

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

**MONDAY, FEBRUARY 5, 2007,
TUESDAY, FEBRUARY 6, 2007,
WEDNESDAY, FEBRUARY 7, 2007 AND
THURSDAY, FEBRUARY 8, 2007**

CALL TO ORDER - 9:39 a.m.

- 2.1 Speaker Bussin took the Chair and called the Members to order.

The meeting opened with *O Canada*.

- 2.2 **MOMENT OF SILENCE (Condolence Motions)**

Members of Council observed a moment of silence and remembered the following persons who passed away:

February 5, 2007

Daniel Crombie
Sherona Hall
Mary Meagher
Irving Allan Paisley
Bill Rankin
G. Gordon M. Sterling
Birunthan Muriladaran and Kishoban Alekswaran

February 6, 2007

Marie Suzanne Murphy
Fintan Kilbride

February 7, 2007

Joe Silva

2.3 **CONFIRMATION OF MINUTES**

Councillor Carroll moved that the Council Minutes for the meeting held on December 5 and 6, 2006, be confirmed in the form supplied to the Members, which carried.

2.4 **INTRODUCTION OF REPORTS BY COMMITTEE CHAIRS AND
INTRODUCTION OF NEW BUSINESS ITEMS**

Mayor Miller presented the Reports from Meetings 2 and 3 of the Executive Committee for consideration.

Councillor Filion presented the Report from Meeting 1 of the Board of Health for consideration.

Councillor Davis presented the Report from Meeting 1 of the Civic Appointments Committee for consideration.

Councillor Mihevc presented the Report from Meeting 1 of the Community Development and Recreation Committee for consideration.

Councillor Rae presented the Report from Meeting 1 of the Economic Development Committee for consideration.

Councillor Lindsay Luby presented the Report from Meeting 1 of the General Government Committee for consideration.

Councillor Fletcher presented the Report from Meeting 1 of the Parks and Environment Committee for consideration.

Councillor De Baeremaeker presented the Report from Meeting 2 of the Public Works and Infrastructure Committee for consideration.

Deputy Mayor Pantalone presented the Report from Meeting 2 of the Striking Committee for consideration.

Councillor Nunziata presented the Report from Meeting 2 of the Etobicoke York Community Council for consideration.

Councillor Augimeri presented the Report from Meeting 2 of the North York Community Council for consideration.

Councillor Kelly presented the Report from Meeting 2 of the Scarborough Community Council for consideration.

Councillor Davis presented the Report from Meeting 2 of the Toronto and East York Community Council for consideration.

Councillor Giambrone presented the New Business from the Mayor and City Officials and Business Previously Requested for consideration.

Votes:

Introduction of the Reports and New Business from the Mayor and City Officials and Business Previously Requested, with the exception of the Report from Meeting 1 of the Civic Appointments Committee:

Yes - 40	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1	
Councillor:	Del Grande

Carried by a majority of 39.

Introduction of the Report from Meeting 1 of the Civic Appointments Committee:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Thompson, Vaughan, Walker
No - 6	
Councillors:	Cho, Feldman, Minnan-Wong, Nunziata, Shiner, Stintz

Carried by a majority of 29.

2.5 DECLARATIONS OF INTEREST

Councillor Augimeri declared her interest in Etobicoke York Community Council Item EY2.11, headed “Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown”, in that her mother owns a condominium unit in the immediate vicinity.

Councillor Palacio declared his interest in Etobicoke York Community Council Items EY2.5 and EY2.6, headed “Front Yard Parking 121 Mavety Street” and “Front Yard Parking Application 123 Mavety Street”, respectively, in that a member of his family owns property in the vicinity.

Councillor Perks declared his interest in Executive Committee Item EX3.1, headed “2007-2016 Capital Program Toronto Water Analyst Briefing Notes”, in that his spouse works with an organization that receives a grant from the City.

Councillor Shiner declared his interest in Executive Committee Item EX2.7, headed “Enwave Capital Call - Funding Source”, in that he works with a Company associated with Enwave.

Councillor Shiner also declared his interest in Motion M17, headed “Ontario Municipal Board Hearing re 69 - 71 Portland Street”, in that his family owns property in the immediate area.

2.6 PETITIONS

Councillor Ford submitted a petition containing the signatures of approximately 60 individuals, respecting the installation of an all-way stop control at Kingsview Boulevard and Garview Court.

The above petition was received.

2.7 REVIEW OF THE ORDER PAPER

February 5, 2007

Speaker Bussin in the Chair.

Procedural Motion to Confirm the February 5, 2007 Order Paper:

Speaker Bussin proposed that Council confirm the Order Paper.

1. Councillor Stintz moved that Item CC2.3, headed “Request for directions regarding the February 20, 2007 OMB prehearing re 1705-1745 Avenue Road”, be considered as the first item of business during the closed session.
2. Councillor Shiner moved that Item CC2.6, headed “Review of Certain Applications before the North York Committee of Adjustment on September 22, 2005”, be considered as the second item of business during the closed session.

Ruling by Speaker:

Councillor Minnan-Wong asked to move a further amendment to the Order Paper. Speaker Bussin ruled that the time to place amendments to the Order Paper had ended.

Councillor Minnan-Wong challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 27	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Vaughan
No - 13	
Councillors:	Augimeri, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Minnan-Wong, Saundercook, Shiner, Stintz, Thompson, Walker

Carried by a majority of 14.

Vote to Confirm the Order Paper:

Adoption of the Order Paper, as amended and all other Items not held on consent:

Yes - 27	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Parker, Perruzza, Rae, Vaughan, Walker
No - 12	
Councillors:	Augimeri, Del Grande, Feldman, Ford, Holyday, Minnan-Wong, Nunziata, Palacio, Saundercook, Shiner, Stintz, Thompson

Carried by a majority of 15.

February 6, 2007

Speaker Bussin in the Chair.

Procedural Motion to Confirm the February 6, 2007 Order Paper:

1. Councillor Perks moved that the Order Paper be confirmed.
2. Councillor Minnan-Wong moved that motion 1 by Councillor Perks be amended to provide that a closed session be scheduled for 5:00 p.m.
3. Speaker Bussin proposed that motion 1 by Councillor Perks be amended to provide that Council consider Motion M14 in closed session as the first item of business, followed by Item EX2.4, headed "Lobbying Control Framework", and the that remaining confidential items be considered in closed session at 5:00 p.m.

Vote:

Council adopted the February 6, 2007 Order Paper, as amended by motion 1 by Councillor Perks, motion 2 by Councillor Minnan-Wong, and the proposal by Speaker Bussin.

February 7, 2007

Speaker Bussin in the Chair.

Procedural Motion to Confirm the February 7, 2007 Order Paper:

Councillor Ashton moved that the Order Paper be confirmed with the following amendments:

- the following Items be considered in closed session as the first items of business:

- Item EX2.7, headed “Enwave Capital Call - Funding Source”;
- Item PW2.2, headed “Settlement Proposal for the Contractual Issues with the Eucan Litter/Recycling Bin Contract”; and
- Item EY2.11, headed “Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown”; and
- Item EX3.3, headed “2007 Water and Wastewater Service Rate and Related Matters”, be considered at 11:00 a.m.

Vote:

Council adopted the February 7, 2007 Order Paper, as amended by the motion by Councillor Ashton.

CONSIDERATION OF REPORTS

2.8 EXECUTIVE COMMITTEE MEETING 2

Under Section 27-70 of Council’s Procedures, a Committee’s recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Adopted by consent	EX2.2	Greater Toronto Transportation Authority – City of Toronto Nominations To The Board of Directors
Adopted by consent	EX2.3	Designation of Certain Officials under New Statutory Accountability Requirements
Held for consideration Minute 2.9	EX2.4	Lobbying Control Framework
Held for consideration Minute 2.10	EX2.5	Delegation of Certain Matters to Community Councils
Adopted by consent	EX2.6	Authority to Execute Contribution Agreements with the Government of Canada for Transit-Secure Funding and with the Government of Ontario for Transit Technology and Infrastructure Program Funding
Held for consideration Minute 2.81	EX2.7	Enwave Capital Call - Funding Source

Held for consideration Minute 2.12	EX2.8	Deploying the City's Heavy Urban Search And Rescue (HUSAR) Team outside Ontario
Adopted by consent	EX2.9	2007 Temporary Borrowing Authority
Adopted by consent	EX2.10	Capital Funding for the Kipling / Islington Redevelopment Initiative
Held for consideration Minute 2.13	EX2.11	Ratification of the Canada-Ontario-Toronto Memorandum of Understanding (MOU) on Immigration and Settlement
Held for consideration Minute 2.14	EX2.19	Change to Composition of the Board of Management of the Toronto Zoo

Consideration of Items - Executive Committee Meeting 2

2.9 Lobbying Control Framework

EX2.4	AMENDED		Policy	Wards: All
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February 5, 2007

Speaker Bussin in the Chair.

Motions:

1. Mayor Miller moved that the Item be amended by adding the following:
 - a. The City Manager, in consultation with the Lobbyist Registrar, be authorized to determine the in force date for the Lobbying By-law based on the completion of the lobbyist registry system and to allow appropriate prior notice to the public and stakeholders.
 - b. The City Solicitor be authorized to submit the necessary bill in Council to amend the in force provision in the Lobbying By-law to reflect that the in force date determined in Part 1 above.
 - c. The City Solicitor, in consultation with the City Manager and the Lobbyist Registrar, be authorized to submit any necessary Bill to Council to make any necessary technical amendments and other refinements to the Lobbying By-law to reflect the final form of the lobbyist registry system.

February 6, 2007

Speaker Bussin in the Chair.

2. Councillor Walker moved that the Item be amended by:
 - a. adding the Toronto Police Association to Schedule B, headed “Exempted Employee and Labour Groups”, to Chapter 140, Lobbying, of the Municipal Code; and
 - b. deleting Schedule B, headed “Exempted Employee and Labour Groups” from Chapter 140, Lobbying, of the Municipal Code.

3. Councillor Giambrone moved that the Item be amended by adding the following:

That Council adopt the following recommendations of the Lobbyist Registrar Selection Panel, as contained in the report (January 29, 2007) from the Panel:

1. Council approve the appointment of the Lobbyist Registrar as recommended in confidential Attachment 1 to the report.
 2. The City Manager be authorized to negotiate the terms and conditions of employment with the recommended candidate based on mutually satisfactory terms and reflective of the City’s employment and compensation policies, and to execute any related documents as necessary.
 3. Council grant authority for the introduction of any necessary bills required to give effect to these recommendations.
 4. Council authorize the public release of the information in confidential Attachment 2 upon approval of the appointment of the Lobbyist Registrar in Recommendation 1 [above].
 5. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.
4. Councillor Mammoliti moved that the Item be amended by adding the following:

All Lobbyists be required to register when speaking to all City staff, including City Planners.

Permission to Withdraw Motion:

Councillor Mammoliti, with the permission of Council, withdrew his motion 4.

5. Councillor Jenkins moved that the Item be amended by adding to Section 140-20 of the Lobbying By-law, a provision to record the amounts of donations by the lobbyist or his/her organization to the election campaign of any Councillor, in the most recent campaign, previous campaign, or current election campaign.

Ruling by Speaker:

Speaker Bussin ruled motion 5 by Councillor Jenkins out of order as it does not relate to the Item under consideration.

Councillor Jenkins challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 22 Councillors: Ashton, Augimeri, Bussin, Davis, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Parker, Perks, Rae, Thompson
No - 8 Councillors: Cho, Del Grande, Holyday, Jenkins, Nunziata, Saundercook, Vaughan, Walker

Carried by a majority of 14.

6. Councillor Davis moved that the Item be amended by:
- a. deleting the following Recommendation 3 of the Executive Committee:
 3. Members of Council be entitled to a timely official opinion about the status of a potential lobbyist prior to meeting with any individual; and
 - b. adding the following:

The City Manager, in consultation with the Lobbyist Registrar, ensure that an effective, comprehensive communications plan is undertaken prior to the implementation of the lobbyist registry system to ensure that all stakeholders and the public understand the new system.
7. Councillor Shiner moved that the Item be amended by adding the following:

The Lobbyist Registrar and the Integrity Commissioner provide guidance to Members of Council on how the lobbying rules and Members' Code of Conduct apply to Members' attendance at fund raisers, lectures, seminars, charitable or similar events at the invitation of, or attended by, lobbyists, and if necessary, report on any modifications required to eliminate confusion or conflicting provisions.

8. Councillor Vaughan moved that the Item be amended by adding the following:

The new Lobbyist Registrar report on a plan to partially recover costs related to the operation of a Registry, by charging lobbyists a registration fee from the beginning of the program.

Votes:

Adoption of motion 2a by Councillor Walker:

Yes - 28	
Mayor:	Miller
Councillors:	Augimeri, Carroll, Cho, Davis, Del Grande, Di Giorgio, Filion, Hall, Holyday, Jenkins, Lee, Mammoliti, McConnell, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 14	
Councillors:	Ainslie, Bussin, De Baeremaeker, Fletcher, Giambrone, Grimes, Heaps, Kelly, Lindsay Luby, Mihevc, Moeser, Moscoe, Parker, Perks

Carried by a majority of 14.

Adoption of motion 2b by Councillor Walker:

Yes - 19	
Councillors:	Ainslie, Cho, Del Grande, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 23	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 4.

Adoption of motion 6a by Councillor Davis:

Yes - 37	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 5	
Councillors:	Del Grande, Filion, Grimes, Mihevc, Saundercook

Carried by a majority of 32.

Adoption of motion 1 by Mayor Miller:

Yes - 41	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1	
Councillor:	Grimes

Carried by a majority of 40.

Adoption of motion 3 by Councillor Giambrone:

Yes - 41	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1	
Councillor:	Grimes

Carried by a majority of 40.

Adoption of motion 6b by Councillor Davis:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan, Walker
No - 3	
Councillors:	Grimes, Saundercook, Thompson

Carried by a majority of 36.

Adoption of motion 7 by Councillor Shiner:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 13	
Councillors:	Augimeri, Cho, Davis, Filion, Fletcher, Grimes, Hall, Moscoe, Pantalone, Perks, Perruzza, Rae, Thompson

Carried by a majority of 16.

Adoption of motion 8 by Councillor Vaughan:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Saundercook, Stintz, Thompson, Vaughan, Walker
No - 7	
Councillors:	Grimes, Mammoliti, Moeser, Ootes, Parker, Rae, Shiner

Carried by a majority of 28.

Adoption of the Item, as amended:

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Vaughan
No - 9	
Councillors:	Del Grande, Holyday, Jenkins, Lee, Minnan-Wong, Ootes, Stintz, Thompson, Walker

Carried by a majority of 24.

City Council Decision

City Council adopted the following motions:

1. City Council approve the draft by-law to add Chapter 140, Lobbying, to the Municipal Code as set out in Appendix 1 of this report, and that authority be given to introduce the necessary bill in Council, subject to amending Schedule B to the by-law, headed "Exempted Employee and Labour Groups", by adding the Toronto Police Association to the list.

2. Details of Lobbyist registration be made available to Members of Council, staff and the general public and they be posted within two business days after the lobbying has occurred.
3. The Lobbyist Registrar and the City Manager report to the Executive Committee on refinements to the Lobbyist Registry after it has been in operation for six months.
4. The City Manager, in consultation with the Lobbyist Registrar, be authorized to determine the in force date for the Lobbying By-law based on the completion of the lobbyist registry system and to allow appropriate prior notice to the public and stakeholders.
5. The City Solicitor be authorized to submit the necessary bill in Council to amend the in force provision in the Lobbying By-law to reflect that the in force date determined in Recommendation 4 above.
6. The City Solicitor, in consultation with the City Manager and the Lobbyist Registrar, be authorized to submit any necessary Bill to Council to make any necessary technical amendments and other refinements to the Lobbying By-law to reflect the final form of the lobbyist registry system.
7. Council approve the appointment of the Lobbyist Registrar as recommended in confidential Attachment 1 to the report (January 29, 2007) from the Lobbyist Registrar Selection Panel.
8. The City Manager be authorized to negotiate the terms and conditions of employment with the recommended candidate based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
9. Council authorize the public release of the information in confidential Attachment 2 upon approval of the appointment of the Lobbyist Registrar in Recommendation 7.
10. The City Manager, in consultation with the Lobbyist Registrar, ensure that an effective, comprehensive communications plan is undertaken prior to the implementation of the lobbyist registry system to ensure that all stakeholders and the public understand the new system.
11. The Lobbyist Registrar and the Integrity Commissioner provide guidance to Members of Council on how the lobbying rules and Members' Code of Conduct apply to Members' attendance at fund raisers, lectures, seminars, charitable or similar events at the invitation of, or attended by, lobbyists, and if necessary, report on any modifications required to eliminate confusion or conflicting

provisions.

12. The new Lobbyist Registrar report on a plan to partially recover costs related to the operation of a Registry, by charging lobbyists a registration fee from the beginning of the program.
13. The following motion be referred to the Lobbyist Registrar and the City Manager for report as part of the six month review:

Moved by Councillor Mammoliti:

“That the same requirements that are placed on lobbyists relating to communications with Members of Council and their staff also be placed on communications with City of Toronto staff;”.

14. Council grant authority for the introduction of any necessary bills required to give effect to these recommendations.
15. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Confidential Attachment 2 to the report (January 29, 2007) from the Lobbyist Registrar Selection Panel is now public in its entirety, and contains the following recommendation:

1. Council approve the appointment of Marilyn Abraham to the position of Lobbyist Registrar.

Confidential Attachment 1 to the report (January 29, 2007) from the Lobbyist Registrar Selection Panel remains confidential, in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it relates to a personal matter about an identifiable person and labour relations or employee negotiations.

Background Information

2007-ex2-4-2

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-584.pdf>

2007-ex2-4-1

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-196.pdf>

[Link to By-law 150 - 2007, “To adopt a new City of Toronto Municipal Code Chapter 140, Lobbying”](#)

Council also considered the following:

- Report (January 29, 2007) from the Lobbyist Registrar Selection Panel (EX2.4a).

2.10 **Delegation of Certain Matters to Community Councils**

EX2.5	AMENDED		Policy	Wards: All
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February 6, 2007

Speaker Bussin in the Chair.

Motions:

1. Councillor Davis moved that the Item be amended by amending Table 1 contained in Appendix A, under the heading “Sign By-law Exemptions, Limitations to Delegation”, so that it now reads as follows:

“Proposals involving video display signs or in contravention of By-law 211-79, as amended, must be approved by Council”.

2. Councillor Moscoe moved that the Item be amended:
 - a. in accordance with the following recommendations contained in the Recommendations Section of the supplementary report (January 29, 2007) from the City Manager, subject to deleting from Recommendation 3 the words “and designation of fire routes as these matters have City-wide implications”, so that the recommendations, as amended, read as follows:
 1. Subject to the necessary regulations being filed by the Province of Ontario, Council delegate the legislative authority to Community Councils for the local routine matters described in Table 1 of this report, by amending Appendix A of Report EX2.5, Delegation of Certain Matters to include these matters;
 2. Council delegate the legislative authority to Community Councils for the local routine matters described in Table 2 of this report, by amending Appendix A of Report EX2.5, Delegation of Certain Matters to include these matters;
 3. Council retain its legislative authority with respect to powers under the Ontario Heritage Act R.S.O. 1990;
 4. Council amend Appendix A of Report EX2.5, Delegation of Certain Matters to Community Councils by deleting the words “through the appropriate standing committee” under the heading “Limitations to Delegation” for “Sidewalks;” and

5. Council grant authority for the introduction of any necessary bills required to give effect to these recommendations; and
- b. to provide that the designation of Fire Routes be delegated to Community Councils.
3. Councillor Perks moved that the Item be amended by adding to Table 1 contained in Appendix A under the heading “Bike Lanes, Limitations to Delegation”, the words “including the Toronto Bike Plan of 2001”, after the word “policies”, so that it now reads as follows:

“Proposals and decisions on local, collector, minor and major arterial roads that deviate from City by laws and policies, including the Toronto Bike Plan of 2001, must be approved by Council;”.

4. Councillor Fletcher moved that the Item be amended by adding to Table 1 contained in Appendix A under the heading “Bike Lanes, Delegation to Community Councils for Final Decision”, the words “including the Toronto Bike Plan of 2001”, after the word “policies”, so that it now reads as follows:

“Proposals and decisions on local, collector, minor and major arterial roads compliant with City by laws and policies, including the Toronto Bike Plan of 2001;”.

Votes:

Adoption of motion 1 by Councillor Davis:

Yes - 37	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 3	
Councillors:	Hall, Kelly, Milczyn

Carried by a majority of 34.

Motion 2b by Councillor Moscoe carried.

Motion 2a by Councillor Moscoe carried.

Motion 3 by Councillor Perks carried.

Adoption of motion 4 by Councillor Fletcher:

Yes - 39	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 1	
Councillor:	Holyday

Carried by a majority of 38.

Adoption of the Item, as amended:

Yes - 39	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 1	
Councillor:	Holyday

Carried by a majority of 38.

City Council Decision

City Council adopted the following motions:

1. City Council delegate the legislative authority for the local routine matters described in Appendix A (the "Matters") to Community Councils effective March 2007, subject to the necessary statutory powers being in effect and

subject to the following conditions and amendments;

- a. The delegated authority to act with respect to the Matters applies only when such Matters, in the opinion of the City Manager, do not have City-wide significance and do not affect more than one Community Council;
- b. City Council retains the ability to revoke the delegation to Community Councils by by-law at any time;
- c. Subject to (a) and (b), the legislative authority to act with respect to the Matters is fully delegated to Community Councils, and City Council retains no authority to act with respect to the Matters;
- d. The delegated authority to Community Councils includes the power to pass any necessary by-laws with respect to the Matters, and all by-laws enacted by Community Councils under this delegated authority have the full force and effect as if enacted by City Council, including any necessary amendments to the Municipal Code;
- e. Table 1 contained in Appendix A under the heading “Bike Lanes, Delegation to Community Councils for Final Decision” being amended to read as follows:

“Proposals and decisions on local, collector, minor and major arterial roads compliant with City by-laws and policies, including the Toronto Bike Plan of 2001;”;
- f. Table 1 contained in Appendix A under the heading “Bike Lanes, Limitations to Delegation” being amended to read as follows:

“Proposals and decisions on local, collector, minor and major arterial roads that deviate from City by-laws and policies, including the Toronto Bike Plan of 2001, must be approved by Council;”;
- g. Table 1 contained in Appendix A under the heading “Sign By-law Exemptions, Limitations to Delegation” being amended to read as follows:

“Proposals involving video display signs or in contravention of By-law 211-79, as amended, must be approved by Council”;
- h. Appendix A being amended to require Council approval on local collector and arterial roads if the road includes a transit route for

matters involving on-street parking/standing/stopping, on-street permit parking, on-street traffic regulations, road alterations and traffic calming;

- i. Subject to the necessary regulations being filed by the Province of Ontario, Council delegate the legislative authority to Community Councils for the local routine matters described in Table 1 of the report (January 29, 2007) from the City Manager, by amending Appendix A of Report EX2.5, Delegation of Certain Matters to include these matters;
 - j. Council delegate the legislative authority to Community Councils for the local routine matters described in Table 2 of this report, by amending Appendix A of Report EX2.5, Delegation of Certain Matters to include these matters;
 - k. designation of Fire Routes be delegated to Community Councils; and
 - l. Council amend Appendix A of Report EX2.5, Delegation of Certain Matters to Community Councils by deleting the words “through the appropriate standing committee” under the heading “Limitations to Delegation” for “Sidewalks”;
2. City of Toronto Municipal Code Chapter 27, Council Procedures, be amended to:
- a. give effect to the delegation set out in Recommendation 1;
 - b. make other amendments required to give effect to the delegation to Community Councils, including:
 - i. to allow Community Councils to re-open and to reconsider final decisions under the same rules as apply to City Council;
 - ii. to provide a process for Community Councils to pass by-laws;
 - iii. to make applicable to Community Councils certain other rules effecting final decision-making which currently only apply to City Council.
3. Authority be granted to the City Solicitor to submit any bills required to enact the delegation of authority to Community Councils including all necessary amendments to City of Toronto Municipal Code Chapter 27, Council Procedures, and other chapters in the Municipal Code and other by-laws, generally in accordance with the report recommendations and Appendix A, and subject to any necessary technical adjustments.

4. The Province of Ontario be requested to file regulations, as provided in the City of Toronto Act, 2006, by March 27, 2007 to provide authority to the City of Toronto to delegate to a person or body, its powers and duties with respect to the following matters under the following Acts:
 - a. speed changes, restrictions and reductions provided for in the Highway Traffic Act R.S.O. 1990;
 - b. installation of stop signs provided for in the Highway Traffic Act R.S.O. 1990;
 - c. designation of fire routes provided for in the Fire Prevention and Protection Act, 1997;
 - d. designation of events of municipal significance for issuing special occasion permits provided for in the Liquor License Act R.S.O. 1990;
 - e. powers provided for in the Ontario Heritage Act R.S.O. 1990;
 - f. the delegation of the above-mentioned matters (a) to (e) come into effect when the necessary regulations are filed by the Province of Ontario.
5. Council retain its legislative authority with respect to powers under the Ontario Heritage Act, R.S.O. 1990.
6. Council grant authority for the introduction of any necessary bills required to give effect to these recommendations.

Background Information

2007-ex2-5-2

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-585.pdf>

2007-ex2-5-1

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-586.pdf>

[Link to Consolidated Table of Delegated Matters](#)

Council also considered the following:

- [Report \(January 29, 2007\) from the City Manager \(EX2.5a\).](#)

2.11 **Enwave Capital Call - Funding Source**

EX2.7	AMENDED		Policy	Wards: All
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This Item was considered during closed session.

(See Minute 2.81)

2.12 **Deploying the City's Heavy Urban Search And Rescue (HUSAR) Team outside Ontario**

EX2.8	NO AMENDMENT		Policy	
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February 5, 2007

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council authorize staff to draw up an agreement with Ontario's Ministry of Community Safety and Correctional Services and the federal Department of Public Safety. The agreement will enable the City to deploy a HUSAR team anywhere in Canada, when needed. The Department of Public Safety will reimburse the City for all costs associated with heavy urban search and rescue.
2. City Council authorize the Fire Chief to deploy the team internationally if this is approved by both Canadian and international authorities.
3. The Fire Chief and the City Solicitor ensure that the agreement is satisfactory.
4. City Council authorize the Fire Chief to sign the agreement and any related documents on behalf of the City.

