration Committee, as part of the 2003 budget process, on the feasibility of establishing a universal internal courier service.”
- (b) Councillor Layton moved that Part (2) of motion (a) by Councillor Moscoe be amended by adding thereto the words “such report to include an investigation into the use of disabled courier services within the City, pedestrian and cycling couriers and a process to determine when and how they might be used.”
- (c) Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that the City Clerk be requested to update the relevant Standing Committees, on a regular basis, with a listing of outstanding reports and recommendations which have been approved by Council but have not been implemented.”

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (c) by Councillor Korwin-Kuczynski, ruled such motion out of order.

Votes:

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

Yes - 24	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Feldman, Filion, Flint, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Miller, Minnan-Wong, Moscoe, Pitfield, Rae, Soknacki, Tziretas, Walker
No - 11	
Mayor:	Lastman
Councillors:	Disero, Duguid, Ford, Hall, Holyday, Lindsay Luby, Moeser, Nunziata, Ootes, Shiner

Carried by a majority of 13.

Adoption of motion (b) by Councillor Layton:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Rae, Shiner, Soknacki, Tziretas, Walker
No - 6	
Councillors:	Disero, Flint, Ford, Holyday, Nunziata, Pitfield

Carried by a majority of 24.

Adoption of Part (2) of motion (a) by Councillor Moscoe, as amended:

Yes - 21 Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Feldman, Fillion, Flint, Hall, Johnston, Jones, Layton, Li Preti, Miller, Minnan-Wong, Moeser, Moscoe, Rae, Soknacki, Tziretas, Walker
No - 14 Mayor: Councillors:	Lastman Altobello, Balkissoon, Disero, Duguid, Ford, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Nunziata, Ootes, Pitfield, Shiner

Carried by a majority of 7.

The Clause, insofar as it pertains to the 2002 Operating Budget for City Clerk's, as amended, carried.

Operating Program: (Y) Facilities and Real Estate

Motion:

Councillor Ford moved that the Clause be amended by eliminating the plant watering service at City Hall and all the Civic Centres, thereby saving the taxpayers of the City of Toronto \$78,000.00.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 6 Councillors:	Flint, Ford, Holyday, Jones, Milczyn, Nunziata
No - 29 Mayor: Councillors:	Lastman Altobello, Augimeri, Balkissoon, Bussin, Cho, Di Giorgio, Disero, Duguid, Fillion, Hall, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Moeser, Moscoe, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 23.

The Clause, insofar as it pertains to the 2002 Operating Budget for Facilities and Real Estate, carried, without amendment.

Councillor Ford requested that his opposition to the 2002 Operating Budget for Facilities and Real Estate be noted in the Minutes of this meeting.

Motion to Re-Open:

Councillor Korwin-Kuczynski, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause, insofar as it pertains to the 2002 Operating Budget for Facilities and Real Estate, be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Facilities and Real Estate, without amendment:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 2	
Councillors:	Ford, Holyday

Carried by a majority of 32.

Operating Program: **(X) Corporate Communications**

Deputy Mayor Ootes in the Chair.

Motion to Re-Open:

Councillor Shaw, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause, insofar as it pertains to the 2002 Operating Budget for Corporate Communications, be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Di Giorgio, Duguid, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Tziretas, Walker
No - 8	
Councillors:	Chow, Disero, Ford, Li Preti, Minnan-Wong, Moeser, Shiner, Sutherland

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

Councillor Shiner in the Chair.

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

- (1) adding \$200,000.00 to the Corporate Communications budget for translation and interpretation services, such addition to be funded from revenues received from the leasing of Election Services voting machines; and
- (2) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on how Members of Council and community groups can access various language services in the City of Toronto.”

(b) Councillor Shaw moved that the Clause be amended by adding \$150,000.00 back to the Corporate Communications budget for translation (two translators), with funding therefor to be provided from the Efficiency Incentive Fund.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Part (1) of motion (a) by Councillor Silva and motion (b) by Councillor Shaw, ruled such motions out of order.

Votes:

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

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Corporate Communications, as amended:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shiner, Sutherland, Tziretas
No - 6	
Councillors:	Ford, McConnell, Mihevc, Pantalone, Shaw, Silva

Carried by a majority of 24.

Operating Program: (MM) Toronto Zoo

Motion:

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

“It is further recommended that the Toronto Zoo be requested to immediately cease the practice of providing free passes to the Toronto Zoo in order to achieve potential revenue of approximately \$120,000.00.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 1	
Councillor:	Ford
No - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 36.

Adoption of the Clause, insofar as it pertains to the 2002 Operating Budget for Toronto Zoo, without amendment:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Bussin, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Tziretas
No - 4	
Councillors:	Augimeri, Ford, Moeser, Moscoe

Carried by a majority of 28.

Operating Program: (DD) Finance

Motions:

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

“It is further recommended that:

- (1) the relocation of the First Appearance Centre from rented premises at Dufferin Street and Lawrence Avenue be to a public building in the general vicinity of the existing Centre, for a savings of \$34,900.00; and
 - (2) the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on:
 - (i) the feasibility of establishing generic payment centres at a variety of public buildings, including all Civic Centres; and
 - (ii) the feasibility of providing an opportunity for persons to pay traffic tickets at either Old City Hall or Toronto City Hall.”
- (b) Councillor Tziretas moved that the Clause be amended to provide that the tax/water payment and service counters at the York and East York Civic Centres remain open at the existing service levels and that the associated costs be absorbed from within the Finance Department Operating Budget.

- (c) Councillor Ootes moved that the Clause be amended:
- (1) to provided that, in the event that motion (b) by Councillor Tziretas fails, all six revenue counters be closed with the savings therefrom to be reallocated to traffic calming, and the Chief Financial Officer and Treasurer be requested to submit a report in that regard to the Policy and Finance Committee; and
 - (2) by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee outlining the ‘value added’ with respect to this service and reasons why all six centres should not be closed.”
- (d) Councillor Lindsay Luby moved that the 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 Administration Committee on the long-term impacts of closing the payment counters at the Civic Centres.”
- (e) Councillor Holyday moved that Part (1) of motion (a) by Councillor Moscoe be referred to the Chief Financial Officer and Treasurer with a request that he submit a report thereon to the Policy and Finance Committee.

Votes:

Motion (e) by Councillor Holyday carried.

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

Motion (b) by Councillor Tziretas carried, unanimously.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Part (1) of motion (c) by Councillor Ootes, ruled such Part out of order.

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

Yes - 14	
Mayor:	Lastman
Councillors:	Disero, Duguid, Ford, Hall, Holyday, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Sutherland
No - 18	
Councillors:	Altobello, Augimeri, Chow, Di Giorgio, Flint, Johnston, Jones, Kelly, Layton, Li Preti, Mihevc, Miller, Pitfield, Rae, Shiner, Silva, Tziretas, Walker

Lost by a majority of 4.

Adoption of motion (d) by Councillor Lindsay Luby:

Yes - 20	
Mayor:	Lastman
Councillors:	Altobello, Cho, Di Giorgio, Disero, Duguid, Feldman, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Nunziata, Ootes, Shiner, Sutherland
No - 15	
Councillors:	Augimeri, Chow, Fillion, Flint, Ford, Johnston, Jones, Layton, Miller, Moscoe, Pitfield, Rae, Silva, Tziretas, Walker

Carried by a majority of 5.

The Clause, insofar as it pertains to the 2002 Operating Budget for Finance, as amended, carried.

In summary, Council adopted the recommendations of the Policy and Finance Committee embodied in the Clause pertaining to the 2002 Operating Budget for Finance, subject to the following amendments:

- (1) to provide that the tax/water payment and service counters at the York and East York Civic Centres remain open at the existing service levels and that the associated costs be absorbed from within the Finance Department Operating Budget; and
- (2) adding thereto the following:

“It is further recommended that:

- (a) the Chief Financial Officer and Treasurer be requested to:
 - (i) submit a report to the Policy and Finance Committee on:
 - (1) the feasibility of establishing generic payment centres at a variety of public buildings, including all Civic Centres; and
 - (2) the feasibility of providing an opportunity for persons to pay traffic tickets at either Old City Hall or Toronto City Hall; and
 - (ii) submit a report to the Administration Committee on the long-term impacts of closing the payment counters at the Civic Centres;
- (b) the following motion be referred to the Chief Financial Officer and Treasurer with a request that he submit a report thereon to the Policy and Finance Committee:

Moved by Councillor Moscoe:

‘It is recommended that the relocation of the First Appearance Centre from rented premises at Dufferin Street and Lawrence Avenue be to a public building in the general vicinity of the existing Centre, for a savings of \$34,900.00.’ ”

Operating Program: (KK) Exhibition Place

Motion:

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

“It is further recommended that the Board of Governors of Exhibition Place be requested to immediately cease the practice of issuing free parking and access passes to all events at the Canadian National Exhibition.”

Votes:

Adoption of the motion by Councillor Ford:

Yes - 2 Councillors:	Ford, Nunziata
No - 29 Mayor: Councillors:	Lastman Altobello, Augimeri, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, McConnell, Moeser, Moscoe, Ootes, Pitfield, Rae, Shiner, Silva, Sutherland, Tziretas, Walker

Lost by a majority of 27.

The Clause, insofar as it pertains to the 2002 Operating Budget for Exhibition Place, carried, without amendment.

Councillor Ford requested that his opposition to the 2002 Operating Budget for Exhibition Place be noted in the Minutes of this meeting.

Operating Program: (UU) Toronto Parking Authority

Motion:

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

“It is further recommended that the Toronto Parking Authority be requested to immediately cease the practice of providing free parking access cards in order to achieve potential revenue of \$27,271.10.”

Votes:

Adoption of the motion by Councillor Ford:

Yes - 3 Councillors: Ford, Layton, Pitfield
No - 31 Mayor: Lastman Councillors: Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Rae, Shiner, Sutherland, Tziretas, Walker

Lost by a majority of 28.

The Clause, insofar as it pertains to the 2002 Operating Budget for the Toronto Parking Authority, carried, without amendment.

Councillor Ford requested that his opposition to the 2002 Operating Budget for the Toronto Parking Authority be noted in the Minutes of this meeting.

Operating Program: (HH) Office of the Mayor

Deputy Mayor Ootes in the Chair.

Motion:

Councillor Ford moved that the Clause be amended by:

- (1) reducing the budget for the Office of the Mayor by \$50,000.00; and
- (2) adding thereto the following:

“It is further recommended that no expenses of any staff of the Mayor’s Office, or of the Mayor, be paid out of any other Department’s budget.”

Ruling by Deputy Mayor:

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

Votes:

Adoption of Part (1) of the motion by Councillor Ford:

Yes - 1 Councillor: Ford
No - 37 Mayor: Lastman Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 36.

The Clause, insofar as it pertains to the 2002 Operating Budget for the Office of the Mayor, carried, without amendment.

Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”, and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto 2002 Recommended Operating Budget”.

Capital and Operating Programs: General

Councillor Shiner in the Chair.

Ruling by Acting Chair:

Acting Chair Shiner, having regard that the Insurance Reserve Fund and the Employee Related Liabilities Fund, both included within the budget for Capital and Corporate Financing/Non-Program as previously approved by Council, ruled that a motion with respect thereto would be out of order.

Councillor Korwin-Kuczynski challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 25	
Mayor:	Lastman
Councillors:	Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Fillion, Hall, Holyday, Johnston, Jones, Li Preti, Lindsay Luby, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Tziretas
No - 11	
Councillors:	Altobello, Ashton, Balkissoon, Flint, Ford, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Pitfield

Carried by a majority of 14.

Motions:

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to include an insert in the tax bill indicating the implications of Bill 140 on the residential property tax rate and the education share of taxation, and submit a report thereon to the next meeting of the Policy and Finance Committee scheduled to be held on April 4, 2002.”

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

“It is further recommended that Council adopt the following motion:

WHEREAS the cap on commercial/industrial properties forces the City to confine a 1.6 percent expenditure increase to residential properties, resulting in a residential tax increase of 4.32 percent; and

WHEREAS there appears to be no opportunity to secure, from the commercial/industrial sector, funds for the additional services that are provided to them; and

WHEREAS the only way to pay for these additional services to the business community is to either tax the residential sector or impose user fees;

NOW THEREFORE BE IT RESOLVED THAT the Chief Administrative Officer be requested to undertake a comprehensive review of services to the business community to determine to what extent we can offset our inability to raise taxes by the judicious application of user fees in lieu of taxes, and submit a report thereon to Council, through the Policy and Finance Committee.’ ”

(c) Councillor Pitfield moved that the Clause be amended:

(1) to provide that the \$3.3 million from the Utility Conservation/Retrofit Reserve, also known as the Energy Management Reserve, be dissolved and the funds used to offset the property tax decrease from 4.3 percent to 4.0 percent;

(2) by adding thereto the following:

“It is further recommended that:

(i) the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on whether the 1998 established amalgamation target for staff was met (including numbers of employees), such report to include 2002 base numbers and whether there are plans to institute staff establishment controls within the City of Toronto;

(ii) when and if the City of Toronto is in a surplus position at year-end, the Chief Administrative Officer be requested to submit a report to City Council, through the Policy and Finance Committee, in order to allow for a decision on whether to transfer the surplus to the next year’s budget to offset any tax increase or to direct the surplus to another Council priority;

(iii) once the 2002 budget process has been completed, the Budget Advisory Committee be requested to meet monthly to consider variance reports, monitor the budget situation and request reports on financial issues, as they arise;

(iv) in future capital project approvals for the 2003 budget, the Chief Financial Officer and Treasurer be requested to provide an accompanying Gantt chart, outlining the time-frame, together with the dollars required, in order to prevent an excessive carry-forward of capital dollars, year after year;

(v) City Council adopt indicators of 12 percent for hydro, 16.3 percent for

natural gas, 10.2 percent for fuel, and zero percent for all other materials, to produce \$50.9 million to be directed as follows:

- \$20 million to reduce the property tax increase to 2.3 percent;
 - \$10 million to remove the proposed fare increase by the Toronto Transit Commission; and
 - \$20.9 million to be added to an Economic Contingency Reserve;
- (vi) the Chief Financial Officer be requested to submit a report to the Budget Advisory Committee, at the beginning of the 2003 budget process, on the economic indicators to be used based on market trends and appropriate outside indices; and
- (vii) the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on the potential for the City to adopt a hedging program in relation to the purchase of major commodities consumed by the City of Toronto.”
- (d) Councillor Milczyn moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to submit a joint report to the Policy and Finance Committee on the following recommendation:

‘It is recommended that, beginning with the 2003 budget, the City of Toronto develop a Long-Term Financial Strategy (LTFS). This strategy is to ensure that financial assets, programs, liabilities and cash flows are sustainable in the long term.

The Long Term Financial Strategy would be reported to Council and the public in the form of a rolling ten-year forecast of operating and capital spending, based upon key economic indicators, including, but not limited to, projected long-term inflation rates, wage, utility, construction, other relevant indices, and known or anticipated future costs, projects and liabilities.

The LTFS would also measure projected assessment growth, population change and demographic changes which would affect future services based upon current services standards. It would forecast future year levy requirements, reserve fund levels and tax rate increases or decreases.’ ”

- (e) Councillor Ootes moved that all motions that affect the City's reserves be referred to the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee.

Procedural Motion:

Councillor Hall moved that Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code in order to allow Members of Council to speak for only two minutes each to put forward their motions, with no extensions.

Vote:

Yes - 23	
Mayor:	Lastman
Councillors:	Bussin, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Jones, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki
No - 15	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Layton, McConnell, Moeser, Shaw, Tziretas, Walker

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

Motions:

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

“It is further recommended that a pre-budget overview be presented to each Community Council to allow the public to be properly informed about the 2003 budget implications, and that open houses be held to provide budget information.’ ”

- (g) Councillor Ford moved that the Clauses be struck out and referred back to the Budget Advisory Committee for further consideration, with a view to achieving a zero percent property tax increase.

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of motion (g) by Councillor Ford, ruled that such motion would require the re-opening of all 2002 Capital and Operating Budgets which had been adopted by Council.

Motion to Re-Open:

Councillor Ford, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, all 2002 Capital and Operating Budgets which had been adopted by Council be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 3	
Councillors:	Ford, Holyday, Minnan-Wong
No - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker

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

Acting Chair Shiner, having regard to the foregoing decision of Council, declared motion (g) by Councillor Ford redundant.

