

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

**MONDAY, MARCH 3, 2008,
TUESDAY, MARCH 4, 2008 AND
WEDNESDAY, MARCH 5, 2008**

CALL TO ORDER - 9:41 a.m.

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

The meeting opened with *O Canada*.

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

March 3, 2008

Mayor Miller addressed the Council to pay tribute to Ted Tyndorf, the City's Chief Planner, who passed away.

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

Ted Tyndorf
Joe DeLeo
Darryl Allan

March 4, 2008

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

Eugene Yong Ging Yao
Jeff Healey

17.3 CONFIRMATION OF MINUTES

Councillor Moscoe moved that the Council Minutes for the regular meeting held on January 29 and 30, 2008 be confirmed in the form supplied to the Members, which carried.

17.4 INTRODUCTION OF REPORTS BY COMMITTEE CHAIRS AND INTRODUCTION OF NEW BUSINESS ITEMS

Speaker Bussin advised that Council had previously directed that the following two matters be deferred for consideration at this meeting:

- CC17.1, headed “Technical Amendment to Subsection 64.25(5) of North York Zoning By-law 7625, Zoning Amendment Application, 5435 Yonge Street, 32 and 38 Byng Avenue, and 31 Olive Avenue”; and
- Motion M17.1, headed “Toronto Hydro – Encouraging the Creation of Local Renewable Power Generation Projects”.

Mayor Miller presented the Report from Meeting 17 of the Executive Committee for consideration.

Councillor Holyday presented the Report from Meeting 6 of the Audit Committee for consideration.

Councillor Davis presented the Report from Meeting 10 of the Board of Health for consideration.

Councillor Davis presented the Report from Meeting 11 of the Civic Appointments Committee for consideration.

Councillor Mihevc presented the Report from Meeting 14 of the Community Development and Recreation Committee for consideration.

Councillor Rae presented the Report from Meeting 12 of the Economic Development Committee for consideration.

Councillor Lindsay Luby presented the Report from Meeting 12 of the Government Management Committee for consideration.

Councillor Moscoe presented the Report from Meeting 11 of the Licensing and Standards Committee for consideration.

Councillor Fletcher presented the Report from Meeting 14 of the Parks and Environment Committee for consideration.

Councillor Milczyn presented the Report from Meeting 13 of the Planning and Growth Management Committee for consideration.

Councillor De Baeremaeker presented the Report from Meeting 13 of the Public Works and Infrastructure Committee for consideration.

Councillor Nunziata presented the Report from Meeting 14 of the Etobicoke York Community Council for consideration.

Councillor Augimeri presented the Report from Meeting 13 of the North York Community Council for consideration.

Councillor Kelly presented the Report from Meeting 13 of the Scarborough Community Council for consideration.

Councillor Davis presented the Report from Meeting 13 of the Toronto and East York Community Council for consideration.

Councillor Grimes presented the New Business from City Officials for consideration.

Vote:

The vote on the Introduction of the Committee Reports and the New Business Items carried.

17.5 **DECLARATIONS OF INTEREST**

Councillor Augimeri declared a pecuniary interest in Executive Committee Item EX17.12, headed "Reimbursement of Legal Expenses pursuant to Members' Code of Conduct".

Councillor Mihevc declared an interest in Community Development and Recreation Committee Item CD14.7, headed "Ineligible Applicants to the 2008 Community Service Partnerships", in that his spouse works for one of the agencies that is being considered for funding.

Councillor Carroll declared an interest in Government Management Committee Item GM12.7, headed "Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited", in that her father is a retired Vice President of Real Estate for MacDonald's and may have been involved in the discussion regarding this property.

Councillor Holyday declared an interest in Etobicoke York Community Council Item EY14.31, headed “2 Holiday Drive - Rezoning Application - Final Report”, as it relates to Recommendations 3, 4 and 5, of the Etobicoke York Community Council, in that his grand-daughter attends the daycare centre at the Etobicoke Civic Centre.