Background Information

2007-ex2-8

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-588.pdf>

2.13 **Ratification of the Canada-Ontario-Toronto Memorandum of Understanding (MOU) on Immigration and Settlement**

EX2.11	AMENDED		Policy	Wards: All
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February 5, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Davis moved that the Item be amended by adding the following:

The City Manager report to the September 4, 2007 meeting of the Executive Committee on progress made under the Memorandum of Understanding.

Votes:

Motion 1 by Councillor Davis carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Council ratify the Memorandum of Understanding between Her Majesty in Right of Canada ("Canada"), Her Majesty in Right of the Province of Ontario ("Ontario"), and the City of Toronto ("Toronto") dated the 29th day of September, 2006 which provides the framework for formalized discussions between the three governments with respect to immigration and settlement issues in Toronto.
2. The City Manager report to the September 4, 2007 meeting of the Executive Committee on progress made under the Memorandum of Understanding.
3. The appropriate City officials be authorized and directed to take all necessary actions to give effect thereto.

Background Information

2007-ex2-11-1

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-591.pdf>

2007-ex2-11-2

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-590.pdf>

2.14 **Change to Composition of the Board of Management of the Toronto Zoo**

EX2.19	AMENDED		Transactional	Wards: All
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February 5, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Davis moved that the Item be amended by adding the following:

That the City Manager consult with the Chief Executive Officer of the Toronto Zoo and report to the Executive Committee on the eligibility requirements, qualifications and process for recruitment and selection of the citizen members and any amendments to the Public Appointments Policy resulting from the change in composition of the Board.

Votes:

Motion 1 by Councillor Davis carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. That two positions on the Board of Management of the Toronto Zoo be changed from Toronto Zoo Foundation Board representatives to citizen representatives.
2. That the City Manager consult with the Chief Executive Officer of the Toronto Zoo and report to the Executive Committee on the eligibility requirements, qualifications and process for recruitment and selection of the citizen members and any amendments to the Public Appointments Policy resulting from the change in composition of the Board.

Background Information

2007-ex2-19-2

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-597.pdf>

2007-ex2-19-1

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-598.pdf>

2.15 **EXECUTIVE COMMITTEE MEETING 3**

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration Minute 2.16	EX3.1	2007-2016 Capital Program Toronto Water Analyst Briefing Notes
Held for consideration Minute 2.17	EX3.2	2007 Operating Budget Toronto Water Analyst Briefing Notes
Held for consideration Minute 2.18	EX3.3	2007 Water and Wastewater Service Rate and Related Matters

Consideration of Items - Executive Committee Meeting 3

2.16 2007-2016 Capital Program Toronto Water Analyst Briefing Notes

EX3.1	NO AMENDMENT		Transactional	Wards: All
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February 7, 2007

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 36	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan
No - 5	
Councillors:	Cho, Del Grande, Lee, Minnan-Wong, Walker

Carried by a majority of 31.

City Council Decision

City Council adopted the following motions:

- The 2007 Recommended Capital Budget for Toronto Water with a total project cost of \$331.350 million and a 2007 cash flow of \$410.001 million and future year commitments of \$497.359 million be approved. The 2007 Recommended Capital Budget consists of the following:

- a. New Cash Flow Funding for:
 - i. 201 new sub-projects with a 2007 total project cost of \$331.350 million that requires cash flow of \$129.726 million in 2007 and a future year commitment of \$73.883 million in 2008; \$40.692 million in 2009; \$42.795 million in 2010; and, \$44.254 million in 2011;
 - ii. 144 previously approved sub-projects with a 2007 cash flow of \$212.612 million and a future year commitment of \$152.516 million in 2008; \$87.836 million in 2009; \$45.756 million in 2010; and, \$9.627 million in 2011;
 - iii. 8 sub-projects from previously approved projects with carry forward funding from 2005 and prior years requiring 2007 cash flow of \$4.038 million and no future year commitments;
 - b. 2006 approved cash flow for 111 previously approved sub-projects with carry forward funding from 2006 into 2007 totalling \$63.625 million.
2. Operating impacts of \$3.270 million in 2007 and \$0.153 million in 2008 emanating from the approval of the 2007 Recommended Capital Budget, be approved for inclusion in the 2007 and future year operating budgets.
 3. No new debt be issued to finance the 2007 cash flow requirement for the capital program and that the 2007 Recommended Toronto Water Capital Budget be fully funded from service charges; available reserve funds; including development charges; and other revenues.
 4. The General Manager for Toronto Water report to the Budget Committee on any financial implications arising from Council's consideration of the Biosolids and Residuals Master Plan to be presented in 2007.
 5. The General Manager for Toronto Water report to the Budget Committee on the operating impacts stemming from the Five-Year Capital Plan prior to the start of deliberations for the 2008 Capital Budget process.
 6. The Deputy City Manager for the Parks, Forestry and Recreation Program, and the General Manager, Toronto Zoo, in consultation with Toronto Water, identify potential water efficiency strategies regarding its operations; and that the General Manager of Parks, Forestry and Recreation and the General Manager, Toronto Zoo, report to the Public Works and Infrastructure Committee prior to the start of deliberations for the 2008 Capital Budget process, on the strategies to improve water efficiency and related costs of these initiatives.

7. The Deputy City Manager and Chief Financial Officer and Acting Deputy City Manager for Toronto Water, report to the Budget Committee regarding the funding requirements for implementation of the Wet Weather Flow Master Plan and the feasibility of alternative funding mechanisms prior to the start of deliberations for the 2008 Capital Budget process.
8. This report be considered concurrently with the 2007 Water and Wastewater Service Rate and Related Matters Report (January, 2007), from the Deputy City Manager and Chief Financial Officer and General Manager for Toronto Water.
9. The 2008-2011 Capital Plan for Toronto Water totalling \$2,286.316 million in project commitments and estimates, comprised of \$472.201 million in 2008; \$543.526 million in 2009; \$602.300 million in 2010; and \$668.289 million in 2011, be approved.

Background Information

2007-2016 Capital Program Toronto Water Analyst Briefing Notes
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-923.pdf>)

Declared Interest (Council)

Councillor Gord Perks - declared an interest in this Item, as it relates to the Wet Water Flow Master Plan, in that his spouse works with an organization that receives a grant from the City.

2.17 2007 Operating Budget Toronto Water Analyst Briefing Notes

EX3.2	NO AMENDMENT		Transactional	Wards: All
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February 7, 2007

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 33 Mayor: Miller Councillors: Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Thompson, Vaughan	No - 8
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Councillors: Cho, Del Grande, Ford, Lee, Minnan-Wong, Shiner, Stintz, Walker
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Carried by a majority of 25.

City Council Decision

City Council adopted the following motions:

1. The 2007 Recommended Operating Budget revenues of \$648.221 million, gross operating expenditures of \$379.338 million and a capital-from-current contribution of \$268.884 million, as funded by the water and wastewater user rates and other recoveries be approved.
2. The 2007 Recommended Operating Budget for Toronto Water of \$648.221 million gross and \$0.000 million net, comprised of the following services be approved:

Service:	Gross (\$000's)	Net (\$000's)
Water Supply and Treatment	65,589.577	0.0
Wastewater Treatment	104,462.776	0.0
District Operations	110,588.673	0.0
Water Infrastructure Management	6,672.900	0.0
Capital Financing	269,294.167	0.0
Business Support	12,135.027	0.0
Operations Support	16,393.056	0.0
Program Support	63,085.075	0.0
Total Toronto Water	648,221.250	0.0

3. The Deputy City Manager and Chief Financial Officer and the Deputy City Manager for Toronto Water, report to the Budget Committee prior to its deliberation of the 2008 Operating Budget on a plan for phasing in the implementation of collection of water billing from the Parks, Forestry and Recreation Program.
4. The Deputy City Manager and Chief Financial Officer and the General Manager of Toronto Water report to the Budget Committee on options to minimize the impact on the Parks, Forestry and Recreation budget, including ways to find water conservation and efficiency measures, and with the objective of being revenue neutral for the Corporation.
5. The General Manager for Toronto Water report to the Public Works and

Infrastructure Committee and City Council, with information pertaining to the agreement for the disposition of the pellets from the Pelletizer including the parties which have agreed to purchase the pellets; the length of the agreement; and, the on-going monthly and yearly cost to operate the facility.

6. This report be considered concurrently with the 2007 Water and Wastewater Service Rate and Related Matters Report (January 2007), from the Deputy City Manager and Chief Financial Officer and General Manager for Toronto Water.

Background Information

2007 Operating Budget Toronto Water Analyst Briefing Notes

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-924.pdf>)

2.18 2007 Water and Wastewater Service Rate and Related Matters

EX3.3	AMENDED		Transactional	Wards: All
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February 7, 2007

Speaker Bussin in the Chair.

Motions:

1. Councillor Minnan-Wong moved that the Item be amended by adding the following:

The Deputy City Manager and Chief Financial Officer be directed to clearly illustrate on the water bills sent to residents, and increase of 10.8 percent in the water rate.
2. Councillor Del Grande moved that the Item be amended by deleting Recommendation 1.i. of the Executive Committee and replacing it with the following instead:

“1.i. the water and wastewater rates charged to metered low volume users for water consumed less than 240 m³ per year (Block 1) be increased by the Consumer Price Index for Toronto.”
3. Councillor Perruzza moved that the Item be amended by:
 - a. deleting Recommendation 1.i. of the Executive Committee and replacing it with the following instead:

“1.i. the water and wastewater rates charged to metered low volume users for water consumed less than 240 m³ per year (Block 1) be

frozen at the 2006 level, and that the funding for this be by way of increasing the rates on Blocks 2 through 7 by 10.0 percent on an annualized basis, effective March 1, 2007, as shown in the following table:

2007 Combined Water and Wastewater Rates

	Not paid before the due date \$/m ³	Paid on or before the due date \$/m ³
For the first 240 m ³ of water used per year	1.4954	1.4206
For the next 5,760 m ³ of water used per year	1.7312	1.6446
For the next 6,000 m ³ of water used per year	1.7454	1.6582
For the next 48,000 m ³ of water used per year	1.7282	1.6418
For the next 60,000 m ³ of water used per year	1.7153	1.6295
For the next 120,000 m ³ of water used per year	1.7296	1.6432
For any volume over 240,000 m ³ of water used per year	1.6323	1.5506

- b. adding the following:

That the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water, be requested to report to the Executive Committee, as part of their upcoming report on water rate restructuring, on:

1. creating a classification of water rates into two categories:
 - a. residential/institutional; and
 - b. commercial/industrial; and
2. applying to any multi-residential building with one water meter, the Block 1 water rate to each unit in a building, as opposed to the Block 1 water rate applying to the entire building.

Ruling by Speaker:

Speaker Bussin ruled motion 3b by Councillor Perruzza out of order as it does not relate to the Item under consideration.

4. Councillor Moscoe moved that motion 2 by Councillor Del Grande and motion 3a by Councillor Perruzza be referred to the Executive Committee for consideration.
5. Councillor Nunziata moved that the Item be amended by adding the following:

That the General Manager, Toronto Water, report to the Public Works and Infrastructure Committee on the feasibility of increasing the use of untreated water for non-consumption purposes by Corporations that are large users of water.

Ruling by Speaker:

Speaker Bussin ruled motion 5 by Councillor Nunziata out of order as it does not relate to the Item under consideration.

6. Councillor Davis moved that the Item be amended by deleting the following Recommendations 3.ii and 3.iv of the Executive Committee and referring them to the Public Works and Infrastructure Committee for consideration with the report requested in Recommendation 3.iii:

“With respect to funding of land acquisition for source water protection:

- a. the withdrawal policy for the Source Water Protection Reserve be amended as follows:

The amount withdrawn from the reserve for the identified Statement of Purpose shall be based on a matching funding arrangement with the Toronto and Region Conservation Authority (TRCA), commensurate with the existing formula used to derive TRCA’s annual municipal operating levy.

- b. the TRCA, in collaboration with its member municipalities, develop a Land Acquisition for Source Water Protection Policy, wherein financial contributions are derived on an annual basis from member municipalities, consistent with the existing formula used to derive TRCA’s annual municipal operating levy.”

Votes:

Adoption of motion 4 by Councillor Moscoe as it relates to the referral of motion 2 by Councillor Del Grande:

Yes - 32	Miller
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Mayor:	
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Thompson, Vaughan
No - 9	
Councillors:	Ford, Grimes, Mihevc, Milczyn, Nunziata, Parker, Shiner, Stintz, Walker

Carried by a majority of 23.

Adoption of motion 4 by Councillor Moscoe as it relates to the referral of motion 3b by Councillor Perruzza:

Yes - 29	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Palacio, Pantalone, Perks, Rae, Thompson, Vaughan
No - 12	
Councillors:	Augimeri, Ford, Grimes, Lindsay Luby, Mammoliti, Nunziata, Ootes, Parker, Perruzza, Shiner, Stintz, Walker

Carried by a majority of 17.

Motion 6 by Councillor Davis carried.

Adoption of motion 1 by Councillor Minnan-Wong:

Yes - 27	
Councillors:	Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Fletcher, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Perks, Shiner, Stintz, Thompson, Walker
No - 14	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Di Giorgio, Filion, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perruzza, Rae, Vaughan

Carried by a majority of 13.

Adoption of the Item, as amended:

Yes - 29	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Parker, Perks, Rae, Stintz, Thompson, Vaughan
No - 12	
Councillors:	Cho, Del Grande, Ford, Holyday, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Perruzza, Shiner, Walker

Carried by a majority of 17.

Motion to Reconsider:

Councillor Stintz, with the permission of Council, moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider the vote on this Item, the vote on which was taken as follows:

Yes - 35	
Mayor:	Miller
Councillors:	Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, McConnell, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 6	
Councillors:	Bussin, Carroll, Lindsay Luby, Mammoliti, Mihevc, Perruzza

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

Adoption of the Item, as amended:

Yes - 30	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone,

	Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Pantalone, Parker, Perks, Rae, Stintz, Thompson, Vaughan
No - 11	
Councillors:	Cho, Del Grande, Ford, Holyday, Lee, Nunziata, Ootes, Palacio, Perruzza, Shiner, Walker

Carried by a majority of 19.

City Council Decision

City Council adopted the following motions:

1. With respect to the water and wastewater service rate:
 - i. the water rate and wastewater rates charged to metered consumers be increased, effective March 1, 2007, by 9.0 percent on an annualized basis and as shown in Appendix A (Schedule 1) attached to this report;
 - ii. the water rate and wastewater rate charged to flat rate consumers be set, effective May 1, 2007 for the flat rate accounts in the former City of Etobicoke, and effective July 1, 2007 for the flat rate accounts in the former City of Toronto, at the rates shown in Appendix A (Schedule 2) attached to this report.
2. With respect to reserve and reserve fund adequacy:
 - i. 57 percent of the actual 2006 year-end net operating budget shortfall be transferred from the Wastewater Capital Reserve Fund (XR6004) to the Wastewater Stabilization Reserve (XQ1004);
 - ii. 43 percent of the actual 2006 year-end net operating budget shortfall be transferred from the Water Capital Reserve Fund (XR6003) to the Water Stabilization Reserve (XQ1003); and
 - iii. beginning in 2008, the water rate setting process incorporate an annual contribution of 1 percent of budgeted water user revenue, apportioned as above to the Water and Wastewater Stabilization Reserves, until such time that a minimum combined balance of \$30.0 million is reached.
3. With respect to funding of land acquisition for source water protection:
 - i. the land acquisition contribution policy, specifying that no additional contribution be made to the Land Acquisition Reserve while the Toronto Water Stabilization Reserve is below its target level, be waived for 2007;

- ii. 0.25 percent of 2007 revenue from Toronto water rates be reallocated from the Wet Weather Flow Master Plan project in 2007 to the Land Acquisition for Source Water Protection Reserve (XQ1403); and
 - iii. the land acquisition for Source Water Protection Reserve contribution and withdrawal policies be reviewed by the Public Works and Infrastructure Committee in 2007 in advance of the Toronto Water's 2008 Rate setting process.
4. With respect to administrative matters:
- i. Schedule E to Article II of Chapter 849 of the City of Toronto Municipal Code, regarding additional water and sewer charges, be amended as follows:
 - a. the returned cheque fee for cheques not honoured by financial institutions for water bill payments be increased from \$25 to \$35 to be consistent with the fees currently charged for returned cheques by Tax and Parking Tags, effective March 1, 2007; and
 - b. the minimum account charge of \$36 per year be eliminated, effective March 1, 2007;
 - ii. Article I of Section 849-14 of the City of Toronto Municipal Code, concerning consumers who discharge to private septic systems, be amended by updating in sub-section 'F' the applicable rebate rate to be set at 57 percent of the retail combined water and sewer service rate applicable to the consumer, effective March 1, 2007; and
 - iii. Section 849-23, Sewer service rate, of the City of Toronto Municipal Code be amended by updating the sewer service rate to be set at 57 percent of the combined water rate and sewer service rate, effective March 1, 2007.
5. The Deputy City Manager and Chief Financial Officer be directed to clearly illustrate on the water bills sent to residents, and increase of 10.8 percent in the water rate.
6. The following Recommendations be referred to the Public Works and Infrastructure Committee for consideration with the report requested in Recommendation 3.iii:

“With respect to funding of land acquisition for source water protection:

- a. the withdrawal policy for the Source Water Protection Reserve be amended as follows:

The amount withdrawn from the reserve for the identified Statement of Purpose shall be based on a matching funding arrangement with the Toronto and Region Conservation Authority (TRCA), commensurate with the existing formula used to derive TRCA's annual municipal operating levy.

- b. the TRCA, in collaboration with its member municipalities, develop a Land Acquisition for Source Water Protection Policy, wherein financial contributions are derived on an annual basis from member municipalities, consistent with the existing formula used to derive TRCA's annual municipal operating levy."

- 7. The following motions be referred to the Executive Committee for consideration:

Moved by Councillor Del Grande:

That Recommendation 1.i. of the Executive Committee be deleted and replaced with the following instead:

- "1.i. the water and wastewater rates charged to metered low volume users for water consumed less than 240 m³ per year (Block 1) be increased by the Consumer Price Index for Toronto."

Moved by Councillor Perruzza:

That Recommendation 1.i. of the Executive Committee be deleted and replaced with the following instead:

- "1.i. the water and wastewater rates charged to metered low volume users for water consumed less than 240 m³ per year (Block 1) be frozen at the 2006 level, and that the funding for this be by way of increasing the rates on Blocks 2 through 7 by 10.0 percent on an annualized basis, effective March 1, 2007, as shown in the following table:

2007 Combined Water and Wastewater Rates

Not paid before the due date \$/m ³	Paid on or before the due date \$/m ³
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For the first 240 m3 of water used per year	1.4954	1.4206
For the next 5,760 m3 of water used per year	1.7312	1.6446
For the next 6,000 m3 of water used per year	1.7454	1.6582
For the next 48,000 m3 of water used per year	1.7282	1.6418
For the next 60,000 m3 of water used per year	1.7153	1.6295
For the next 120,000 m3 of water used per year	1.7296	1.6432
For any volume over 240,000 m3 of water used per year	1.6323	1.5506

8. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction of the necessary bills.

Background Information

2007 Water and Wastewater Service Rate and Related Matters

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-925.pdf>

Council also considered the following:

- [Presentation material \(February 5, 2007\) submitted by the Deputy City Manager and Chief Financial Officer \(EX3.3a\).](#)
- Communication (undated) submitted by Councillor Janet Davis, Ward 31 - Beaches East York (EX3.3.1)

2.19 **BOARD OF HEALTH MEETING 1**

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration HL1.11 Appointment of Associate Medical Officers of Health
Minute 2.20

Confidential Attachment 1 to the report (January 12, 2007) from the Medical Officer of Health is now public in its entirety, and contains the following information:

“Public health physicians recommended for appointment as Associate Medical Officers of Health for the City of Toronto Health Unit:

Dr. Vinita Dubey, BSc, MD, MPH, CCFP, FRCPC (commenced work on 5 September 2006)

Dr. Herveen Sachdeva, MD, MHSc, CCFP, FRCPC (commenced work on 11 September 2006).”

Background Information

2007-hl1-11

<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-908.pdf>

City Council Decision - Item HL1.12

City Council adopted the following motions:

1. City Council approve the secondment agreement in confidential Attachment 1.
2. The Toronto Public Health 2007 Operating Budget be increased by \$114,618 gross and \$0.0 net for external secondment recoveries.

Confidential Attachment 1 to the report (January 15, 2007) from the Medical Officer of Health remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it relates to personal matters about an identifiable individual, including municipal or local board employees.

Background Information

2007-hl-12

<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-909.pdf>

2.21 CIVIC APPOINTMENTS COMMITTEE MEETING 1

Under Section 27-70 of Council’s Procedures, a Committee’s recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration CA1.4 Police Services Board Appointment
Minute 2.22

Consideration of Item - Civic Appointments Committee Meeting 1

2.22 **Police Services Board Appointment**

CA1.4	NO AMENDMENT		Transactional	Wards: All
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Nunziata moved that the Item be amended by deleting the recommendation of the Civic Appointments Committee, and that Council adopt the following instead:

The City Clerk be directed to start the appointment process for this position in accordance with the Policy and Processes for Public Appointments.

Votes:

Adoption of motion 1 by Councillor Nunziata:

Yes - 15 Councillors:	Ashton, Del Grande, Di Giorgio, Ford, Grimes, Holyday, Jenkins, Lee, Lindsay Luby, Minnan-Wong, Nunziata, Palacio, Parker, Shiner, Stintz
No - 22 Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, Heaps, Kelly, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Thompson, Vaughan

Lost by a majority of 7.

Adoption of the Item, without amendment:

Yes - 27 Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti,
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	McConnell, Mihevc, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Thompson, Vaughan
No - 10 Councillors:	Ashton, Del Grande, Ford, Grimes, Holyday, Jenkins, Minnan-Wong, Nunziata, Shiner, Stintz

Carried by a majority of 17.

City Council Decision

City Council adopted the following motion:

1. Council waive the recruitment provisions in the Policy and Processes for Public Appointments to Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies, to reappoint Alok K. Mukherjee to the Toronto Police Services Board for the term ending November 30, 2010 and until a successor is appointed, so that the continuity and stability of the Toronto Police Services Board will be maintained.

Background Information

Police Services Board Appointment

<http://www.toronto.ca/legdocs/mmis/2007/ca/bgrd/backgroundfile-1036.pdf>

2.23 COMMUNITY DEVELOPMENT AND RECREATION COMMITTEE MEETING 1

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration Minute 2.24	CD1.3	Proposed 2007 Rate Increase for Homemaking Agencies Contracted by the Homemakers and Nurses Services Program (HMNS)
Adopted by consent	CD1.4	Membership - Advisory Committee on Homes for the Aged - Mr. Jack Harmer
Adopted by consent	CD1.5	Membership - Advisory Committee on Homes for the Aged - Ms. Beth Morum
Held for consideration Minute 2.25	CD1.6	Ensuring Parents are Provided with Assistance in Properly Installing Child Safety Car Restraints

**Consideration of Items - Community Development and Recreation
Committee Meeting 1**

2.24 **Proposed 2007 Rate Increase for Homemaking Agencies Contracted by the
Homemakers and Nurses Services Program (HMNS)**

CD1.3	NO AMENDMENT		Transactional	
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February 6, 2007

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The rate paid to community service agencies contracted by HMNS, including those community service agencies who provide service under the “Special Needs Fund” of HMNS be increased from \$16.83 to \$20.65 effective January 1, 2007.
2. The rate of \$20.65 be deemed to be an all-inclusive rate, covering the costs associated with hourly service provision, pay equity and travel, as outlined in this report.
3. For those contracted agencies whose current rate of payment exceeds the recommended blended rate, that the rates paid to these agencies be grandparented until the current funding discussions with the Ministry of Health and Long-Term Care are finalized; and if these discussions do not result in increased funding to the City then the blended rate be implemented for the agencies at that time.
4. The General Manager of Homes for the Aged be authorized to negotiate annual rate increases in 2008, 2009 and 2010 that do not exceed the rate of inflation and are within the Division’s approved base program budget.
5. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information

2007-cd1-3

<http://www.toronto.ca/legdocs/mmis/2007/cd/bgrd/backgroundfile-984.pdf>

Council also considered the following:

- [Briefing Note \(January 24, 2007\) from the General Manager, Homes for the Aged \(CD 1.3a\).](#)

2.25 **Ensuring Parents are Provided with Assistance in Properly Installing Child Safety Car Restraints**

CD1.6	AMENDED		Policy	
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February 5, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Thompson moved that the Item be amended by adding the following:

The Fire Chief, in consultation with appropriate staff, report to the Community Development and Recreation Committee on:

- a. the cost of training Toronto firefighters to install Child Safety Care Restraints;
- b. the potential legal liability to the City;
- c. whether all 81 fire stations will cover this service, and, if not, the location of the centres; and
- d. partnership opportunities with manufacturers to seek financial assistance from industry to operate the program.

Votes:

Motion 1 by Councillor Thompson carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The Fire Chief initiate a program within six to nine months within some fire halls where at least one firefighter on duty will be available to assist with the safe installation of a child car seat or who can check an installation to ensure that it has been done properly.
2. The Fire Chief report to the Community Development and Recreation Committee in three months on the progress made to implement this program, and incorporating, in his report, comments from the City Solicitor on any issues of liability with respect to this program.
3. The Fire Chief, in consultation with appropriate staff, report to the Community Development and Recreation Committee on:
 - a. the cost of training Toronto firefighters to install Child Safety Care Restraints;
 - b. the potential legal liability to the City;
 - c. whether all 81 fire stations will cover this service, and, if not, the location of the centres; and
 - d. partnership opportunities with manufacturers to seek financial assistance from industry to operate the program.

