

CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

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 Notices of Motions as adopted by the Council of the City of Toronto at its Special Meeting held on March 4, 5, 6, 7 and 8, 2002.

Unless otherwise noted in this document, the Clauses contained in the aforementioned Reports were approved in the form presented to Council.

REPORT NO. 3 OF THE POLICY AND FINANCE COMMITTEE

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

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, City Council 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 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 [See Capital Budget Amendment No. (17) embodied in this document]; 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.” [See Operating Budget Amendment No. (24) embodied in this document.]”;

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 [See Capital Budget Amendment No. (9) embodied in this document];

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.’ ”

REPORT NO. 4 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - “City of Toronto 2002 Recommended Operating Budget”.

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, City Council 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 [See Operating Budget Amendment No. (24) embodied in this document];
 - (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 [See Operating Budget Amendment No. (24) embodied in this document]; 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 [See Capital Budget Amendment No. (11) embodied in this document];
- (ii) by adding \$250,000.00 to the Children's Services Division Operating Budget for health and safety and playground projects [See Operating Budget Amendment No. (2) embodied in this document];
- (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 [See Operating Budget Amendment No. (6) embodied in this document]; 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.'

Clause No. 2 - "2002 Tax Levy By-laws".

The Clause was 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)
(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.”

REPORT NO. 3 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 2 - “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)”.

The Clause was 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.”

REPORT NO. 2 OF THE MIDTOWN COMMUNITY COUNCIL

Clause No. 2 - “OMB Appeals and Request for Grant - Rosewell Court and 1 Cheritan Avenue (Eglinton-Lawrence - Ward 16)”.

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", was 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.

REPORT NO. 2 OF THE TORONTO EAST YORK COMMUNITY COUNCIL

Clause No. 6 - "Settlement of Outstanding Issues with Atrium on Queens Quay Inc. (Trinity-Spadina, Ward 20)".

Council adopted 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.' "

Clause No. 7 - "Draft By-laws – Official Plan Amendment and Rezoning – 915 and 1005 King Street West (Trinity-Spadina, Ward 19)".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 16, 2002.

ADDITIONAL MATTER CONSIDERED BY CITY COUNCIL

Council adopted 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."

NOTICES OF MOTION APPEARING UNDER ITEM J

(1) 5 Kingsbury Crescent – Ontario Municipal Board Appeal

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.”

Disposition: The Motion was adopted, without amendment.

(2) Expropriation of Land Interests in the Liberty Village - East Liberty Subdivision

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.”

Disposition: *The Motion was adopted, subject to 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.”*

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.”*

(3) **City of Toronto Representative on the Toronto Port Authority Board**

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."

Disposition: The Motion 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.

(4) **Appointment of City Solicitor**

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.”

Disposition: *Council re-opened Motion J(33), insofar as it pertains to the direction that no further senior staff be hired until such time as a report on senior staff contracts is considered by Council, and adopted the balance of this Motion without amendment.*

In so doing, 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."*

(5) **Vandalism of the Gayatri Mandir**

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.”

Disposition: The Motion was adopted unanimously.

(6) **Endorsement of Movement to Save the Eglinton Theatre**

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.”

Disposition: The Motion was adopted, without amendment.

(7) **Exemption from Part Lot Control – 15 West Deane Park Drive**

Moved by: Councillor Holyday

Seconded by: Councillor Jones

“**WHEREAS** the Etobicoke Community Council, at its special 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."

Disposition: *The Motion 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."*

(8) 2 Kenmanor Boulevard – Ontario Municipal Board Appeal

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.”

Disposition: The Motion was adopted, without amendment.

(9) **2002 Caribana Festival – Changes to Proposed Structure**

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."

Disposition: *Council re-opened Clause No. 6 of Report No. 1 of The Economic Development and Parks Committee, headed "2001 Caribana Financial Report (All Wards)", for further consideration, only insofar as it pertains to the establishment of a*

Joint Festival Management Committee, and adopted the balance of this Motion, without amendment.

(10) **Use of Armouries for Emergency Shelter**

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.”

Disposition: The Motion was referred to the Community Services Committee.

(11) **36 Badgerow Avenue – Ontario Municipal Board Appeal**

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 is not maintained; and

WHEREAS the Committee of Adjustment took the position that the general intent and purposes of the Zoning By-law is 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.”

Disposition: The Motion was adopted, without amendment.

CONDOLENCE MOTION

Moved by: Mayor Lastman

Seconded by: Councillor Soknacki

“**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 Service, 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;

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

Disposition: The Motion was adopted unanimously.

Toronto, Ontario
March 13, 2002

City Clerk