Councillor Minnan-Wong declared an interest in North York Community Council Item NY13.17, headed “Final Report - Site Plan Control Application - 1325 Lawrence Avenue East”, in that he owns property in the vicinity.

Councillor Moscoe declared an interest in Community Development and Recreation Committee Item CD14.4, headed “Informing the Development of a Full Day Program for Junior and Senior Kindergarten”, in that his daughter is a part-time child care worker employed by the City of Toronto.

Deputy Mayor Pantalone declared an interest in Government Management Committee Item GM12.7, headed “Sale of City-owned Leased Property at 192A Bloor Street West to McDonald’s Restaurants of Canada Limited”, in that he has a property interest in the vicinity.

Councillor Shiner declared an interest in North York Community Council Item NY13.19, headed “Final Report - Official Plan and Zoning By-law Amendment Applications - 1066 Avenue Road”, in that the Solicitor representing the applicant is also representing his family on another planning matter.

17.6 **PETITIONS**

March 3, 2008

Speaker Bussin in the Chair.

1. Councillor Davis submitted a petition (undated) containing the signatures of approximately 162 individuals regarding school pools and swim programs operated at G.A. Brown school and other Toronto schools.

The above petition was received for information.

2. Mayor Miller submitted a petition (undated) containing the signatures of approximately 1,339 members of St. Basil’s Parish regarding the proposed development on the land adjacent to and encompassing St. Basil’s Church.

The above petition was received for information. (See also Minute 17.70)

17.7 **REVIEW OF THE ORDER PAPER**

March 3, 2008

Speaker Bussin in the Chair.

Speaker Bussin advised Council that the Mayor has the following two Key Matters:

- Government Management Committee Item GM12.6, headed “Green Fleet Plan 2008 to 2011”; and
- Planning and Growth Management Committee Item PG13.1, headed “Proposed Zoning By-law Amendment to Permit Renewable Energy Devices and Cogeneration Devices and allow for the Distribution of that Energy”.

These would be considered as the first Items of business, and once completed, Council would consider the other Items in agenda order.

Vote:

Council adopted the March 3, 2008 Order Paper, without amendment, and all other Items not held on consent.

March 4, 2008

Speaker Bussin in the Chair.

Speaker Bussin proposed that Council confirm the March 4, 2008 Order Paper.

Motion:

1. Councillor Rae moved that Council consider Item TE13.10, headed “Final Report - Official Plan Amendment and Rezoning Application - Part of 50 St. Joseph Street”, as an Urgent Item, immediately following Council’s consideration of the Notices of Motion at 2:00 p.m.

Votes:

Motion 1 by Councillor Rae carried.

Council adopted the March 4, 2008 Order Paper, as amended.

March 5, 2008

Speaker Bussin in the Chair.

Speaker Bussin proposed that Council confirm the March 5, 2008 Order Paper.

Motion:

1. Mayor Miller proposed that Council meet in Closed Session at 10:00 a.m.

Votes:

Motion 1 by Mayor Miller carried.

Council adopted the March 5, 2008 Order Paper, as amended.

CONSIDERATION OF REPORTS

17.8 EXECUTIVE COMMITTEE MEETING 17

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.

March 3, 2008

Held for consideration Minute 17.9	EX17.1	Delegation of Certain Powers in Real Estate Matters (Ward: All)
Held for consideration Minute 17.10	EX17.2	Investment Earnings Policy and the Administration of Reserve Accounts (Ward: All)
Held for consideration Minute 17.11	EX17.3	Policy for the Provision of Line of Credit and Loan Guarantees for Cultural and Community-Based Organizations (Ward: All)
Held for consideration Minute 17.12	EX17.4	Canadian Stage Company – Increase in Line of Credit Guarantee (Ward: All)
Adopted by consent	EX17.5	Development Charges Statutory Public Meeting (Ward: All)
Held for consideration Minute 17.13	EX17.6	Sony Centre – Proposed Amendments to Umbrella Agreement (Ward: 28)
Adopted by consent	EX17.9	Ratification of the Toronto-Ontario Agreement on Cooperation and Consultation (Ward: All)
Held for consideration Minute 17.14	EX17.11	Toronto Water Capital Budget: 2007 Technical Adjustments (Ward: All)
Held for consideration Minute 17.15	EX17.12	Reimbursement of Legal Expenses pursuant to Members' Code of Conduct (Ward: All)