Background Information

2007-cd1-6

<http://www.toronto.ca/legdocs/mmis/2007/cd/bgrd/backgroundfile-645.pdf>

2.26 ECONOMIC DEVELOPMENT COMMITTEE MEETING 1

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Adopted by consent	ED1.5	Premier Ranked Tourist Destination Framework
Adopted by consent	ED1.7	2007 Business Improvement Area Operating Budgets: Report No. 1

2.27 GENERAL GOVERNMENT COMMITTEE MEETING 1

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration Minute 2.28	GG1.5	246 The Esplanade - Lease of Parking Garage
Adopted by consent	GG1.6	44 Victoria Street – Designation of Portion of Premises as a Municipal Capital Facility
Adopted by consent	GG1.7	North York City Centre Service Road Acquisitions
Held for consideration Minute 2.29	GG1.9	Contract for Gasoline and Diesel Fuel (RFQ 6902-06-3226)
Adopted by consent	GG1.11	Authority for City Solicitor to Recover Costs for Clean Up of City-Owned Contaminated Lands
Held for consideration Minute 2.30	GG1.12	Exchange of Rights of Way Affecting Carpark 653
Adopted by consent	GG1.13	Ground Lease with TD Canada Trust – Carpark 157

Consideration of Items - General Government Meeting 1**2.28 246 The Esplanade - Lease of Parking Garage**

GG1.5	NO AMENDMENT		Transactional	Wards: 28
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February 6, 2007

Speaker Bussin in the Chair.

Vote:

This Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Council grant authority to enter into an agreement with 1099580 Ontario Limited as tenant and Berkeley Castle Investment Ltd. (BCIL) as indemnifier for the Lease at 246 The Esplanade for a five (5) year term from November 1, 2006 to

October 31, 2011 at the rental fee calculated on the basis of \$40.00 per parking space per month with respect to the 217 parking spaces proposed to be leased, substantially on the terms and conditions outlined in Appendix “A” to this report and in a form satisfactory to the City Solicitor.

2. The Chief Corporate Officer be authorized to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.
3. The City Solicitor be authorized to complete the lease transaction, deliver any notices (including termination), and amend the commencement and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background Information

246 The Esplanade - Lease of Parking Garage

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-865.pdf>

2.29 **Contract for Gasoline and Diesel Fuel (RFQ 6902-06-3226)**

GG1.9	NO AMENDMENT		Transactional	Wards: All
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February 5, 2007

Speaker Bussin in the Chair.

Vote:

This Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Authority be granted to award a contract to Suncor, which was originally awarded to Shamrock, for the supply and delivery of 7,071,000 litres of clear on-road bio-diesel fuel in the total estimated amount of \$6,013,814.79 net of GST for the period ending December 31, 2007, at an increased cost of \$117,661.44.00 net of GST.

2. Authority be granted to award a contract to Suncor, which was originally awarded to Shamrock, for the supply and delivery of 645,061 litres of coloured off road diesel fuel in the estimated amount of \$463,218.30 net of GST for the period ending December 31, 2007, at an increased cost of \$4,450.92 net of GST.
3. Authority be granted to amend the contract awarded to Suncor, by increasing the quantity of coloured off road diesel fuel in the amount of 1,060,000 litres from 645,061 litres to 1,705,061 litres. The revised quantity increases the contract value by \$761,186.00 net of GST from \$463,218.30 net of GST to \$1,224,404.30 net of GST for the period ending December 31, 2007.
4. Authority be granted to amend the contract awarded to Suncor by increasing the quantity of Unleaded Gasoline in the amount of 142,000 litres from 3,884,600 litres to 4,026,600 litres. The revised quantity increases the contract value by \$129,049.60 net of GST from \$3,530,324.48 net of GST to \$3,659,374.08 net of GST, for the period ending December 31, 2007.
5. Authority be granted to amend the contract awarded to Suncor by increasing the quantity of clear on-road diesel fuel by 500,000 litres from 874,000 litres to 1,374,000 litres. The revised quantity increases the contract value by \$424,100.00 net of GST from \$741,326.80 net of GST to \$1,165,426.80 net of GST, for the period ending December 31, 2007.
6. The Chief Financial Officer, in consultation with the City Solicitor, determine the advisability of proceeding with a legal action against Shamrock and that the City Solicitor be authorized to commence any legal action, if so determined, and to settle or discontinue the action if deemed to be in the best interests of the City.

Background Information

Contract for Gasoline & Diesel Fuel (RFQ 6902-06-3226)

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-872.pdf>

2.30 Exchange of Rights of Way Affecting Carpark 653

GG1.12	NO AMENDMENT		Transactional	Wards: 13
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Vote:

This Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the grant of a Right of Way (“ROW”) through an unused portion of municipal carpark 653 (see sketch attached) for pedestrians and vehicles in favour of the lands and development to be constructed at 2442 Bloor Street West.
2. City Council authorize acceptance of a ROW for pedestrian purposes from the developer to the City through part of the residential condominium portion of the development to be constructed at 2442 Bloor Street West.
3. Both ROWs be terminable if the developer has not commenced construction of a building at 2442 Bloor Street West consistent with the description in Etobicoke York Community Council Report 3 (Clause 56a) adopted by Council at its meeting of May 23, 24 and 25, 2006 within 2 years following Council adoption of this report, or if no residential condominium has been created within 4 years following Council adoption of this report, and the ROWs be otherwise on terms and conditions satisfactory to the President of the Toronto Parking Authority and the City Solicitor.
4. The appropriate City officials be authorized and directed to take the actions necessary to give effect thereto.

Background Information

Exchange of Rights of Way Affecting Carpark 653

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-875.pdf>

Attachment

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-877.pdf>

Attachment

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-878.pdf>

Attachment

<http://www.toronto.ca/legdocs/mmis/2007/gg/bgrd/backgroundfile-879.pdf>

2.31 PARKS AND ENVIRONMENT COMMITTEE MEETING 1

Under Section 27-70 of Council’s Procedures, a Committee’s recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration Minute 2.32	PE1.3	Tuggs Incorporated Investment Proposal for Redevelopment of the Eastern Beaches Food Service Facilities
Adopted by consent	PE1.4	Control of European Gypsy Moth Outbreak in some Areas of the City of Toronto

Consideration of Item - Parks and Environment Committee Meeting 1

2.32 Tuggs Incorporated Investment Proposal for Redevelopment of the Eastern Beaches Food Service Facilities

PE1.3	NO AMENDMENT		Transactional	Wards: 32
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Minnan-Wong moved that:
 - a. the Item be referred to the General Manager, Parks, Forestry and Recreation and the Deputy City Manager and Chief Financial Officer for review and report back to the Parks and Environment Committee after Council has considered a Policy framework for unsolicited proposals; and the current contract with Tuggs Incorporated be extended for one year; and
 - b. in the event Part a. fails, the Item be amended by deleting the recommendation of the Parks and Environment Committee, and that Council adopt the following instead:

The General Manager, Parks, Forestry and Recreation and the Deputy City Manager and Chief Financial Officer be directed to issue a request for proposals.

Vote on Referral:

Adoption of motion 1a by Councillor Minnan-Wong:

Yes - 12	Councillors: Ashton, Augimeri, Del Grande, Ford, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Minnan-Wong, Nunziata, Parker
No - 20	

Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Kelly, Mammoliti, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Perruzza, Rae, Vaughan
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Lost by a majority of 8.

Motion to End Debate:

Councillor Mammoliti moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council end the debate on this Item and take the vote immediately, the vote on which was taken as follows:

Yes - 27	Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perruzza, Rae, Vaughan
No - 6	Councillors: Ashton, Ford, Holyday, Jenkins, Minnan-Wong, Shiner

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

Votes:

Adoption of motion 1b by Councillor Minnan-Wong:

Yes - 13	Councillors: Ainslie, Ashton, Del Grande, Ford, Heaps, Holyday, Jenkins, Lee, Minnan-Wong, Nunziata, Palacio, Parker, Shiner
No - 20	Councillors: Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perruzza, Rae, Vaughan

Lost by a majority of 7.

Adoption of the Item, without amendment:

Yes - 21	Councillors: Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Kelly, Lindsay Luby,
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	Mammoliti, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Perruzza, Rae, Vaughan
No - 14 Councillors:	Ainslie, Ashton, Del Grande, Ford, Heaps, Holyday, Jenkins, Lee, Minnan-Wong, Nunziata, Parker, Shiner, Stintz, Thompson

Carried by a majority of 7.

City Council Decision

City Council adopted the following motions:

1. Based on Council direction and a review, the proposal from Tuggs Incorporated be accepted with the following additional conditions, and further clarification as follows:
 - i. the proponent's capital improvements valued at a minimum of \$2.15 million be completed by January 1, 2009;
 - ii. Tuggs and the City will identify a state of good repair program for the physical assets and Tuggs will be responsible to ensure the program is implemented and be responsible for the full costs to do so;
 - iii. the City will pre-approve any sponsorship activities that Tuggs proposes, and there will be no conflict with any City contracts or programs related to sponsorship;
 - iv. any signage of a permanent nature to be installed on the renewed assets must have prior City approval;
 - v. effective January 2018, the rent revenue shall be reviewed and recalculated at five-year intervals at a fair market rent on such terms to be agreed to by the parties or established by arbitration to be set out in the lease agreement;
 - vi. the City will have the final approval of the use of the \$200,000.00 "allowance for development costs" as outlined in years 2007 – 2008 of the Capital Investment Summary Section 3.1 of the Tuggs proposal and said funding is to be used within Woodbine Beach Park; and
 - vii. subject to the receipt and review of a detailed business plan, including financial forecasts, evidence of financing, a marketing plan, and a partnership plan between the City and the proponent, to the satisfaction of the Deputy City Manager and Chief Financial Officer, and the General

Manager of Parks, Forestry and Recreation.

2. Staff be authorized to negotiate and enter into a new agreement with Tuggs Incorporated to finalize a 20-year agreement with the City in accordance with the additional conditions outlined in Recommendation 1. above and the terms outlined in the unsolicited proposal to the satisfaction of the General Manager of Parks, Forestry and Recreation, and in a form satisfactory to the City Solicitor by July 2007.
3. No other unsolicited proposals be entertained by the City until a policy review and revised practice to be prepared by the City Treasurer is adopted by City Council to deal with unsolicited proposals.

Background Information

2007-PE01-03

<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-637.pdf>

2.33 PUBLIC WORKS AND INFRASTRUCTURE COMMITTEE MEETING 2

Under Section 27-70 of Council’s Procedures, a Committee’s recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

- | | | |
|---------------------------------------|-------|---|
| Held for consideration
Minute 2.34 | PW2.2 | Settlement Proposal for the Contractual Issues with the Eucan Litter/Recycling Bin Contract |
| Held for consideration
Minute 2.35 | PW2.3 | CEAT Update Report for January 17, 2007 Public Works and Infrastructure Committee Meeting |

Consideration of Items - Public Works and Infrastructure Committee Meeting 2

2.34 Settlement Proposal for the Contractual Issues with the Eucan Litter/Recycling Bin Contract

PW2.2	NO AMENDMENT		Transactional	Wards: All
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This Item was considered during closed session.

(See Minute 2.82)

2.35 **CEAT Update Report for January 17, 2007 Public Works and Infrastructure Committee Meeting**

PW2.3	NO AMENDMENT		Transactional	Wards: All
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Stintz moved that the Item be referred back to the Public Works and Infrastructure Committee and the Community Environmental Assessment Team, with a request that they provide further clarity as to what is hoped to be achieved by undertaking a Privacy Impact Assessment.

Vote on Referral:

Adoption of motion 1 by Councillor Stintz:

Yes - 8	Councillors: Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Palacio, Parker, Stintz
No - 25	Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Moscoe, Perks, Perruzza, Rae, Thompson, Vaughan

Lost by a majority of 17.

Motion to End Debate:

Councillor De Baeremaeker moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council end the debate on this Item and take the vote immediately, the vote on which was taken as follows:

Yes - 27	Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Nunziata, Palacio, Parker, Perks, Rae, Thompson, Vaughan
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No - 6 Councillors: Holyday, Lee, Minnan-Wong, Moscoe, Perruzza, Stintz
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Carried, two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of the Item, without amendment:

Yes - 26 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Perks, Perruzza, Rae, Thompson, Vaughan
No - 7 Councillors: Holyday, Kelly, Minnan-Wong, Nunziata, Palacio, Parker, Stintz

Carried by a majority of 19.

City Council Decision

City Council adopted the following motions:

1. The Corporate Access and Privacy Office, in consultation with CEAT and the General Manager of Solid Waste Management Services (SWMS) oversee and develop a Privacy Impact Assessment (PIA). The PIA should be undertaken on the public consultations to be held both inside and outside of Toronto by CEAT and SWMS to facilitate input and feedback from stakeholders in jurisdictions potentially affected by the siting of a facility to manage residual waste from Toronto.
 - a. CEAT public consultation activities input sessions should commence with the conclusion of the PIA completion and acceptance;
 - b. upon review and acceptance of the PIA recommendations, the Chairs of the Public Works and Infrastructure Committee and CEAT and the General Manager, SWMS will sign the PIA. The resulting report to be used in the development of the Terms of Reference for the undertaking; and
 - c. the PIA will be conducted under the direction and oversight of the Corporate Access and Privacy Office;

2. The Toronto Medical Officer of Health:
 - a. in consultation with CEAT and the General Manager of SWMS, oversee the development of a Health Impact Assessment (HIA) framework to be used in evaluating potential technologies and sites for managing Toronto's solid waste; and
 - b. the Toronto Medical Officer of Health report to the Public Works and Infrastructure Committee, SWMS and CEAT on the HIA framework, and identify proposed next steps in HIA implementation, including scope, timeframe and budget. The resulting report to be used in the development of the Terms of Reference for the undertaking.

3. City Council pre-approve funds in the amount of \$106,000, inclusive of all taxes, in the Solid Waste Management Services 2007 capital budget for the development of the Privacy Impact Assessment and Health Impact Assessment framework.

Background Information

2007-pw2-3a-2

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-609.pdf>

2007-pw2-3a-1

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-610.pdf>

2007-pw2-3

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-608.pdf>

2.36 STRIKING COMMITTEE MEETING 1

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Held for consideration Minute 2.37	ST2.1	Council Member Appointments to City-wide and Community-Based Boards, External Boards and Federations
Adopted by consent	ST2.2	Appointment of a Member of Council to the Toronto Atmospheric Fund and Appointment of a Member of Council to the Toronto Preservation Board

Consideration of Item - Striking Committee Meeting 1

2.37 **Council Member Appointments to City-wide and Community-Based Boards, External Boards and Federations**

ST2.1	AMENDED		Transactional	Wards: All
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February 5, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Kelly moved that the Item be amended by adding Councillor N. Kelly as an additional Member on the Kennedy Road Business Improvement Area.

Votes:

Motion 1 by Councillor Kelly carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Council appoint Members to City-wide and community-based boards, arenas, community centres, Business Improvement Areas, external boards and federations, as listed in the attachment, for a term of office ending December 31, 2008, and until a successor is appointed, unless the attachment notes otherwise, and Councillor N. Kelly be added as an additional Member on the Kennedy Road Business Improvement Area.
2. Council nominate Members to the Hockey Hall of Fame for two one-year terms from the Annual Meeting in Spring 2007 to the Annual Meeting in 2008 and from the Annual Meeting in Spring 2008 to the Annual Meeting in Spring 2009.
3. Council cease appointing a Member to the Toronto Humane Society as the City runs its own Animal Services and has no direct relationship.
4. Council appoint six members to Tourism Toronto as listed in the attachment until the Tourism Toronto Annual Meeting in April 2007, and one member, as listed, starting at the Annual Meeting in April 2007, since the Tourism Toronto bylaws change effective at the Annual Meeting.
5. Council cease appointing Members to Tradelink Toronto as the Board is in the process of being dissolved.

6. Council grant leave to introduce necessary by-laws to make these appointments effective.
7. Council authorize and direct the relevant City officials to take any necessary action to make these decisions effective.

Background Information

Council Member Appointments to Boards

(<http://www.toronto.ca/legdocs/mmis/2007/st/bgrd/backgroundfile-701.pdf>)

Revised - Member Appointments to Boards

(<http://www.toronto.ca/legdocs/mmis/2007/st/bgrd/backgroundfile-1001.pdf>)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2007/st/bgrd/backgroundfile-795.pdf>)

2.38 ETOBICOKE YORK COMMUNITY COUNCIL MEETING 2

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Adopted by consent	EY2.1	Naming of Public Lane north of Davenport Road, Extending between Via Italia and McFarland Avenue as "Nunes Lane"
Held for consideration Minute 2.39	EY2.2	Final Report Zoning Code Amendment Application 400 The East Mall
Adopted by consent	EY2.3	Removal of One Privately-Owned Tree 17 Elsfield Road
Held for consideration Minute 2.40	EY2.5	Front Yard Parking 121 Mavety Street
Held for consideration Minute 2.40	EY2.6	Front Yard Parking Application 123 Mavety Street
Adopted by consent	EY2.7	Sign Variance Report 144 Norseman Street
Adopted by consent	EY2.8	Proposed Buses Excepted Tab to be added to the Existing Westbound Left-Turn Prohibition on Renforth Drive at Silver Dart Drive
Held for consideration Minute 2.41	EY2.11	Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown

Adopted by consent	EY2.12	Final Report - Roof Top Patios Amendments to the Former City of Etobicoke Zoning Code
Adopted by consent	EY2.13	Sign Variance Report 10 Kelfield Street
Adopted by consent	EY2.16	Sign Variance Report 542 Evans Avenue
Adopted by consent	EY2.17	Sign Variance Report 5395 Steeles Ave W.
Adopted by consent	EY2.18	Sign Variance Application 2525 St. Clair Avenue West
Adopted by consent	EY2.19	Sign Variance Application 1680-1686 Jane Street
Adopted by consent	EY2.20	Sign Variance Application 239 Scarlett Road
Adopted by consent	EY2.21	Sign Variance Report 1997 Bloor Street West - "Bark & Fitz"
Adopted by consent	EY2.22	Sign Variance Report 1997 Bloor Street West - "Starbucks Coffee"
Adopted by consent	EY2.23	Part Lot Control Application 2 Triburnham Place
Held for consideration Minute 2.42	EY2.25	Status Report Official Plan Amendment and Rezoning and Site Plan Applications 6 Lloyd Avenue
Adopted by consent	EY2.27	Part Lot Control Application 147 Brandon Avenue
Held for consideration Minute 2.43	EY2.28	Application for Encroachment Agreements 2606 & 2608 St Clair Avenue West 653 & 655 Jane Street Development at the north east corner of St. Clair Ave. West and Jane Street
Adopted by consent	EY2.30	Business Improvement Area List of Nominees for the 2007-2010 Boards of Management
Adopted by consent	EY2.31	Appeal to the Ontario Municipal Board for a Committee of Adjustment Decision 1723 Dufferin Street
Held for consideration Minute 2.44	EY2.34	Site Plan Approval for Townhouse Development at 156 and 160 Evans Avenue and 829, 833 and 839 Oxford Street

Consideration of Items - Etobicoke York Community Council Meeting 2

2.39 **Final Report Zoning Code Amendment Application 400 The East Mall**

EY2.2	NO AMENDMENT		Transactional	Wards: 3
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Mammoliti moved that the Item be amended by adding the following:
 - a. City Council approve the Zoning By-law amendment subject to a Section 37 agreement being in place, satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning, in consultation with representatives of Toronto Community Housing Corporation and the Tenants Association of the East Mall Housing Complex; and
 - b. the executed Section 37 agreement be submitted to the Etobicoke York Community Council for information.

Ruling by Deputy Speaker:

Deputy Speaker Lindsay Luby ruled motion 1 by Councillor Mammoliti out of order as it would be illegal.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

City Council:

1. Amend the Zoning Code for the former City of Etobicoke substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6, subject to adding the following new condition 1.p):
 - “1.p) for the purpose of calculating the maximum floor space index, maximum building coverage and minimum landscaped open space requirements set out in Section 1(f), (g) and (i) respectively, the road widening conveyance to the City of Toronto shown on Schedule “B” shall be deemed to be part of site area”.
2. Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Background Information

2007-ey2-2-2

(<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-433.pdf>)

2007-ey2-2-1

(<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-648.pdf>)

Council also considered the following:

Communication (February 5, 2007) from the Chief Executive Officer, Toronto Community Housing Corporation (EY 2.2.1).

2.40 Council considered the following Items together:

Front Yard Parking 121 Mavety Street

EY2.5	AMENDED		Transactional	Wards: 13
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Front Yard Parking Application 123 Mavety Street

EY2.6	AMENDED		Transactional	Wards: All
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Perks moved that the recommendations of the Etobicoke York Community Council be deleted, and that Council adopt the following instead:

With respect to Item EY2.5:

City Council refuse the application for front yard parking at 121 Mavety Street.

With respect to Item EY2.6:

City Council refuse the application for front yard parking at 123 Mavety Street.

2. Councillor Stintz moved that these Items be referred back to the Etobicoke York Community Council for further consideration.

Vote on Referral:

Adoption of motion 2 by Councillor Stintz:

Yes - 13	Councillors: Ainslie, Augimeri, Di Giorgio, Grimes, Hall, Jenkins, Kelly, Lee, Mammoliti, Nunziata, Parker, Stintz, Thompson
No - 18	Councillors: Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Heaps, Holyday, Lindsay Luby, McConnell, Mihevc, Moscoe, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 5.

Vote:

Adoption of motion 1 by Councillor Perks:

Yes - 18	Councillors: Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Heaps, Lindsay Luby, McConnell, Mihevc, Moscoe, Perks, Perruzza, Rae, Thompson, Vaughan
No - 13	Councillors: Ainslie, Augimeri, Di Giorgio, Grimes, Hall, Holyday, Jenkins, Kelly, Lee, Mammoliti, Nunziata, Parker, Stintz

Carried by a majority of 5.

City Council Decision - Item EY2.5

City Council adopted the following motion:

1. City Council refuse the application for front yard parking at 121 Mavety Street.

Background Information

2007-ey2-5-2

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrrd/backgroundfile-440.pdf>

2007-ey2-5-1

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrrd/backgroundfile-441.pdf>

Declared Interest (Council)

Councillor Cesar Palacio - declared an interest in this Item, in that a member of his family owns property in the vicinity.

City Council Decision - Item EY2.6

City Council adopted the following motion:

1. City Council refuse the application for front yard parking at 123 Mavety Street.

Background Information

2007-ey2-6-2

(<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-442.pdf>)

2007-ey2-6-1

(<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-443.pdf>)

Declared Interest (Council)

Councillor Cesar Palacio - declared an interest in this Item, in that a member of his family owns property in the vicinity.

- 2.41 **Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown**

EY2.11	AMENDED		Transactional	Wards: 12
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This Item was considered during closed session.

(See Minute 2.83)

- 2.42 **Status Report Official Plan Amendment and Rezoning and Site Plan Applications 6 Lloyd Avenue**

EY2.25	AMENDED		Transactional	Wards: 11
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This Item was submitted by the Etobicoke York Community Council without recommendation.

February 5, 2007

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Holyday moved that this Item be considered on February 6, 2007 at 2:00 p.m. or as soon after that time as possible, which carried.

February 6, 2007

Speaker Bussin in the Chair.

Motions:

1. Councillor Nunziata moved that Council adopt the following:
 1. the Chief Planner and Executive Director, City Planning request the applicant to ask the Ontario Municipal Board, no later than February 6, 2007, to defer the hearing of the Official Plan Amendment and Zoning By-law Amendment application appeals for at least four months to permit evaluation of a revised proposal;
 2. should the request to defer consideration of the appeals be made by the applicant and granted by the OMB, the applicant be requested to meet with City staff to discuss and arrive at a revised proposal taking into account the issues identified in the Planning reports on this matter, including the provision of an on-site employment use transition, the provision of appropriate built form, height and massing with regard to the area context, and the mitigation of adverse impacts from and on adjacent uses;
 3. the Chief Planner and Executive Director, City Planning be requested to report to the Etobicoke York Community Council on the matter no later than its May 29, 2007 meeting;
 4. in the event the hearing of the appeals by the OMB is not deferred for at least four months for the purpose of considering a revised proposal:
 - a. then City Council adopt the reports of the Director of Community Planning, Etobicoke York District, dated August 28, 2006 and December 21, 2006 recommending refusal of the Official Plan Amendment and Zoning By-law Amendment applications and authorize the City Solicitor to retain consultants, as necessary, all subject to the City offering to participate in mediation of the matter by the Ontario Municipal Board, such mediation to be between the City, the applicant and any other party which the OMB may add as parties to the proceedings, including any industries in the neighbourhood should they request party status from the OMB; and
 - b. should the OMB proceed with mediation of the appeals, the City Solicitor and Chief Planner be authorized to report directly to City Council for further directions if the need arise; and
 5. in the event that the hearing proceeds and the Ontario Municipal Board finds merit with the Official Plan and Zoning By-law Amendment Appeals and approves the development, then City staff be directed to request the Ontario Municipal Board to require the owner to enter into an agreement with the City, prior to issuance of the Board's order giving effect to an Official Plan Amendment or Zoning By-law to permit the development in

accordance with Section 37 of the Planning Act, that secures public benefits including planting and general landscape or streetscape enhancements in the local area, a waterplay structure and park improvements at the new park in the new residential development at 1912 St. Clair Avenue West and contribution toward the provision of public art, among other matters; based on the following guidelines:

- a. a payment of \$12,500 to the City, prior to issuance of any above grade building permit, to be used at the discretion of the General Manager, Parks, Forestry and Recreation for tree planting and general landscape or streetscape enhancements in the local area beyond the site;
- b. a payment of \$560,000 (\$1400/unit) to the City, prior to issuance of any above grade building permit, to be used at the discretion of the General Manager, Parks, Forestry and Recreation for a waterplay structure and park improvements at the new park at 1912 St. Clair Avenue West; and
- c. a payment of 1 percent of the gross construction costs to the City, prior to issuance of any above grade building permit, for public art in accordance with the City's Public Art Program.

Deputy Speaker Lindsay Luby in the Chair.

2. Councillor Moscoe moved that Council adopt the following:
 1. City Council adopt the recommendations of staff and refuse Official Plan and Rezoning application 05 151779 WET 11 OZ and Site Plan Approval application 05 210418 WET 11 SA for 6 Lloyd Avenue.
 2. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board, to support City Council's decision to refuse these applications as represented by the proposal outlined in the report (August 28, 2006) from the Director of Community Planning, Etobicoke York District.

Speaker Bussin in the Chair.

Votes:

Adoption of motion 1 by Councillor Nunziata:

Yes - 7	
Councillors:	Di Giorgio, Grimes, Hall, Mammoliti, Nunziata, Ootes, Palacio
No - 33	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan, Walker

Lost by a majority of 26.

Adoption of motion 2 by Councillor Moscoe:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan, Walker
No - 6	
Councillors:	Di Giorgio, Grimes, Hall, Nunziata, Ootes, Palacio

Carried by a majority of 29.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the recommendations of staff and refuse Official Plan and Rezoning application 05 151779 WET 11 OZ and Site Plan Approval application 05 210418 WET 11 SA for 6 Lloyd Avenue.
2. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board, to support City Council's decision to refuse these applications as represented by the proposal outlined in the report (August 28, 2006) from the Director of Community Planning, Etobicoke York District.