(h) Councillor Chow moved that:

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

“It is further recommended that

- (i) the Chief Financial Officer and Treasurer be requested to:
 - (a) provide a list of questions, answers and briefing notes to Members of Council for the purpose of providing information to their constituents on the 2002 Budget; and
 - (b) submit a report to the Policy and Finance Committee on a proposal for a public education campaign with respect to the City’s budget; and
- (ii) City Council request the Provincial Government to immediately implement:

- (a) a reduction of \$40 million in the provincial education levy for Toronto residential property taxpayers; and
 - (b) a reduction in the provincial education levy to the Greater Toronto Area average, for Toronto's commercial and industrial property taxpayers, in order to reduce business taxes and to provide room to cover inflationary impact in this and future years' City budgets; and
- (2) Part (2)(iii) of motion (c) by Councillor Pitfield be referred to the Chief Administrative Officer and the City Clerk for a report thereon to the Policy and Finance Committee.
- (i) Councillor Layton moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

 - (1) the Chief Administrative Officer be requested to:
 - (i) invite the organizers of the ‘Toronto Dollar Project’ to meet with her to explore whether there are ways to enhance the existing utilization of ‘Toronto Dollars’ in City projects and activities, and to incorporate these activities into City budgeting; and
 - (ii) submit a report to the Policy and Finance Committee on these consultations, and invite the Toronto Dollar Project organizers to make a presentation to the Committee at that time; and
 - (2) the Sustainability Round Table be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on the concept of ‘sustainability’ or ‘environmental’ budgeting which is under development through the International Council of Local Environmental Initiatives (ICLEI).”
- (j) Councillor Moeser moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council extend its appreciation to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Director of Budget Services, staff of the Finance Department and the City Clerk’s Office, and all others who assisted with the budget process.”

- (k) Councillor Nunziata, seconded by Councillor Hall, moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council adopt the following motion:

‘WHEREAS the Budget Advisory Committee and its staff have done an exceptional job of preparing and supporting this Special Meeting of City Council to approve the final budget; and

WHEREAS the City Clerk’s staff, in particular, functioned at the highest level and demonstrated, yet again, their patience, intelligence and class, under very trying conditions;

NOW THEREFORE BE IT RESOLVED THAT City Council declare its gratitude to these hard-working City staffers for their dedication to the City and this Council.’ ”

Ruling by Acting Chair:

Acting Chair Shiner, having regard to the nature of Parts (1) and (2)(v) of motion (c) by Councillor Pitfield, ruled such Parts out of order.

Withdrawal of Motion:

Councillor Chow, with the permission of Council, withdrew Part (2) of her motion (h).

Votes:

Motion (e) by Councillor Ootes carried.

Adoption of motion (a) by Councillor Bussin:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Tziretas, Walker
No - 8	
Councillors:	Flint, Ford, Holyday, Kelly, Minnan-Wong, Nunziata, Soknacki, Sutherland

Carried by a majority of 23.

Adoption of motion (b) by Councillor Moscoe:

Yes - 27	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Tziretas, Walker
No - 13	
Mayor:	Lastman
Councillors:	Ashton, Duguid, Flint, Ford, Holyday, Kelly, Milczyn, Minnan-Wong, Moeser, Shiner, Soknacki, Sutherland

Carried by a majority of 14.

Proposal by Acting Chair:

Acting Chair Shiner, having regard to the nature of Parts (2)(ii), (2)(iii) and (2)(iv) of motion (c) by Councillor Pitfield, and motion (f) by Councillor Korwin-Kuczynski, proposed that such motions be referred to the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee.

Council concurred in the proposal by the Acting Chair.

Adoption of Part (2)(i) of motion (c) by Councillor Pitfield:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 8	
Councillors:	Bussin, Flint, Holyday, Jones, Mihevc, Moscoe, Pantalone, Rae

Carried by a majority of 24.

Part (2)(vi) of motion (c) by Councillor Pitfield carried.

Part (2)(vii) of motion (c) by Councillor Pitfield carried.

Motion (d) by Councillor Milczyn carried.

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

Motion (i) by Councillor Layton carried.

Adoption of motion (j) by Councillor Moeser:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 0	

Carried, without dissent.

Motion (k), moved by Councillor Nunziata, seconded by Councillor Hall, carried, unanimously.

In summary, Council adopted the recommendations of the Policy and Finance Committee embodied in the Clauses, pertaining to the 2002 Capital and Operating Budgets, General, subject to adding thereto the following:

“It is further recommended that:

- (a) City Council request the Provincial Government to immediately implement:
 - (i) a reduction of \$40 million in the provincial education levy for Toronto residential property taxpayers; and
 - (ii) a reduction in the provincial education levy to the Greater Toronto Area average, for Toronto’s commercial and industrial property taxpayers, in order to reduce business taxes and to provide room to cover inflationary impact in this and future years’ City budgets;

- (b) the Chief Administrative Officer be requested to:
- (i) submit a report to the Policy and Finance Committee on whether the 1998 established amalgamation target for staff was met (including numbers of employees), such report to include 2002 base numbers and whether there are plans to institute staff establishment controls within the City of Toronto;
 - (ii) invite the organizers of the 'Toronto Dollar Project' to meet with her to explore whether there are ways to enhance the existing utilization of 'Toronto Dollars' in City projects and activities, and to incorporate these activities into City budgeting; and
 - (iii) submit a report to the Policy and Finance Committee on these consultations, and invite the Toronto Dollar Project organizers to make a presentation to the Committee at that time;
- (c) the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to submit a joint report to the Policy and Finance Committee on the following recommendation:

'It is recommended that, beginning with the 2003 budget, the City of Toronto develop a Long-Term Financial Strategy (LTFS). This strategy is to ensure that financial assets, programs, liabilities and cash flows are sustainable in the long term.

The Long Term Financial Strategy would be reported to Council and the public in the form of a rolling ten-year forecast of operating and capital spending, based upon key economic indicators, including, but not limited to, projected long-term inflation rates, wage, utility, construction, other relevant indices, and known or anticipated future costs, projects and liabilities.

The LTFS would also measure projected assessment growth, population change and demographic changes which would affect future services based upon current services standards. It would forecast future year levy requirements, reserve fund levels and tax rate increases or decreases.';

- (d) the Chief Financial Officer and Treasurer be requested to:

- (i) include an insert in the tax bill indicating the implications of Bill 140 on the residential property tax rate and the education share of taxation, and submit a report thereon to the next meeting of the Policy and Finance Committee scheduled to be held on April 4, 2002; and
- (ii) provide a list of questions, answers and briefing notes to Members of Council for the purpose of providing information to their constituents on the 2002 Budget;
- (iii) submit reports to the Policy and Finance Committee:
 - (1) on a proposal for a public education campaign with respect to the City's budget; and
 - (2) on the potential for the City to adopt a hedging program in relation to the purchase of major commodities consumed by the City of Toronto; and
- (iv) submit a report to the Budget Advisory Committee, at the beginning of the 2003 budget process, on the economic indicators to be used based on market trends and appropriate outside indices;
- (e) the Sustainability Round Table be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on the concept of 'sustainability' or 'environmental' budgeting which is under development through the International Council of Local Environmental Initiatives (ICLEI);
- (f) Council adopt the following motion:

'WHEREAS the cap on commercial/industrial properties forces the City to confine a 1.6 percent expenditure increase to residential properties, resulting in a residential tax increase of 4.32 percent; and

WHEREAS there appears to be no opportunity to secure, from the commercial/industrial sector, funds for the additional services that are provided to them; and

WHEREAS the only way to pay for these additional services to the business community is to either tax the residential sector or impose user fees;

NOW THEREFORE BE IT RESOLVED THAT the Chief Administrative

Officer be requested to undertake a comprehensive review of services to the business community to determine to what extent we can offset our inability to raise taxes by the judicious application of user fees in lieu of taxes, and submit a report thereon to Council, through the Policy and Finance Committee.’;

- (g) Council adopt the following motion:

‘**WHEREAS** the Budget Advisory Committee and its staff have done an exceptional job of preparing and supporting this Special Meeting of City Council to approve the final budget; and

WHEREAS the City Clerk’s staff, in particular, functioned at the highest level and demonstrated, yet again, their patience, intelligence and class, under very trying conditions;

NOW THEREFORE BE IT RESOLVED THAT Council extend its appreciation to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Director of Budget Services, staff of the Finance Department and the City Clerk’s Office, and all others who assisted with the budget process;

AND BE IT FURTHER RESOLVED THAT City Council declare its gratitude to these hard-working City staffers for their dedication to the City and this Council.’; and

- (h) the following motions be referred to the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee:

Moved by Councillor Pitfield:

‘It is recommended that:

- (i) when and if the City of Toronto is in a surplus position at year-end, the Chief Administrative Officer be requested to submit a report to City Council, through the Policy and Finance Committee, in order to allow for a decision on whether to transfer the surplus to the next year’s budget to offset any tax increase or to direct the surplus to another Council priority;
- (ii) once the 2002 budget process has been completed, the Budget Advisory Committee be requested to meet monthly to consider variance reports, monitor the budget situation and request reports on financial issues, as they arise; and

- (iii) in future capital project approvals for the 2003 budget, the Chief Financial Officer and Treasurer be requested to provide an accompanying Gantt chart, outlining the time-frame, together with the dollars required, in order to prevent an excessive carry-forward of capital dollars, year after year.'

Moved by Councillor Korwin-Kuczynski:

'It is recommended that a pre-budget overview be presented to each Community Council to allow the public to be properly informed about the 2003 budget implications, and that open houses be held to provide budget information.'

The balance of Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program", and Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed "City of Toronto 2002 Recommended Operating Budget", as amended, carried.

Consolidated Summary of Council's Actions

Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program":

In summary, Council, having noted that a 1.7 percent budget increase would have had a zero percent tax impact on multi-residential, commercial and industrial properties, and a 4.6 percent impact on single family residential properties, adopted the recommendations of the Policy and Finance Committee embodied in this Clause, subject to the following amendments:

- (1) striking out Recommendation No. (I) of the Policy and Finance Committee, and inserting in lieu thereof the following new recommendation:
 - "(I) that the net expenditure increase, after assessment growth, be capped to reflect a 4.32 percent increase on the residential component (reflecting a reduction of \$2.758 million in the 2002 net property tax levy recommended by the Policy and Finance Committee), and that any additions to the Budget Advisory Committee recommended 2002 Capital/Operating Budget be offset by an identified source of funds;"

Shelter, Housing and Support:

- (2) adding thereto the following:

“It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee and the Budget Advisory Committee on plans related to the Capital Revolving Fund for Affordable Housing for 2003 and beyond.”

Solid Waste Management:

- (3) striking out the following further Recommendation (A) of the Policy and Finance Committee:

“(A) that City Council file an application with the Minister of the Environment to extend the Keele Valley Landfill site an additional six years based on the 1992 Metro application;” and

- (4) adding thereto the following:

“It is further recommended that:

- (a) Council adopt the following motion:

‘WHEREAS the Province of Ontario has committed to the closure of the Keele Valley Landfill site by December 2002, and has previously indicated that it would not provide a Certificate of Approval for expanded capacity; and

WHEREAS the Province of Ontario’s Bill 140 restricts the City of Toronto’s ability to raise taxes from properties other than from the residential class; and

WHEREAS the financial impact from the forced closure of the Keele Valley Landfill site is an increase of \$42.0 million year on the backs of Toronto homeowners only, on top of other pressures, such as additional firefighters, police, ambulance and inflation;

NOW THEREFORE BE IT RESOLVED THAT the Mayor request a meeting with the Province of Ontario to reach an agreement to help mitigate the financial hardships placed on the City of Toronto that will result from the forced closure of the Keele Valley Landfill Site.’; and

- (b) the Commissioner of Works and Emergency Services be requested to review the Keele Valley Landfill Site Perpetual Care Agreement, in order to determine whether any future revenue opportunities exist for the City of Toronto, and submit a report thereon to the Works Committee.”;

Transportation:

- (5) to provide that four local road reconstruction projects in Ward 30, totalling approximately \$530,000.00, be removed from the reconstruction schedule for 2002, namely the reconstruction of certain blocks of the following small residential streets:
- (a) Badgerow Street;
 - (b) Cavell Avenue;
 - (c) Mountjoy Avenue; and
 - (d) Thompson Street;

and that these funds be transferred to the Cycling Infrastructure Capital Account, in order to proceed with the designated projects in the bicycle lane projects identified as priorities in the bicycle plan; and

- (6) adding thereto the following:

“It is further recommended that:

- (a) subject to the previously requested report to Council, through the Planning and Transportation Committee, funds for any study related to the Don Valley Parkway/401 South Interchange come from the Development Charges Reserve Fund, or as recommended by the Commissioner of Works and Emergency Services; and
- (b) the Commissioner of Works and Emergency Services be requested to:
 - (i) study the efficiency of replacing the asphalt used in speed humps with alternative materials, such as concrete or rubber derived from used tires;
 - (ii) submit a report to the Works Committee on the success of traffic calming circles as a means of traffic calming, and that consideration be given to designing traffic calming measures into streets which are scheduled for repair, where the volume and speed of traffic warrant such measures;
 - (iii) submit a report to the Works Committee on the feasibility of installing speed humps in front of every school in the City of Toronto, with the exception of main arterial roads; and
 - (iv) submit a report to the Policy and Finance Committee, as part of the

June 2002 variance report, on any funds available for traffic calming.”;

Water and Wastewater:

- (7) amending Recommendation No. (40) of the Policy and Finance Committee by deleting the words “report directly to Council prior to final deliberations of the 2002 Capital Budget”, and inserting in lieu thereof the words “report to the Works Committee for its meeting scheduled to be held on June 25, 2002”, so that such recommendation shall now read as follows:

“(40) The Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services report to the Works Committee for its meeting scheduled to be held on June 25, 2002, regarding the budgeting and accounting treatment of the dedication of 4 percent of the service rate increase specifically identified for rehabilitation projects.”; and

- (8) to provide that any use of funding from within the 2002 Capital Budget for Water and Wastewater towards the inter-departmental communications campaign for reduction in the use of pesticides be subject to the following stipulations:
- (a) there be a clear focus on the reduction of pesticides entering watercourses;
 - (b) there be a recognition of the input from all stakeholders; and
 - (c) the General Manager of Water and Wastewater Services authorize and sign-off any portion of the communications campaign using Water and Wastewater funding;

Economic Development:

- (9) to provide that an amount of \$751,200.00 be deferred from the MAP Project for 2002, such funds to be allocated to the BIA Capital Program; and
- (10) adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to examine the Chinese Gate Proposal from East Chinatown to see what options may be available in 2003, and submit a report to the Economic Development and Parks Committee during the 2003 budget process, after consultation with the Ward Councillor.”;

Parks and Recreation:

- (11) to provide that:

“**WHEREAS** the Capital Program dealing with the playground retrofit was designed to bring all 833 City-owned playgrounds to the new standards dictated by the Canadian Standards Association; and

WHEREAS \$1.5 million was allocated to this program in each of the years 2000, 2001, 2002 and 2003, in order to complete the retrofits; and

WHEREAS the Chief Administrative Officer, the Executive Management Team, the Budget Advisory Committee and the Policy and Finance Committee approved that \$750,000.00 of the 2002 allocation be deferred; and

WHEREAS this will have the effect of extending the timeframe for completion of the retrofit program, which may increase the liability of the City of Toronto and the utility of the playgrounds and their communities;

NOW THEREFORE BE IT RESOLVED THAT \$500,000.00 be restored in the 2002 playground retrofit operating program in the Parks and Recreation Division;

AND BE IT FURTHER RESOLVED THAT funding therefor be transferred from the Efficiency Incentive Fund.”;

Facilities and Real Estate:

- (12) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, in consultation with representatives of the Toronto Atmospheric Fund, the Better Building Partnerships and Toronto Hydro, be requested to explore the various practices emerging in Canadian municipalities governing the financing of energy retrofit projects and submit a joint report to the Administration Committee on possibilities for alternate financial practices to facilitate the retrofit of City buildings.”;

Fleet:

- (13) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services and the

Commissioner of Works and Emergency Services be requested to consult with Toronto Hydro on Toronto Hydro's experience with bio-fuel vehicles, and submit a joint report thereon to the Works Committee.”;

Toronto Public Library:

- (14) adding to Recommendation No. (145) of the Policy and Finance Committee, the words “and that the Beaches, Long Branch and Pape-Danforth Libraries be considered as high priorities in 2003”, so that such recommendation shall now read as follows:

“(145) The Chief Administrative Officer report back in 2003 on a long-term capital budget strategy for the Toronto Public Library; and that the Beaches, Long Branch and Pape-Danforth Libraries be considered as high priorities in 2003;”;

Toronto Transit Commission (Excluding R.T.E.P.):

- (15) adding thereto the following:

“It is further recommended that the Toronto Transit Commission be requested to officially invite Councillor Anne Johnston to the opening of the Sheppard Subway.”;

Special Corporate Projects:

- (16) deferring \$750,000.00 for the Master Accommodation Plan (MAP) Project; and
- (17) to provide that an amount of \$751,200.00 be deferred from the MAP Project for 2002, such funds to be allocated to the BIA Capital Program;

General:

- (18) adding thereto the following:

“It is further recommended that:

- (a) City Council request the Provincial Government to immediately implement:
- (i) a reduction of \$40 million in the provincial education levy for Toronto residential property taxpayers; and
 - (ii) a reduction in the provincial education levy to the Greater Toronto Area average, for Toronto's commercial and industrial property taxpayers, in order to reduce business taxes and to provide room to cover inflationary impact in this and future years' City budgets;

- (b) the Chief Administrative Officer be requested to:
- (i) submit a report to the Policy and Finance Committee on whether the 1998 established amalgamation target for staff was met (including numbers of employees), such report to include 2002 base numbers and whether there are plans to institute staff establishment controls within the City of Toronto;
 - (ii) invite the organizers of the 'Toronto Dollar Project' to meet with her to explore whether there are ways to enhance the existing utilization of 'Toronto Dollars' in City projects and activities, and to incorporate these activities into City budgeting; and
 - (iii) submit a report to the Policy and Finance Committee on these consultations, and invite the Toronto Dollar Project organizers to make a presentation to the Committee at that time;
- (c) the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to submit a joint report to the Policy and Finance Committee on the following recommendation:

'It is recommended that, beginning with the 2003 budget, the City of Toronto develop a Long-Term Financial Strategy (LTFS). This strategy is to ensure that financial assets, programs, liabilities and cash flows are sustainable in the long term.