- Held for consideration Minute 17.16 EX17.13 Governance Changes for Toronto Waterfront Revitalization (Ward: All)
- Adopted by consent EX17.14 Access and Remediation Agreement to TEDCO Holdings in the Port Lands and East Bayfront for Waterfront Renewal Activities (Ward: 28, 30, 32)
- Held for consideration Minute 17.17 EX17.15 Update on Green Roof Strategy (Ward: All)
- Held for consideration Minute 17.18 EX17.16 Official Mark Protection for Live Green Toronto (Ward: All)

Consideration of Items - Executive Committee Meeting 17

17.9 **Delegation of Certain Powers in Real Estate Matters**

EX17.1	REFERRED			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Moscoe moved that the Item be amended by:
 1. adding to Recommendation 1 of the Executive Committee, the following:

“subject to the following amendments to Appendix A:

 1. General Condition (c) be deleted and replaced with the following:
 - (c) For all Acquisitions, Disposals, Land Exchanges and Leases, where the property is located within the boundaries of the City of Toronto, concurrence of the local Councillor (or local Councillors if the subject property is located on a ward boundary or if the transaction involves an exchange of properties in more than one ward), will be obtained prior to the exercise of delegated Approving Authority by staff, failing which the local Councillor(s) shall request the delegated authority to be exercised by a higher level of authority on the chart (including the Government Management Committee) for final decision-making.
 2. General Condition (y) be deleted and replaced with the following:

- (y) Where approving power has been delegated to staff, the Chief Corporate Officer, in consultation with the applicable Deputy City Manager or the City Manager, may determine that such matter is of such special interest that same should be determined by the Government Management Committee.”
2. deleting Recommendation 3 of the Executive Committee and replacing it with the following:
3. In respect of the exercise of delegated authority to dispose of land, City Council, as the approving authority under the Expropriations Act, authorize the Government Management Committee and staff to whom authority to dispose of land is being delegated, to dispose of lands acquired by expropriation without giving the owner from whom the land was expropriated the first chance to repurchase the land on the terms of the best offer received by the expropriating authority, if the expropriation has taken place ten years or more prior to the proposed disposal.
2. Councillor Vaughan moved that the Item be amended by adding the following:
1. That, where a local Councillor feels that a property should be acquired, but through the process that idea is rejected by either staff or the Government Management Committee, there be an appeal mechanism to City Council.
2. That the Chief Corporate Officer be requested to report to the Government Management Committee on appropriate policies to facilitate the resale of expropriated properties that are tied to a land assembly or civic projects where the City is a partner.
3. Councillor Feldman moved that the Item, together with motion 1 by Councillor Moscoe and motion 2 by Councillor Vaughan, be referred back to the Executive Committee.

Vote on Referral:

Adoption of motion 3 by Councillor Feldman:

Yes - 23	
Councillors:	Ashton, Carroll, Di Giorgio, Feldman, Ford, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 17	Miller

Mayor:	
Councillors:	Ainslie, Augimeri, Bussin, Davis, De Baeremaeker, Del Grande, Fillion, Giambrone, Jenkins, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Pantalone, Perruzza

Carried by a majority of 6.