Background Information

2007-ey2-25-2

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-523.pdf>

2007-ey2-25-1

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-524.pdf>

Council also considered the following:

Communications:

- (February 1, 2007) from Alan Power, President and Chief Executive Officer, NRI Industries Inc. (EY 2.25.3).
- (February 2, 2007) from Michael Flammia, Vice President, Operations, Fresh Bakery Division, Canada Bread Company, Limited (EY 2.25.4).
- (undated) submission from Councillor Doug Holyday, Ward 3 - Etobicoke Centre, entitled "Canada Bread/Terrasan" (EY 2.25.5).

2.43 **Application for Encroachment Agreements 2606 & 2608 St Clair Avenue West 653 & 655 Jane Street Development at the north east corner of St. Clair Ave. West and Jane Street**

EY2.28	REFERRED		Transactional	Wards: 11
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February 6, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Moscoe moved that this Item be referred to the Executive Director, Municipal Licensing and Standards with a request that the Application for the Encroachment Agreements be sent out for further circulation, including the Toronto Transit Commission, and comment back to the Etobicoke York Community Council.

Vote on Referral:

Motion 1 by Councillor Moscoe carried.

City Council Decision

City Council referred this Item to the Executive Director, Municipal Licensing and Standards with a request that the Application for the Encroachment Agreements be sent out for further circulation, including the Toronto Transit Commission, and comment back to the Etobicoke York Community Council.

Background Information

2007-ey2-28

(<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-541.pdf>)

2.44 Site Plan Approval for Townhouse Development at 156 and 160 Evans Avenue and 829, 833 and 839 Oxford Street

EY2.34	AMENDED		Transactional	Wards: 6
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This Item was submitted by the Etobicoke York Community Council without recommendation.

February 8, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Grimes moved that:
 1. City Council amend the conditions set out in Attachment 3 of the supplementary report (February 2, 2007) from the Chief Planner and Executive Director, City Planning as follows:
 - a. Condition 5(a) Solid Waste Services i) be deleted;
 - b. Condition 5(b) Site Service Plan dated September 2006 by The Odan/Detech v) and vi) be deleted; and
 - c. Condition 5(b) Site Service Plan dated September 2006 by The Odan/Detech iii) be amended to read as follows:
 - “iii) provide water/sewer connections for Blocks A, G and H in the same manner as Block B, I and J.”

2. Council approve, in principle, subject to any required revisions and re-submission of information as outlined in the conditions set out in Attachment 3 to the supplementary report (February 2, 2007) from the Chief Planner and Executive Director, City Planning, as amended, the proposed 177 unit townhouse development, as indicated on the drawings listed in Attachment 1 and 2 to the report.
 3. City Council delegate back to the Chief Planner or his designate, the authority to issue Site Plan Approval.
 4. City Council direct the City Solicitor to prepare and register any necessary site plan agreements.
 5. City Council authorize the Director, Community Planning, Etobicoke York District to execute the agreement.
2. Councillor Holyday moved that Council adopt the following recommendations contained in the Recommendations Section of the supplementary report (February 2, 2007) from the Chief Planner and Executive Director, City Planning:
1. City Council approve, in principle, subject to any required revisions and re submission of information as outlined in the conditions set out in Attachment 3 to this report, the proposed 166 unit townhouse development, as indicated on the drawings listed in Attachment 1 and 2 to this report;
 2. City Council delegate back to the Chief Planner or his designate, the authority to issue Site Plan Approval;
 3. City Council direct the City Solicitor to prepare and register any necessary site plan agreements; and
 4. City Council authorize the Director, Community Planning, Etobicoke York District to execute the agreement.
3. Councillor Mihevc moved that:
- a. Council waive Section 27-142A of Chapter 27, Council Procedures (Referral from Council) to permit the referral of this Item to the Etobicoke York Community Council meeting on February 13, 2007; and
 - b. this Item be referred to the Etobicoke York Community Council meeting on February 13, 2007.

Procedural Vote:

Adoption of motion 3a by Councillor Mihevc:

Yes - 22 Councillors: Ainslie, Augimeri, Bussin, Cho, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Nunziata, Palacio, Parker, Perks, Perruzza, Thompson, Vaughan
No - 8 Councillors: Carroll, Davis, Del Grande, Giambrone, Heaps, Holyday, McConnell, Moscoe

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

Motion to End Debate:

Councillor Nunziata moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council end the debate on motion 3b by Councillor Mihevc and take the vote immediately, the vote on which was taken as follows:

Yes - 22 Councillors: Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Nunziata, Palacio, Parker, Perks, Thompson, Vaughan
No - 8 Councillors: Ainslie, Augimeri, De Baeremaeker, Holyday, Kelly, Mammoliti, Moscoe, Perruzza

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

Vote on Referral:

Adoption of motion 3b by Councillor Mihevc:

Yes - 14 Councillors: Ainslie, Augimeri, Bussin, De Baeremaeker, Di Giorgio, Grimes, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Nunziata, Palacio, Vaughan
No - 16 Councillors: Carroll, Cho, Davis, Del Grande, Fletcher, Giambrone, Hall, Heaps, Holyday, Lee, McConnell, Moscoe, Parker, Perks, Perruzza, Thompson

Lost by a majority of 2.

Motion:

4. Councillor Giambrone moved that motion 1 by Councillor Grimes be amended by deleting Part 1c.

Votes:

Adoption of motion 4 by Councillor Giambrone:

Yes - 27 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, McConnell, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Thompson, Vaughan
No - 3 Councillors: Lindsay Luby, Mammoliti, Mihevc

Carried by a majority of 24.

Adoption of motion 1 by Councillor Grimes, as amended:

Yes - 21 Councillors: Ainslie, Augimeri, Bussin, Cho, De Baeremaeker, Di Giorgio, Fletcher, Hall, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Nunziata, Palacio, Parker, Perruzza, Thompson, Vaughan
No - 9 Councillors: Carroll, Davis, Del Grande, Giambrone, Grimes, Heaps, Holyday, Moscoe, Perks

Carried by a majority of 12.

Due to the above decision of Council, motion 2 by Councillor Holyday was not put to a vote.

City Council Decision

City Council adopted the following motions:

1. City Council amend the conditions set out in Attachment 3 of the supplementary report (February 2, 2007) from the Chief Planner and Executive Director, City Planning as follows:

- a. Condition 5(a) Solid Waste Services i) be deleted; and
 - b. Condition 5(b) Site Service Plan dated September 2006 by The Odan/Detech v) and vi) be deleted.
2. Council approve, in principle, subject to any required revisions and re submission of information as outlined in the conditions set out in Attachment 3 to the supplementary report (February 2, 2007) from the Chief Planner and Executive Director, City Planning, as amended, the proposed 177 unit townhouse development, as indicated on the drawings listed in Attachment 1 and 2 to the report.
 3. City Council delegate back to the Chief Planner or his designate, the authority to issue Site Plan Approval.
 4. City Council direct the City Solicitor to prepare and register any necessary site plan agreements.
 5. City Council authorize the Director, Community Planning, Etobicoke York District to execute the agreement.

Background Information

Council also considered the following:

- [Report \(February 2, 2007\) from the Chief Planner and Executive Director, City Planning \(EY 2.34a\).](#)

2.45 NORTH YORK COMMUNITY COUNCIL MEETING 2

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

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|--------------------|-------|--|
| Adopted by consent | NY2.1 | Removal of One Privately-owned Tree –
19 Church Avenue |
| Adopted by consent | NY2.2 | Removal of One Privately-owned Tree –
275 Lesmill Road |
| Adopted by consent | NY2.3 | Request to designate 179 Lord Seaton Road as a
Natural Garden |

Adopted by consent	NY2.4	Fence Exemption Request - 13 Legacy Court
Adopted by consent	NY2.6	Fence Exemption Request - 195 Erskine Avenue
Adopted by consent	NY2.8	Fence Exemption Request - between 240 and 242 Sheldrake Boulevard
Adopted by consent	NY2.9	Fence Exemption Request - 79 Gordon Road
Adopted by consent	NY2.11	Fence Exemption Request - 92 Brentcliffe Road
Adopted by consent	NY2.12	Fence Exemption Request - 239 Hanna Road
Adopted by consent	NY2.13	Fence Exemption Request - Between 45 Killdeer Crescent
Adopted by consent	NY2.14	Boulevard Leasing Agreement - 2178 Eglinton Avenue West
Adopted by consent	NY2.15	Boulevard Leasing Agreement - 630 Vaughan Road
Adopted by consent	NY2.16	Sign Variance Request - 2300 Yonge Street
Adopted by consent	NY2.17	Sign Variance Request 815-845 Eglinton Avenue East
Adopted by consent	NY2.18	Sign Variance Request - 9 McKee Avenue
Adopted by consent	NY2.19	Demolition Control By-law Application - 375 Elm Road
Adopted by consent	NY2.20	Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the Ontario Heritage Act – 285 Cummer Avenue (St. John’s Convalescent Hospital)
Adopted by consent	NY2.21	Request permission to install two banners on the Wynford Drive bridge over the Don Valley Parkway to promote Second Harvest winter fundraiser ‘Lunch Money Day’.
Adopted by consent	NY2.22	Pedestrian Crossing Prohibition: Bathurst Street at Viewmount Avenue
Adopted by consent	NY2.24	Parking Prohibition - Findlay Boulevard
Adopted by consent	NY2.26	Eastbound and Westbound Right Turn Lane Designation - Castlefield Avenue at Dufferin Street
Adopted by consent	NY2.27	Eastbound Right Turn Lane Designation - Wilson Avenue and Tippet Road/Wilson Heights Boulevard

Adopted by consent	NY2.28	Stopping Prohibitions and Southbound Right Turn Lane Designation - Alness Street/Champagne Drive at Finch Avenue West
Adopted by consent	NY2.29	40 km/h Speed Zone - Shelborne Avenue – Bathurst Street to Saguenay Avenue
Adopted by consent	NY2.30	Installation of an On-Street Parking Space for Persons with Disabilities - Deloraine Avenue
Adopted by consent	NY2.31	All-Way Stop Control - Glengarry Avenue at Ledbury Street
Adopted by consent	NY2.32	Prohibited U-turns - Yonge Street at Empress Avenue/Park Home Avenue
Adopted by consent	NY2.33	Business Improvement Area List of Nominees for the 2007-2010 Boards of Management
Adopted by consent	NY2.34	Assumption of Services – Subdivision owned by Don-Greenbelt Developments Inc., Plan 66M-2389, Subdivision File UDSB-1231 – 45 Green Belt Drive
Adopted by consent	NY2.40	Final Report - Rezoning Application and Site Plan Control Application - 35 Hendon Avenue
Adopted by consent	NY2.42	Final Report - Rezoning Application - 1 and 3 Kenton Drive
Adopted by consent	NY2.43	Final Report - Official Plan Amendment & Rezoning Application 65 and 67 Finch Ave West
Adopted by consent	NY2.44	Refusal Report - Official Plan Amendment & Rezoning Application - 169, 177 and 181 Maplehurst Ave.
Adopted by consent	NY2.45	Final Report - Rezoning Application and Site Plan Control Application - 93 Finch Avenue East
Adopted by consent	NY2.46	Final Report - Rezoning Application and Site Plan Application - 5435 Yonge Street
Adopted by consent	NY2.49	Refusal Report - Official Plan and Zoning By-law Amendment Applications - 1121 Leslie Street north of Eglinton Avenue East
Adopted by consent	NY2.50	Ontario Municipal Board Hearing - Committee of Adjustment Application - 292-294 Cummer Avenue
Adopted by consent	NY2.51	Ontario Municipal Board Hearing - Committee of Adjustment Application – 304 Churchill Avenue

Adopted by consent NY2.53 Request for Pilot Project to Monitor Sign Installations

2.46 **SCARBOROUGH COMMUNITY COUNCIL MEETING 2**

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

- | | | |
|--------------------|--------|---|
| Adopted by consent | SC2.1 | Naming of Proposed Private Lane Located at 4314 Kingston Road as "Ignatius Lane" |
| Adopted by consent | SC2.2 | Naming of Proposed Private Lane at 4177 Lawrence Avenue East |
| Adopted by consent | SC2.3 | Naming of Proposed Private Lane at 18 Tideswell Boulevard |
| Adopted by consent | SC2.4 | Business Improvement Area List of Nominees for the 2007-2010 Boards of Management |
| Adopted by consent | SC2.6 | Request for Fence Exemption 120 Fallingbrook Road |
| Adopted by consent | SC2.13 | Proposed All-Way Stop Control on Southmead Road at Harris Park Drive |
| Adopted by consent | SC2.14 | Proposed Installation of Traffic Control Signals at Pharmacy Avenue and Knightsbridge Road |
| Adopted by consent | SC2.15 | Proposed Installation of Traffic Control Signals at 685 Warden Avenue (North of Firvalley Court) |
| Adopted by consent | SC2.16 | Proposed All-Way Stop Control on Civic Road at Prudham Gate |
| Adopted by consent | SC2.17 | Feasibility of Implementing Traffic Calming on Blantyre Avenue between Kingston Road and Gerrard Street |
| Adopted by consent | SC2.18 | Feasibility of Long Term Parking on Linton Avenue |
| Adopted by consent | SC2.19 | Proposed Installation of Traffic Control Signals on Ashtonbee Road at Lebovic Avenue |
| Adopted by consent | SC2.21 | Proposed Minor Street Stop Sign on Toulon Road at Fortune Gate in the Woburn Neighbourhood |

Adopted by consent	SC2.24	Proposed Minor Street Stop Signs at Three Intersections in the Tam O'Shanter-Sullivan Neighbourhood
Adopted by consent	SC2.25	Proposed Speed Limit Reduction on Earlton Road
Adopted by consent	SC2.26	Proposed Speed Limit Reduction on Christina Crescent
Adopted by consent	SC2.27	Proposed Minor Street Stop Signs at Three New Intersections in the Highland Creek Neighbourhood
Adopted by consent	SC2.28	Proposed Minor Street Stop Signs at Three Intersections in the Centennial Scarborough Neighbourhood
Adopted by consent	SC2.30	Final Report -- Part Lot Control Application -- 6363-6405 Kingston Road
Adopted by consent	SC2.34	Final Report - Birchmount Road Area Study Design Framework
Adopted by consent	SC2.41	Final Report -- Zoning Application -- 160 Nashdene Road
Adopted by consent	SC2.42	Final Report -- Zoning Application -- 28 Orchid Place Drive

2.47 TORONTO EAST YORK COMMUNITY COUNCIL MEETING 2

Under Section 27-70 of Council's Procedures, a Committee's recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

February 5, 2007

Adopted by consent	TE2.1	Naming of Public Lane - South of Queen Street West, extending westerly from Peter Street - "Jack Cooper Lane"
Adopted by consent	TE2.2	Naming of Public Lane - South of Davenport Road, between Ossington Avenue and Shaw Street - "Victor Jara Lane"
Adopted by consent	TE2.3	Naming of Private Lane - west of Spadina Avenue, extending northerly from Fort York Boulevard - "Telegram Mews"

Adopted by consent	TE2.4	Naming of Public Lane abutting 43 Rear Northumberland Street, extending southerly from Northumberland Street - "Roof Garden Lane"
Adopted by consent	TE2.5	Naming of Public Lane - North of Carr Street, extending westerly from Ryerson Avenue - "Egerton Lane"
Adopted by consent	TE2.6	Zoning – 99 Blue Jays Way - Final Report
Adopted by consent	TE2.7	Final Report - Zoning Amendment Application – 70 Roehampton Avenue And Intention to Designate under Part IV of the Ontario Heritage Act, Approval of Alterations to a Heritage Building, and Authority to Enter into a Heritage Easement Agreement
Adopted by consent	TE2.8	Refusal Report - Official Plan and Zoning By-law Applications - 359-377 Roehampton Avenue
Adopted by consent	TE2.10	Inclusion on the City of Toronto Inventory of Heritage Properties and Intention to Designate under Part IV of the Ontario Heritage Act – 401 Richmond Street West (Macdonald Manufacturing Company Buildings)
Adopted by consent	TE2.13	Sign Variance - 266 King Street West
Adopted by consent	TE2.15	Residential Demolition Application - 749 Ossington Avenue
Adopted by consent	TE2.16	Establishment of a Construction Staging Area - Avenue Road, west side, immediately south of St. Clair Avenue West, fronting 468 Avenue Road
Adopted by consent	TE2.18	Request for an Interim Control By-law and Secondary Official Plan for the Area Bounded by both sides of Avenue Road from Lonsdale Road to St. Clair Avenue West {R4 Z2.0 Zone}
Adopted by consent	TE2.22	Final Report - Part Lot Control Application - 2261, 2263 and 2265 Gerrard Street East
Adopted by consent	TE2.24	Sign Variance - 1005 King Street West
Adopted by consent	TE2.25	Sign Variance - 327 King Street West
Adopted by consent	TE2.26	Sign Variance - 19 Charlotte Street
Adopted by consent	TE2.27	Sign Variance - 1 Dundas Street West
Adopted by consent	TE2.28	Sign Variance - 555 University Avenue

Adopted by consent	TE2.29	Sign Variance - 363-369 Queen Street East
Adopted by consent	TE2.30	Sign Variance - 295 Wellesley Street East
Adopted by consent	TE2.31	Sign Variance - 234 Adelaide Street East and 108 & 116 George Street
Held for consideration Minute 2.48	TE2.32	Proposed Installation of Speed Bumps in Public Lane System Bounded by Cross Street, Gladstone Avenue, Argyle Street, Northcote Avenue and Beaconsfield Avenue
Adopted by consent	TE2.34	Prohibition of large vehicles in the public lane between 991 and 989 Dufferin Street
Adopted by consent	TE2.35	Prohibition of large vehicles in the public lane between 24 and 22 Collahie Street
Adopted by consent	TE2.36	Shirley Street between St. Clarens Avenue and Norfolk Street – Proposed amendments to parking regulations
Held for consideration Minute 2.49	TE2.39	Proposed Installation of Speed Bumps in Public Lane System Bounded By Robinson Street, Euclid Avenue, Queen Street West and Palmerston Avenue
Adopted by consent	TE2.40	Amendment to School Bus Loading Zone Hours - Mansfield Avenue
Adopted by consent	TE2.41	Douro Street and Shaw Street Installation All-Way “Stop” Sign Control
Held for consideration Minute 2.50	TE2.48	Permanent closure of portion of Cottingham Street and Gange Avenue currently closed to vehicular traffic, abutting Lionel Conacher Park
Adopted by consent	TE2.51	Larchmount Avenue, between Queen Street East and Eastern Avenue – Traffic calming devices
Adopted by consent	TE2.52	First Avenue at Logan Avenue – Alternatives for Traffic Calming
Adopted by consent	TE2.53	Installation of a 40 kilometres per hour speed limit on Glencrest Boulevard
Adopted by consent	TE2.54	The installation of all-way “Stop” sign control at Gledhill Avenue and King Edward Avenue
Held for consideration Minute 2.51	TE2.55	Proposed Installation of Speed Bumps in Drummondville Lane

Adopted by consent	TE2.58	704 Gladstone Avenue – Establishment of a pick-up and drop-off zone for disabled persons
Adopted by consent	TE2.59	Paton Road between Lansdowne Avenue and the westerly terminus of Paton Road – Proposed amendments to parking regulations
Adopted by consent	TE2.60	Prohibit stopping during school hours on Tweedsmuir Avenue, fronting Holy Rosary Catholic School
Adopted by consent	TE2.61	Hillsdale Avenue West, between Yonge Street and Duplex Avenue – Request for parking on the north side of the bridge over the TTC Right-of-Way
Adopted by consent	TE2.62	Removal of the taxicab stand from in front of 55 St. Clair Avenue West
Adopted by consent	TE2.63	Installation of Taxicab Stands at various locations in the central area of the City
Adopted by consent	TE2.66	Amendments to the parking regulations on Halsey Avenue
Adopted by consent	TE2.67	Amendments to Parking Regulations on Glen Stewart Crescent, south of Kingston Road
Adopted by consent	TE2.68	Installation/Removal of On-Street Parking Spaces for Persons with Disabilities - Various Locations
Adopted by consent	TE2.69	Construction Staging Area at 225 Wellesley Street East
Adopted by consent	TE2.70	Construction Staging Area on Bremner Boulevard, east of York Street
Adopted by consent	TE2.72	Naming of Proposed Street in Exhibition Place
Adopted by consent	TE2.73	Renaming of Peggy Lush Lane
Adopted by consent	TE2.74	Naming of Proposed Private Lane at 2261, 2263 and 2265 Gerrard Street East
Held for consideration Minute 2.52	TE2.75	Business Improvement Area List of Nominees for the 2007-2010 Boards of Management
Held for consideration Minute 2.53	TE2.76	Endorsement of Events for Liquor Licence Purposes

Adopted by consent	TE2.77	Stadium Liquor Licence Endorsements - Canon Theatre, 244 Victoria Street, Royal Alexandra Theatre 260 King Street, and Princess of Wales Theatre, 300 King Street West
Adopted by consent	TE2.78	Liquor Licence Application – The Tender Trap, 580 Parliament Street
Adopted by consent	TE2.79	Ontario Municipal Board Hearing – 19-29 Maughan Crescent
Adopted by consent	TE2.80	Commercial Heritage Conservation District, Queen Street East, from the Don River, east to De Grassi Street
Adopted by consent	TE2.82	Appointments to Cecil Community Centre Board of Directors
Adopted by consent	TE2.83	Ontario Municipal Board Hearing - 1100 King Street West
Adopted by consent	TE2.84	Ontario Municipal Board Hearing - 166 Manning Avenue
Adopted by consent	TE2.85	Ontario Municipal Board Hearing - 39 Huron Street
Adopted by consent	TE2.86	Ontario Municipal Board Hearing – 2A-2H Spadina Avenue; 1-17 Fort York Boulevard and 3-31 Brunel Court
Adopted by consent	TE2.87	Ontario Municipal Board Hearing - 2 Gladstone Avenue

Consideration of Items - Toronto East York Community Council Meeting 2

2.48 **Proposed Installation of Speed Bumps in Public Lane System Bounded by Cross Street, Gladstone Avenue, Argyle Street, Northcote Avenue and Beaconsfield Avenue**

TE2.32	NO AMENDMENT		Transactional	Wards: 18
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February 6, 2007

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

Councillor Ford requested that his opposition to this Item be noted in the Minutes of this meeting.

City Council Decision

City Council adopted the following motion:

1. The installation of speed bumps in the public lane system bounded by Cross Street, Gladstone Avenue, Argyle Street, Northcote Avenue and Beaconsfield Avenue, of the type and of the design noted at the locations shown on Drawing No. 421F-8630 dated December 2006, be approved.

Background Information

2007-te2-32 Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-519.pdf>

2.49 **Proposed Installation of Speed Bumps in Public Lane System Bounded By Robinson Street, Euclid Avenue, Queen Street West and Palmerston Avenue**

TE2.39	NO AMENDMENT		Transactional	Wards: 19
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February 6, 2007

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

Councillor Ford requested that his opposition to this Item be noted in the Minutes of this meeting.

City Council Decision

City Council adopted the following motion:

1. The installation of speed bumps in the public lane system bounded by Robinson Street, Euclid Avenue, Queen Street West and Palmerston Avenue, of the type and design noted and at the locations shown on Drawing No. 421F-8631 dated December 2006 be approved.

Background Information

2007-te2-39 Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-666.pdf>

2.50 **Permanent closure of portion of Cottingham Street and Gange Avenue currently closed to vehicular traffic, abutting Lionel Conacher Park**

TE2.48	REFERRED		Transactional	Wards: 22
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February 5, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Walker moved that the Item be referred back to the Toronto and East York Community Council for its meeting on March 27, 2007, to hear public presentations.

Vote on Referral:

Motion 1 by Councillor Walker carried.

City Council Decision

City Council referred this Item back to the Toronto and East York Community Council for its meeting on March 27, 2007, to hear public presentations.

Background Information

2007-te2-48 Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-544.pdf>

2.51 **Proposed Installation of Speed Bumps in Drummondville Lane**

TE2.55	NO AMENDMENT		Transactional	Wards: 32
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February 6, 2007

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

Councillor Ford requested that his opposition to this Item be noted in the Minutes of this meeting.

City Council Decision

City Council adopted the following motion:

1. The installation of speed bumps in Drummondville Lane, between William Hancox Avenue and Brockville Street, of the type and design noted and at the locations shown on Drawing No. 421F-8560 dated September 2006 be approved.

Background Information

2007-te2-55 Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-676.pdf>

2.52 Business Improvement Area List of Nominees for the 2007-2010 Boards of Management

TE2.75	AMENDED		Transactional	Wards: 14, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32
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February 5, 2007

Speaker Bussin in the Chair.

Motion:

1. Councillor Rae moved that the Item be amended by deleting John Vezina as the nominee for the Bloor-Yorkville Business Improvement Area for the 2007-2010 Board of Management, and replacing him with Michael Ward.

Votes:

Motion 1 by Councillor Rae carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Council appoint the nominees listed in Attachment 1 to the report (December 22, 2006) from the General Manager, Economic Development, Culture and Tourism to the Boards of Management for thirty-six Business Improvement Areas (BIAs) for a term expiring at the end of the term of Council or as soon thereafter as successors are appointed, subject to deleting John Vezina as the nominee for the Bloor-Yorkville Business Improvement Area for the 2007-2010 Board of Management, and replacing him with Michael Ward.

2. City of Toronto Municipal Code, Chapter 19, “Business Improvement Areas” be amended to alter the number of members on the Boards of Management, and the number of members required for quorum for various BIAs as set out in Attachment 2 of the staff report.
3. The Beaches BIA, as defined by the boundaries described in Attachment 3 of the staff report be renamed The Beach BIA.
4. Authority be granted for the introduction of the necessary bills in Council to give effect thereto.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information

2007-te2-75 Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-690.pdf>

2.53 Endorsement of Events for Liquor Licence Purposes

TE2.76	NO AMENDMENT		Transactional	Wards: 27
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February 6, 2007

Speaker Bussin in the Chair.