The Long Term Financial Strategy would be reported to Council and the public in the form of a rolling ten-year forecast of operating and capital spending, based upon key economic indicators, including, but not limited to, projected long-term inflation rates, wage, utility, construction, other relevant indices, and known or anticipated future costs, projects and liabilities.

The LTFS would also measure projected assessment growth, population change and demographic changes which would affect future services based upon current services standards. It would forecast future year levy requirements, reserve fund levels and tax rate increases or decreases.';

- (d) the Chief Financial Officer and Treasurer be requested to:
- (i) include an insert in the tax bill indicating the implications of Bill 140

on the residential property tax rate and the education share of taxation, and submit a report thereon to the next meeting of the Policy and Finance Committee scheduled to be held on April 4, 2002; and

- (ii) provide a list of questions, answers and briefing notes to Members of Council for the purpose of providing information to their constituents on the 2002 Budget;
- (iii) submit reports to the Policy and Finance Committee:
 - (1) on a proposal for a public education campaign with respect to the City's budget; and
 - (2) on the potential for the City to adopt a hedging program in relation to the purchase of major commodities consumed by the City of Toronto; and
- (iv) submit a report to the Budget Advisory Committee, at the beginning of the 2003 budget process, on the economic indicators to be used based on market trends and appropriate outside indices;
- (e) the Sustainability Round Table be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on the concept of 'sustainability' or 'environmental' budgeting which is under development through the International Council of Local Environmental Initiatives (ICLEI);
- (f) Council adopt the following motion:

WHEREAS the cap on commercial/industrial properties forces the City to confine a 1.6 percent expenditure increase to residential properties, resulting in a residential tax increase of 4.32 percent; and

WHEREAS there appears to be no opportunity to secure, from the commercial/industrial sector, funds for the additional services that are provided to them; and

WHEREAS the only way to pay for these additional services to the business community is to either tax the residential sector or impose user fees;

NOW THEREFORE BE IT RESOLVED THAT the Chief Administrative

Officer be requested to undertake a comprehensive review of services to the business community to determine to what extent we can offset our inability to raise taxes by the judicious application of user fees in lieu of taxes, and submit a report thereon to Council, through the Policy and Finance Committee.’;

- (g) Council adopt the following motion:

‘**WHEREAS** the Budget Advisory Committee and its staff have done an exceptional job of preparing and supporting this Special Meeting of City Council to approve the final budget; and

WHEREAS the City Clerk’s staff, in particular, functioned at the highest level and demonstrated, yet again, their patience, intelligence and class, under very trying conditions;

NOW THEREFORE BE IT RESOLVED THAT Council extend its appreciation to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Director of Budget Services, staff of the Finance Department and the City Clerk’s Office, and all others who assisted with the budget process;

AND BE IT FURTHER RESOLVED THAT City Council declare its gratitude to these hard-working City staffers for their dedication to the City and this Council.’; and

- (h) the following motions be referred to the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee:

Moved by Councillor Pitfield:

‘It is recommended that:

- (i) when and if the City of Toronto is in a surplus position at year-end, the Chief Administrative Officer be requested to submit a report to City Council, through the Policy and Finance Committee, in order to allow for a decision on whether to transfer the surplus to the next year’s budget to offset any tax increase or to direct the surplus to another Council priority;
- (ii) once the 2002 budget process has been completed, the Budget Advisory Committee be requested to meet monthly to consider variance reports, monitor the budget situation and request

reports on financial issues, as they arise; and

- (iii) in future capital project approvals for the 2003 budget, the Chief Financial Officer and Treasurer be requested to provide an accompanying Gantt chart, outlining the time-frame, together with the dollars required, in order to prevent an excessive carry-forward of capital dollars, year after year.'

Moved by Councillor Korwin-Kuczynski:

'It is recommended that a pre-budget overview be presented to each Community Council to allow the public to be properly informed about the 2003 budget implications, and that open houses be held to provide budget information.'

Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed "City of Toronto 2002 Recommended Operating Budget".

In summary, Council, having noted that a 1.7 percent budget increase would have had a zero percent tax impact on multi-residential, commercial and industrial properties, and a 4.6 percent impact on single family residential properties, adopted the recommendations of the Policy and Finance Committee embodied in this Clause, subject to the following amendments:

- (1) striking out Recommendation No. (I) of the Policy and Finance Committee, and inserting in lieu thereof the following new recommendation:

"(I) that the net expenditure increase, after assessment growth, be capped to reflect a 4.32 percent increase on the residential component (reflecting a reduction of \$2.758 million in the 2002 net property tax levy recommended by the Policy and Finance Committee), and that any additions to the Budget Advisory Committee recommended 2002 Capital/Operating Budget be offset by an identified source of funds;"

Children's Services:

- (2) increasing the Children's Services Operating Budget:
 - (a) by \$500,000.00 net for health and safety and playground projects;
 - (b) by \$480,000.00 for the occupancy cost paid to the Toronto District School

Board on behalf of child care centres and family resource programs, and requesting the Acting Commissioner of Community and Neighbourhood Services to submit a report to the Community Services Committee on the lease agreements with the various School Boards; and

- (c) by \$160,000.00 for the York “Before and After-School Program”;

Shelter, Housing and Support:

- (3) to provide that the Shelter, Housing and Support Division continue to provide priority shelter non-bedded services, while also seeking provincial funding support; and further, that the Chief Financial Officer and Treasurer and the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, as part of the June 2002 variance report, on the appropriate funding required to maintain those priority services for the rest of the year, after any provincial intentions are made clear, and any funding strategy required, should no provincial funding be forthcoming, including other departmental under-spending or constraints; and

- (4) adding thereto the following:

“It is further recommended that:

- (a) the Federal Government be requested to give a clear indication that it is prepared to provide access to the Armouries in the City for emergency shelters as it has done, on the request of the City, in the past;
- (b) the Provincial Government be requested to follow through on its commitment to provide rent supplement to tenants to be used for market rents;
- (c) the Chief Administrative Officer and the City Solicitor be requested to submit a joint report to the Community Services Committee on actions that could be taken by the City of Toronto to prevent sleeping on the street, such joint report to include measures taken by other jurisdictions, such as the Cities of Montreal, New York and Vancouver to resolve this problem;
- (d) the Board of Directors of the Toronto Community Housing Corporation be requested to review the feasibility of using the Corporation’s Lands as collateral against borrowing, with the funds borrowed to be applied towards the building of affordable housing;
- (e) the Acting Commissioner of Community and Neighbourhood Services be requested to:

- (i) submit a report to the Community Services Committee on the length of stay by the homeless in the City's shelter system; and
- (ii) prepare a report outlining the average costs of providing shelter services, the programs and services needed to assist clients in moving from a state of dependence to independence, and the impact on the shelter system and the City of Toronto in general, if the City provided shelter services at the level of funding provided by the Provincial Government, such report to be submitted to the Community Services Committee and the Minister of Community and Social Services;
- (f) the City Solicitor, the Commissioner of Urban Development Services and the Acting Commissioner of Community and Neighbourhood Services be requested to review the Vancouver model of requiring the building of affordable rental housing in conjunction with new developments, and submit a joint report to the Planning and Transportation Committee on the lessons that can be learned and applied to the City of Toronto; and
- (g) the following motion be referred to the City Solicitor for report thereon to the Community Services Committee:

Moved by Councillor Layton:

“It is further recommended that the City Solicitor be requested to develop a legal strategy to sue the Province of Ontario to recover the estimated \$13.0 million in additional funds that the Province is supposed to provide under the funding regulations governing the hostels that prescribes 80 percent of the costs are to be paid through provincial transfers.”;

Transportation Services:

- (5) to provide that:
 - (a) the fee for permit parking not be increased in 2002;
 - (b) the previously approved increase in front yard parking fees, to have been effective July 1, 2002, be rescinded; and
 - (c) the annualized revenue estimate of \$880,000.00 (which indicates \$440,000.00 in 2002) for the increased fees be offset by a correcting annual cost reduction in cleaning around parked cars from every four weeks to once every six weeks,

to generally maintain the level of service provided in 2001;

- (6) adding \$125,000.00 to the Transportation Services 2002 Operating Budget for the mechanical leaf collection program on ditched streets which are heavily treed, and as selected by staff, such addition to be offset by reducing the Efficiency Incentive Fund by \$125,000.00; and

- (7) adding thereto the following:

“It is further recommended that:

- (a) the Chief Administrative Officer and appropriate City staff be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on proposed user fees, prior to building such fees into the 2003 budget;
- (b) in view of the fact that pedestrian deaths continue at an average rate of three per month, and injuries at more than 2,000 per year, which is unacceptable, the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on:
- (i) an analysis of the data (age, disability, etc.); and
- (ii) how road and sidewalk design and traffic operations may be contributing to these deaths and accidents, so that appropriate recommendations can be made for the 2003 Operating and/or Capital Budget;
- (c) the Commissioner of Works and Emergency Services be requested to review the feasibility and savings of reducing the sidewalk snow clearing program to a level which would include reverse frontages and areas adjacent to civic properties, arterial roads and public transit routes, while allowing for sidewalk snow removal for seniors and disabled persons and submit a report thereon to the Works Committee for consideration during the 2003 budget process, such report to include all related costs;
- (d) the Commissioner of Works and Emergency Services be requested to submit reports to the Works Committee:
- (i) in June 2002, on the total amount of funds required for sidewalk snow clearing in 2001 and 2002, and a projected saving from this budget if the City provided this service only for school areas, hospital areas, seniors and the disabled; and

- (ii) in July 2002, on the cost of providing a snow removal program similar to the programs previously provided in the former Cities of Etobicoke and Scarborough, such report to include a comparison of the costs with the City's current program, including all related repairs and expenses, and to also address all of the negative aspects of the former snow clearing programs, specifically, Senior's Programs.”;

Emergency Management Preparedness:

- (8) increasing the Emergency Management Preparedness Operating Budget by \$1.9 million gross, zero net, for the Anti-Terrorism Unit, subject to receiving funding from senior levels of government;

Culture:

- (9) amending Part (e) of Recommendation No. (46) of the Policy and Finance Committee by deleting the amount of “\$1 million” and inserting in lieu thereof the amount of “\$500,000.00”, so that such recommendation now reads as follows:

“(e) the \$500,000.00 in additional one-time funding be provided from 2001 Surplus funds and that the Culture Division's 2002 Operating Budget be adjusted to reflect a budgeted contribution to a reserve fund to be established for this purpose.”;

Economic Development:

- (10) adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism and the General Manager, National Trade Centre, be requested to submit a joint report to the Economic Development and Parks Committee on the feasibility of relocating Tradelink to an alternative location, in order to free up valuable space at the National Trade Centre for lease to trade shows and to attract additional trade shows.”;

Parks and Recreation:

- (11) increasing the Parks and Recreation Operating Budget:
 - (a) by \$100,000.00 for the youth violence prevention program; and

- (b) by \$150,000.00 for turf improvement and weed control for parks under the pesticide reduction program;

(12) adding thereto the following:

“It is further recommended that:

- (a) Council adopt the following motion:

‘**WHEREAS** the recent rise of youth-related violence has reinforced the need for youth violence prevention programs ; and

WHEREAS research indicates that the areas where most of the recent gun deaths occurred are also areas where there is a lack of youth programs or where youth programs are underfunded; and

WHEREAS five quick start programs to build resilient youth in our communities arose out of the Mayor’s Task Force on Youth Gangs in 1999;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council reaffirm its support and commitment to an expansion of programs that support youth violence prevention, as identified in the Children and Youth Strategy, the Building Hope Coalition and the Toronto Youth Cabinet;

AND BE IT FURTHER RESOLVED THAT this resolution be forwarded to the Commissioner of Economic Development, Culture and Tourism, the Acting Commissioner of Community and Neighbourhood Services and the Task Force on Community Safety for serious consideration in their allocation of the funding already set aside for youth crime reduction and youth anti-violence programs;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism and the Acting Commissioner of Community and Neighbourhood Services be encouraged to consider additional youth violence prevention and anti-violence initiatives in their 2003 budget submissions.’; and

- (b) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the health and safety issues for children using soccer fields in

the summer months.”;

Urban Development Services:

- (13) in accordance with the supplementary report dated February 28, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that Council amend the Operating Budget Program Recommendations Nos. (68)(d)(1) and (73)(a), under the heading ‘Urban Development Services’, on fees relating to unlawful construction, so that, for construction projects where permit applications are submitted for each stage of construction, the additional fee shall be calculated for the stage under construction at the time the permit is issued, by replacing these clauses with the following:

‘An additional fee equal to 50 percent of the permit fees for the project, or \$100.00, whichever is greater, up to a maximum of \$20,000.00, be charged when construction has commenced prior to the issuance of a building permit. For construction projects where permit applications are submitted for each stage of construction, the additional fee shall be calculated for the stage under construction at the time the permit is issued and that such fees be capped at a maximum of \$20,000.00 to be charged when construction has commenced prior to the issuance of a building permit.’ ”; and

- (14) adding thereto the following:

“It is further recommended that:

- (a) a Task Force be established, comprised of Councillors Disero, Pantalone and Silva, such Task Force to consider and make recommendations on the implementation of a one-window approach to development approvals, including reducing the time taken to issue building permits, to consult with appropriate representatives of the Building and Labour Industry in this regard, and report thereon to the Planning and Transportation Committee, in September 2002; and
- (b) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on:
- (i) current City administrative practices and measures to improve the timely delivery of building permit issuance; and
- (ii) various measures which are effectively utilized in other municipalities

in Ontario and Canada to improve building permit approvals.”;

City Clerk’s:

(15) adding thereto the following:

“It is further recommended that:

- (a) the Chief Administrative Officer be requested to submit a report to the Administration Committee, as part of the 2003 budget process, on a mechanism to provide administrative and clerical support to committees appointed by Council; and
- (b) the City Clerk be requested to undertake a review of all courier services used by City departments, agencies, boards and commissions, and submit a report to the Administration Committee, as part of the 2003 budget process, on the feasibility of establishing a universal internal courier service, such report to include an investigation into the use of disabled courier services within the City, pedestrian and cycling couriers and a process to determine when and how they might be used.”;

Corporate Communications:

(16) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on how Members of Council and community groups can access various language services in the City of Toronto.”;

Finance:

(17) to provide that the tax/water payment and service counters at the York and East York Civic Centres remain open at the existing service levels and that the associated costs be absorbed from within the Finance Department Operating Budget;

(18) adding thereto the following:

“It is further recommended that:

- (a) the Chief Financial Officer and Treasurer be requested to:
 - (i) submit a report to the Policy and Finance Committee on:

- (1) the feasibility of establishing generic payment centres at a variety of public buildings, including all Civic Centres; and
- (2) the feasibility of providing an opportunity for persons to pay traffic tickets at either Old City Hall or Toronto City Hall; and
- (ii) submit a report to the Administration Committee on the long-term impacts of closing the payment counters at the Civic Centres;
- (b) the following motion be referred to the Chief Financial Officer and Treasurer with a request that he submit a report thereon to the Policy and Finance Committee:

Moved by Councillor Moscoe:

‘It is recommended that the relocation of the First Appearance Centre from rented premises at Dufferin Street and Lawrence Avenue be to a public building in the general vicinity of the existing Centre, for a savings of \$34,900.00.’ ”;

Toronto Public Health:

- (19) increasing the Toronto Public Health Operating Budget by \$110,000.00 for the Seniors’ Fall Prevention Program;

Toronto Public Library:

- (20) increasing the Toronto Public Library Operating Budget by \$90,000.00 for the “Leading to Reading Program”, both in the summer and during the school year;

Toronto Transit Commission:

- (21) adding thereto the following:

“It is further recommended that:

- (a) the Province of Ontario be requested to restore funding to the Toronto Transit Commission (TTC) for its Operating Budget on the same basis as previously provided; and
- (b) the Chief Administrative Officer and the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the Policy and Finance Committee on the following proposal:

- (i) the City entering into immediate discussions with the Toronto Transit Commission to establish a multi-year operating funding agreement and in considering such agreement, Council re-affirm the principle of an 80/20 cost recovery ratio;
- (ii) such agreement to protect the transit service in the City of Toronto and rationally and reasonably address the multi-year operating needs of the TTC and the service expectations of the public; and
- (iii) such an agreement to be drafted and executed as a binding contractual obligation between the parties.”;

Toronto Police Services Board – Toronto Police Service:

- (22) adding thereto the following:

“It is further recommended that the Chief of Police be requested to:

- (a) seek authorization from the federal government to retain the proceeds from crime recovered in the City of Toronto, on an in-trust basis for distribution to the victims of crime; and
- (b) update the Toronto Police Services Board and the Policy and Finance Committee on the cost of policing for the Woodbine Racetrack and Slots, identifying need and service requirements by May 2002.”;

Consolidated Grants Program:

- (23) increasing the Consolidated Grants Operating Budget:

- (a) by \$60,000.00 for children’s nutrition programs in 11 elementary schools, reaching 2,500 children; and
- (b) by \$250,000.00 as a partial adjustment for inflationary pressures;

Capital and Corporate Financing/Non Program:

- (24) striking out Part (b) of Recommendation No. (174) of the Policy and Financing Committee, embodied in the section headed “General”, and inserting in lieu thereof the following new recommendation:

“(b) an initial investment in the amount of \$500,000.00 be set aside for the

purposes defined in this report and that the amount be funded from any 2001 Operating Surplus; the initial \$2 million investment for such Fund having been reallocated as follows:

- (i) by restoring \$500,000.00 to the 2002 playground retrofit operating program in the Parks and Recreation Division;
 - (ii) by adding \$250,000.00 to the Children's Services Division Operating Budget for health and safety and playground projects;
 - (iii) by adding \$125,000.00 to the Transportation Services 2002 Operating Budget for the mechanical leaf collection program on ditched streets which are heavily treed, and as selected by staff; and
 - (iv) by further reducing the initial investment by \$625,000.00;”;
- (25) adding to Recommendation No. (174) of the Policy and Finance Committee, the following new Parts (e) and (f):
- “(e) the program design and implementation of the Efficiency Incentive Fund be reported to Council, through the Administration Committee; and
 - (f) the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee, prior to the next budget cycle, on the effectiveness and merit of the Fund, and a clear criteria for how this Fund will be evaluated.”;
- (26) decreasing the proposed contribution to the Utility Conservation/Retrofit Reserve by \$633,000.00; and
- (27) decreasing the Division 43 Project Reserve (City Capital Reserve) by \$1.9 million;
- (28) adding thereto the following:
- “It is further recommended that, prior to the implementation of the wide-scale enforcement of the overnight three-hour parking limit, the Parking Enforcement Unit be requested to discuss the enforcement protocol with the Parking Enforcement-Transportation Service Liaison Group.”;

General:

- (29) adding thereto the following:

“It is further recommended that:

- (a) City Council request the Provincial Government to immediately implement:
 - (i) a reduction of \$40 million in the provincial education levy for Toronto residential property taxpayers; and
 - (ii) a reduction in the provincial education levy to the Greater Toronto Area average, for Toronto’s commercial and industrial property taxpayers, in order to reduce business taxes and to provide room to cover inflationary impact in this and future years’ City budgets;
- (b) the Chief Administrative Officer be requested to:
 - (i) submit a report to the Policy and Finance Committee on whether the 1998 established amalgamation target for staff was met (including numbers of employees), such report to include 2002 base numbers and whether there are plans to institute staff establishment controls within the City of Toronto;
 - (ii) invite the organizers of the ‘Toronto Dollar Project’ to meet with her to explore whether there are ways to enhance the existing utilization of ‘Toronto Dollars’ in City projects and activities, and to incorporate these activities into City budgeting; and
 - (iii) submit a report to the Policy and Finance Committee on these consultations, and invite the Toronto Dollar Project organizers to make a presentation to the Committee at that time;
- (c) the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to submit a joint report to the Policy and Finance Committee on the following recommendation:

‘It is recommended that, beginning with the 2003 budget, the City of Toronto develop a Long-Term Financial Strategy (LTFS). This strategy is to ensure that financial assets, programs, liabilities and cash flows are sustainable in the long term.

The Long Term Financial Strategy would be reported to Council and the public in the form of a rolling ten-year forecast of operating and capital spending, based upon key economic indicators, including, but not limited to, projected long-term inflation rates, wage, utility, construction, other relevant indices, and known or anticipated future costs, projects and liabilities.

The LTFS would also measure projected assessment growth, population change and demographic changes which would affect future services based upon current services standards. It would forecast future year levy requirements, reserve fund levels and tax rate increases or decreases.’;

- (d) the Chief Financial Officer and Treasurer be requested to:
 - (i) include an insert in the tax bill indicating the implications of Bill 140 on the residential property tax rate and the education share of taxation, and submit a report thereon to the next meeting of the Policy and Finance Committee scheduled to be held on April 4, 2002; and
 - (ii) provide a list of questions, answers and briefing notes to Members of Council for the purpose of providing information to their constituents on the 2002 Budget;
 - (iii) submit reports to the Policy and Finance Committee:
 - (1) on a proposal for a public education campaign with respect to the City’s budget; and
 - (2) on the potential for the City to adopt a hedging program in relation to the purchase of major commodities consumed by the City of Toronto; and
 - (iv) submit a report to the Budget Advisory Committee, at the beginning of the 2003 budget process, on the economic indicators to be used based on market trends and appropriate outside indices;
- (e) the Sustainability Round Table be requested to submit a report to the Policy and Finance Committee, through the Budget Advisory Committee, on the concept of ‘sustainability’ or ‘environmental’ budgeting which is under development through the International Council of Local Environmental Initiatives (ICLEI);
- (f) Council adopt the following motion:

‘**WHEREAS** the cap on commercial/industrial properties forces the City to confine a 1.6 percent expenditure increase to residential properties, resulting in a residential tax increase of 4.32 percent; and

WHEREAS there appears to be no opportunity to secure, from the

commercial/industrial sector, funds for the additional services that are provided to them; and

WHEREAS the only way to pay for these additional services to the business community is to either tax the residential sector or impose user fees;

NOW THEREFORE BE IT RESOLVED THAT the Chief Administrative Officer be requested to undertake a comprehensive review of services to the business community to determine to what extent we can offset our inability to raise taxes by the judicious application of user fees in lieu of taxes, and submit a report thereon to Council, through the Policy and Finance Committee.’;

- (g) Council adopt the following motion:

‘**WHEREAS** the Budget Advisory Committee and its staff have done an exceptional job of preparing and supporting this Special Meeting of City Council to approve the final budget; and

WHEREAS the City Clerk’s staff, in particular, functioned at the highest level and demonstrated, yet again, their patience, intelligence and class, under very trying conditions;

NOW THEREFORE BE IT RESOLVED THAT Council extend its appreciation to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Director of Budget Services, staff of the Finance Department and the City Clerk’s Office, and all others who assisted with the budget process;

AND BE IT FURTHER RESOLVED THAT City Council declare its gratitude to these hard-working City staffers for their dedication to the City and this Council.’; and

- (h) the following motions be referred to the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee:

Moved by Councillor Pitfield:

‘It is recommended that:

- (i) when and if the City of Toronto is in a surplus position at year-end, the Chief Administrative Officer be requested to

submit a report to City Council, through the Policy and Finance Committee, in order to allow for a decision on whether to transfer the surplus to the next year's budget to offset any tax increase or to direct the surplus to another Council priority;

- (ii) once the 2002 budget process has been completed, the Budget Advisory Committee be requested to meet monthly to consider variance reports, monitor the budget situation and request reports on financial issues, as they arise; and
- (iii) in future capital project approvals for the 2003 budget, the Chief Financial Officer and Treasurer be requested to provide an accompanying Gantt chart, outlining the time-frame, together with the dollars required, in order to prevent an excessive carry-forward of capital dollars, year after year.'

Moved by Councillor Korwin-Kuczynski:

'It is recommended that a pre-budget overview be presented to each Community Council to allow the public to be properly informed about the 2003 budget implications, and that open houses be held to provide budget information.' ''.

S2.12 Clause No. 2 of Report No. 4 of The Policy and Finance Committee, headed "2002 Tax Levy By-laws".

Motion:

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

"It is further recommended that Council adopt the supplementary report dated March 8, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

'It is recommended that:

- (1) the 2002 tax ratios set out in Column II for each of the property classes set out in Column I be adopted:

Property Class	Pre-Levy Increase Tax Ratio (2002 Tax Ratio)	Post-Levy Increase Tax Ratio (for 2003 taxation year)
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Minutes of the Council of the City of Toronto
March 4, 5, 6, 7 and 8, 2002

(Column I)	(Column II)	(Column III)
Residential/Farm	1.000000	1.000000
Multi-Residential	4.174282	4.001407
New Multi-Residential	1.000000	1.000000
Commercial	3.797620	3.642053
Industrial	5.300892	5.082288
Farmlands	0.250000	0.250000
Pipelines	1.707992	1.707992
Managed Forests	0.250000	0.250000;

- (2) the tax rates set out in Column II, which rates will raise a general local municipal tax levy for 2002 of \$2,745,536,482.00, and the tax rates set out in Column III, which rates will raise a special local municipal tax levy for 2002 in an amount sufficient to fund the municipal budgetary increase for 2002 of \$44,165,180.00 in accordance with legislative requirements, be adopted:

Property Class	2002 Rate for General Local Municipal Tax Levy	2002 Rate for Special Local Municipal Tax Levy (to fund Budgetary Levy increase)
(Column I)	(Column II)	(Column III)
Residential/Farm	0.7005440%	0.0302660%
Multi-Residential	2.9242680%	-
New Multi-Residential	0.7005440%	0.0302660%
Commercial	2.6604000%	-
Industrial	3.7135080%	-
Farmlands	0.1751360%	0.0075665%
Pipelines	1.1965240%	0.0516940%
Managed Forests	0.1751360%	0.0075665%;

- (3) subject to the filing of the requisite regulation by the Minister of Finance, that a tax rate of 0.0012488 percent be levied on the commercial class to raise a special local municipal tax levy in a sufficient amount to fund the estimated rebates to registered charities for properties in the commercial class in 2002, and that a tax rate of 0.0006791 percent be levied on the industrial class to raise a special local municipal tax levy in a sufficient amount to fund the estimated rebates to registered charities for properties in the industrial class in 2002;
- (4) the collection of taxes for 2002 other than those levied under By-law No. 1002-2001, the imposition of a penalty charge for non-payment of 2002

taxes, and the provision of interest to be added to tax arrears be authorized;

- (5) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix A, be enacted to establish tax ratios for the year 2002, to establish tax rates for 2002, to levy and collect taxes for municipal purposes for the year 2002 other than those levied before the adoption of the estimates for 2002, to impose a penalty charge for non-payment of 2002 taxes, and to provide for interest to be added to tax arrears; and
- (6) authority be granted for the introduction of the necessary bill in Council.”

Votes:

The motion by Councillor Shiner carried.

Adoption of the Clause, as amended:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Korwin-Kuczynski, Milczyn

Carried by a majority of 32.

S2.13 Clause No. 2 of Report No. 2 of The Midtown Community Council, headed “OMB Appeals and Request for Grant - Rosewell Court and 1 Cheritan Avenue (Eglinton-Lawrence - Ward 16)”.

Deputy Mayor Ootes in the Chair.

Motion:

Councillor Johnston moved that the Clause, together with the report dated March 1, 2002, from the Acting Commissioner of Community and Neighbourhood Services, entitled “Grant Request for Rosewell Court Tenants’ Association”, be struck out and referred to the Tenant Defence Sub-Committee for consideration at its meeting scheduled to be held on March 22,

2002, and subsequent report thereon to the Community Services Committee for its meeting scheduled to be held on March 27, 2002.

Vote on Referral:

The motion by Councillor Johnston carried.

S2.14 IN-CAMERA MEETING SESSION OF COMMITTEE OF THE WHOLE

March 5, 2002 (Public Session):

Procedural Motions:

Deputy Mayor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of Notice of Motion J(4), moved by Councillor Ootes, seconded by Councillor Miller, headed "Appointment of City Solicitor", and that Council adopt the first Operative Paragraph embodied therein, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes, at 7:01 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Notice of Motion J(4), moved by Councillor Ootes, seconded by Councillor Miller, headed "Appointment of City Solicitor", in accordance with the provisions of the Municipal Act, having regard that this Motion contains personal information about an identifiable individual.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 7:03 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 8:14 p.m., and met in public session in the Council Chamber.

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

S2.15 Appointment of City Solicitor

Deputy Mayor Ootes called upon the following Motion J(4):

Moved by: **Councillor Ootes**

Seconded by: **Councillor Miller**

“**WHEREAS** the City Solicitor retired from the City of Toronto, effective February 5, 2002; and

WHEREAS City Council, at its meeting held on December 4, 5 and 6, 2001, by the adoption of Motion J(15), without amendment, appointed an Acting City Solicitor, effective February 6, 2002, and until a by-law appointing a new City Solicitor comes into effect; and

WHEREAS City Council, at that same meeting, considered Motion J(33), respecting employment contracts for senior staff, and subsequently referred Motion J(33) to the Personnel Sub-Committee, for consideration and report thereon to the February 13, 2002 meeting of Council, through the Administration Committee; and Council directed that no further senior staff be hired until such time that the report is considered by Council; and

WHEREAS City Council, at its meeting held on February 13, 14 and 15, 2002, deferred consideration of Clause No. 21 of Report No. 2 of The Administration Committee, headed ‘Senior Staff Contracts’, to its next meeting scheduled to be held on April 16, 2002; and

WHEREAS the recruitment and selection of a new City Solicitor has been completed, and the Chief Administrative Officer has submitted the attached confidential report dated March 4, 2002, with respect thereto;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(33), entitled ‘Employment Contracts - Senior Staff’, considered by Council on December 4, 5 and 6, 2001, be re-opened for further consideration, only insofar as it pertains to the direction that no further senior staff be hired until such time as a report in this regard is considered by Council;

AND BE IT FURTHER RESOLVED THAT, notwithstanding this direction, Council give consideration to the aforementioned confidential report dated March 4, 2002, from the Chief Administrative Officer, pertaining to the appointment of a City

Solicitor, and that such confidential report be adopted.”

Council also had before it, during consideration of Motion J(4), a confidential report dated March 4, 2002, from the Chief Administrative Officer, entitled “Appointment - City Solicitor”. (See Attachment No. 3, Page 191.)

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(4).

Vote:

Adoption of the balance of Motion J(4), without amendment:

Yes - 21	
Councillors:	Altobello, Di Giorgio, Disero, Duguid, Feldman, Hall, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 5	
Councillors:	Flint, Minnan-Wong, Moscoe, Nunziata, Sutherland

Carried by a majority of 16.

In adopting the balance of Motion J(4) without amendment, Council adopted, without amendment, the confidential report dated March 4, 2002, from the Chief Administrative Officer, embodying the following recommendations, such report now public in its entirety, save and except the background information referred to therein which is to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual:

“It is recommended that:

- (1) Anna Kinastowski be appointed to the position of City Solicitor and that such appointment be effective March 18, 2002, subject to successful negotiation of an employment contract between Anna Kinastowski and the City;
- (2) the Commissioner of Corporate Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior

management of the City;

- (3) By-law No. 1108-2001, being ‘A By-law to appoint an Acting City Solicitor’ be amended to provide that such appointment will remain in full force and effect until a by-law appointing a new City Solicitor comes into effect; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.”

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

S2.16 5 Kingsbury Crescent – Ontario Municipal Board Appeal

Councillor Ashton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(1), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ashton

Seconded by: Councillor Balkissoon

“**WHEREAS** Minor Variance Application A175/01SC was considered by the Committee of Adjustment, East District, and was a proposal to demolish the existing house and construct a new single-family dwelling and detached garage located at 5 Kingsbury Crescent; and

WHEREAS one of the requested variances to the Zoning By-law was to permit a maximum building height of 12.4 metres (40.5 feet), whereas the Zoning By-law permits a maximum building height of 9.0 metres (29.5 feet); and

WHEREAS it was the decision of the Committee of Adjustment to refuse the variance to increase the permitted building height for the following reasons: (1) the intent and purpose of the Zoning By-law’s maximum height requirement in a low-density residential neighbourhood is to ensure that a consistency in building height will be maintained, and to protect the privacy of the adjacent properties; the proposed building height does not maintain the intent and purpose of the By-law; (2) the variance is not considered appropriate for the development of the subject property; and (3) in the opinion of the Committee of Adjustment, the variance is not minor; and

WHEREAS Application A175/01SC has been appealed to the Ontario Municipal Board and said Appeal will be heard by the Board on Wednesday, March 6, 2002; and

WHEREAS the proposed height of the proposed structure is out of character with the surrounding community and is not congruent with the intent of the Official Plan and Zoning By to regulate the construction of 'monster homes' throughout the East District of the City of Toronto; and

WHEREAS, if the Ontario Municipal Board permits this development, the future stability of this community and others along the Scarborough waterfront will be threatened and undermined;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council instruct the City Solicitor to attend the Ontario Municipal Board Hearing on March 6, 2002, in support of the Committee of Adjustment decision.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(1) to the Scarborough Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(1) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(1) was adopted, without amendment.

S2.17 **Expropriation of Land Interests in the Liberty Village - East Liberty Subdivision**

Councillor Shiner in the Chair.

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(2), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Pantalone**

Seconded by: **Councillor Rae**

“WHEREAS Council at its meeting held on August 1, 2, 3 and 4, 2000, enacted Official Plan Amendment No. 165 and Zoning By-law No. 566-2000, regarding the development of the large brownfield lands commonly known as the former Inglis Lands; and

WHEREAS there are existing easements located over lands to be conveyed to the City of Toronto for the purposes of streets and a linear park; and

WHEREAS certain other private lands are required to be conveyed to the City for the purposes of a connecting road; and

WHEREAS it is imperative that these land interests be acquired in order for the Plan of Subdivision to be released for registration; and

WHEREAS it is in the interest of the Municipality to acquire outstanding land interests in the former Inglis Lands to facilitate the completion of the redevelopment;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the joint report dated February 22, 2002, from the Commissioner of Corporate Services and the Commissioner of Urban Development Services, and that such joint report be adopted.”

Advice by Acting Chair:

Acting Chair Shiner advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(2) to the Administration Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(2) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(2), a joint report dated February 22, 2002, from the Commissioner of Corporate Services and the Commissioner of Urban Development Services, entitled “Expropriation of Land Interests, Liberty Village - East Liberty Subdivision, former Inglis Lands (Ward 19 - Trinity Spadina)”. (See Attachment No. 1, Page 184.)

Motion:

Councillor Korwin-Kuczynski moved that Motion J(2) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Corporate Services be requested to send a notice to affected residents in Ward 14, advising of the action being taken and the implications of this direction.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

Motion J(2), as amended, carried.

In adopting the Motion, as amended, Council adopted, without amendment, the joint report dated February 22, 2002, from the Commissioner of Corporate Services and the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) authority be granted to serve and publish Notices of Application for Approval to expropriate the property interests outlined in the body of this report, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer’s recommendations to Council for its consideration;
- (2) Recommendation No. (1) be conditional upon the execution of an agreement with 863880 Ontario Limited making 863880 Ontario Limited responsible for all costs relating to such proceedings including providing the City of Toronto with a letter of credit in an amount satisfactory to the Commissioner of Corporate Services to secure such costs;
- (3) Recommendation No. (1) be conditional on 863880 Ontario Limited providing a six-month extension to the due diligence period in the current Section 30 agreement that provides for the acquisition of a segment of the Front Street Extension west of Strachan Avenue; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

S2.18 City of Toronto Representative on the Toronto Port Authority Board

Deputy Mayor Ootes in the Chair.

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(3), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Ootes

“WHEREAS City Council at its meeting held on December 4, 5 and 6, 2001, approved its three appointees to the Board of the Interim Toronto Waterfront Revitalization Corporation (TWRC); and

WHEREAS Murray Chusid, one of the appointees to the TWRC, also served as the City’s representative on the Board of the Toronto Port Authority (TPA) and subsequently resigned from the TPA effective January 31, 2002; and

WHEREAS City Council at its meeting on February 13, 14 and 15, 2002, recognizing that the Waterfront Reference Group had identified a number of candidates with the necessary expertise as part of its recruitment process for TWRC Board, subsequently referred the appointment of a City of Toronto representative to the Board of the TPA to replace Mr. Chusid, to the Waterfront Reference Group with a request that the Group recommend, through the Policy and Finance Committee, a candidate to City Council; and

WHEREAS the Waterfront Reference Group, at its meeting on February 20, 2002, considered this matter and recommended the adoption of a confidential report (February 18, 2002) from the Chair, Waterfront Reference Group which identified a suitable candidate; and

WHEREAS it is necessary to make an appointment to fill the vacant position on the Board of the TPA as the City has only one representative on this Board; and

WHEREAS the Policy and Finance Committee does not meet next until April 4, 2002, and will not report to City Council until its meeting on April 16, 2002;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Council name the individual, as identified in the confidential report (February 18, 2002) from the Chair, Waterfront Reference Group, as the City’s representative to the Board of the Toronto Port Authority for the remainder of the term of office to expire on June 7, 2003; and

- (2) in accordance with the Municipal Act, discussions pertaining to this matter be held in camera, having regard that the subject matter involves personal matters about an identifiable individual, including municipal or local board employees.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(3) to the Policy and Finance Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(3) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(3), a confidential report dated February 18, 2002, from the Chair, Waterfront Reference Group, entitled “Replacement of City of Toronto Appointee on the Toronto Port Authority Board”. [See Attachment No. 2, Page 189.]

Vote:

Motion J(3) was adopted, without amendment, and in so doing, Council appointed Mr. Rahul K. Bhardwaj as the City’s representative to the Board of the Toronto Port Authority for the remainder of the term of office to expire on June 7, 2003, as outlined in the confidential report dated February 18, 2002, from the Chair, Waterfront Reference Group; such report now public in its entirety, save and except the background information referred to therein, which is to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual.

S2.19 **Vandalism of the Gayatri Mandir**

Councillor Disero in the Chair.

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor McConnell**

Seconded by: Councillor Shaw

“**WHEREAS** Toronto City Council has taken a leadership role to respect and to celebrate the diversity among the people of Toronto; and

WHEREAS Toronto City Council has adopted many policies and programs which respect our diversity; and

WHEREAS on February 8, 2002, the Gayatri Mandir at Dupont Street and Ossington Avenue in the City of Toronto was vandalized and the Murties of Lord Shiva, Shri Hanuman, Devi Lakshmi, Devi Parvati, Mother Durga and Shri Ganesh were disfigured; and

WHEREAS these acts of vandalism represent a heinous crime in a place of worship;

NOW THEREFORE BE IT RESOLVED THAT City Council express its distress, deepest concern and indignation about these hate crimes and join with the Federation of Hindu Temples of Canada in condemning these acts;

AND BE IT FURTHER RESOLVED THAT City Council express its deep regret to the members of the Gayatri Mandir for what they have endured and call upon all other Torontonians to express their support to the members of this community.”

Vote:

Adoption of Motion J(5), without amendment:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 0	

Carried unanimously.

S2.20 Endorsement of Movement to Save the Eglinton Theatre

Deputy Mayor Ootes in the Chair.

Councillor Johnston moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(6), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Walker

“WHEREAS the Eglinton Theatre, located at 400 Eglinton Avenue West is a prime example of the Art Deco style of architecture; and

WHEREAS the Eglinton Theatre was designed by Kaplan and Sprachman Architects and resulted in Abraham Sprachman receiving the Governor General’s Architectural Award when built in 1934-1935; and

WHEREAS the Ontario Human Rights Commission’s December 2001 ruling that the Eglinton Theatre be made fully accessible has led to Famous Players, the current tenant, announcing the April 2002 closure of the Eglinton Theatre; and

WHEREAS the federal and provincial governments have indicated a willingness to consider changes in policy to improve the retention of heritage buildings; and

WHEREAS at its meeting on February 13, 14 and 15, 2002, City Council struck out Clause No. 30 of Midtown Community Council Report No 1, respecting the feasibility of pursuing the designation of the Eglinton Theatre as a Heritage Building, and referred such Clause to the Commissioner of Economic Development, Culture and Tourism for further consideration and resubmission to City Council, through the Midtown Community Council, when considered appropriate by the Commissioner and the Managing Director of Culture; and

WHEREAS the time sensitive nature of saving the Eglinton Theatre requires an endorsement by Toronto City Council to emphasize the City’s dedication to the more than 6,000 citizens petitioning to save the Eglinton Theatre;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council endorse the movement to save the Eglinton Theatre and that the City Clerk notify the appropriate Federal and Provincial Ministers;

AND BE IT FURTHER RESOLVED THAT Council vary the order of proceedings

to have this motion heard on the third day of City Council, which is scheduled for March 6, 2002.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(6) to the Midtown Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(6) to the Midtown Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Korwin-Kuczynski moved that Motion J(6) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Corporate Services be requested to explore the feasibility of acquiring the Eglinton Theatre for use as a shelter.”

Votes:

Adoption of motion by Councillor Korwin-Kuczynski:

Yes - 8	
Councillors:	Altobello, Chow, Jones, Korwin-Kuczynski, Layton, McConnell, Milczyn, Moscoe
No - 22	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Kelly, Li Preti, Mammoliti, Mihevc, Moeser, Ootes, Pantalone, Pitfield, Rae, Silva, Walker

Lost by a majority of 14.

Motion J(6) was adopted, without amendment.

S2.21 Exemption from Part Lot Control – 15 West Deane Park Drive

Councillor Holyday moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Holyday

Seconded by: Councillor Jones

“WHEREAS the Etobicoke Community Council, at its meeting held on February 26, 2002, considered the attached report dated February 11, 2002, from the Director, Community Planning, West District, regarding an application for exemption from Part Lot Control for Oxford Hills Developments (Park) Ltd., pertaining to a proposed development at 15 West Deane Park Drive; and

WHEREAS the Etobicoke Community Council has recommended the adoption of the aforementioned report for consideration at the next regular meeting of City Council scheduled for April 16, 2002; and

WHEREAS this matter is time sensitive and a delay in approval until Council’s next meeting will result in 20 families having to wait an additional six weeks before being able to move into their homes;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached report dated February 11, 2002, from the Director, Community Planning, West District, headed ‘Exemption from Part Lot Control Oxford Hills Development (Park) Ltd., 15 West Dean Park Drive – File Number: TA PCL 2001 0004 – Etobicoke Centre (Ward 3)’, and that such report be adopted.”

Council also had before it, during consideration of Motion J(7), a report dated February 11, 2002, from the Director, Community Planning, West District, entitled “Exemption from Part Lot Control, Oxford Hills Developments (Park) Ltd. 15 West Deane Park Drive, File Number: TA PCL 2001 0004, Etobicoke Centre (Ward 3)”. (See Attachment No. 4, Page 193.)

Vote:

Motion J(7) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated February 11, 2002, from the Director, Community Planning, West District, embodying the following recommendations:

“It is recommended that:

- (1) a Part-Lot exemption by-law, with respect to the subject lands, be prepared to the satisfaction of the City Solicitor, and that such by-law shall expire one year after it has been enacted; and
- (2) prior to the enactment of the by-law, the Works and Emergency Services Department confirm that the servicing is satisfactory.”

S2.22 2 Kenmanor Boulevard – Ontario Municipal Board Appeal

Councillor Kelly moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Kelly

Seconded by: Councillor Duguid

“**WHEREAS** Minor Variance Application A234/01SC was considered by the Committee of Adjustment, East District, and was a proposal to permit an increase in the maximum driveway width at the rear of the property to 12 metres (39.4 feet), whereas the zoning by-law permits a maximum driveway width of 6 metres (19.7 feet); and

WHEREAS the intent and purpose of the maximum driveway width requirement is to limit the amount of paved surface on a street yard, thereby ensuring an adequate amount of space for landscaping, outdoor amenity area, and drainage purposes; and

WHEREAS the maximum driveway provision is also intended to discourage the potential for street yard parking; and

WHEREAS the proposed width of the driveway does not maintain the intent and purpose of the by-law, in the opinion of the Committee of Adjustment, the variance is not minor; and

WHEREAS Application A234/01SC has been appealed to the Ontario Municipal Board and said Appeal will be heard by the Board on Tuesday, the 23rd day of April, 2002;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council instruct the City Solicitor to attend the Ontario Municipal Board Hearing on April 23, 2002, in support of the Committee of Adjustment decision.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(8) to the Scarborough Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(8) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(8) was adopted, without amendment.

S2.23 2002 Caribana Festival – Changes to Proposed Structure

Councillor Disero in the Chair.

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Feldman

“**WHEREAS** City Council on February 13, 14 and 15, 2002, adopted, as amended, Clauses Nos. 6 and 7 of Report No. 1 of The Economic Development and Parks Committee regarding the 2002 Caribana Festival, the Caribbean Cultural Committee and the 2001 Caribana Financial Report, in which City Council decided, among other issues:

- to reaffirm its support for the restructuring of the Caribbean Cultural Committee;
- to recognize the necessity for finalizing plans for the 2002 Festival as soon as possible, due to the World Youth Day event being held one week prior to the Festival; and

- to follow the method of payment used for the 2001 festival for 2002, wherein direct payments are to be made to the Toronto Mas Band Association for disbursement to the Mas Bandleaders, Steel Bands and Calypsonians and towards pertinent expenses for event preparation, such as venue permits, security, insurance coverage, etc.; and

WHEREAS City Council, by its adoption of the aforementioned Clause No. 6, also approved the following:

‘The City supports the Caribbean Cultural Committee and the Toronto Mas Bands Association working together to plan and implement the 2002 Caribana Festival, including the hiring of a festival organizer. This will be accomplished through the establishment of a joint festival management committee, where both organizations are represented and where the Festival Organizer in consultation with a designated City staff person, facilitate the process and mediate any dispute that may arise’; and

WHEREAS discussions have taken place with representatives of the Toronto Mas Bands Association and with the Caribbean Cultural Committee wherein it has been determined that neither party is willing to work within the structure proposed by City Council; and

WHEREAS the Festival continues to be one of the City’s most significant cultural and economic festivals contributing close to three hundred million dollars to the local economy and attracting over one million visitors to the City; and

WHEREAS it is essential that a mechanism be in place to finalize plans for the 2002 Festival;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Economic Development and Parks Committee Report No. 1, Clause No. 6, headed ‘2001 Caribana Financial Report (All Wards)’, be re-opened for further consideration, only insofar as it pertains to the establishment of a Joint Festival Management Committee;

AND BE IT FURTHER RESOLVED THAT City Council continue its support for the Festival, and advise the organizations that Council’s support for the Festival is based on the following for the year 2002:

- (a) the Toronto Mas Bands Association be recognized as the lead organization for the parade and the associated vendor activities (with the profits of the vendor

activities to be shared 50 percent with the CCC), the King and Queen of the Bands Show, and the Scarborough Junior Carnival;

- (b) the Caribbean Cultural Committee be the lead for the Olympic Island events, and receive 50 percent of the profits from the vendor activities of the parade; and
- (c) Ms. Joan Pierre be hired as the Organizer for the parade and related events on a one-time basis for 2002;

AND BE IT FURTHER RESOLVED THAT City Council encourage the Toronto Mas Bands Association and the Caribbean Cultural Committee to co-operate with each other for the planning of the 2002 Festival and that the City continue to support the restructuring efforts of the Caribbean Cultural Committee.”