Vote:

This Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

City Council, for liquor licence purposes:

1. declare Sante: the Bloor-Yorkville Wine Festival - 2007, taking place in the Bloor-Yorkville area, to be an event of municipal and/or community significance and indicate that it has no objection to it taking place; and
2. declare, “G’DayToronto: Australia Week”, taking place from February 15-18, 2007, on Dundas Square, to be an event of municipal and/or community significance and indicate it has no objection to it taking place, nor to the sale and service of alcohol prior to 11:00 a.m. in an enclosed tent on Dundas Square.

Background Information

2007-te2-76 Member Motion

(<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-835.pdf>)

2.54 NEW BUSINESS FROM THE MAYOR AND CITY OFFICIALS AND BUSINESS PREVIOUSLY REQUESTED

February 5, 2007

Speaker Bussin in the Chair.

Under Section 27-70 of Council's Procedures, Items are considered adopted without amendment by consent, unless Council decides otherwise.

- | | | |
|--|-------|---|
| Held for consideration.
Minute 2.55 | CC2.1 | (January 29, 2007) from the Mayor and the City Manager, headed "Appointment - Deputy City Manager" |
| Held for consideration.
Minute 2.56 | CC2.2 | (January 26, 2007) from the City Solicitor, headed "Appeals to the Ontario Municipal Board: K & G Oakburn Apartments I and II Limited; OPA, Rezoning & Subdivision Applications; 1-12 Oakburn Crescent and 14-40 Oakburn Place" |
| Held for consideration.
Minute 2.79 | CC2.3 | (January 25, 2007) from the City Solicitor, headed "Request for directions regarding the February 20, 2007, OMB prehearing re 1705-1745 Avenue Rd." |
| Adopted by consent. | CC2.4 | (January 29, 2007) from the Integrity Commissioner, headed "Violation of Members Code of Conduct" |
| Held for consideration.
Minute 2.58 | CC2.5 | (January 29, 2007) from the Integrity Commissioner, headed "Amendments to the Code of Conduct Complaint Protocol under Members Code of Conduct" |
| Held for consideration.
Minute 2.84 | CC2.6 | (January 29, 2007) from the City Clerk forwarding Council's actions from June 14, 2006, on a Motion to Review of Certain Applications before the North York Committee of Adjustment on September 22, 2005 |

2.55 Appointment - Deputy City Manager

CC2.1	NO AMENDMENT			
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February 5, 2007

Speaker Bussin in the Chair.

Vote:

Adoption of Item CC2.1, without amendment:

Yes - 43	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	

Carried, without dissent.

City Council Decision

City Council adopted the following motions:

1. The candidate identified in Attachment 1 be appointed to the position of Deputy City Manager, Citizen Focused Services for the City of Toronto, with such appointment to be effective following written acceptance by the candidate of the terms and conditions of contract of employment offered by the City.
2. The City Manager be authorized to negotiate terms and conditions of employment and a start date of no sooner than February 14, 2007, with the approved candidate.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any bills.
4. Council authorize the public release of the candidate's name in Attachment 1, once the candidate's appointment has been recommended by Council.

The candidate's name contained in Attachment 1 is now public and balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto

Act, 2006, as it contains information related to labour relations or employee negotiations and personal information about an identifiable person:

Richard Butts has been recommended to be appointed to the position of Deputy City Manager.

Link to Background Information

Council considered the following:

- [Report \(January 29, 2007\) from Mayor David Miller and the City Manager \(CC2.1\)](#).

2.56 Appeals to the Ontario Municipal Board: K & G Oakburn Apartments I and II Limited; OPA, Rezoning & Subdivision Applications; 1-12 Oakburn Crescent and 14-40 Oakburn Place

CC2.2	NO AMENDMENT			
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February 5, 2007

Speaker Bussin in the Chair.

Vote:

Adoption of Item CC2.2, without amendment:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Vaughan, Walker
No - 7	
Councillors:	Augimeri, Filion, Fletcher, Kelly, Minnan-Wong, Shiner, Thompson

Carried by a majority of 29.

City Council Decision

City Council adopted the following motions:

1. That Council adopt the confidential instructions to staff in Attachment 1 to the report (January 26, 2007) from the City Solicitor.
2. That Council's instructions to staff in respect of the Ontario Municipal Board hearing related to this matter be authorized for public release at the conclusion of the Council meeting.

The following confidential instructions to staff contained in Attachment 1 to the report (January 26, 2007) from the City Solicitor are now public and balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation:

1. City Council authorize the City Solicitor to settle the Ontario Municipal Board hearing in respect of Oakburn Apartments' proposed development on the basis of these recommendations.
2. The City Solicitor in consultation with the Directors of Community Planning, Transportation Services and Technical Services, North York District are authorized to present to the Municipal Board the final form of Official Plan amendment, zoning by-law, draft plan of subdivision, and master concept plan which are in their view appropriate and consistent with Clause 90 North York Community Council Report 7 passed by City Council on September 25, 26 and 27, 2006, modified as required by these settlement recommendations.
3. That one element of the settlement consist of Council's support in principle to declare surplus the Oakburn Crescent lands and the balance of the Oakburn Place lands that are within the Owner's site and invite an offer to purchase them from the Owner on a phased basis.
4. That the maximum permitted gross floor area for the 48,364 m² site not exceed a base density of 2.0 fsi (96,728 m²), which may be increased by up to 31,920 m², for a total maximum density of 2.66 fsi (128,648 m²), with the proposed increase to be provided in accordance with the North York Centre Secondary Plan density and density incentives. The maximum total gross floor area for the Phase 1 component is 106,656 m², including permitted density incentives and including approximately 5,850 m² for existing buildings.
5. That a second element of the settlement be that Council no longer require that the Municipal Board's Order respecting Phase 1 be withheld until the acquisition of lands for the widening of Avondale Avenue to five lanes between Bales Avenue and Yonge Street (together with construction by the Owner of a westbound right turn lane) or that the zoning by-law be subject to holding provisions respecting Phase 2 until the acquisition of lands to implement the Service Road connection along Anndale Drive between Yonge Street and Bonnington Place.

6. That a third element of the settlement be that Council permit one-storey garages adjacent to the north property line to encroach into the required angular plane.
7. That a fourth element of the settlement be that the timing for acquisition of the public park block be linked to the closure of the relevant portion of public road and to the completion of the rental replacement building within Phase 1 and that an escrow agreement be authorized, if necessary, in this regard.

Link to Background Information

Council considered the following:

- [Report \(January 26, 2007\) from the City Solicitor \(CC2.2\).](#)

2.57 Request for directions regarding the February 20, 2007 OMB prehearing re 1705-1745 Avenue Rd.

CC2.3	NO AMENDMENT			
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This Item was considered during closed session.

(See Minute 2.79)

2.58 Amendments to the Code of Conduct Complaint Protocol under Members Code of Conduct

CC2.5	AMENDED			
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February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Moscoe moved that the recommendations in the Recommendations Section of the report (January 29, 2007) from the Integrity Commissioner be amended by:
 - a. adding to Recommendation 1.a. the words “or when a Member of Council finds it necessary to apply for judicial review”, so that Recommendation 1.a. now reads as follows:

- “1.a. An increase in the limit for an automatic claim for legal and associated costs from \$5,000 to \$20,000 in investigations where the Integrity Commissioner exercises the authority under the City of Toronto Act, 2006, to proceed under the powers conferred by the Public Inquiries Act, or when a Member of Council finds it necessary to apply for judicial review.”;
- b. deleting from Recommendation 1.c. the words “to apply”, after the words “be eligible”, so that Recommendation 1.c. now reads as follows:
- “1.c. That Members of Council, their staff, and local boards (restricted definition) be eligible for costs in any case where the Integrity Commissioner reaches the conclusion that there was a violation but that it was committed through inadvertence or an error in judgment made in good faith, and that the City Solicitor’s report under the policy will be in consultation with the Integrity Commissioner.”;
- c. deleting from Recommendation 1.d. the words “to claim”, after the words “be eligible”, so that Recommendation 1.d. now reads as follows:
- “1.d. That Members of Council, their staff, and local boards (restricted definition) be eligible for reimbursement of legal costs of a successful application for judicial review under the Judicial Review Procedure Act as well as those of intervention in a judicial review application arising from the actions of City Council or the Integrity Commissioner, or both under the Code of Conduct where their interests are at stake.”; and
- d. adding the following new recommendation:
- “That this Policy with regard to Legal support be applied retroactively to the first day of this term of Council.”
2. Councillor Mammoliti moved that the recommendations in the Recommendations Section of the report (January 29, 2007) from the Integrity Commissioner be amended by:
- a. deleting from Recommendation 1.d. the words “to claim” after the words “be eligible”, and replacing them with the words “for legal costs up to \$20,000, and also be eligible to claim”, so that Recommendation 1.d. now reads as follows:
- “1.d. That Members of Council, their staff, and local boards (restricted definition) be eligible for legal costs up to \$20,000, and also be eligible to claim for reimbursement of additional legal costs, of a

successful application for judicial review under the Judicial Review Procedure Act as well as those of intervention in a judicial review application arising from the actions of City Council or the Integrity Commissioner, or both under the Code of Conduct where their interests are at stake.”;

- b. deleting from Recommendation 1.a. the amount “\$20,000” and replacing it with the amount “\$40,000”, so that Recommendation 1.a. now reads as follows:

“1.a. An increase in the limit for an automatic claim for legal and associated costs from \$5,000 to \$40,000 in investigations where the Integrity Commissioner exercises the authority under the City of Toronto Act, 2006, to proceed under the powers conferred by the Public Inquiries Act.”; and

- c. adding the following new recommendation:

“That the Integrity Commissioner not investigate complaints against Members of Council within the six months before a Municipal Election, and that he investigate them once the Election has taken place.”

- 3. Councillor Del Grande moved that Council adopt the following motion:

“That a legal allowance be provided on a first consultation basis to obtain independent legal advice related to any Integrity Commissioner matter lodged against a Council Member.”

- 4. Councillor Ashton moved that Part c of motion 2 by Councillor Mammoliti be referred to the Integrity Commissioner for a report to City Council.

- 5. Councillor Carroll moved that motion 3 by Councillor Del Grande be referred to the Integrity Commissioner for a report to City Council, such report to include the financial implications.

Votes:

Adoption of Part a of motion 1 by Councillor Moscoe:

Yes - 26

Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Palacio, Parker, Perks, Perruzza, Shiner, Vaughan

<p>No - 3 Councillors: Ford, Holyday, Nunziata</p>
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Carried by a majority of 23.

Adoption of Part b of motion 1 by Councillor Moscoe:

<p>Yes - 27 Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Shiner, Vaughan</p>
<p>No - 2 Councillors: Ford, Holyday</p>

Carried by a majority of 25.

Adoption of Part c of motion 1 by Councillor Moscoe:

<p>Yes - 27 Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Shiner, Vaughan</p>
<p>No - 2 Councillors: Ford, Holyday</p>

Carried by a majority of 25.

Adoption of Part d of motion 1 by Councillor Moscoe:

<p>Yes - 27 Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Shiner, Vaughan</p>
<p>No - 2 Councillors: Ford, Holyday</p>

Carried by a majority of 25.

Adoption of Part a of motion 2 by Councillor Mammoliti:

Yes - 20 Councillors:	Augimeri, Bussin, Carroll, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Moscoe, Palacio, Parker, Perruzza, Shiner
No - 10 Councillors:	Ashton, Davis, Fletcher, Ford, Holyday, McConnell, Mihevc, Nunziata, Perks, Vaughan

Carried by a majority of 10.

Adoption of Part b of motion 2 by Councillor Mammoliti:

Yes - 14 Councillors:	Augimeri, Bussin, De Baeremaeker, Del Grande, Di Giorgio, Grimes, Jenkins, Kelly, Lindsay Luby, Mammoliti, Moscoe, Palacio, Perruzza, Shiner
No - 17 Councillors:	Ashton, Carroll, Davis, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Lee, McConnell, Mihevc, Minnan-Wong, Nunziata, Parker, Perks, Vaughan

Lost by a majority of 3.

Adoption of motion 4 by Councillor Ashton:

Yes - 24 Councillors:	Ashton, Augimeri, Bussin, Carroll, Di Giorgio, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Parker, Perks, Shiner
No - 7 Councillors:	Davis, De Baeremaeker, Del Grande, Mammoliti, Palacio, Perruzza, Vaughan

Carried by a majority of 17.

Adoption of motion 5 by Councillor Carroll:

Yes - 21

Minutes of the Council of the City of Toronto
February 5, 6, 7 and 8, 2007

Councillors:	Ashton, Carroll, Davis, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Parker, Perks, Vaughan
No - 10 Councillors:	Augimeri, Bussin, De Baeremaeker, Del Grande, Di Giorgio, Jenkins, Kelly, Minnan-Wong, Perruzza, Shiner

Carried by a majority of 11.

Adoption of Item CC2.5, as amended:

Yes - 28 Councillors:	Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Palacio, Parker, Perks, Perruzza, Shiner, Vaughan
No - 3 Councillors:	Ford, Holyday, Nunziata

Carried by a majority of 25.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the amendment of the Code of Conduct Complaint Protocol to provide that claims for reimbursement by members of Council be processed under the “Indemnification Policy for Members of Council”, subject to the following provisions applicable to Code of Conduct complaints:
 - a. An increase in the limit for an automatic claim for legal and associated costs from \$5,000 to \$20,000 in investigations where the Integrity Commissioner exercises the authority under the City of Toronto Act, 2006, to proceed under the powers conferred by the Public Inquiries Act or when a Member of Council finds it necessary to apply for judicial review.
 - b. That costs be available and payable in advance in any investigation in which the Integrity Commissioner is of the opinion that the use of a lawyer by the parties would facilitate the process
 - c. That members of Council, their staff, and local boards (restricted

definition) be eligible for costs in any case where the Integrity Commissioner reaches the conclusion that there was a violation but that it was committed through inadvertence or an error in judgment made in good faith, and that the City Solicitor's report under the policy will be in consultation with the Integrity Commissioner.

- d. That Members of Council, their staff, and local boards (restricted definition) be eligible for legal costs up to \$20,000, and also be eligible to claim for reimbursement of additional legal costs of a successful application for judicial review under the Judicial Review Procedure Act as well as those of intervention in a judicial review application arising from the actions of City Council or the Integrity Commissioner, or both, under the Code of Conduct where their interests are at stake.
2. City Council authorize the amendment of the Code of Conduct Complaint Protocol to include the follow procedures that reflect the City of Toronto Act, 2006:
 - a. The authority of the Integrity Commissioner to convene a public inquiry under the Public Inquiries Act.
 - b. After the Integrity Commissioner has reached the tentative conclusion that there has been a violation of the Code of Conduct and to recommend that Council impose a sanction, the Integrity Commissioner should provide the person under investigation with a notice to that effect and an opportunity to comment in person or in writing on that tentative conclusion including the proposed sanction.
 - c. Except where the Integrity Commissioner determines that disclosure is necessary for the purposes of the proper conduct of an investigation, during the course of an investigation, the Integrity Commissioner shall not reveal the existence of or the details of any investigation of a complaint.
 - d. In any final report to City Council or a local board (restricted definition) on a complaint, the Integrity Commissioner may include such matters as are necessary to establish the grounds for any findings or conclusions in that report, including the identities of the complainant, the member who was the subject of the complaint, and those providing information.
3. That Council authorize the City Manager, in consultation with the Integrity Commissioner, City Solicitor and Deputy City Manager and Chief Financial Officer to revise the Code of Conduct, Complaint Protocol and indemnity policies, as necessary, to incorporate the amendments set out in Recommendations 1 and 2 and any other technical revisions to reflect the inclusion of members of local boards in these policies, to post the revised policies on the applicable City and Integrity Commission websites, and to file a copy with the City Clerk.

4. That this Policy with regard to Legal support be applied retroactively to the first day of this term of Council.
5. That the following motion be referred to the Integrity Commissioner for a report to City Council:

Moved by Councillor Mammoliti:

“That the Integrity Commissioner not investigate complaints against Members of Council within the six months before a Municipal Election, and that he investigate them once the Election has taken place.”

6. That the following motion be referred to the Integrity Commissioner for a report to City Council, such report to include the financial implications:

Moved by Councillor Del Grande:

“That a legal allowance be provided on a first consultation basis to obtain independent legal advice related to any Integrity Commissioner matter lodged against a Council Member.”

Link to Background Information

Council considered the following:

- [Report \(January 29, 2007\) from the Integrity Commissioner \(CC2.5\).](#)

2.59 Review of Certain Applications before the North York Committee of Adjustment on September 22, 2005

CC2.6	AMENDED			
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This Item was considered during closed session.

(See Minute 2.84)

NOTICES OF MOTION

2.60 Compensation of Elected Officials

Moved by Councillor Walker, seconded by Councillor Jenkins

M1	REFERRED			
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February 5, 2007:

Speaker Bussin in the Chair.

Procedural Motion to Consider Motion M1 as an Urgent Item:

Councillor Walker moved that Motion M1 be considered as an urgent item, the vote on which was taken as follows:

Yes - 14 Councillors:	Cho, Del Grande, Ford, Holyday, Jenkins, Lee, Milczyn, Moeser, Nunziata, Palacio, Saundercook, Stintz, Thompson, Walker
No - 28 Mayor: Councillors:	Miller Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Minnan-Wong, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Vaughan

Lost by a majority of 14.

February 6, 2007:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M1 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M1 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M1, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to Consider Motion M1 at this meeting:

Yes - 14

Councillors:	Cho, Del Grande, Grimes, Holyday, Jenkins, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Stintz, Thompson, Walker
No - 27	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Vaughan

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

City Council Decision

City Council referred Motion M1 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M1](#)

2.61 **Toronto Election Finance Reform – Toward Implementation of By-laws**
Moved by Councillor Walker, seconded by Councillor Jenkins

M2	REFERRED			
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February 5, 2007:

Speaker Bussin in the Chair.

Procedural Motion to Consider Motion M2 as an Urgent Item:

Councillor Walker moved that Motion M2 be considered as an urgent item, the vote on which was taken as follows:

Yes - 10	
Councillors:	Cho, Ford, Holyday, Jenkins, Palacio, Perks, Saundercook, Stintz, Thompson, Walker
No - 32	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lee,

Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Parker, Perruzza, Rae, Shiner, Vaughan

Lost by a majority of 22.

February 6, 2007:
Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M2 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M2 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M2, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M2 at this meeting:

Yes - 7 Councillors:	Holyday, Jenkins, Lee, Moeser, Stintz, Thompson, Walker
No - 34 Mayor: Councillors:	Miller Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Vaughan

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

City Council Decision

City Council referred Motion M2 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M2](#)

2.62 Designation of City of Toronto Wards

Moved by Councillor Moscoe, seconded by Councillor De Baeremaeker

M3	REFERRED			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M3 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M3 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M3, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M3 at this meeting:

Yes - 4	
Councillors:	Augimeri, Mammoliti, Milczyn, Saundercook
No - 37	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker

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

City Council Decision

City Council referred Motion M3 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M3](#)

2.63 **Habitat for Humanity Request for Fee Forgiveness – 4200 Kingston Road**
Moved by Councillor Ainslie, seconded by Councillor De Baeremaeker

M4	REFERRED			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M4 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M4 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M4, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M4 at this meeting:

Yes - 12	
Councillors:	Bussin, Cho, Fletcher, Kelly, Lee, Mammoliti, McConnell, Milczyn, Moeser, Nunziata, Shiner, Walker
No - 29	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan

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

Procedural Motion to Reconsider:

Councillor Giambrone, with the permission of Council, moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider the procedural vote to consider Motion M4 at this meeting, the vote on which was taken as follows:

Yes - 42	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	

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

Procedural Vote to consider Motion M4 at this meeting:

Yes - 13	
Councillors:	Augimeri, Bussin, Cho, Fletcher, Kelly, Lee, Mammoliti, McConnell, Milczyn, Nunziata, Palacio, Shiner, Walker
No - 29	
Mayor:	Miller
Councillors:	Ainslie, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan

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

City Council Decision

City Council referred Motion M4 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M4](#)

2.64 **City Request Standing at Hearing over Conduct of Former Chief Financial Officer and Treasurer**

Moved by Councillor Walker, seconded by Councillor Holyday

M5	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M5 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M5 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M5, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M5 at this meeting:

Yes - 28	Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Heaps, Holyday, Jenkins, Lee, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 14	Mayor: Miller Councillors: Di Giorgio, Fillion, Grimes, Hall, Kelly, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Ootes, Parker, Perruzza

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

Vote:

Adoption of Motion M5, without amendment:

Yes - 37	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 5	
Councillors:	Di Giorgio, Filion, Lee, Mihevc, Minnan-Wong

Carried by a majority of 32.

City Council Decision

City Council adopted the following motions:

1. City Council direct the City Solicitor and other City Staff she deems necessary to seek standing in the disciplinary proceedings of the Institute of Chartered Accountants of Ontario respecting former Treasurer and C.F.O. of Toronto, Wanda Liczyk, and present the City's concerns over the conduct of the former Treasurer and C.F.O. most particularly in connection with the MFP leases;

and in the event this is not possible that:

2. City Council direct the City Solicitor to write to the Institute of Chartered Accountants of Ontario regarding the scope of the charges made by the Professional Conduct Committee expressing City Council's strong concerns and disappointment that the charges do not address the computer leasing contracts entered into with MFP Financial Services Ltd. as set out in Commissioner Bellamy's report.

Link to Background Information

Council considered the following:

- [Motion M5](#)

2.65 **Interim Public Appointment to the Toronto and Region Conservation Authority**

Moved by Councillor Augimeri, seconded by Councillor De Baeremaeker

M6	NO AMENDMENT		
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M6 be referred to the Civic Appointments Committee. A two-thirds vote of the Council Members present is required to consider Motion M6 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M6, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M6 at this meeting:

Yes - 40	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2	
Mayor:	Miller
Councillor:	Lee

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

Vote:

Motion M6 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. That Council extend Gay Cowbourne's term on the Toronto and Region Conservation Authority (TRCA) by appointing her as a citizen member to replace Shelley Petrie, on an interim basis at the pleasure of Council, until Council appoints its five citizen members for this term of Council.
2. That the City Clerk notify the TRCA of this appointment.

Link to Background Information

Council considered the following:

- [Motion M6](#)

- 2.66 **151 Wimbledon Road, OMB Hearing set for March 14, 2007**
Moved by Councillor Lindsay Luby, seconded by Councillor Mihevc

M7	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M7 be referred to the Etobicoke York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M7 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M7, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote:

The vote to consider Motion M7 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion M7 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. That City Council authorize the City Solicitor to attend the OMB hearing on March 14, 2007, and seek refusal of variances requested for 151 Wimbledon Road and retain consultants, including a land-use planner.

Link to Background Information

Council considered the following:

- [Motion M7](#)
- (January 17, 2007) Appointment for Hearing from the Secretary, Ontario Municipal Board, which is on file in the City Clerk's Office.
- (November 13, 2006) Notice of Decision from the Manager and Deputy Secretary-Treasurer, Etobicoke York District, which is on file in the City Clerk's Office.

2.67 **Appointment of Community Members to the Agnes Macphail Award
Community Selection Committee**

Moved by Councillor Davis, seconded by Councillor Fletcher

M8	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M8 be referred to the Toronto and East York and North York Community Councils. A two-thirds vote of the Council Members present is required to consider Motion M8 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M8, a confidential Fiscal Impact Statement (February 2, 2007) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to consider Motion M8 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion M8 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. That Council endorse the appointment of two community members as identified in the attached confidential appendix to the Agnes Macphail Award Community Selection Committee.

The following recommendation in the confidential Attachment to Motion M8 is now public and the balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons:

1. Toronto City Council endorse the appointment of Helen Kennedy, former East York Councillor, and of Katherine Kerzati, member of Council appointed Board/Committee, to the Agnes Macphail Award Selection Committee.

Link to Background Information

Council considered the following:

- [Motion M8](#)

2.68 **City Council Support \$10/hour Minimum Wage Proposal**
Moved by Councillor Walker, seconded by Councillor Thompson

M9	REFERRED			
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February 5, 2007

Speaker Bussin in the Chair.

Procedural Motion to Consider Motion M9 as an Urgent Item:

Councillor Walker moved that Motion M9 be considered as an urgent item, the vote on which was taken as follows:

Yes - 18	
Councillors:	Augimeri, Carroll, Davis, Del Grande, Grimes, Heaps, Holyday, Jenkins, Milczyn, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Thompson, Walker
No - 23	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, De Baeremaeker, Feldman, Filion, Fletcher, Ford, Hall, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Parker, Saundercook, Shiner, Vaughan

Lost by a majority of 5.

February 6, 2007:

Speaker Bussin in the Chair.

Ruling by Speaker:

Councillor Minnan-Wong requested Speaker Bussin to rule on whether Motion M9 was in order.

Speaker Bussin ruled Motion M9 in order, as it is asking for Council's endorsement and, in the past, Motions of a similar nature have been ruled in order.

Councillor Minnan-Wong challenged the ruling of the Speaker.

Vote to Uphold Ruling of Speaker:

Yes - 34	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Thompson, Vaughan, Walker
No - 8	
Councillors:	Holyday, Lee, Milczyn, Minnan-Wong, Ootes, Saundercook, Shiner, Stintz

Carried by a majority of 26.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M9 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M9 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M9, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M9 at this meeting:

Yes - 15 Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Giambrone, Heaps, Jenkins, Nunziata, Perks, Perruzza, Rae, Thompson, Walker
No - 27 Mayor: Councillors:	Miller Ainslie, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Hall, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Saundercook, Shiner, Stintz, Vaughan

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

City Council Decision

City Council referred Motion M9 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M9](#)

2.69 **Liquor Licence Application - Fiona's CC Restaurant and Bar, 99 Pape Avenue**

Moved by Councillor Fletcher, seconded by Councillor Davis

M10	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M10 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M10 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M10, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote:

The vote to consider Motion M10 at this meeting carried, two-thirds of Members present having voted in the affirmative.

City Council Decision

City Council adopted the following motions:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario ("AGCO") that the issuance of a liquor licence for Fiona's CC Restaurant and Bar, 99 Pape Avenue, is not in the public interest having regard to the needs and wishes of the residents and that the Registrar should issue a Proposal to Review the liquor licence application.
2. The AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to the Premises to oppose the issuance of a liquor licence.