Votes:

The first Operative Paragraph embodied in Motion J(9) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(9) was adopted, without amendment.

S2.24 Use of Armouries for Emergency Shelter

Councillor Shiner in the Chair.

Councillor Layton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(10), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Layton

Seconded by: Councillor Mihevc

“**WHEREAS** City Council at its meeting held on March 5, 2002, has requested the Government of Canada to indicate formally that it would make armouries available, if asked by the City; and

WHEREAS the Homelessness Advisory Committee is composed of a broad collection of homelessness experts including social workers, outreach workers, nurses, members of the faith community and homeless people, from across Canada; and

WHEREAS more than 130 members of the Homeless Advisory Committee came

together at a special meeting on February 22, 2002, which focused on the shelter crisis and voted unanimously to recommend that a 200 bed shelter for single adults and couples be opened immediately; and

WHEREAS there is no disagreement by any expert that more than 200 people are sleeping outside; and

WHEREAS City Council has recommended that a new shelter be opened whenever shelters run at over 90 percent capacity;

NOW THEREFORE BE IT RESOLVED THAT the Acting Commissioner of Community and Neighbourhood Services immediately contact the appropriate federal authorities to ask that they allow the Fort York Armoury to be used on an ongoing basis for emergency shelter, subject to a due diligence review and subject to the negotiation of satisfactory occupancy and other conditions and arrangements, as determined by the Acting Commissioner of Community and Neighbourhood Services, in consultation with the Ward Councillor and the Chair of the Community Services Committee.”

In accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, Motion J(10) was referred to the Community Services Committee.

S2.25 **36 Badgerow Avenue – Ontario Municipal Board Appeal**

Councillor Layton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Layton**

Seconded by: **Councillor Bussin**

“**WHEREAS** Minor Variance Application A812/01TO was considered by the Committee of Adjustment and was a proposal to reduce the number of parking spaces to one space, whereas the By-law requires a minimum of two parking spaces; and

WHEREAS the application was a proposal for a dwelling unit size of 60.54 square metres, whereas the minimum required average dwelling unit size is 65 square metres; and

WHEREAS the proposal exceeds the residential gross floor area limited by the By-law by 152.32 square metres; and

WHEREAS the Committee of Adjustment took the position that the general intent and purposes of the Official Plan are not maintained; and

WHEREAS the Committee of Adjustment took the position that the general intent and purposes of the Zoning By-law are not maintained; and

WHEREAS the Committee of Adjustment took the position that the variances are not considered desirable for the appropriate development of the land; and

WHEREAS the small residential street would be very sensitive to significant changes and such changes should be subjected to a full review as provided under the Zoning By-law; and

WHEREAS the building owner was forced to stop work because proper approvals had not been received; and

WHEREAS the Planning Department of the City had not indicated its approval of the variances to the Committee of Adjustment; and

WHEREAS the building owner who was proceeding with the work without permits is now appealing the decision of the Committee of Adjustment to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council instruct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision, such hearing which is imminent and whose date may well occur prior to the next City Council meeting.”

Advice by Acting Chair:

Acting Chair Shiner advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(11) to the Toronto East York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(11) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(11) was adopted, without amendment.

ADDITIONAL MATTER CONSIDERED BY COUNCIL

S2.26 Team Canada - 2002 Winter Olympic Games

With the permission of Council, Mayor Lastman acknowledged the accomplishments of Canada's Olympic athletes at the 2002 Winter Games in Salt Lake City, advising that Team Canada had earned 17 Olympic medals, and moved that Council adopt the following recommendation:

“It is recommended that City Council extend its congratulations to the Members of Team Canada for their outstanding achievements at the 2002 Winter Olympic Games.”

Vote:

Adoption of motion by Mayor Lastman:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 0	

The motion carried, unanimously.

BILLS AND BY-LAWS

Councillor Shiner in the Chair.

S2.27 On March 4, 2002, at 7:29 p.m., Councillor Kelly, seconded by Councillor Shaw, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 182

By-law No. 160-2002

To confirm the proceedings of the Council at its Special Meeting held on

the 4th day of March, 2002,

the vote upon which was taken as follows:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Milczyn, Moeser, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 2	
Councillors:	Layton, McConnell

Carried by a majority of 32.

S2.28 On March 5, 2002, at 6:59 p.m., Councillor Sutherland, seconded by Councillor Silva, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 183	By-law No. 161-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th and 5th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Tziretas, Walker
No - 2	
Councillors:	Minnan-Wong, Moeser

Carried by a majority of 28.

S2.29 On March 5, 2002, at 8:15 p.m., Councillor Miller, seconded by Councillor Minnan-Wong, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 174	By-law No. 162-2002	To appoint and delineate certain duties and responsibilities of the City Solicitor for the City of Toronto.
Bill No. 175	By-law No. 163-2002	To amend By-law No. 1108-2001, being a by-law "To appoint an Acting City Solicitor".

Deputy Mayor Ootes in the Chair.

S2.30 On March 5, 2002, at 8:16 p.m., Councillor Miller, seconded by Councillor Minnan-Wong, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 184	By-law No. 164-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th and 5th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 23 Councillors: Altobello, Di Giorgio, Disero, Duguid, Feldman, Hall, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Shiner, Sutherland, Tziretas, Walker
No - 1 Councillor: Flint

Carried by a majority of 22.

Councillor Disero in the Chair.

S2.31 On March 6, 2002, at 7:23 p.m., Councillor Mihevc, seconded by Councillor Filion, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 185	By-law No. 165-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th, 5th and 6th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Jones, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Tziretas, Walker
No - 0	

Carried, without dissent.

Councillor Shiner in the Chair.

S2.32 On March 7, 2002, at 7:28 p.m., Councillor Berardinetti, seconded by Councillor Ford, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 186	By-law No. 166-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th, 5th, 6th and 7th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Silva, Soknacki, Tziretas
No - 1	
Councillor:	Korwin-Kuczynski

Carried by a majority of 32.

S2.33 On March 7, 2002, at 10:20 p.m., Councillor Berardinetti, seconded by Councillor Silva, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 187	By-law No. 167-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th, 5th, 6th and 7th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Walker
No - 4	
Councillors:	Ford, Holyday, Korwin-Kuczynski, Moeser

Carried by a majority of 29.

S2.34 On March 8, 2002, at 5:53 p.m., Councillor Berardinetti, seconded by Councillor Sutherland, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 188	By-law No. 168-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th, 5th, 6th, 7th and 8th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 36	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Ford, Holyday, Korwin-Kuczynski

Carried by a majority of 33.

S2.35 On March 8, 2002, at 5:54 p.m., Councillor Soknacki, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 161	By-law No. 169-2002	To amend Chapter 441 of the City of Toronto Municipal Code by adding Section 441-11 entitled Planning Application Fees.
Bill No. 162	By-law No. 170-2002	To amend site plan provisions of the former City of Toronto Municipal Code - Chapter 165, Article III.
Bill No. 163	By-law No. 171-2002	To amend the site plan provisions of the former City of York Municipal Code - Chapter 458, Article 3.
Bill No. 164	By-law No. 172-2002	To exempt lands municipally known as 74 – 78 Finch Avenue West from Part Lot Control.
Bill No. 165	By-law No. 173-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Symes Road.
Bill No. 166	By-law No. 174-2002	To stop up and close a portion of the public lane at the rear of Premises No. 1 Mount Pleasant Road, and to authorize the sale thereof.
Bill No. 167	By-law No. 175-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and

		Parking, respecting Bellair Street.
Bill No. 168	By-law No. 176-2002	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 169	By-law No. 177-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Acores Avenue.
Bill No. 170	By-law No. 178-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Minho Boulevard.
Bill No. 171	By-law No. 179-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 172	By-law No. 180-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 173	By-law No. 181-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 176	By-law No. 182-2002	To adopt Amendment No. 97-2002 to the Official Plan of the Etobicoke Planning Area in order to implement a site-specific amendment affecting the lands located on the north side of Berry Road, east of Prince Edward Drive, municipally known as 232 - 240 Berry Road.
Bill No. 177	By-law No. 183-2002	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the north side of Berry Road, east of Prince Edward Drive, municipally known as 232 - 240 Berry Road.

Bill No. 178	By-law No. 184-2002	To exempt lands municipally known as 15 West Deane Park Drive from Part Lot Control.
Bill No. 179	By-law No. 185-2002	To make various amendments to Article I, Building Permits, of Municipal Code Chapter 363, Building Construction and Demolition.
Bill No. 180	By-law No. 186-2002	To provide for the levy and collection of special charges for the year 2002 in respect of certain business improvement areas.
Bill No. 181	By-law No. 187-2002	To establish Tax Ratios for the Year 2002, to Levy and Collect Taxes for Municipal Purposes for the Year 2002, other than those Levied before the Adoption of the Estimates, to Impose a Penalty Charge for Non-payment of 2002 Taxes, and to Provide for Interest to be added to Tax Arrears.

S2.36 On March 8, 2002, at 5:55 p.m., Councillor Berardinetti, seconded by Councillor Sutherland, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 189	By-law No. 188-2002	To confirm the proceedings of the Council at its Special Meeting held on the 4th, 5th, 6th, 7th and 8th days of March, 2002,
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the vote upon which was taken as follows:

Yes - 35
Mayor: Lastman
Councillors: Altobello, Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker

No - 1 Councillor: Holyday

Carried by a majority of 34.

OFFICIAL RECOGNITIONS:

S2.37 Condolence Motions

March 4, 2002:

Deputy Mayor Ootes in the Chair.

Mayor Lastman, seconded by Councillor Soknacki, moved that:

“**WHEREAS** Police Constable Laura Ellis of the Toronto Police Service died in the line of duty due to a tragic accident on Monday, February 18, 2002; and

WHEREAS Constable Ellis had five years of dedicated service with the Toronto Police, all at 42 Division in Scarborough; and

WHEREAS the loss of this officer at the early age of 31, leaving behind her husband, Tim, and one-year old daughter Paige, has deeply saddened her fellow officers at 42 Division and all across Toronto; and

WHEREAS the loss of Constable Ellis has touched the hearts of the people of the City of Toronto and especially the people of Scarborough.”

Council rose and observed a moment of silence in memory of the late Constable Ellis.

S2.38 Presentations/Introductions/Announcements:

March 4, 2002:

Mayor Lastman, during the morning session of the meeting, addressed the Council with respect to the achievements of Canada’s Olympic Athletes during the Winter Olympic Games in Salt Lake City. On behalf of City Council and the people of the City of Toronto, he congratulated Team Canada on their outstanding performance which earned a record 17 medals for our Country. (See Minute No. S2.26, Page 158.)

Mayor Lastman, during the morning session of the meeting, addressed the Council with respect to the 2002 Capital and Operating Budgets. He highlighted the financial pressures faced by the City of Toronto, as well as the various services provided within the budget, and congratulated and thanked Councillor David Shiner, Chair of the Budget Advisory Committee, the Members of the Budget Advisory Committee and the Policy and Finance Committee, the Chairs of the Standing Committees and all other Members of Council and staff who contributed during the budget process.

Councillor Shiner, during the morning session of the meeting, addressed the Council as Chair of the Budget Advisory Committee, advising that the 2002 Budget balances the City's financial pressures with the need to maintain and enhance services. He expressed his appreciation to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the Finance Team and staff of the City Clerk's Office, the Standing Committee Chairs and Members, and the Members of the Budget Advisory Committee, all of whom were instrumental in this year's budget process.

City Council received presentations from the Chief Financial Officer and Treasurer on the impacts of Bill 140 on the City of Toronto, and from the Chief Administrative Officer on the 2002 Capital and Operating Budgets.

Councillor Ootes, during the morning session of the meeting, welcomed citizens of the City of Vaughan, present at this meeting.

Acting Chair Shiner, during the afternoon session of the meeting, introduced Ms. Alexandra Creighton from Easter Seals, who presented a special plaque to Mayor Lastman. Mayor Lastman accepted the plaque and proclaimed March as Easter Seals Month.

March 5, 2002:

Acting Chair Shiner, during the morning session of the meeting, introduced the students from The York School, present at this meeting.

March 6, 2002:

Acting Chair Shiner, during the morning session of the meeting, introduced the students from the Hawthorne Bilingual School, present at this meeting.

March 7, 2002:

Councillor McConnell, during the morning session of the meeting, with the permission of Council, advised the Council that the Canadian theme for this year's International Women's Week is "Working in Solidarity: Women, Human Rights and Peace", recognizing the role

women play in seeking social justice locally, regionally and on the national and international fronts; and read the proclamation by Mayor Lastman proclaiming March 8, 2002, as “International Women’s Day” to celebrate the achievements of women, and the contribution they make to the success and vitality of the City of Toronto.

Councillor Lindsay Luby, during the morning session of the meeting, introduced the students from St. Benedict’s Catholic School, present at this meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students from Newtonbrook Secondary School, present at this meeting.

March 8, 2002:

Acting Chair Shiner, during the morning session of the meeting, introduced the students from Delhi Public School, present at this meeting.

S2.39 MOTIONS TO VARY PROCEDURE

Vary the order of proceedings of Council:

March 4, 2002:

Deputy Mayor Ootes, at 9:59 a.m., moved that Council vary the order of its proceedings to consider Clause No. 3 of Report No. 2 of The Toronto East York Community Council, headed "Site Plan Approval - 25 Scrivener Square Thornwood (Scrivener Square) Inc. (Toronto Centre-Rosedale, Ward 27)", which carried.

Councillor Moscoe, at 10:00 a.m., moved that Council vary the order of its proceeding to review the agenda listing of Community Council items in order to allow Members of Council to hold items for further discussion, the vote upon which was taken as follows:

Yes - 28	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Flint, Ford, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pitfield, Rae, Shaw, Silva, Walker
No - 14	
Mayor:	Lastman
Councillors:	Di Giorgio, Duguid, Feldman, Holyday, Kelly, Mammoliti, Milczyn, Ootes, Pantalone, Shiner, Soknacki, Sutherland, Tziretas

Carried by a majority of 14.

March 5, 2002:

Councillor Layton, at 11:32 a.m., moved that Council vary the order of its proceeding to consider the Shelter, Housing and Support program of the 2002 Operating Budget at 2:00 p.m. today, the vote upon which was taken as follows:

Yes - 16	
Councillors:	Augimeri, Chow, Di Giorgio, Duguid, Fillion, Hall, Jones, Layton, McConnell, Mihevc, Moeser, Nunziata, Pantalone, Pitfield, Rae, Walker
No - 13	
Councillors:	Altobello, Disero, Feldman, Flint, Holyday, Kelly, Korwin-Kuczynski, Minnan-Wong, Ootes, Shaw, Shiner, Sutherland, Tziretas

Carried by a majority of 3.

March 6, 2002:

Councillor Bussin, at 6:26 p.m., moved that Council vary the order of its proceeding to consider the 2002 Capital Budget of the Toronto Police Service at 2:00 p.m. on March 7, 2002, the vote upon which was taken as follows:

Yes - 26	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Feldman, Johnston, Jones, Kelly, Layton, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 11	
Councillors:	Altobello, Balkissoon, Disero, Duguid, Flint, Holyday, Lindsay Luby, Moeser, Nunziata, Shaw, Shiner

Carried by a majority of 15.

March 8, 2002:

Councillor Rae, at 11:32 a.m., moved that Council vary the order of its proceeding to allow Members of Council to question staff with respect to the 2002 Operating Budget of the Toronto Parking Authority, which carried.

Councillor Mammoliti, at 11:33 a.m., moved that Council vary the order of its proceeding to consider the 2002 Operating Budget of the Toronto Zoo immediately after the conclusion of questions respecting the 2002 Operating Budget of the Toronto Parking Authority, which carried.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

March 4, 2002:

Acting Chair Shiner, at 12:26 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to permit Councillor Kelly to conclude his questions of staff with respect to Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto 2002-2006 Recommended Capital Budget and Program”, which carried, more than two-thirds of Members present having voted in the affirmative.

March 5, 2002:

Acting Chair Shiner, at 7:02 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Notice of Motion J(4), moved by Councillor Ootes, seconded by Councillor Miller, headed “Appointment of City Solicitor”, which carried, more than two-thirds of Members present having voted in the affirmative.

March 7, 2002:

Acting Chair Shiner, at 7:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of the 2002 Operating Budget for the Toronto Transit Commission, and a motion moved by Councillor Shiner with respect to various programs of the 2002 Capital and Operating Budgets, the vote upon which was taken as follows:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Ashton, Berardinetti, Korwin-Kuczynski

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

Councillor Chow, at 8:57 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council re-open its previous decision to adjourn after concluding consideration of the 2002 Operating Budget for the Toronto Transit Commission, and a motion moved by Councillor Shiner with respect to various programs of the 2002 Capital and Operating Budgets, and that Council continue in session in order to conclude consideration of those matters remaining on the Order Paper, the vote upon which was taken as follows:

Yes - 24	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Holyday, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Rae, Shiner, Silva, Soknacki
No - 16	
Councillors:	Altobello, Ashton, Balkissoon, Ford, Johnston, Kelly, Korwin-Kuczynski, Miller, Minnan-Wong, Nunziata, Ootes, Pitfield, Shaw, Sutherland, Tziretas, Walker

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

Councillor Chow, at 9:02 p.m., with the permission of Council, moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council re-open its previous decision to adjourn after concluding consideration of the 2002 Operating Budget for the Toronto Transit Commission, and a motion moved by Councillor Shiner with respect to various programs of the 2002 Capital and Operating Budgets, and that Council continue in session until 10:00 p.m., the vote upon which was taken as follows:

Yes - 28	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Chow, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Rae, Shiner, Silva, Soknacki
No - 11	
Councillors:	Altobello, Balkissoon, Ford, Korwin-Kuczynski, Minnan-Wong, Ootes, Pitfield, Shaw, Sutherland, Tziretas, Walker

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

Councillor Chow, at 9:57 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council re-open its previous decision to adjourn at 10:00 p.m., and that Council continue in session until 10:30 p.m., which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Mammoliti, at 10:21 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council re-open its previous decision to adjourn at 10:30 p.m., and that Council continue in session until 11:00 p.m., the vote upon which was taken as follows:

Yes - 25	
Mayor:	Lastman
Councillors:	Augimeri, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Hall, Holyday, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Pantalone, Rae, Shiner, Silva, Soknacki, Tziretas
No - 14	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Ford, Johnston, Kelly, Korwin-Kuczynski, Miller, Nunziata, Ootes, Pitfield, Shaw, Walker

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

March 8, 2002:

Councillor Disero, at 12:26 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of the 2002 Operating Budget of the Toronto Zoo, which carried, more than two-thirds of Members present having voted in the affirmative.

S2.40 ATTENDANCE

	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:12 p.m. to 7:30 p.m.
March 4, 2002			
Lastman	x	x	x
Altobello	x	x	x

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March 4, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:12 p.m. to 7:30 p.m.
Ashton	x	-	x
Augimeri	x	x	x
Balkissoon	x	x	x
Berardinetti	x	x	x
Bussin	x	x	x
Cho	x	x	x
Chow	x	x	x
Di Giorgio	x	x	x
Disero	x	-	x
Duguid	x	-	x
Feldman	x	x	x
Filion	x	x	x
Flint	x	x	x
Ford	x	x	x
Hall	x	x	x
Holyday	x	x	x
Johnston	x	x	x
Jones	x	x	x
Kelly	x	x	x
Korwin-Kuczynski	x	x	x
Layton	x	x	x
Li Preti	x	x	x
Lindsay Luby	x	x	x
Mammoliti	x	-	x
McConnell	x	-	x

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March 4, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:12 p.m. to 7:30 p.m.
Mihevc	x	x	x
Milczyn	x	x	x
Miller	x	x	x
Minnan-Wong	x	x	x
Moeser	x	x	x
Moscoe	x	x	x
Nunziata	x	x	x
Ootes	x	x	x
Pantalone	x	x	x
Pitfield	x	-	x
Rae	x	x	x
Shaw	x	-	x
Shiner	x	x	x
Silva	x	-	x
Soknacki	x	x	x
Sutherland	x	x	x
Tziretas	x	x	x
Walker	x	x	x
Total	45	37	45

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

March 5, 2002	9:43 a.m. to 12:30 p.m.*	Roll Call 11:28 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:05 p.m.*	Roll Call 4:37 p.m.	Ctte. of the Whole in-Camera 7:10 p.m.	8:15 p.m. to 8:20 p.m.*
Lastman	x	-	x	x	x	-	-
Altobello	x	x	x	x	x	x	x
Ashton	x	-	-	x	-	x	-
Augimeri	x	x	x	x	x	x	-

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March 5, 2002	9:43 a.m. to 12:30 p.m.*	Roll Call 11:28 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:05 p.m.*	Roll Call 4:37 p.m.	Ctte. of the Whole in-Camera 7:10 p.m.	8:15 p.m. to 8:20 p.m.*
Balkissoon	x	-	-	x	-	-	-
Berardinetti	x	-	x	x	-	-	-
Bussin	x	-	-	x	-	-	-
Cho	x	-	x	x	x	x	-
Chow	x	x	-	x	x	x	-
Di Giorgio	x	x	x	x	x	x	x
Disero	x	x	x	x	x	x	x
Duguid	x	x	x	x	x	x	x
Feldman	x	-	x	x	x	x	x
Filion	x	x	-	x	x	-	-
Flint	x	x	x	x	x	x	x
Ford	x	-	x	x	x	-	-
Hall	x	x	x	x	x	x	x
Holyday	x	-	x	x	x	-	-
Johnston	x	-	-	x	-	-	-
Jones	x	x	-	x	x	x	-
Kelly	x	x	-	x	x	x	-
Korwin-Kuczynski	x	x	-	x	-	x	x
Layton	x	x	x	x	x	x	-
Li Preti	x	-	x	x	x	x	-
Lindsay Luby	x	x	-	x	-	x	x
Mammoliti	x	-	x	x	x	-	-
McConnell	x	x	-	x	x	x	x
Mihevc	x	x	x	x	x	x	x
Mileczyn	x	-	-	x	-	x	x
Miller	x	x	-	x	x	x	x
Minnan-Wong	x	x	-	x	-	x	x
Moeser	x	x	x	x	x	x	x
Moscoe	x	-	-	x	x	x	x
Nunziata	x	x	x	x	x	x	x
Ootes	x	x	x	x	-	x	x
Pantalone	x	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x	-
Rae	x	x	-	x	x	x	x

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March 5, 2002	9:43 a.m. to 12:30 p.m.*	Roll Call 11:28 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:05 p.m.*	Roll Call 4:37 p.m.	Ctte. of the Whole in-Camera 7:10 p.m.	8:15 p.m. to 8:20 p.m.*
Shaw	x	x	-	x	x	x	x
Shiner	x	x	x	x	x	x	x
Silva	x	-	-	x	x	x	x
Soknacki	x	x	-	x	x	x	-
Sutherland	x	x	-	x	x	x	x
Tziretas	x	x	x	x	-	x	x
Walker	x	x	x	x	x	x	x
Total	45	30	25	45	34	36	26

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

March 6, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 10:36 a.m.	Roll Call 11:42 a.m.	2:15 p.m. to 7:26 p.m.*
Lastman	x	x	-	x	x
Altobello	x	x	x	x	x
Ashton	-	x	-	-	x
Augimeri	-	x	x	x	x
Balkissoon	x	x	-	x	x
Berardinetti	-	-	-	-	-
Bussin	x	x	-	-	x
Cho	-	x	-	x	x
Chow	-	x	x	x	x
Di Giorgio	x	x	x	x	x
Disero	x	x	-	x	x
Duguid	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	-	x	-	-	x
Flint	x	x	-	x	x
Ford	x	x	x	x	x
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	x	x	x	-	x
Jones	x	x	-	x	x
Kelly	-	x	x	x	x

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March 6, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 10:36 a.m.	Roll Call 11:42 a.m.	2:15 p.m. to 7:26 p.m.*
Korwin-Kuczynski	x	x	x	-	x
Layton	x	x	x	x	x
Li Preti	-	x	-	-	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	-	x
McConnell	-	x	x	x	x
Mihevc	x	x	x	-	x
Milczyn	-	x	x	-	x
Miller	-	x	x	x	x
Minnan-Wong	x	x	-	x	x
Moeser	-	x	x	x	x
Moscoe	x	x	x	x	x
Nunziata	x	x	-	x	x
Ootes	x	x	-	x	x
Pantalone	x	x	x	x	x
Pitfield	-	x	x	x	x
Rae	x	x	-	-	x
Shaw	-	x	-	x	x
Shiner	-	x	x	-	x
Silva	-	x	x	x	x
Soknacki	-	x	x	x	x
Sutherland	-	x	x	x	x
Tziretas	x	x	-	x	x
Walker	x	x	x	-	x
Total	27	44	28	32	44

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

March 6, 2002	Roll Call 3:44 p.m.	Roll Call 4:35 p.m.	Roll Call 4:56 p.m.	Roll Call 5:13 p.m.	Roll Call 5:54 p.m.	Roll Call 6:25 p.m.
Lastman	x	x	-	x	x	-
Altobello	x	-	x	x	x	x
Ashton	x	-	-	x	-	x
Augimeri	x	x	x	-	x	x

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March 6, 2002	Roll Call 3:44 p.m.	Roll Call 4:35 p.m.	Roll Call 4:56 p.m.	Roll Call 5:13 p.m.	Roll Call 5:54 p.m.	Roll Call 6:25 p.m.
Balkissoon	x	-	-	-	-	x
Berardinetti	-	-	-	-	-	-
Bussin	x	x	-	x	x	x
Cho	x	x	x	x	x	x
Chow	x	x	-	-	x	x
Di Giorgio	x	x	x	x	x	x
Disero	x	x	-	x	x	x
Duguid	x	x	x	x	x	x
Feldman	-	x	x	x	x	x
Filion	x	x	x	-	x	-
Flint	x	x	x	x	x	x
Ford	-	x	x	x	-	-
Hall	x	x	x	x	x	x
Holyday	x	x	x	x	-	x
Johnston	-	x	x	-	-	x
Jones	x	x	x	x	x	x
Kelly	x	-	x	-	-	x
Korwin-Kuczynski	x	-	-	-	-	-
Layton	x	-	x	x	-	x
Li Preti	x	x	x	x	x	-
Lindsay Luby	x	x	x	-	x	x
Mammoliti	-	-	-	-	-	-
McConnell	x	x	x	x	x	x
Mihevc	x	x	x	x	x	x
Milczyn	x	-	x	x	-	x
Miller	x	x	-	-	x	x
Minnan-Wong	x	-	x	x	-	x
Moeser	x	x	x	x	x	x
Moscoe	x	x	x	-	x	x
Nunziata	x	-	x	-	x	x
Ootes	x	-	x	x	x	-
Pantalone	-	x	x	-	-	x
Pitfield	x	x	-	x	-	x

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March 6, 2002	Roll Call 3:44 p.m.	Roll Call 4:35 p.m.	Roll Call 4:56 p.m.	Roll Call 5:13 p.m.	Roll Call 5:54 p.m.	Roll Call 6:25 p.m.
Rae	x	x	x	x	x	x
Shaw	x	x	x	x	-	x
Shiner	-	x	-	x	x	x
Silva	-	x	-	x	x	x
Soknacki	x	x	-	-	x	x
Sutherland	x	x	x	-	x	x
Tziretas	x	x	x	x	-	x
Walker	x	-	x	x	x	x
Total	37	32	31	29	29	37

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

March 7, 2002	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 11:38 a.m.	Roll Call 2:11 p.m.	2:15 p.m. to 10:25 p.m.*	Roll Call 3:56 p.m.	Roll Call 4:42 p.m.	Roll Call 9:28 p.m.
Lastman	-	x	x	x	x	x	x	x
Altobello	x	x	x	x	x	x	x	x
Ashton	-	x	x	-	x	x	x	-
Augimeri	x	x	x	x	x	x	x	x
Balkissoon	-	x	x	-	x	x	x	x
Berardinetti	-	x	x	x	x	-	x	-
Bussin	x	x	x	x	x	x	-	-
Cho	-	x	x	-	x	x	x	-
Chow	x	x	-	-	x	x	x	x
Di Giorgio	x	x	x	x	x	x	x	x
Disero	x	x	x	x	x	x	x	x
Duguid	-	x	x	x	x	x	x	x
Feldman	-	x	-	x	x	x	-	-
Filion	-	x	x	-	x	x	-	-
Flint	x	x	x	x	x	x	-	-
Ford	-	x	-	x	x	x	-	x
Hall	x	x	x	x	x	x	x	x
Holyday	x	x	x	-	x	x	x	x
Johnston	x	x	x	-	x	-	-	x
Jones	x	x	x	-	x	x	x	x

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March 7, 2002	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 11:38 a.m.	Roll Call 2:11 p.m.	2:15 p.m. to 10:25 p.m.*	Roll Call 3:56 p.m.	Roll Call 4:42 p.m.	Roll Call 9:28 p.m.
Kelly	x	x	-	-	x	x	x	x
Korwin-Kuczynski	x	x	x	x	x	x	x	x
Layton	x	x	x	x	x	-	-	x
Li Preti	-	x	x	-	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x	x
Mammoliti	x	x	-	-	x	x	-	x
McConnell	x	x	x	-	x	x	-	-
Mihevc	x	x	-	-	x	-	-	x
Milczyn	-	x	x	-	x	-	x	x
Miller	-	x	x	x	x	-	-	x
Minnan-Wong	x	x	x	-	x	x	-	x
Moeser	x	x	x	x	x	x	x	x
Moscoe	-	x	-	-	x	x	x	x
Nunziata	x	x	x	x	x	x	x	x
Ootes	x	x	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x	x	x
Rae	-	x	x	x	x	x	x	x
Shaw	x	x	x	-	x	x	x	x
Shiner	x	x	-	x	x	x	x	x
Silva	x	x	x	-	x	x	x	x
Soknacki	-	x	-	x	x	x	-	x
Sutherland	x	x	-	x	x	x	x	-
Tziretas	x	x	x	x	x	x	x	x
Walker	x	x	x	x	x	x	-	x
Total	30	45	35	27	45	39	31	36

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

March 8, 2002	9:44 a.m. to 12:30 a.m.*	Roll Call 11:25 a.m.	2:15 p.m. to 5:55 p.m.*	Roll Call 3:03 p.m.	Roll Call 4:49 p.m.
Lastman	x	-	x	x	x
Altobello	x	-	x	-	x
Ashton	x	-	x	-	x

Minutes of the Council of the City of Toronto
March 4, 5, 6, 7 and 8, 2002

March 8, 2002	9:44 a.m. to 12:30 a.m.*	Roll Call 11:25 a.m.	2:15 p.m. to 5:55 p.m.*	Roll Call 3:03 p.m.	Roll Call 4:49 p.m.
Augimeri	x	-	x	x	-
Balkissoon	x	-	x	-	-
Berardinetti	x	-	x	-	x
Bussin	x	x	x	-	x
Cho	x	-	x	x	x
Chow	x	-	x	x	x
Di Giorgio	x	x	x	x	x
Disero	x	x	x	x	x
Duguid	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	x	x	x	x	x
Flint	x	x	x	-	x
Ford	x	x	x	x	x
Hall	x	x	x	-	x
Holyday	x	x	x	-	x
Johnston	x	x	x	x	-
Jones	x	x	x	x	-
Kelly	x	-	x	x	x
Korwin-Kuczynski	x	-	x	x	x
Layton	x	-	x	-	x
Li Preti	x	-	x	x	-
Lindsay Luby	x	x	x	x	x
Mammoliti	x	-	-	-	-
McConnell	x	x	x	-	x
Mihevc	x	x	x	x	x
Milczyn	x	x	x	x	x
Miller	x	-	x	x	-
Minnan-Wong	x	-	x	x	-
Moeser	x	-	x	x	x
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	-	x

Minutes of the Council of the City of Toronto
March 4, 5, 6, 7 and 8, 2002

March 8, 2002	9:44 a.m. to 12:30 a.m.*	Roll Call 11:25 a.m.	2:15 p.m. to 5:55 p.m.*	Roll Call 3:03 p.m.	Roll Call 4:49 p.m.
Pitfield	x	x	x	x	x
Rae	x	x	x	x	x
Shaw	x	x	x	-	x
Shiner	x	x	x	x	x
Silva	x	x	x	x	-
Soknacki	x	x	x	-	x
Sutherland	x	x	x	x	-
Tziretas	x	x	x	x	x
Walker	x	-	x	x	x
Total	45	28	44	32	35

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

MEL LASTMAN,
Mayor

ULLI S. WATKISS,
City Clerk

ATTACHMENT NO. 1 [Notice of Motion J(2)]

Joint report dated February 22, 2002, from the Commissioner of Corporate Services and the Commissioner of Urban Development Services, entitled “Expropriation of Land Interests, Liberty Village - East Liberty Subdivision, former Inglis Lands (Ward 19 - Trinity Spadina)” (See Minute No. S2.17, Page 144):

Purpose:

- (1) This report responds to Toronto East York Community Council’s direction to provide detailed recommendations whereby the City would achieve its public planning objectives in the former Inglis Lands, including expropriation of easements and/or property.
- (2) To request Council authority to acquire the necessary lands to extend Western Battery Road to connect to Lynn Williams Street in the East Liberty Village subdivision together with the existing service and access easements.