3. The City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions so as to give effect to this Motion.

Link to Background Information

Council considered the following:

- [Motion M10](#)

2.70 Federal Literacy Funding

Moved by Councillor Ainslie, seconded by Councillor Carroll

M11	REFERRED			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M11 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M11 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M11, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M11 at this meeting:

Yes - 26	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Heaps, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Perks, Perruzza, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 16	
Mayor:	Miller
Councillors:	Di Giorgio, Grimes, Hall, Holyday, Jenkins, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio,

Pantalone, Parker, Rae, Stintz

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

City Council Decision

City Council referred Motion M11 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M11](#)

2.71 **Liquor Licence Application - Good 2 Go Jamaican Restaurant and Bar,
10 Melford Drive, Unit 17B**

Moved by Councillor Cho, seconded by Councillor Walker

M12	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M12 be referred to the Scarborough Community Council. A two-thirds vote of the Council Members present is required to consider Motion M12 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M12, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote:

The vote to consider Motion M12 at this meeting carried, two-thirds of Members present having voted in the affirmative.

City Council Decision

City Council adopted the following motions:

1. City Council direct the City Clerk to advise the Registrar of the Alcohol and Gaming Commission of Ontario (“AGCO”) that the removal of the condition of the liquor licence for Good 2 Go Jamaican Restaurant and Bar, 10 Melford Drive, Unit 17B, that “The sale and service of alcoholic beverages shall cease at 8:00 p.m. daily” is not in the public interest having regard to the needs and wishes of the residents and that the Registrar should issue a Proposal to Refuse to Remove a Condition of a licence.
2. The AGCO be requested to provide the City with an opportunity to participate in any proceedings with respect to the Premises to oppose the removal of this condition of the liquor licence.
3. The City Solicitor be authorized to attend all proceedings before the AGCO in this matter and be directed to take all necessary actions so as to give effect to this Motion.

Link to Background Information

Council considered the following:

- [Motion M12](#)

2.72 **296 Riverside Drive, OMB Hearing set for March 8, 2007**
Moved by Councillor Saundercook, seconded by Councillor Grimes

M13	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M13 be referred to the Etobicoke York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M13 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M13, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer

advising that there was no financial impact resulting from the adoption of this Motion.
(See Fiscal Impact Statement summary, Page 180)

Procedural Vote:

The vote to consider Motion M13 at this meeting carried, two-thirds of Members present having voted in the affirmative.

City Council Decision

City Council adopted the following motion:

1. That City Council authorize the City Solicitor to attend the OMB hearing on March 8, 2007, to seek refusal of the requested variances for 296 Riverside Drive, and to retain necessary outside planning consultants.

Link to Background Information

Council considered the following:

- [Motion M13](#)
- (October 13, 2006) Notice of Decision from the Manager and Deputy Secretary-Treasurer, Etobicoke York District, which is on file in the City Clerk's Office.

Communication

- (January 29, 2007) from Stuart and Paulette French, Sherri Mitchell and Stephen Fyfe, and Dana Kalczak, which is on file in the City Clerk's Office.
[Communication M13.1].

MOTIONS WITHOUT NOTICE

- 2.73 **Review of OMB Decisions Nos. 0052, 0053, 0054**
Re: 3 Development Sites in West Queen West Triangle
Moved by Mayor Miller, seconded by Councillor Giambrone

M14	AMENDED			
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This Motion was considered during closed session.

(See Minute 2.80)

- 2.74 **Authority to Enter into a Heritage Easement Agreement - 130 Bloor Street West – Ward 27 (Toronto Centre-Rosedale)**
Moved by Councillor Rae, seconded by Councillor McConnell

M15	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Procedural Motion to Waive Notice:

Councillor Rae moved that the necessary provisions of Chapter 27, Council Procedures, be waived to permit introduction of Motion M15, which carried, two-thirds of Members present having voted in the affirmative.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M15 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M15 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M15, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote:

The vote to consider Motion M15 at this meeting carried, two-thirds of Members present having voted in the affirmative.

City Council Decision

City Council adopted the following motion:

1. Council of the City of Toronto grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the owner of 130 Bloor Street West using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division.

Link to Background Information

Council considered the following:

- [Motion M15](#)

2.75 Temporary Rental and Sales Offices in former City of North York – Appeals to By-law 686-2006

Moved by Councillor Shiner, seconded by Councillor Filion

M16	AMENDED			
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February 6, 2007

Speaker Bussin in the Chair.

Procedural Motion to Waive Notice:

Councillor Shiner moved that the necessary provisions of Chapter 27, Council Procedures, be waived to permit introduction of Motion M16, moved by Councillor Ashton, seconded by Councillor Filion, and in the absence of Councillor Ashton, moved by Councillor Shiner, which carried, two-thirds of Members present having voted in the affirmative.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M16 be referred to the Planning and Growth Management Committee. A two-thirds vote of the Council Members present is required to consider Motion M16 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M16, a confidential Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to consider Motion M16 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Shiner moved that Council amend the confidential instructions to staff in accordance with his confidential motion.

Votes:

The motion by Councillor Shiner carried.

Motion M16, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Council adopt the confidential recommendation in Attachment 1.
2. Council authorize the public release of the confidential recommendations, but not the confidential information, in Attachment 1 in the event the recommendations are adopted by Council.

The confidential recommendation in Attachment 1, as amended, is now public and the balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that relates to litigation or potential litigation and is subject to solicitor-client privilege:

That City Council:

1. instruct the City Solicitor to attend at the Ontario Municipal Board to settle, on a without cost basis, the appeals of By-law 686-2006 for the following properties through an exemption for each of those properties to the provisions of the By-law:
 - a. 603 Sheppard Avenue East and 24-26 Rean Drive, provided that with respect to 24-26 Rean Drive a temporary rental and sales office is not in use at the property municipally known as 603 Sheppard Avenue East and provided with respect to both 603 Sheppard Avenue East and 24-26 Rean Drive rentals and sales are limited to units in developments constructed or to be constructed on the lands bounded by Sheppard Avenue East to the north, Bayview Avenue to the west, Highway 401 to the south and Rean Drive and Rean Park to the east and on the lands municipally known as 603-615 Sheppard Avenue East, 6-10 Dervock Crescent, 9-17 Rean Drive and 2901 Bayview Avenue, subject to a temporary rental and sales office being prohibited at 2901 Bayview Avenue in the event that rentals and sales of units for the 2901 Bayview Avenue development are to be made out of a temporary rental and sales office at either 24-26 Rean Drive or 603 Sheppard Avenue East. Such exemptions to the Temporary Rental and

Sales Offices By-law to be subject to the owner entering into an Undertaking with the City whereby the owner agrees:

- i. not to remove any trees from the site at 2901 Bayview Avenue until just prior to the owner commencing construction of the development;
 - ii. not to erect any construction hoarding around the site at 2901 Bayview Avenue until just prior to the owner commencing construction of the development; and
 - iii. to maintain the properties at 18, 20 and 22 Rean Drive in and orderly and attractive condition pending redevelopment of those lands.
- b. 37 Holmes Avenue; and
 - c. 2130 Bayview Avenue.

Link to Background Information

Council considered the following:

- [Motion M16 with attached report \(January 29, 2007\) from the City Solicitor](#)

2.76 **Ontario Municipal Board Hearing re 69 - 71 Portland Street**
Moved by Councillor Vaughan, seconded by Deputy Mayor Pantalone

M17	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Procedural Motion to Waive Notice:

Councillor Vaughan moved that the necessary provisions of Chapter 27, Council Procedures, be waived to permit introduction of Motion M17, which carried, two-thirds of Members present having voted in the affirmative.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M17 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote:

The vote to consider Motion M17 at this meeting carried, two-thirds of Members present having voted in the affirmative.

City Council Decision

City Council adopted the following motion:

1. That the City Solicitor be instructed to accept the applicant's offer to settle with the City and to accept the public benefits being offered and to withdraw the City's appeal to the Ontario Municipal Board.

Link to Background Information

Council considered the following:

- [Motion M17](#)
- (August 10, 2006) Notice of Decision from the Acting Manager and Deputy Secretary Treasurer, Toronto and East York Panel, which is on file in the City Clerk's Office.

Declared Interest (City Council)

Councillor Shiner - declared an interest in this Motion, in that his family owns property in the immediate area.

2.77 **Appeals to the Ontario Municipal Board: Victoria University/Minto; OPA, Rezoning, Heritage Designation, Demolition, Alteration and Private Tree By-law Applications; 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West**

Moved by Councillor Rae, seconded by Mayor Miller

M18	NO AMENDMENT			
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February 6, 2007

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M18 had been submitted to the Clerk after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M18.

Procedural Vote:

The vote to introduce Motion M18 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.

City Council Decision

City Council adopted the following motions:

1. That City Council approve the settlement offer contained in the confidential attachment to the City Solicitor's report dated February 6, 2007.
2. Council's instructions to staff in respect of the Ontario Municipal Board hearing for 4, 6 and 8 St. Thomas and 100-110 Charles Street West and other related matters affecting these lands be authorized for public release after this item has been completed.

The confidential recommendations in Attachment 1 to the report (February 6, 2007) from the City Solicitor are now public and the balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that relates to litigation:

1. That the City Solicitor, in consultation with the Chief Planner, be authorized to settle the appeal of the Official Plan and Zoning By-law Amendment application and related applications, including applications under the Ontario Heritage Act, as well as Section 33 of the Planning Act, generally on the basis of the following and that the City Solicitor, in consultation with the Chief Planner, take the necessary steps to implement the settlement:
 - (1) Support of an official plan and zoning by-law amendment which provides for the development of the subject lands, substantially in accordance with the plans, prepared by Hariri Pontarini Architects and Zeidler Partnership Architects in Joint Venture, dated January 25, 2007 (the "Plans") and permitting a hotel use.
 - (2) The implementing by-laws shall require the provision and maintenance of the following facilities, services and matters by the owner, at its expense, and in accordance with the Section 37 agreement required in (k) below, in exchange for the increases in height and density pursuant to Section 37 of the Planning Act:
 - (a) A \$250,000 contribution for a Museum Subway station upgrade, such upgrade to be made in consultation with the local councillor;
 - (b) A \$500,000 contribution to the Capital Revolving Fund for affordable housing as a cash payment;
 - (c) A \$200,000 contribution to the City's Heritage Grant Program;
 - (d) Securing exterior building materials and landscape materials satisfactory to the Chief Planner, acting reasonably;
 - (e) Tree protection securities for four London Plane trees to the satisfaction of the City Forester;
 - (f) Housing Package which provides for the retention of 16 rental housing units at 8 St. Thomas Street for at least 10 years at affordable rates and that an application for condominium registration for such units, shall not be made until the 10 year period has passed, as set forth in Recommendation 11 below;
 - (g) Documentation of the existing buildings at 100-108 Charles Street West and 4 and 6 St. Thomas Street, satisfactory to the Manager, Heritage Preservation Services prior to the issuance of any demolition permits;
 - (h) Payment for improvement of municipal infrastructure and

municipal lighting required for the redevelopment as set out in the owner's technical reports satisfactory to the Executive Director of Technical Services;

- (i) Payment of \$28,000 to the Toronto Parking Authority for the cost of removing the two pay and display parking spaces on Charles St. West and the lost revenue of such spaces;
 - (j) all required section 37 financial contributions are not subject to indexing and are payable at the time of issuance of the first above grade building permit for the southern portion of the re-development; and
 - (k) the entering into and registration of a Section 37 Agreement, to the satisfaction of the City Solicitor in consultation with the Chief Planner to secure the above matters.
2. The owner agrees to execute a heritage easement agreement satisfactory to the City Solicitor in consultation with the Manager, Preservation Services and the Chief Planner, pursuant to Section 37 of the Ontario Heritage Act and such agreement is registered on title to the lands in a manner satisfactory to the City Solicitor, prior to any building permit issuing for the site, including a demolition permit or shoring and excavation permit, for the property municipally known as 8 St. Thomas Street, providing for the retention and maintenance of such property, with such alterations as are substantially in accordance with the Plans.
3. Approval is granted to remove the private trees at 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West which are referred to in the staff report of August 17, 2006, as contained in Consolidated Clause in Toronto and East York Community Council Report 7, which was considered by City Council at its meeting on September 25, 26 and 27, 2006, on the condition that for every tree removed, three replacement trees are planted on the University of Toronto lands.
4. Permission is granted under the Ontario Heritage Act to alter the building at 8 St. Thomas Street as provided for in the Plans subject to the owner providing a Conservation Plan for 8 St. Thomas that is satisfactory to the Manager, Heritage Preservation Services prior to the issuance of Site Plan Approval.
5. Withdrawal of the Notice of Intention to Designate 6 St. Thomas Street, so that permission under the Ontario Heritage Act to demolish the building is not required.

6. Confirmation that the required notice has been given pursuant to Section 27(3) of the Ontario Heritage Act and permission is granted for the demolition of the buildings at 100-108 Charles Street West.
7. Withdrawal by the applicant of their objections to Council's intention to designate 6 and 8 St. Thomas and 110 Charles Street West.
8. Approval is granted to revise the proposed designation of the McKinsey Building at 110 Charles Street to the satisfaction of the Manager, Heritage Preservation Services, to provide for the re-development in accordance with the Plans, as well as the existing zoning rights as reflected in Zoning By-law 438-86. Section 12 1(438) of the By-law provides for an addition to the Building.
9. Site Plan Approval of the Plans is supported subject to the City's standard conditions of site plan approval and the requirements to enter into and register a Site Plan Agreement and the Section 37 Agreement satisfactory to the City Solicitor in consultation with the Chief Planner, and provide a Conservation Plan for 8 St. Thomas that is satisfactory to the Manager, Heritage Preservation Services.
10. Permission is granted under section 33 of the Planning Act, and any other necessary approvals under the Ontario Heritage Act and/or any other applicable legislation, which is required to permit the demolition of the buildings at 100, 102, 106 and 108 Charles Street, 4 and 6 St. Thomas Street, as well as to permit alterations to 8 St. Thomas to reduce the number of dwelling units from 20 to 16 as shown on the Plans, subject to the following timing:
 - (a) the demolition permits for 100, 102, 106 and 108 Charles Street, and 4 St. Thomas will be granted conditional upon entering into and registering the above-mentioned Section 37 agreement for the lands;
 - (b) the demolition permit for 6 St. Thomas will be granted conditional upon the substantial completion of the 16 dwelling units to be provided in 8 St. Thomas, and that such units be available for occupancy; and
 - (c) the demolition permit/building permit to permit the alterations to 8 St. Thomas will be conditional upon entering into and registering the above mentioned 37 agreement for the lands, and the above mentioned Heritage Easement Agreement for 8 St. Thomas.
11. The Housing Package is substantially as set out in the Zoning By-law Amendment, which was submitted as Exhibit 51A at the Ontario Municipal Board proceedings, as discussed in greater detail below, which shall be secured against the northern portion of the subject redevelopment (located within Area B of Exhibit 51) as follows:

- (1) All existing tenants of 6 and 8 St. Thomas (the “Existing Tenants”) have been offered a relocation package equal to 12 times their monthly rent plus \$500 moving expenses (the “Relocation Offer”).
- (2) 8 St. Thomas will be renovated initially (the “Initial Renovations”) to provide 16 units of rental housing (the “Replacement Units”) for a period of ten years (the “Ten Year Period”). The term “Initial Renovations” does not include specific upgrades requested by Existing Tenants as additional improvements to the Replacement Units. The Replacement Units shall not form part of a condominium for a minimum period of 10 years, and thereafter the owner is not precluded from making a condominium application. The Initial Renovations will be generally substantially in accordance with the Plans.
- (3) The Replacement Units will have unit areas similar to the existing units in 6 and 8 St. Thomas as shown on the Plans.
- (4) The Existing Tenants who do not accept the Relocation Offer, will be offered a right of first refusal to a Replacement Unit.
- (5) During the period of the Initial Renovations, Existing Tenants may be required to relocate temporarily to 6 St. Thomas or comparable accommodation.
- (6) The Replacement Units shall be available for occupancy with the Initial Renovations substantially completed prior to the issuance of above-grade building permits for the rest of the development on the site.
- (7) In respect of each Replacement Unit, the Ten Year Period shall commence on the later of:
 - (a) the date the Zoning By-law Amendment becomes final and binding;
or
 - (b) the date the Replacement Unit is available for occupancy with all Initial Renovations in respect of that unit having been substantially completed.
- (8) During the Ten Year Period, the rents for the Replacement Units will be affordable (“Affordable Rents”), according to the following criteria:
 - (a) an Existing Tenant renting a Replacement Unit will pay a rent based on the current rent paid by that Tenant;

- (b) if a Replacement Unit is initially or subsequently rented by someone other than an Existing Tenant (the “Other Tenants”), the Other Tenant will pay a rent based on average rent by unit type for the Toronto Zone as reported by the Canada Mortgage and Housing Corporation; and
 - (c) All rents referred to in (a) and (b) shall be subject to increases permitted in accordance with the Tenant Protection Act, or successor legislation in force at that time (“Provincial Legislation”), except that the cost of the Initial Renovations shall not be passed on the Existing Tenants or the Other Tenants.
- (9) After the Ten Year Period, rents charged for the Replacement Units will be governed by Provincial Legislation, however the provision of Affordable Rents will no longer be required.
 - (10) Rents charged will include utilities and cable, and will exclude other services or matters, including, but not limited to, parking.
 - (11) Rents charged to Existing Tenants and Other Tenants shall in each case be personal to those tenants. Existing Tenants and Other Tenants shall not be entitled to assign or sublet a Replacement Unit without the consent of the landlord.
 - (12) The owner of 8 St. Thomas may select any Other Tenant in accordance with Provincial Legislation; and
12. That the appropriate City officials be authorized to take such further and other steps as are required to implement the intent of the settlement.

Link to Background Information

Council considered the following:

- [Motion M18 with attached report \(February 6, 2007\) from the City Solicitor](#)

February 5, 2007

Speaker Bussin in the Chair.

Procedural Motions for Motion without Notice M14 to be considered in closed session:

Mayor Miller moved that Council waive the necessary provisions of Chapter 27, Council Procedures, to permit introduction of Motion without Notice M14, moved by

Mayor Miller, seconded by Councillor Giambrone, respecting a Review of OMB Decisions Nos. 0052, 0053, 0054, Re: 3 Development Sites in West Queen West Triangle.

Procedural Vote to Introduce Motion M14:

Yes - 31	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Vaughan, Walker
No - 10	
Councillors:	Augimeri, Del Grande, Feldman, Ford, Holyday, Minnan-Wong, Saundercook, Shiner, Stintz, Thompson

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

Advice by Speaker:

Speaker Bussin advised Council that the provisions of Chapter 27, Council Procedures, require that this Motion be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider the Motion at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M14, a Fiscal Impact Statement (February 5, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement summary, Page 180)

Procedural Vote to consider Motion M14 at this meeting:

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Thompson, Vaughan, Walker
No - 8	
Councillors:	Augimeri, Del Grande, Feldman, Holyday, Minnan-Wong, Saundercook, Shiner, Stintz

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

2.78 **CLOSED MEETING SESSION OF THE COMMITTEE OF THE WHOLE**

February 5, 2007 - Closed Session 1

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Moscoe, at 5:00 p.m., moved that Council recess its public session to meet as Committee of the Whole in closed session to consider the following confidential matters on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006:

- EX2.4a Lobbying Control Framework (as it pertains to a personal matter about an identifiable person and labour relations or employee negotiations)

- EX2.7 Enwave Capital Call - Funding Source (as it pertains to the security of the property of the municipality)

- EY2.11 Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown (as it pertains to solicitor-client privilege)

- PW2.2 Settlement Proposal for the Contractual Issues with the Eucan Litter/Recycling Bin Contract (as it pertains to litigation or potential litigation)

- CC2.2 Appeals to the Ontario Municipal Board: K & G Oakburn Apartments I and II Limited; OPA, Rezoning & Subdivision Applications; 1-12 Oakburn Crescent and 14-40 Oakburn Place (as it pertains to litigation or potential litigation)

- CC2.3 Request for directions regarding the February 20, 2007, OMB prehearing regarding 1705 - 1745 Avenue Road (as it pertains to litigation or potential litigation and solicitor-client privilege)

- CC2.6 Review of Certain Applications before the North York Committee of Adjustment (as it pertains to personal matters about identifiable persons)

- M14 Review of OMB Decisions Nos. 0052, 0053, 0054
Re: 3 Development Sites in West Queen West Triangle
Moved by Mayor Miller, seconded by Councillor Giambrone (as it pertains to solicitor-client privilege)

Vote:

The motion by Councillor Moscoe carried.

Council recessed its public session at 5:02 p.m. to meet as Committee of the Whole in the Council Chamber to consider the above matters, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 6:00 p.m., and met in public session in the Council Chamber.

Speaker Bussin took the Chair and called the Members to order.

In accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, Speaker Bussin reported that Committee of the Whole had concluded its consideration of Item CC2.3, Request for directions regarding the February 20, 2007, OMB prehearing regarding 1705 - 1745 Avenue Road. Committee of the Whole had not concluded its consideration of the other confidential matters remaining on the Order Paper.

2.79 Request for directions regarding the February 20, 2007 OMB prehearing regarding 1705 - 1745 Avenue Road

CC2.3	NO AMENDMENT		
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Report of the Committee of the Whole:

Speaker Bussin, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that no motions had been moved in Committee of the Whole for consideration by Council with the Item.

Vote:

Adoption of the Item, without amendment:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Palacio, Perks, Saundercook, Shiner, Stintz, Walker
No - 10	
Councillors:	Carroll, Ford, Giambrone, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Perruzza, Rae

Carried by a majority of 19.

City Council Decision

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. Council authorize the public release of confidential Recommendation 1 in Attachment 1, in the event it is adopted by Council.

The following Recommendation 1 contained in Attachment 1 is now public and balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that relates to litigation or potential litigation and is subject to solicitor-client privilege:

The City Solicitor:

1. be authorized to inform the OMB:
 - a. with respect to “the size of the building” the City “is projecting”, it is the City’s position that it would be premature to approve a development at more than 5 storeys on the Site in advance of the completion of the Avenue Study that has been commissioned for Avenue Road from Wilson Avenue to Lawrence Avenue West;
 - b. the City seeks Section 37 contributions pro-rated on a gross floor area basis from the \$400,000.00 recommended in the Final Report; and
 - c. the City will not advance issues at the OMB with respect to traffic, parking and loading, or Site ingress/egress (including ingress/egress by way of the rear laneway between St. Germain Avenue and Fairlawn Avenue),

provided the applicant complies with the recommendations of the Final Report with respect to these matters.

Link to Background Information

Council considered the following:

- [Report \(January 25, 2007\) from the City Solicitor \(CC2.3\).](#)

(Confidential Minute 2.79)

February 5, 2007 - Closed Session 2

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Ootes, at 7:43 p.m., moved that Council recess its public session to meet as Committee of the Whole in closed session to consider the confidential matters remaining on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006.

Vote:

The motion by Councillor Ootes carried.

Council recessed its public session at 7:44 p.m. to meet as Committee of the Whole in closed session to consider the remaining confidential matters, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 9:51 p.m., and met in public session in the Council Chamber.

Speaker Bussin took the Chair and called the Members to order.

In accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, Speaker Bussin reported that Committee of the Whole had not concluded its consideration of any of the remaining confidential matters.

February 6, 2007 - Closed Session 3

Speaker Bussin in the Chair.

Procedural Motion:

Councillor De Baeremaeker, at 9:46 a.m., moved that Council recess its public session to meet as Committee of the Whole in closed session to consider the confidential matters remaining on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006.

Vote:

The motion by Councillor De Baeremaeker carried.

Council recessed its public session at 9:47 a.m. to meet as Committee of the Whole in closed session to consider the remaining confidential matters, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 10:56 a.m., and met in public session in the Council Chamber.

Speaker Bussin took the Chair and called the Members to order.

In accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, Speaker Bussin reported that Committee of the Whole had concluded its consideration of Motion M14. Committee of the Whole had not concluded its consideration of the other confidential matters remaining on the Order Paper.

2.80 **Review of OMB Decisions Nos. 0052, 0053, 0054**
Re: 3 Development Sites in West Queen West Triangle
Moved by Mayor Miller, seconded by Councillor Giambrone

M14	AMENDED		
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February 5, 2007 - Public Session

Speaker Bussin in the Chair.

1. Mayor Miller moved that Recommendation 2 contained in the report (January 29, 2007) from the City Solicitor, be amended by deleting the words “at the conclusion of the Council meeting” and replacing them with the words “after this Item has been completed”, so that Recommendation 2 now reads as follows:
 2. Council’s instructions to staff in respect of the Ontario Municipal Board hearing related to this matter be authorized for public release after this Item has been completed.
2. Councillor Giambrone moved that the Mayor, in consultation with appropriate staff, be authorized to request the Minister of Municipal Affairs and Housing to enact a Ministerial Zoning Order for the entire West Queen West Triangle,

including the sites subject to the OMB decision issued January 10, 2007, which would reflect the findings of the Area Official Plan and Zoning Study adopted by Council at its meeting of September 25, 26, 27 and 28, 2006 (Administration Committee Report 6, Clause 43) and other related previously adopted Council recommendations.

Procedural Motion:

Councillor Minnan-Wong moved that Council hold Motion M14 down so he can ask questions during closed session, the vote upon which was taken as follows:

Yes - 32 Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Milczyn, Minnan-Wong, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 9 Mayor: Councillors:	Miller Filion, Fletcher, Giambrone, Hall, Lindsay Luby, McConnell, Moeser, Nunziata

Carried by a majority of 23.

February 6, 2007

Speaker Bussin in the Chair.

Speaker Bussin, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that no motions had been moved in Committee of the Whole for consideration by Council with the Item.

Ruling by Speaker:

Councillor Minnan-Wong asked to speak to this Item in public session. Speaker Bussin ruled that the public debate on this Item was completed.

Councillor Minnan-Wong challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 19 Mayor: Councillors:	Miller Bussin, Carroll, Cho, De Baeremaeker, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby,
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Minutes of the Council of the City of Toronto
February 5, 6, 7 and 8, 2007

	McConnell, Mihevc, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae
No - 22 Councillors:	Ainslie, Ashton, Augimeri, Davis, Del Grande, Di Giorgio, Ford, Grimes, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Saundercook, Shiner, Thompson, Vaughan, Walker

Lost by a majority of 3.

Votes:

Motion 1 by Mayor Miller carried.

Motion 2 by Councillor Giambrone carried.

Adoption of confidential Recommendation 1 in Attachment 1 to the report (January 29, 2007) from the City Solicitor:

Yes - 30 Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Perks, Rae, Saundercook, Vaughan, Walker
No - 12 Councillors:	Augimeri, Del Grande, Di Giorgio, Ford, Holyday, Minnan-Wong, Nunziata, Ootes, Parker, Perruzza, Shiner, Thompson

Carried by a majority of 18.

Adoption of confidential Recommendation 2 in Attachment 1 to the report (January 29, 2007) from the City Solicitor:

Yes - 33 Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker

No - 9 Councillors: Augimeri, Ford, Holyday, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Thompson
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Carried by a majority of 24.

Adoption of confidential Recommendation 3 in Attachment 1 to the report (January 29, 2007) from the City Solicitor:

Yes - 40 Mayor: Miller Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Vaughan, Walker
No - 2 Councillors: Ford, Thompson

Carried by a majority of 38.

Adoption of confidential Recommendation 4 in Attachment 1 to the report (January 29, 2007) from the City Solicitor:

Yes - 41 Mayor: Miller Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 1 Councillor: Ford

Carried by a majority of 40.

Adoption of Motion M14, as amended:

Yes - 31 Miller

Mayor:	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
No - 11	
Councillors:	Augimeri, Del Grande, Di Giorgio, Ford, Holyday, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Thompson

Carried by a majority of 20.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1 to the report (January 29, 2007) from the City Solicitor.
2. That Council's instructions to staff in respect of the Ontario Municipal Board hearing related to this matter be authorized for public release after this Item has been completed.
3. Authorize the Mayor, in consultation with appropriate staff, to request the Minister of Municipal Affairs and Housing to enact a Ministerial Zoning Order for the entire West Queen West Triangle, including the sites subject to the OMB decision issued January 10, 2007, which would reflect the findings of the Area Official Plan and Zoning Study adopted by Council at its meeting of September 25, 26, 27 and 28, 2006 (Administration Committee Report 6, Clause 43) and other related previously adopted Council recommendations.

The confidential recommendations in Attachment 1 to the report (January 29, 2007) from the City Solicitor are now public and the balance of the Attachment remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

- (1) the motion for leave to appeal to the Divisional Court from the Ontario Municipal Board (OMB) Decisions of January 10th, 2007 respecting 1171 Queen Street West, 150 Sudbury Street and 48 Abell Street, Toronto be confirmed and the City Solicitor be instructed to proceed with the appeal if leave is granted by the court;
- (2) the appropriate City officials be authorized to pay any costs of the motion for leave and any subsequent appeal, in the event the Divisional Court so orders;

- (3) the OMB be requested to review its decisions of January 10th, 2007 pursuant to Section 43 of the Ontario Municipal Board Act; and
- (4) staff be directed to continue to have discussions with the owners of these development sites to seek possible settlement of any or all the issues pertaining to redevelopment as outlined in this and previous reports to Council.

Link to Background Information

Council considered the following:

- [Motion M14 with Attached Report \(January 29, 2007\) from the City Solicitor](#)

(Confidential Minute 2.80)

February 7, 2007 - Closed Session 4

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Ashton, at 9:45 a.m., moved that Council recess its public session to meet as Committee of the Whole in closed session to consider the confidential matters remaining on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006.

Vote:

The motion by Councillor Ashton carried.

Council recessed its public session at 9:48 a.m. to meet as Committee of the Whole in closed session to consider the remaining confidential matters, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 11:14 a.m., and met in public session in the Council Chamber.

Speaker Bussin took the Chair and called the Members to order.

In accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, Speaker Bussin reported that Committee of the Whole had not concluded its consideration of the confidential matters remaining on the Order Paper.

February 7, 2007 - Closed Session 5

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Shiner, at 1:58 p.m., moved that Council recess its public session to meet as Committee of the Whole in closed session to consider the confidential matters remaining on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006.

Vote:

The motion by Councillor Shiner carried.

Council recessed its public session at 2:00 p.m. to meet as Committee of the Whole in closed session to consider the remaining confidential matters, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 2:21 p.m., and met in public session in the Council Chamber.

Speaker Bussin took the Chair and called the Members to order.

In accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, Speaker Bussin reported that Committee of the Whole had concluded its consideration of the following Items:

EX2.7 - Enwave Capital Call - Funding Source

PW2.2 - Settlement Proposal for the Contractual Issues with the Eucan Litter/Recycling Bin Contract

EY2.11 - Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown

CC2.6 - Review of Certain Applications before the North York Committee of Adjustment on September 22, 2005

Council subsequently dealt with the following Item in public session only, with no discussion taking place during closed session:

CC2.2 - Appeals to the Ontario Municipal Board: K & G Oakburn Apartments I and II Limited; OPA, Rezoning & Subdivision Applications; 1-12 Oakburn Crescent and 14-40 Oakburn Place (See Minute 2.56)

2.81 Enwave Capital Call - Funding Source

EX2.7	AMENDED		Policy	Wards: All
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February 7, 2007

Speaker Bussin in the Chair.

Report of the Committee of the Whole:

Speaker Bussin, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that the following motion had been moved in Committee of the Whole for consideration by Council with the Item.

1. Councillor Del Grande moved the Item be amended by adding the following:

The Chief Financial Officer and Deputy City Manager report to the Executive Committee on a long-term financial investment analysis with regard to the City's investment in Enwave.

2. Deputy Mayor Pantalone moved that motion 1 by Councillor Del Grande be amended by adding the words "such a report to include economic and climate change benefits and implications for the City of Toronto".

Votes:

Motion 1 by Councillor Del Grande, as amended by motion 2 by Deputy Mayor Pantalone, carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The Deputy City Manager and Chief Financial Officer fund the City's participation in an anticipated 2007 Enwave Energy Corporation ("Enwave") capital call (amount identified in confidential Attachment 1 to this report) from the City's "Strategic Infrastructure Partnership Reserve Fund Account.
2. The Chief Financial Officer and Deputy City Manager report to the Executive Committee on a long-term financial investment analysis with regard to the City's investment in Enwave, such a report to include economic and climate change benefits and implications for the City of Toronto.

Confidential Attachment 1 to the report (January 2, 2007) from the Deputy City

Manager and Chief Financial Officer remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information regarding the security of the property of the municipality or local board.

Background Information

2007-ex2-7

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1003.pdf>

Council also considered the following:

- Submission from the Deputy City Manager and Chief Financial Officer (undated) entitled “Deep Lake Water Cooling Benefits” (EX2.7a).
- Confidential material (undated) from the Deputy City Manager and Chief Financial Officer (EX2.7b and EX2.7c). This material remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information regarding the security of the property of the municipality or local board.

Declared Interest (Council)

Councillor David Shiner - declared an interest in this Item, in that he works with a Company associated with Enwave.

(Confidential Minute 2.81)

2.82 Settlement Proposal for the Contractual Issues with the Eucan Litter/Recycling Bin Contract

PW2.2	NO AMENDMENT		Transactional	Wards: All
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February 7, 2007

Speaker Bussin in the Chair.

Report of the Committee of the Whole:

Speaker Bussin, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that no motions had been moved in Committee of the Whole for consideration by Council with the Item.

Vote:

Adoption of the Item, without amendment:

Yes - 35 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz
No - 4 Councillors: Jenkins, McConnell, Vaughan, Walker

Carried by a majority of 31.

City Council Decision

City Council adopted the following motions:

1. The City accept the litter/recycling bin contract settlement proposal from Eucan and that Council adopt the terms of the confidential settlement as described in the Attachment 1 - Confidential Information.
2. The City amend the recycling/litter bin contract to reflect the settlement terms.
3. Council authorize the public release of the recommendations in Attachment 1 once the settlement and appropriate documentation are finalized to the satisfaction of the City Solicitor.

Confidential Attachment 1 to the report (January 3, 2007) from the Acting General Manager, Solid Waste Management Services remains confidential in its entirety at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. Once the conditions in Part 3 above have been satisfied, the confidential recommendations in Attachment 1 will be released.

Background Information

2007-pw2-2

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-611.pdf>

(Confidential Minute 2.79)

- 2.83 **Refusal Report Official Plan Amendment Application 1465 Lawrence Avenue West; Applicant: Adam Brown, Sherman Brown**

EY2.11	AMENDED		Transactional	Wards: 12
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February 7, 2007

Speaker Bussin in the Chair.

Report of the Committee of the Whole:

Speaker Bussin, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that no motions had been moved in Committee of the Whole for consideration by Council with the Item.

Motions moved in public session:

1. Councillor Walker moved that the recommendation of the Etobicoke York Community Council be deleted, and that Council adopt the following instead:

City Council refuse the Official Plan Amendment and Condominium Applications to convert 161 affordable rental units to condominium at 1465 Lawrence Avenue West.
2. Councillor Mammoliti moved that Council not take a position on this Official Plan Amendment Application at this time and that it be referred to Deputy City Manager Corke, in consultation with the Chair, Affordable Housing Committee and the Ward Councillor, and that she report to the Etobicoke York Community on possible solutions.
3. Councillor Di Giorgio moved that motion 2 by Councillor Mammoliti be amended by adding the words “and that Deputy City Manager Corke be requested to report to the Affordable Housing Committee on creative ways of financing the remediation of this site.”

Ruling by Speaker:

Deputy Speaker Lindsay Luby ruled motion 3 by Councillor Di Giorgio out of order as it does not related to the Item under consideration.

Vote on Referral:

Adoption of motion 2 by Councillor Mammoliti:

Yes - 17 Councillors: Cho, Del Grande, Di Giorgio, Feldman, Ford, Holyday, Grimes, Mammoliti, Minnan-Wong, Nunziata, Ootes,

Palacio, Pantalone, Parker, Saundercook, Shiner, Stintz	
No - 24	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Perks, Perruzza, Rae, Vaughan, Walker

Lost by a majority of 7.

Motion to End Debate:

Councillor McConnell moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council end the debate on this Item and take the vote immediately, the vote on which was taken as follows:

Yes - 26	
Councillors:	Bussin, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Thompson, Vaughan, Walker
No - 5	
Councillors:	Di Giorgio, Ford, Grimes, Minnan-Wong, Shiner

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

Adoption of motion 1 by Councillor Walker:

Yes - 26	
Councillors:	Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Thompson, Vaughan, Walker
No - 8	
Councillors:	Del Grande, Di Giorgio, Ford, Grimes, Holyday, Mammoliti, Nunziata, Palacio

Carried by a majority of 18.

City Council Decision

City Council adopted the following motion:

1. City Council refuse the Official Plan Amendment and Condominium Applications to convert 161 affordable rental units to condominium at 1465 Lawrence Avenue West.

Background Information

2007-ey2-11-3

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-647.pdf>

2007-ey2-11-2

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-461.pdf>

2007-ey2-11-1

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-462.pdf>

Council also considered the following:

Communication (February 1, 2007) from Dan McIntyre, Outreach Program Co-ordinator (EY 2.11.4).

Declared Interest (Council)

Councillor Maria Augimeri - declared an interest in this Item, in that her mother owns a condominium unit in the immediate vicinity.

(Confidential Minute 2.83)

- 2.84 **Review of Certain Applications before the North York Committee of Adjustment on September 22, 2005**

CC2.6	AMENDED			
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This Item was submitted without recommendation.

February 7, 2007

Deputy Speaker Lindsay Luby in the Chair.

Report of the Committee of the Whole:

Deputy Speaker Lindsay Luby, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that the following motions had been moved in Committee of the Whole for consideration by Council with the Item:

1. Councillor Shiner moved that Council adopt the following:

- a. The Auditor General be directed to release public versions of his reports, redacted to be in compliance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act and other confidentiality requirements as determined by the City Solicitor and the Director of Corporate Access and Privacy.
- b. City Council express its support and thanks to the staff of the North York Committee of Adjustment for their co-operation and integrity in dealing with the Auditor General and his staff during their investigation.

Motion moved in public session:

2. Councillor Moscoe moved that Council adopt the following:
 1. the staff recommendations contained in the Recommendations Section of the report (April 13, 2006) from the Auditor General [as attached to CC2.6], subject to amending Recommendation 2. by deleting the words, “in North York”, so that the Recommendation now reads as follows:
 - “2. The Deputy Secretary-Treasurer of the Committee of Adjustment ensure that Committee of Adjustment Pre-Briefing meetings are open to the public. In addition, advance notification to the public of such meetings be communicated in an appropriate manner.”; and
 2. the following recommendations contained in the Recommendations Section of the report (January 29, 2007) from the Integrity Commissioner:

“The Integrity Commissioner recommends that:

 1. Council receive this report; and
 2. Council authorize the public release of the confidential information in Attachment 1 on receipt of the report and advice from the City Solicitor to the effect that its release would not infringe any law.”

Vote:

This Item, as amended by motion 1 by Councillor Shiner and motion 2 by Councillor Moscoe, carried.

City Council Decision

City Council adopted the following motions:

1. The Deputy Secretary-Treasurer of the Committee of Adjustment and other Committee of Adjustment staff refrain from offering advice or guidance in a

manner that could be construed as an attempt to influence decisions of the Committee of Adjustment.

2. The Deputy Secretary-Treasurer of the Committee of Adjustment ensure that Committee of Adjustment Pre-Briefing meetings are open to the public. In addition, advance notification to the public of such meetings be communicated in an appropriate manner.
3. The Chair of the Committee of Adjustment ensure that the actions of any individual including Council members and staff attending Committee meetings are consistent with the arm's-length, quasi-judicial nature of the Committee. Any actions compromising this position should be immediately dealt with by the Committee Chair.
4. The Chair of the Committee of Adjustment should clearly indicate during the meeting when a decision on an application is reserved. In addition, information relating to when reserved decisions will be addressed should be communicated to the public.
5. The Chair of the Committee of Adjustment should follow generally accepted rules of procedure and in all cases, clearly and officially signify to all of those in attendance at the meeting when the meeting is adjourned.
6. The Committee of Adjustment, in clarifying its roles and responsibilities, should seek advice from legal staff. The Committee of Adjustment, as a quasi-judicial tribunal operating at arm's-length from City Council, should refrain from seeking advice on its roles and responsibilities from City Council members. In this context and in order to ensure that the Committee of Adjustment clearly understand their roles and responsibilities, the development of a mandatory training program be considered.
7. Committee of Adjustment staff should establish a protocol whereby all appropriate parties, including the public, are notified of Committee decisions in writing at the same time.
8. Committee of Adjustment staff should ensure that the communication of Committee of Adjustment decisions to interested parties and the public is consistent and timely.
9. All Committee of Adjustment meetings should be held in public with proper advance notification. In the event a special meeting to deliberate on a reserved application is required, minutes should be taken, and at least one Committee of Adjustment staff member should be present.
10. The Committee of Adjustment should ensure that once applications are approved

and decisions communicated to third parties, revisions should only be considered for typographical errors, errors of calculations or similar errors made in its decision or order.

11. The Chair of the Committee of Adjustment should ensure all applications before the Committee are appropriately tabled, considered and voted on in a manner consistent with the Rules of Procedure established for the Committee.
12. The Committee of Adjustment, as a quasi-judicial tribunal that is required by law to operate at arm's-length from and independently of City Council should not request Community Councils or other legislative bodies to intervene on applications considered by the Committee.
13. The Chief Planner and Executive Director (in consultation with the City Solicitor and the Integrity Commissioner) should develop proposals for Council on a protocol for the handling of complaints against Committees of Adjustment and their members (including identification of the appropriate legislative body or official for the receipt and investigation of complaints).
14. The Chair of the Committee of Adjustment, Committee of Adjustment members and appropriate support staff should ensure that only issues discussed at regular Committee meetings be included in the minutes prior to their adoption. Once prepared, with the exception of minor revisions allowed under the Rules of Procedure, minutes should not be amended.
15. The Chief Planner and Executive Director be requested to report back to City Council on a policy related to financial conditions attached to applications considered by the Committee of Adjustment. Such a policy to address:
 - the appropriateness of current practice;
 - the adoption of a consistent process across the City;
 - the adequacy of controls relating to accounting for financial contributions;
and
 - the criteria, including the approval process, relating to the use of such funds.
16. Council receive the report (January 29, 2007) from the Integrity Commissioner.
17. Council authorize the public release of the confidential information in Attachment 1 to the report (January 29, 2007) from the Integrity Commissioner, on receipt of the report and advice from the City Solicitor to the effect that its release would not infringe any law.
18. The Auditor General be directed to release public versions of his reports, redacted to be in compliance with the provisions of the Municipal Freedom of Information

and Protection of Privacy Act and other confidentiality requirements as determined by the City Solicitor and the Director of Corporate Access and Privacy.

19. City Council express its support and thanks to the staff of the North York Committee of Adjustment for their co-operation and integrity in dealing with the Auditor General and his staff during their investigation.

The above-noted recommendations are also contained in the confidential report (April 13, 2006) from the Auditor General (confidential Attachment 1). The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

The report (April 19, 2006) from the City Solicitor (confidential Attachment 2) remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

The communication (May 23, 2006) from Jon Williams (confidential Attachment 3) remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

The confidential Financial Impact Statement (May 24, 2006) from the Deputy City Manager and Chief Financial Officer (confidential Attachment 4) remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

Confidential Attachment 1 to the report (January 26, 2007) from the Auditor General remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

Confidential Attachment 1 to the report (January 29, 2007) from the Integrity Commissioner remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

Public versions of the Auditor General's reports and the Integrity Commissioner's report will be released once the provisions of the Municipal Freedom of Information and Protection of Privacy Act have been satisfied.

The confidential communication (February 5, 2007) from David Peacock remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable persons.

Link to Background Information

Council considered the following:

- [Communication \(January 29, 2007\) from the City Clerk forwarding Council's actions from June 14, 2006 \(CC2.6\).](#)
- [Report \(April 13, 2006\) from the Auditor General \(Public Attachment to CC2.6\)](#)
 - report (April 13, 2006) from the Auditor General (Confidential Attachment 1)
 - report (April 19, 2006) from the City Solicitor (Confidential Attachment 2)
 - communication (May 23, 2006) from Jon Williams (Confidential Attachment 3)
 - Financial Impact Statement (May 24, 2006) from the Deputy City Manager and Chief Financial Officer (Confidential Attachment 4)
- [Report \(January 26, 2007\) from the Auditor General \(CC2.6a\).](#)
- [Report \(January 29, 2007\) from the City Solicitor \(CC2.6b\)](#)
- [Report \(January 29, 2007\) from the Integrity Commissioner \(CC2.6c\)](#)

Communication

- Confidential communication (February 5, 2007) from David Peacock (CC2.6.1)
(Confidential Minute 2.84)

BILLS AND BY-LAWS

February 5, 2007 - 9:59 p.m.
Speaker Bussin in the Chair.

- 2.85 Councillor Perks 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. 145	By-law No. 33-2007	To confirm the proceedings of the Council at its meeting held on the 5th day of February, 2007,
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the vote on which was taken as follows:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Walker

No - 2
Councillors: Ford, Minnan-Wong

Carried by a majority of 34.

February 6, 2007 - 10:03 p.m.

Speaker Bussin in the Chair.

- 2.86 Councillor Heaps moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 25	By-law No. 34-2007	To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land municipally known as southeast corner of Ellesmere Road and Neilson Road.
Bill No. 26	By-law No. 35-2007	To authorize the entering into of an agreement for the provision of a municipal capital facility by Rouge Valley Health System.
Bill No. 27	By-law No. 36-2007	To amend City of Toronto Municipal Code Chapter 591, Noise, to reflect the prohibition of railway whistles at the Danforth Road Railway Crossing west of Midland Avenue under the Railway Safety Act.
Bill No. 28	By-law No. 37-2007	To amend Municipal Code Chapter 67, Fair Wage, to reflect the reorganization of the City's administrative structure.
Bill No. 29	By-law No. 38-2007	To authorize the alteration of Humbercrest Boulevard, between St. Mark's Road and Baby Point Road, by the installation of speed humps.
Bill No. 30	By-law No. 39-2007	To name the public lane located north

		of Davenport Road, extending between Via Italia and McFarland Avenue as “Nunes Lane”.
Bill No. 31	By-law No. 40-2007	To name the public lane located south of Queen Street West, extending westerly from Peter Street, as “Jack Cooper Lane”.
Bill No. 32	By-law No. 41-2007	To name the public lane located south of Davenport Road, extending between Ossington Avenue and Shaw Street as “Victor Jara Lane”.
Bill No. 33	By-law No. 42-2007	To name the proposed private lane located west of Spadina Avenue, extending northerly from Fort York Boulevard as “Telegram Mews”.
Bill No. 34	By-law No. 43-2007	To name the public lane abutting 43 Rear Northumberland Street, extending southerly from Northumberland Street as “Roof Garden Lane”.
Bill No. 35	By-law No. 44-2007	To name the public lane located north of Carr Street, extending westerly from Ryerson Avenue as “Egerton Lane”.
Bill No. 36	By-law No. 45-2007	To name the proposed private lane located at 4314 Kingston Road as “Ignatius Lane”.
Bill No. 37	By-law No. 46-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 14 Sunset Avenue from the maximum height requirements.
Bill No. 38	By-law No. 47-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 8 Valley Ridge Place from the maximum height requirements.

Bill No. 39	By-law No. 48-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Deloraine Avenue.
Bill No. 40	By-law No. 49-2007	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Renforth Drive and Silver Dart Drive.
Bill No. 41	By-law No. 50-2007	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Alness Street, Bathurst Street, Castlefield Avenue, Wilson Avenue and Yonge Street.
Bill No. 42	By-law No. 51-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the front yard fence on the property municipally known as 13 Legacy Court from the maximum height requirements.
Bill No. 43	By-law No. 52-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 195 Erskine Avenue from the maximum height requirements.
Bill No. 44	By-law No. 53-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 242 Sheldrake Boulevard from the maximum height requirements.
Bill No. 45	By-law No. 54-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 79 Gordon Road from the maximum height requirements.

Bill No. 46	By-law No. 55-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 45 Killdeer Crescent from the maximum height requirements.
Bill No. 47	By-law No. 56-2007	To dedicate certain land for public highway purposes to form part of the public highway Phipps Street.
Bill No. 48	By-law No. 57-2007	To dedicate certain land on the north side of Norseman Street, west of Islington Avenue for public highway purposes to form part of the public highway Norseman Street.
Bill No. 49	By-law No. 58-2007	To dedicate certain land on the south side of Milner Avenue east of Progress Avenue for public highway purposes to form part of the public highway Milner Avenue.
Bill No. 50	By-law No. 59-2007	To dedicate certain land on the north side of Lawrence Avenue West, west of Weston Road, for public highway purposes to form part of the public highway Lawrence Avenue West.
Bill No. 51	By-law No. 60-2007	To dedicate certain land for public highway purposes to form part of the public highway Schick Court.
Bill No. 52	By-law No. 61-2007	To dedicate certain land on the east side of Sinnott Road, north of Comstock Road, for public highway purposes to form part of the public highway Sinnott Road.
Bill No. 53	By-law No. 62-2007	To dedicate certain land for public highway purposes to form part of the public highway Redlea Avenue.

Bill No. 54	By-law No. 63-2007	To layout and dedicate certain land for public lane purposes to form a new public lane north of Ulster Street extending between Major Street and Brunswick Avenue.
Bill No. 55	By-law No. 64-2007	To amend further By-law No. 23503 of the former City of Scarborough respecting the regulation of traffic on Toronto Roads.
Bill No. 56	By-law No. 65-2007	To amend further the Pedestrian Crossover By-law No. 23506 of the former City of Scarborough, respecting Pharmacy Avenue and Warden Avenue.
Bill No. 57	By-law No. 66-2007	To amend further By-law No. 23505 of the former City of Scarborough respecting the speed limits on Toronto Roads.
Bill No. 58	By-law No. 67-2007	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 92 Brentcliffe Road from the maximum height requirements.
Bill No. 59	By-law No. 68-2007	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the name change of the Beaches Business Improvement Area to The Beach Business Improvement Area.
Bill No. 60	By-law No. 69-2007	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Bloor Street Business Improvement Area and to establish a Board of Management for the Bloor Street Business Improvement Area.

Bill No. 61	By-law No. 70-2007	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Dundas West Business Improvement Area and to establish a Board of Management for the Dundas West Business Improvement Area.
Bill No. 62	By-law No. 71-2007	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Chinatown Business Improvement Area and to establish a Board of Management for the Chinatown Business Improvement Area.
Bill No. 63	By-law No. 72-2007	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Albion/Islington Business Improvement Area and to establish a Board of Management for the Albion/Islington Business Improvement Area.
Bill No. 64	By-law No. 73-2007	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Sheppard East Village Business Improvement Area and to establish a Board of Management for the Sheppard East Village Business Improvement Area.
Bill No. 65	By-law No. 74-2007	To replace Schedule A, Boards of Management, of City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to delete the history of amendments and reflect changes to the size of various Business Improvement Area Boards of Management.
Bill No. 66	By-law No. 75-2007	To amend former City of North York

		Zoning By-law No. 7625, as amended, with respect to lands municipally known as 93 Finch Avenue East.
Bill No. 67	By-law No. 76-2007	To amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Tapscott Employment District), as amended, with respect to lands municipally known as 160 Nashdene Road.
Bill No. 68	By-law No. 77-2007	To amend former City of Scarborough Malvern Community Zoning By-law No. 14402, as amended, with respect to lands municipally known as 28 Orchid Place Drive.
Bill No. 69	By-law No. 78-2007	To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 1 and 3 Kenton Drive.
Bill No. 70	By-law No. 79-2007	To dedicate certain land on the east side of Marlee Avenue, on the south side of Lawrence Avenue West, for public highway purposes to form part of the public highway Marlee Avenue.
Bill No. 71	By-law No. 80-2007	To dedicate certain land on the west side of Midland Avenue, north of McNicoll Avenue, for public highway purposes to form part of the public highway Midland Avenue.
Bill No. 72	By-law No. 81-2007	To dedicate certain land west of Midland Avenue, extending northerly from McNicoll Avenue, for public highway purposes to form part of the public highway Silver Star Boulevard.