Financial Implications and Impact Statement:

There are no financial implications to the City that would result from this report. If Council adopts the recommendations outlined herein, 863880 Ontario Limited will be required to execute an agreement making 863880 Ontario Limited responsible for all costs relating to the expropriation/acquisition. The above includes providing the City with a letter of credit in an amount satisfactory to the Commissioner of Corporate Services to secure such costs.

Recommendations:

It is recommended that:

- (1) authority be granted to serve and publish Notices of Application for Approval to expropriate the property interests outlined in the body of this report, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer’s recommendations to Council for its consideration;
- (2) Recommendation No. (1) be conditional upon the execution of an agreement with 863880 Ontario Limited making 863880 Ontario Limited responsible for all costs relating to such proceedings including providing the City with a letter of credit in an amount satisfactory to the Commissioner of Corporate Services to secure such costs;

- (3) Recommendation No. (1) be conditional on 863880 Ontario Limited providing a six month extension to the due diligence period in the current Section 30 agreement that provides for the acquisition of a segment of the Front Street Extension west of Strachan Avenue; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

This report has been prepared in response to the following recommendation of the Toronto East York Community Council, adopted in camera at its meeting held on January 29, 2002:

“That the City Solicitor, the Commissioner of Corporate Services (Real Estate Services), and the Commissioner of Urban Development Services report to the February 25, 2002 meeting of TEYCC, with detailed recommendations whereby the City of Toronto would achieve its public planning objectives in the former Inglis Lands, including expropriation of easements and/or property.”

As this matter includes the option of expropriation and these matters in practice are dealt with through the Administration Committee, and there is some urgency for the acquisition of the lands in order for the development of the East Liberty Village to occur, it is appropriate for Council to address this issue at this time.

The City of Toronto has approved the development of the large brownfield lands commonly known as the former Inglis Lands. Council at its meeting held on August 1, 2 and 3, 2000, enacted the Official Plan Amendment No. 165 and Zoning By-law No. 566-2000 to implement the development applications. Conditions of draft plan approval for the plan of subdivision were originally approved on November 14, 2000, and were amended and re-issued on December 11, 2001. As part of the approval, the City will receive parkland and road dedications within the development. Wm. Engel Realty Ltd., the owner of a small parcel of land (“Engel Property”) shown on the attached sketch within the proposed subdivision was not part of the development applications. A portion of this Engel Property is the site of a proposed public road also shown on the attached sketch. The Engel Property has rights over the abutting lands for servicing and access easements.

The servicing and access easements are located over other lands in the subdivision and run easterly out to Strachan Avenue. These servicing and access easements run, in part, over land that is to be conveyed to the City for the purposes of streets and a linear

park. In addition, the easements run over land that has been reserved for the City in connection with a potential Strachan Avenue grade separation.

Comments:

The developers of the former Inglis Lands, 863880 Ontario Limited (“863880”), have attempted to negotiate with Wm. Engel Realty Ltd. and have been unable to reach an agreement regarding the conveyance of the Engel Property and easement rights to the developers.

The access and servicing easements owned by Wm. Engel Realty Ltd. were created by an instrument dated January 22, 1919 and amended on August 25, 1988. The nature of these interests are such that the completion of the subdivision will not likely extinguish the servicing and access easements over the property. The City cannot, therefore, release the Plan for registration until these interests are extinguished.

The draft plan of subdivision, as approved, provides for a cul-de-sac at the northerly boundary of the Engel Property as shown on Attachment 1. This plan would have the proposed Western Battery Road end at the northern boundary of the Engel Property. If the Engel Property were expropriated, Western Battery Road could be extended southward to meet Lynn Williams Street. It is noted that the Subdivision Agreement recognizes the desirability of ultimately making the road connection prior to the build-out of the second phase of the development.

The Manager of Traffic Planning confirms that there are some advantages to Western Battery Road being connected southerly to Lynn Williams Street. The elimination of the cul-de-sac provides better servicing for emergency vehicles and will help distribute traffic better through the subdivided area.

The Acting City Solicitor confirms that upon a review of the relevant law the City generally has a wide latitude in its ability to expropriate lands for municipal purposes. The implementation of good planning policy may be seen as a valid ground for expropriation. Urban Development Services confirms that there is a municipal planning benefit to the acquisition of the connecting road and elimination of the easement interests to secure the planned open space, as this subdivision represents a major redevelopment of a large brownfield site in the City.

However, expropriation is a costly and time consuming process. From the date of the initiation of the expropriation proceedings to the date of possession, the process could take from six months to one year to complete. This delay could be eliminated if staff, notwithstanding the above, attempt to negotiate a voluntary acquisition in tandem with the expropriation process to acquire the necessary property interests. The recommendations also leave open the possibility of a Section 30 agreement under the

Expropriations Act. These last two scenarios could greatly speed up the acquisition of the private rights which would then permit the registration of the approved Plan of Subdivision.

By communication dated January 18, 2002, the solicitors for the developers indicate that, should the City elect to acquire the subject lands, the developers will in turn acquire the lands at a price equal to the total of all the City's costs of acquisition of the lands. Staff however strongly suggest that a letter of credit with appropriate draw down provisions be provided by the developer for utilization by the City for the acquisition of the subject property interests. Whether by negotiated settlement, a Section 30 agreement or expropriation all related costs are to be secured by the letter of credit. Costs include, but are not limited to, staff time, legal expenses, consultants, appraisals, land transfer taxes. Upon conclusion of the acquisition, any outstanding balance on the letter of credit is to be released to the developer. An agreement to this effect should be executed to the satisfaction of the Commissioner of Corporate Services and the City Solicitor before the acquisition/expropriation process is commenced. That portion of the lands which is to remain as road allowance would be retained by the City and the balance would be conveyed to 863880.

As a separate but related issue it is noted that the City has entered into a Section 30 agreement with 863880 for the acquisition of a segment of the Front Street Extension. This acquisition is to be funded through the Toronto Waterfront Revitalization Corporation once funding agreements are in place with the City. As these agreements are taking longer to develop than expected it would be beneficial to secure the extension of the due diligence period for an additional six months until such time as funding is available to complete this transaction. It should be made a condition that 863880 extend the due diligence period for an additional six months before any negotiations or expropriation commences for the Engel Property.

Conclusions:

It is appropriate under the circumstances to direct staff to commence the process under the Expropriations Act and acquire the interests referred to herein. Any acquisition/expropriation of easements and/or land should be contingent upon 863880 Ontario Limited entering into an agreement with the City whereby it assumes all costs of the acquisition/expropriation process supported by a letter of credit. In addition, it should be made a condition that 863880 Ontario Limited extend the due diligence period for an additional six months with respect to the current Section 30 agreement noted above.

Contacts:

Robert Balfour
Solicitor
Planning & Admin. Tribunal Law

Joe Casali
Manager, Acquisitions & Expropriations
Real Estate Services

Corporate Services
Tel: (416) 392-7225
Fax: (416) 397-4420

Corporate Services
Tel: (416) 392-1534
Fax: (416) 392-1880
Report No.: Cc02-47

Rollin Stanley
Senior Planner
Community Planning
Urban Development Services
Tel: (416) 392-0424
Fax: (416) 392-1330

List of Attachments:

Attachment 1: Location Map

(A copy of the Location Map, referred to in the foregoing report, is on file in the office of the City Clerk.)

ATTACHMENT NO. 2 [Notice of Motion J(3)]

Confidential report dated February 18, 2002, from the Chair, Waterfront Reference Group, entitled "Replacement of City of Toronto Appointee on the Toronto Port Authority Board", such report now public in its entirety (See Minute No. S2.18, Page 147):

Purpose:

To recommend for Council's consideration the City's appointment to the Board of Directors of the Toronto Port Authority (TPA).

Financial Implications and Impact Statement:

There are no financial implications resulting from approval of this report.

Recommendations:

The Waterfront Reference Group recommends that:

- (1) Mr. Rahul K. Bhardwaj be recommended to Council, through the Policy and Finance Committee, as the City's appointee to the Board of the Toronto Port Authority; and
- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Background:

At its meeting on December 6, 2002, Council approved its three appointees to the Board of the Interim Toronto Waterfront Revitalization Corporation (TWRC). One of these appointees, Mr. Murray Chusid, also served as the City's representative on the Board of the TPA. Recognizing the potential for situations of conflict of interest to arise as a result of serving on both bodies, Mr. Chusid submitted his resignation to the TPA effective January 31, 2002. Representatives of the TPA, in turn, requested that a new appointee be named by the City to serve the remainder of Mr. Chusid's term, which expires in June 2003.

At its meeting on February 13, 14 and 15, 2002, City Council waived provisions of Chapter 27, Council Procedures of the City of Toronto Municipal Code and of Council's Policy for Citizen Appointments through the Nominating Committee to permit referral of this appointment to the Waterfront Reference Group. The Reference Group was asked to recommend, through the Policy and Finance Committee, a candidate for Council appointment to the TPA. Council recognized that the Reference Group had identified a number of candidates with the necessary expertise as part of

its recruitment process for the TWRC Board.

Comments:

An open and public process was employed to recruit appointees to TWRC. The Caldwell Partners were retained to ensure that a strong slate of candidates was developed, broadcast and advertise the opportunity, identify and develop up-to-date information on potential candidates, consult with key stakeholders including members of Council and hold exploratory meetings.

As a result of these initiatives, 515 individuals were contacted, of which 124 were formally screened by telephone interview. A long list of 29 individuals were interviewed and nine candidates were presented to representatives of the Waterfront Reference Group for consideration. Of this total, representatives of the Reference Group interviewed six on November 28. All candidates demonstrated an strong understanding of the City's priorities and interests related to its waterfront, making the final selection of three appointees very difficult.

Of the three finalists not selected for appointment to the TWRC Board, one candidate, Mr. Rahul K. Bhardwaj, indicated an interest in representing the City on the Board of the TPA. Mr. Bhardwaj is an independent Legal and Business Consultant with a history in community service. He was Vice President and Special Advisor on Community Relations to the Toronto 2008 Olympic Bid, a Board and Committee member of the United Way of Greater Toronto and, among other things, a Director of the Canadian Opera Company. A detailed profile is attached.

Conclusion:

Mr. Bhardwaj has demonstrated his skills as a board member in a variety of organizations. He has the expertise necessary to ensure that TPA decisions consider the City's interests and is recommended by the Waterfront Reference Group as the City's appointee to the TPA Board.

Contact:

Elaine C. Baxter-Trahair, Waterfront Project Director, (416) 397-4083

List of Attachments:

Appendix "A" – Background Information on the Recommended Candidate

(Appendix "A" to the foregoing report is to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual.)

ATTACHMENT NO. 3 [Notice of Motion J(4)]

Confidential report dated March 4, 2002, from the Chief Administrative Officer, entitled "Appointment - City Solicitor", such report now public in its entirety (See Minute No. S2.15, Page 141):

Purpose:

The purpose of this report is to recommend to Council an appointment to the position of City Solicitor.

Financial Implications and Impact Statement:

Funding for the position is included in the divisional operating budget.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) Anna Kinastowski be appointed to the position of City Solicitor and that such appointment be effective March 18, 2002, subject to successful negotiation of an employment contract between Anna Kinastowski and the City;
- (2) the Commissioner of Corporate Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior management of the City;
- (3) By-law No. 1108-2001, being 'A By-law to appoint an Acting City Solicitor' be amended to provide that such appointment will remain in full force and effect until a by-law appointing a new City Solicitor comes into effect; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.

Background:

At its meeting held on April 23, 24, 25, 26, 27, 30 and May 1 and 2, 2001, Council established a recruitment and selection process for the hiring of a City Solicitor, including the recommendation of the selection decision for the approval and

appointment by Council.

The members of the selection panel were the Deputy Mayor, Chair of Personnel Sub-Committee, the Chief Administrative Officer and the Commissioner of Corporate Services.

Comments:

Consistent with the approved process, the selection panel has concluded its interviews of the short list of qualified candidates for the position of City Solicitor referred by the executive search consultant. Reference checks have been conducted. Preliminary discussions have occurred related to salary and other general terms of employment, conditional on Council approval of the recommended candidate.

A summary of the curriculum vitae of the candidate is attached.

Subject to the execution of an employment contract with the recommended candidate, the appointment of Anna Kinastowski as City Solicitor should come into effect on March 18, 2002.

In order to avoid a situation which could arise if an employment contract with the recommended candidate is not executed, it is recommended that the by-law appointing the Acting City Solicitor be amended to provide that such appointment remain in full force and effect until a by-law appointing a new City Solicitor comes into effect.

Conclusions:

The selection process for the City Solicitor has been thorough and comprehensive, open, fair and objective. It created the opportunity for Council and Management to provide input and advice. The recommendation of the selection panel is presented for the consideration of Council.

Contact:

M. Joan Anderton,
Commissioner, Corporate Services
Telephone: 416-397-4000

List of Attachments:

Summary of curriculum vitae of candidate

(The attachment to the foregoing report is to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information

about an identifiable individual.)

ATTACHMENT NO. 4 [Notice of Motion J(7)]

Report dated February 11, 2002, from the Director, Community Planning, West District, entitled "Exemption from Part Lot Control, Oxford Hills Developments (Park) Ltd. 15 West Deane Park Drive, File Number: TA PCL 2001 0004, Etobicoke Centre (Ward 3)" (See Minute No. S2.21, Page 152):

Purpose:

To consider an application for approval to lift Part Lot Control for a portion of a development containing 21 freehold townhouse units, thereby allowing the creation of separate lots.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) a Part-Lot exemption by-law, with respect to the subject lands, be prepared to the satisfaction of the City Solicitor, and that such by-law shall expire one year after it has been enacted; and
- (2) prior to the enactment of the by-law, the Works and Emergency Services Department confirm that the servicing is satisfactory.

Background:

The subject site is located at the southeast corner of Rabbit Lane and West Deane Park Drive. The lands were the subject of an Official Plan and Zoning Code Amendment applications to permit the redevelopment of the site for 55 townhouse units, with 21 in freehold tenure and 34 as condominium units accessed by a condominium road. Council enacted the implementing Official Plan and Zoning By-law (OPA Amendment No. 81-2000 and By-law No. 578-2000) in August, 2000. Site Plan Control approval for the development was granted by the Director of Community Planning, West District on April 27, 2001.

Section 50(7) of the Planning Act, RSO 1990, authorizes Council to adopt a by-law exempting lands within a plan of subdivision from Part-Lot Control. Part-Lot Control is an effective means of subdividing land and for conveying easements.

Proposal:

The applicant is requesting exemption from Part-Lot Control in order to create separate parcels for the 21 townhouses fronting onto the public streets of Rabbit Lane and West Deane Park Drive. The interior units will be dealt with by way of condominium.

Comments:

The proposal complies with the Official Plan designation and Zoning Code, which Council approved in August 2000. A full review by staff was conducted as part of the Official Plan and rezoning, and site plan control approval processes, and all conditions of approval with respect to the development have already been secured by various agreements. The lifting of Part-Lot Control on the subject lands is considered appropriate for the orderly development of the lands and will facilitate the development.

In order to ensure that Part-Lot Control does not remain open indefinitely, it is recommended that the exempting by-law contain an expiration date. In this instance, the by-law should expire one year after being enacted. This will provide sufficient time for the completion of the project.

Works and Emergency Services requires certification from the applicant's consulting engineer that the private servicing has been completed in accordance with the approved plans and City standards. Recommendation No. (2) of this report requests that the by-law not be enacted until Works and Emergency Services are satisfied with the servicing.

The townhouses are currently under construction and the applicant has submitted a letter dated December 20, 2001, indicating confirmation that the Reference Plan submitted for the application is accurate as shown. All division lines are in co-ordination with the as-built centre line of wall.

Conclusion:

The foundations have been installed, therefore the dimensions refer to the as-built units. It is recommended that Part Lot Control expire one year from the date of the enactment of the by-law.

Contact:

K. Wendy Johncox, MCIP, RPP
Senior Planner
Community Planning, West District
Tel: (416) 394-8227; Fax (416) 394-6063
E-mail: wjohncox@city.toronto.on.ca

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Application Data Sheet

(The Attachments to the foregoing report are on file in the office of the City Clerk.)