Bill No. 73	By-law No. 82-2007	To dedicate certain land on the south west side of Military Trail, south of Ellesmere Road, for public highway purposes to form part of the public highway Military Trail.
Bill No. 74	By-law No. 83-2007	To dedicate certain land for public lane purposes to form part of the public lane south of Wellington Street West, extending between John Street and Blue Jays Way.
Bill No. 75	By-law No. 84-2007	To dedicate certain land on the east side of Bayview Avenue, north of Sheppard Avenue West, for public highway purposes to form part of the public highway Bayview Avenue.
Bill No. 76	By-law No. 85-2007	To dedicate certain land on the south side of Bertrand Avenue, on the west side of Birchmount Road, for public highway purposes to form part of the public highway Bertrand Avenue.
Bill No. 77	By-law No. 86-2007	To dedicate certain land on the west side of Birchmount Road, on the south side of Bertrand Avenue, for public highway purposes to form part of the public highway Birchmount Road.
Bill No. 78	By-law No. 87-2007	To dedicate certain land on the south side of Finch Avenue East, east of Willowdale Avenue, for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 79	By-law No. 88-2007	To dedicate certain land for public highway purposes to form part of the public highway Gunns Road.

Bill No. 80	By-law No. 89-2007	To amend the former City of North York By-law No. 7625, as amended, with respect to lands bounded by Finch Avenue West, Greenview Avenue, Hendon Avenue and Duplex Avenue.
Bill No. 81	By-law No. 90-2007	To exempt certain lands municipally known as 2261, 2263 and 2265 Gerrard Street East from Part Lot Control.
Bill No. 82	By-law No. 91-2007	To amend former City of North York By-law No. 7625, as amended, with respect to a portion of land located east of Yonge Street between Byng Avenue and Church Avenue municipally known as 5435 Yonge Street, and lands at 32 and 38 Byng Avenue and 31 Olive Avenue.
Bill No. 83	By-law No. 92-2007	To provide for an integrated pest management system to control gypsy moth infestation.
Bill No. 84	By-law No. 93-2007	To dedicate certain lands for public highway purposes to form part of the public highway Port Union Road and to form part of the public highway Josaly Drive.
Bill No. 85	By-law No. 94-2007	To authorize the entering into of an agreement for the provision of a municipal capital facility at 400 Kipling Avenue.
Bill No. 86	By-law No. 95-2007	To designate the property at 312 Dundas Street West (Reuben Millichamp House) as being of cultural heritage value or interest.

Bill No. 87	By-law No. 96-2007	To designate the property at 314 Dundas Street West (Reuben Millichamp House) as being of cultural heritage value or interest.
Bill No. 88	By-law No. 97-2007	To designate the property at 322 Dundas Street West (Inglis Lough House) as being of cultural heritage value or interest.
Bill No. 89	By-law No. 98-2007	To designate the property at 324 Dundas Street West (James Goulding House) as being of cultural heritage value or interest.
Bill No. 90	By-law No. 99-2007	To designate the property at 326 Dundas Street West (Howard Bryant House) as being of cultural heritage value or interest.
Bill No. 91	By-law No. 100-2007	To designate the property at 340 Dundas Street West (Edwin Coleman House) as being of cultural heritage value or interest.
Bill No. 92	By-law No. 101-2007	To designate the property at 344 Dundas Street West (Laxton House) as being of cultural heritage value or interest.
Bill No. 93	By-law No. 102-2007	To designate the property at 346 Dundas Street West (Laxton House) as being of cultural heritage value or interest.
Bill No. 94	By-law No. 103-2007	To designate the property at 350 Dundas Street West (William Frederick McCaw House) as being of cultural heritage value or interest.
Bill No. 95	By-law No. 104-2007	To designate the property at 356 Dundas Street West (William Mollington House) as being of cultural heritage value or interest.

Bill No. 96	By-law No. 105-2007	To designate the property at 95 Regal Road (Regal Road Public School) as being of cultural heritage value or interest.
Bill No. 97	By-law No. 106-2007	To designate the property at 1213 Danforth Avenue (The Allenby Theatre) as being of cultural heritage value or interest.
Bill No. 98	By-law No. 107-2007	To designate the property at 5933 Steeles Avenue East (Underwood House) as being of cultural heritage value or interest.
Bill No. 100	By-law No. 108-2007	To exempt lands municipally known as 2 Triburnham Place from Part Lot Control.
Bill No. 101	By-law No. 109-2007	To authorize temporary borrowing for a capital work or permanent improvement to be financed by the issue of debentures or bank loan agreements for the year 2007.
Bill No. 102	By-law No. 110-2007	To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 2007.
Bill No. 103	By-law No. 111-2007	To authorize the entering into of an agreement for the provision of a municipal capital facility at 44 Victoria Street.
Bill No. 104	By-law No. 112-2007	To amend Municipal Code Chapter 195, Purchasing, to reflect the reorganization of the City's administrative structure.

Bill No. 105	By-law No. 113-2007	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Halsey Avenue.
Bill No. 106	By-law No. 114-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gladstone Avenue.
Bill No. 107	By-law No. 115-2007	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue West.
Bill No. 108	By-law No. 116-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 109	By-law No. 117-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 110	By-law No. 118-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones, regarding Drummondville Lane.
Bill No. 111	By-law No. 119-2007	To amend further By-law No. 196, entitled “To restrict the speed of motor vehicles”, being a By-law of the former Borough of East York, regarding Glencrest Boulevard.
Bill No. 112	By-law No. 120-2007	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Gledhill Avenue.

Bill No. 113	By-law No. 121-2007	To amend further By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York, regarding Chisholm Avenue and King Edward Avenue.
Bill No. 114	By-law No. 122-2007	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Dundas Street East.
Bill No. 115	By-law No. 123-2007	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue West.
Bill No. 116	By-law No. 124-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Brunswick Avenue, College Street, Concord Avenue, Eastwood Road, Gladstone Avenue, Glebemount Avenue, Hazelwood Avenue, Howland Avenue, Lappin Avenue, Lewis Street, Major Street, Maple Grove Avenue, Maryland Boulevard, Shaftesbury Avenue, Victor Avenue, Wayland Avenue, Winnifred Avenue and Wolfrey Avenue.
Bill No. 117	By-law No. 125-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillsdale Avenue West.
Bill No. 118	By-law No. 126-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Douro Street Road, Glen Stewart Crescent, Hawarden Crescent, Public lane first east of Gladstone Avenue northerly from Collahie Street, Public lane first

		south of Bloor Street West easterly from Dufferin Street, Mansfield Avenue, Paton Road and Shirley Street.
Bill No. 119	By-law No. 127-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Ontario Street and Wellesley Street East.
Bill No. 120	By-law No. 128-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bay Street, Bremner Boulevard, King Street West, Wellington Street West and York Street.
Bill No. 121	By-law No. 129-2007	To amend Municipal Code Chapter 4, Adjustment, Committee of, to increase the number of members to 30 to provide for a second hearing panel for the North and South Panels.
Bill No. 122	By-law No. 130-2007	To exempt lands municipally known as 6363-6405 Kingston Road from Part Lot Control.
Bill No. 123	By-law No. 131-2007	To amend Chapters 320, 330, 340 and 350 of the Etobicoke Zoning Code and to repeal City of Toronto By-law No. 278-2005 with respect to commercial outdoor roof top patios located in the area comprised by the former City of Etobicoke.
Bill No. 124	By-law No. 132-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bay Street.
Bill No. 125	By-law No. 133-2007	To provide for the temporary closing of Bremner Boulevard to vehicular traffic between Lake Shore Boulevard and a point 75.5 metres north of Lake Shore Boulevard.

Bill No. 126	By-law No. 134-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting King Street West.
Bill No. 127	By-law No. 135-2007	To amend By-law No. 31001 of the former City of North York respecting the regulation of traffic on North York roads, regarding Findlay Boulevard.
Bill No. 129	By-law No. 136-2007	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Champagne Drive.
Bill No. 130	By-law No. 137-2007	To amend By-law No. 31001 of the former City of North York respecting the regulation of traffic on North York roads, regarding Alness Street.
Bill No. 131	By-law No. 138-2007	To amend By-law No. 31878 of the former City of North York respecting maximum rates of speed on North York roads, regarding Shelborne Avenue.
Bill No. 132	By-law No. 139-2007	To amend By-law No. 31001 of the former City of North York respecting the regulation of traffic on North York roads, regarding Ledbury Street.
Bill No. 133	By-law No. 140-2007	To amend By-law No. 31001 of the former City of North York respecting the regulation of traffic on North York roads, regarding Glengarry Avenue at Ledbury Street.
Bill No. 134	By-law No. 141-2007	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yonge Street.
Bill No. 135	By-law No. 142-2007	To amend By-law No. 196-84 of the

		former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Tweedsmuir Avenue.
Bill No. 136	By-law No. 143-2007	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Tweedsmuir Avenue.
Bill No. 137	By-law No. 144-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard.
Bill No. 138	By-law No. 145-2007	To appoint the City’s current Auditor General, Jeffrey Griffiths, as Auditor General under section 177 of the City of Toronto Act, 2006 and to repeal By-law Nos. 30-1998 and 457-2002.
Bill No. 139	By-law No. 146-2007	To appoint Richard Butts as a Deputy City Manager.
Bill No. 140	By-law No. 147-2007	To appoint Dr. Vinita Dubey and Dr. Herveen Sachdeva as Associate Medical Officers of Health for the City of Toronto Health Unit.
Bill No. 141	By-law No. 148-2007	To appoint Marilyn Abraham as the Lobbyist Registrar under section 168 of the City of Toronto Act, 2006.
Bill No. 142	By-law No. 149-2007	To appoint the City’s current Integrity Commissioner, David J. Mullan, as Integrity Commissioner under section 158 of the City of Toronto Act, 2006.
Bill No. 143	By-law No. 150-2007	To adopt a new City of Toronto Municipal Code Chapter 140, Lobbying,

the vote on which was taken as follows:

Yes - 33	
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan

No - 3	
Councillors:	Minnan-Wong, Moeser, Thompson

Carried by a majority of 30.

February 6, 2007 - 10:06 p.m.

Speaker Bussin in the Chair.

- 2.87 Councillor Parker 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. 146	By-law No. 151-2007	To confirm the proceedings of the Council at its meeting held on the 5th and 6th days of February, 2007,
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the vote on which was taken as follows:

Yes - 32	
Councillors:	Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Shiner

No - 1	
Councillor:	Thompson

Carried by a majority of 31.

February 8, 2007 - 12:29 a.m.

Deputy Speaker Lindsay Luby in the Chair.

- 2.88 Councillor Carroll moved that leave be granted to introduce Bills Nos. 99 and 144, the vote on which was taken as follows:

Yes - 29 Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Thompson, Vaughan
No - 1 Councillor:	Grimes

Carried by a majority of 28.

February 8, 2007 - 12:30 a.m.

Deputy Speaker Lindsay Luby in the Chair.

Councillor Carroll moved that the following Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 99	By-law No. 152-2007	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands municipally known as 400 The East Mall.
Bill No. 144	By-law No. 153-2007	To amend Municipal Code Chapter 441, Fees and Charges, and Chapter 849, Water and Sewage Services.

February 8, 2007 - 12:31 a.m.

Deputy Speaker Lindsay Luby in the Chair.

2.89 Councillor Perruzza 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. 147	By-law No. 154-2007	To confirm the proceedings of the Council at its meeting held on the 5th, 6th, 7th and 8th days of February, 2007,
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the vote on which was taken as follows:

Yes - 26 Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher,
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Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, Palacio, Parker, Perks, Thompson
No - 2 Councillors: Grimes, Vaughan

Carried by a majority of 24.

The following Bill was withdrawn:

Bill No. 128 To amend By-law No. 31001 of the former City of North York respecting the regulation of traffic on North York roads, regarding Alness Street.

OFFICIAL RECOGNITIONS

2.90 Presentations/Introductions/Announcements:

February 5, 2007:

Speaker Bussin, during the morning session of the meeting, introduced students from Neighbourhood Link, present at the meeting.

Speaker Bussin, during the morning session of the meeting, introduced students from William Burgess Public School, present at the meeting.

Speaker Bussin, during the afternoon session of the meeting, introduced students from General Brock Public School, present at the meeting.

February 7, 2007:

Speaker Bussin, during the morning session of the meeting, introduced students from Humber College, present at the meeting.

Deputy Speaker Lindsay Luby, during the morning session of the meeting, introduced students from Immaculate Conception Catholic School, present at the meeting.

Speaker Bussin, during the afternoon session of the meeting, introduced students from Kew Park Montessori School, present at the meeting.

Speaker Bussin, during the afternoon session of the meeting, introduced students from Humber College, present at the meeting.

2.91 **MOTIONS TO VARY ORDER OR WAIVE PROCEDURE**

February 5, 2007

Speaker Bussin in the Chair.

Motion to Vary the Order Paper:

Councillor Nunziata, at 7:40 p.m., moved that Council vary the Order Paper to allow Members of Council to release held Items, the vote on which was taken as follows:

Yes - 16 Councillors:	Augimeri, Bussin, Carroll, De Baeremaeker, Del Grande, Di Giorgio, Ford, Hall, Heaps, Jenkins, Lindsay Luby, Milczyn, Nunziata, Palacio, Parker, Rae
No - 25 Mayor: Councillors:	Miller Ainslie, Ashton, Davis, Feldman, Filion, Fletcher, Giambrone, Grimes, Holyday, Lee, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Perks, Perruzza, Saundercook, Shiner, Stintz, Walker

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

February 6, 2007

Speaker Bussin in the Chair.

Motion to Vary the Order Paper:

Councillor Holyday, at 2:07 p.m., moved that Council vary the Order Paper and stand down Council's consideration of Item EX2.4, headed "Lobbying Control Framework", in order to consider Item EY2.25, headed "Status Report Official Plan Amendment and Rezoning and Site Plan Applications 6 Lloyd Avenue", the vote on which was taken as follows:

Yes - 32 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 8 Councillors:	Davis, Filion, Giambrone, Heaps, Jenkins, Mammoliti, McConnell, Mihevc

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

Motion to Vary the Order Paper:

Councillor Davis, at 4:57 p.m., moved that Council vary the Order Paper in order to continue its consideration of Item EX2.4, headed “Lobbying Control Framework”, instead of going into closed session at 5:00 p.m. as previously decided by Council, the vote on which was taken as follows:

Yes - 31 Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Perks, Rae, Saundercook, Stintz, Thompson, Walker
No - 2 Councillors: Del Grande, Filion

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

Motion to Extend Meeting Time:

Councillor Vaughan, at 9:45 p.m., moved that Council continue in session past its scheduled 10:00 p.m. recess in order to complete consideration of Item EX2.5, headed “Delegation of Certain Matters to Community Councils”, as well as quick releases and bills, the vote on which was taken as follows:

Yes - 28 Councillors: Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perruzza, Rae, Thompson, Vaughan
No - 10 Councillors: Cho, Del Grande, Grimes, Jenkins, Minnan-Wong, Ootes, Perks, Saundercook, Shiner, Stintz

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

February 7, 2007

Speaker Bussin in the Chair.

Motion to Extend Meeting Time:

Councillor Thompson, at 9:40 p.m., moved that Council continue in session past its scheduled 10:00 p.m. recess, in order to complete the Order Paper, the vote on which was taken as follows:

Yes - 27
Councillors: Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan
No - 10
Councillors: Ashton, Cho, Del Grande, Fletcher, Ford, Holyday, Jenkins, Minnan-Wong, Parker, Shiner

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

2.92 **ATTENDANCE**

February 5, 2007	9:39 a.m. to 12 noon*	12:05 p.m. to 12:30 p.m.*	1:40 p.m. to 5:02 p.m.*	Council in closed session 5:15 p.m.	7:36 p.m. to 7:43 p.m.*	Council in closed session 7:45 p.m.	9:51 p.m. to 10:00 p.m.*
Miller	x	x	x	x	x	x	x
Ainslie	x	x	x	x	x	x	x
Ashton	x	x	x	x	x	x	x
Augimeri	x	x	x	x	x	x	x
Bussin	x	x	x	x	x	x	x
Carroll	x	x	x	x	x	x	x
Cho	x	x	x	x	-	-	-
Davis	x	x	x	x	x	x	x
De Baeremaeker	x	x	x	x	x	x	x
Del Grande	x	x	x	x	x	x	x
Di Giorgio	-	-	x	x	x	x	x
Feldman	x	x	x	x	x	x	x
Filion	x	x	x	x	x	x	x
Fletcher	x	x	x	x	x	x	x

Minutes of the Council of the City of Toronto
February 5, 6, 7 and 8, 2007

February 5, 2007	9:39 a.m. to 12 noon*	12:05 p.m. to 12:30 p.m.*	1:40 p.m. to 5:02 p.m.*	Council in closed session 5:15 p.m.	7:36 p.m. to 7:43 p.m.*	Council in closed session 7:45 p.m.	9:51 p.m. to 10:00 p.m.*
Ford	x	x	x	x	x	x	x
Giambrone	x	x	x	x	x	x	x
Grimes	x	x	x	x	x	x	x
Hall	x	x	x	x	x	x	x
Heaps	x	x	x	x	x	x	x
Holyday	x	x	x	x	x	x	x
Jenkins	x	x	x	x	x	x	x
Kelly	x	x	x	x	x	x	x
Lee	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x
Mammoliti	x	x	x	x	x	x	x
McConnell	x	x	x	x	x	x	x
Mihevc	x	x	x	x	x	x	x
Milczyn	x	x	x	x	x	x	x
Minnan-Wong	x	x	x	x	x	x	x
Moeser	x	x	x	x	x	x	x
Moscoe	x	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x	x
Ootes	-	-	x	x	x	x	x
Palacio	x	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x	x
Parker	x	x	x	x	x	x	x
Perks	x	x	x	x	x	x	x
Perruzza	x	x	x	x	x	x	x
Rae	x	x	x	x	x	x	x
Saundercook	x	x	x	x	x	x	x
Shiner	x	x	x	x	x	x	x
Stintz	x	x	x	x	x	x	x
Thompson	x	x	x	x	x	x	x

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February 5, 2007	9:39 a.m. to 12 noon*	12:05 p.m. to 12:30 p.m.*	1:40 p.m. to 5:02 p.m.*	Council in closed session 5:15 p.m.	7:36 p.m. to 7:43 p.m.*	Council in closed session 7:45 p.m.	9:51 p.m. to 10:00 p.m.*
Vaughan	x	x	x	x	x	x	x
Walker	x	x	x	x	x	x	x
Total	43	43	45	45	44	44	44

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

February 6, 2007	9:40 a.m. to 9:46 a.m.*	Council in closed session 9:47 a.m.	10:56 a.m. to 12:30 p.m.*	1:41 p.m. to 6:00 p.m.*	Roll Call 3:50 p.m.	7:39 p.m. to 10:06 p.m.
Miller	x	x	x	x	x	x
Ainslie	x	x	x	x	-	x
Ashton	x	x	x	x	x	-
Augimeri	x	x	x	x	x	x
Bussin	x	x	x	x	x	x
Carroll	x	x	x	x	x	x
Cho	x	x	x	x	x	x
Davis	x	x	x	x	x	x
De Baeremaeker	x	x	x	x	-	x
Del Grande	x	x	x	x	x	x
Di Giorgio	x	x	x	x	x	x
Feldman	x	x	-	-	-	-
Filion	x	x	-	x	x	x
Fletcher	x	x	x	x	x	x
Ford	x	x	x	-	-	-
Giambrone	x	x	x	x	-	x
Grimes	x	x	x	x	x	x
Hall	x	x	x	x	x	x
Heaps	x	x	x	x	x	x
Holiday	x	x	x	x	x	x
Jenkins	x	x	x	x	x	x
Kelly	x	x	x	x	-	x

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February 5, 6, 7 and 8, 2007

February 6, 2007	9:40 a.m. to 9:46 a.m.*	Council in closed session 9:47 a.m.	10:56 a.m. to 12:30 p.m.*	1:41 p.m. to 6:00 p.m.*	Roll Call 3:50 p.m.	7:39 p.m. to 10:06 p.m.
Lee	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x
Mammoliti	x	x	x	x	x	x
McConnell	x	x	x	x	x	x
Mihevc	x	x	x	x	x	x
Milczyn	x	x	x	x	x	x
Minnan-Wong	x	x	x	x	x	x
Moeser	x	x	x	x	x	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x
Ootes	x	x	x	x	x	x
Palacio	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x
Parker	x	x	x	x	-	x
Perks	x	x	x	x	x	x
Perruzza	x	x	x	x	x	x
Rae	x	x	x	x	x	x
Saundercook	x	x	x	x	x	x
Shiner	x	x	x	x	x	x
Stintz	x	x	x	x	x	x
Thompson	x	x	x	x	x	x
Vaughan	x	x	x	x	x	x
Walker	x	x	x	x	-	x
Total	45	45	43	43	37	42

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

February 7 & 8, 2007	9:43 a.m. to 9:48 a.m.	Council in closed session 9:51 a.m.	Roll call 9:55 a.m.	11:14 a.m. to 12:30p.m.*	1:44 p.m. to 1:58 p.m.*	Council in closed session 2:00 p.m.	2:21 p.m. to 6:00 p.m.*	7:45 p.m. to 12:32 a.m.*
Miller	x	x	-	-	-	-	x	-
Ainslie	-	x	-	x	x	-	x	x

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February 7 & 8, 2007	9:43 a.m. to 9:48 a.m.	Council in closed session 9:51 a.m.	Roll call 9:55 a.m.	11:14 a.m. to 12:30p.m.*	1:44 p.m. to 1:58 p.m.*	Council in closed session 2:00 p.m.	2:21 p.m. to 6:00 p.m.*	7:45 p.m. to 12:32 a.m.*
Ashton	x	x	-	x	x	x	x	x
Augimeri	x	x	-	x	x	x	x	x
Bussin	x	x	x	x	x	x	x	x
Carroll	x	x	x	x	x	x	x	x
Cho	x	x	-	x	x	x	x	x
Davis	-	-	-	-	x	x	x	x
De Baeremaeker	x	x	x	x	x	x	x	x
Del Grande	x	x	x	x	x	x	x	x
Di Giorgio	-	x	-	x	x	x	x	x
Feldman	x	x	x	x	x	x	x	-
Filion	-	-	-	-	x	x	x	-
Fletcher	-	x	-	x	x	x	x	x
Ford	-	x	x	x	x	x	x	x
Giambrone	-	x	x	x	x	x	x	x
Grimes	-	x	-	x	x	x	x	x
Hall	x	x	x	x	x	x	x	x
Heaps	x	x	x	x	x	x	x	x
Holyday	x	x	x	x	x	x	x	x
Jenkins	x	x	x	x	x	x	x	x
Kelly	-	x	x	x	x	x	x	x
Lee	x	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x	x
Mammoliti	x	x	-	-	x	x	x	x
McConnell	x	x	-	x	x	x	x	x
Mihevc	x	x	x	x	x	x	x	x
Milezyn	-	x	-	x	-	x	x	-
Minnan-Wong	x	x	x	x	x	x	x	x
Moeser	x	x	x	x	x	x	x	-
Moscoe	x	x	-	x	x	x	x	x
Nunziata	x	x	x	x	x	x	x	x
Ootes	x	x	x	x	x	x	x	-
Palacio	x	x	-	x	-	-	x	x
Pantalone	x	x	x	x	x	x	x	x
Parker	-	-	-	x	x	x	x	x

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Perks	x	x	x	x	-	x	x	x
Perruzza	-	-	-	x	-	x	x	x
Rae	-	x	-	x	x	x	x	x
Saundercook	x	x	x	x	x	x	x	-
Shiner	x	x	-	x	x	x	x	x
Stintz	-	-	-	-	x	x	x	x
Thompson	x	x	x	x	x	x	x	x
Vaughan	x	x	-	x	-	-	-	x
Walker	x	x	-	x	x	x	x	x
Total	31	40	23	40	39	41	44	38

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

Council adjourned on February 8, 2007, at 12:32 a.m.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

FISCAL IMPACT STATEMENT SUMMARY
Notices of Motions and Motions Without Notice
Submitted by the Deputy City Manager and Chief Financial Officer
Council Meeting – February 5, 6, 7 and 8, 2007

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M1	Compensation of Elected Officials	(\$315,000)	\$0	It would result in savings of approximately \$315,000 in 2007 if the recommendation is adopted.
M2	Toronto Election Finance Reform – Toward Implementation of By-laws	\$0	\$0	Consider.
M3	Designation of City of Toronto Wards	\$0	\$0	The cost of replacing names of wards would be absorbed within the City Clerk's 2007 Recommended Operating Budget.
M4	Habitat for Humanity Request for Fee Forgiveness – 4200 Kingston Road	\$0	\$0	The net revenue loss for Toronto Water of \$10,655 and Transportation of \$1,975 would be absorbed by programs.
M5	City Request Standing at Hearing over Conduct of Former Chief Financial Officer and Treasurer	\$0	\$0	Consider.
M6	Interim Public Appointment to the Toronto and Region Conservation Authority	\$0	\$0	Consider.
M7	151 Wimbledon Road, OMB Hearing set for March 14, 2007	\$0	\$0	Costs for consultants range from \$8,000 to \$15,000 and funding is included in the Legal Services' 2007 Recommended Operating Budget
M8	Appointment of Community Members to the Agnes Macphail Award Community Selection Committee			<i>Confidential. See Confidential Report Attached</i>
M9	City Council Support \$10/hour Minimum Wage Proposal	\$0	\$0	Consider.

Minutes of the Council of the City of Toronto
February 5, 6, 7 and 8, 2007

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M10	Liquor Licence Application – Fiona’s CC Restaurant and Bar, 99 Pape Avenue	\$0	\$0	Consider.
M11	Federal Literacy Funding	\$0	\$0	Consider.
M12	Liquor Licence Application – Good 2 Go Jamaican Restaurant and Bar, 10 Melford Drive, Unit 17B	\$0	\$0	Consider.
M13	296 Riverside Drive, OMB Hearing set for March 8, 2007	\$0	\$0	Costs for consultants range from \$8,000 to \$15,000 and funding is included in the Legal Services’ 2007 Recommended Operating Budget
M14	Review of OMB Decisions Nos. 0052, 0053, 0054 Re: 3 Development Sites in West Queen West Triangle	\$35,000 - \$350,000		If the motion for leave to appeal is denied, legal costs will range from \$35,000 - \$75,000. If leave is granted and the appeal is not successful, costs will range from \$180,000 - \$350,000.
M15	Authority to Enter into a Heritage Easement Agreement 130 Bloor Street West – Ward 27 (Toronto Centre-Rosedale)	\$0	\$0	Consider.
M16	Temporary Rental and Sales Offices in former City of North York – Appeals to By-law 686-2006			<i>Confidential. See Confidential Report Attached</i>
M17	Ontario Municipal Board Hearing re 69 – 71 Portland Street	\$0	\$0	Consider.

Confidential Attachment: Minutes of Closed Session