City Council Decision

City Council referred this Item back to the Executive Committee, together with the following motions:

Moved by Councillor Moscoe:

That:

1. Recommendation 1 of the Executive Committee be amended by adding the following:

“subject to the following amendments to Appendix A:

1. General Condition (c) be deleted and replaced with the following:
 - (c) For all Acquisitions, Disposals, Land Exchanges and Leases, where the property is located within the boundaries of the City of Toronto, concurrence of the local Councillor (or local Councillors if the subject property is located on a ward boundary or if the transaction involves an exchange of properties in more than one ward), will be obtained prior to the exercise of delegated Approving Authority by staff, failing which the local Councillor(s) shall request the delegated authority to be exercised by a higher level of authority on the chart (including the Government Management Committee) for final decision-making.
2. General Condition (y) be deleted and replaced with the following:
 - (y) Where approving power has been delegated to staff, the Chief Corporate Officer, in consultation with the applicable Deputy City Manager or the City Manager, may determine that such matter is of such special interest that same should be determined by the Government Management Committee.

2. Recommendation 3 of the Executive Committee be deleted and replaced with the following:

3. In respect of the exercise of delegated authority to dispose of land, City Council, as the approving authority under the Expropriations Act, authorize the Government Management Committee and staff to whom authority to dispose of land is being delegated, to dispose of lands acquired by expropriation without giving the owner from whom the land was expropriated the first chance to repurchase the land on the terms of the best offer received by the expropriating authority, if the expropriation has taken place ten years or more prior to the proposed disposal.

Moved by Councillor Vaughan:

1. That, where a local Councillor feels that a property should be acquired, but through the process that idea is rejected by either staff or the Government Management Committee, there be an appeal mechanism to City Council.
2. That the Chief Corporate Officer be requested to report to the Government Management Committee on appropriate policies to facilitate the resale of expropriated properties that are tied to a land assembly or civic projects where the City is a partner.

Background Information

Delegation of Certain Powers in Real Estate Matters

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10351.pdf>)

Delegation of Certain Powers in Real Estate Matters - Appendix A

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10352.pdf>)

1998 Delegation of Authority in Real Property Matters - Appendix A-1

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10353.pdf>)

Additional Background Information (City Council)

- (February 27, 2008) from the Deputy City Manager and Chief Financial Officer and the City Solicitor ([EX17.1a](#))

17.10 Investment Earnings Policy and the Administration of Reserve Accounts

EX17.2	NO AMENDMENT			Ward: All
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March 3, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Carroll, Cho, Davis, Feldman, Filion, Ford, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Vaughan, Walker
No - 2	
Councillors:	Del Grande, Thompson

Carried by a majority of 31.

City Council Decision

City Council adopted the following motions:

1. The policy as outlined in Appendix A, concerning the allocation of investment earnings to reserve accounts, be adopted.
2. Consistent with the policy recommended in Part 1, reserves, reserve funds and accounts as set out in Appendix B be established or re-established for the purpose set out in the respective Schedules to Appendix B for each reserve, reserve fund and account, and Municipal Code Chapter 227, Administration of Reserves and Reserve Funds, be amended by adding the reserves, reserve funds and accounts to their respective schedules as set out in Schedules 1 through 18 in Appendix B.
3. Parts 1 and 2 be effective January 1, 2008.
4. Council establish an obligatory reserve fund called the 'Soccer Stadium Capital Maintenance Reserve Fund' to be used to provide for Capital expenditures (i.e. Capital expenditures as defined as per GAAP) for the soccer stadium at Exhibition Place and that it be added to the new Schedule #15 – Third Party Agreements Reserve Funds in Municipal Code Chapter 227.
5. The Deputy City Manager and Chief Financial Officer be authorized to establish accounts as required with balances on hand within the Planning Act Reserve Fund so that Section #37 and #45 funds will become reserve funds.
6. Council waive the current requirement for each account to be established within the Planning Act Reserve Funds via a by-law, in order to expedite the creation of the necessary accounts as noted in Part 7.

7. Authority be delegated to the City Solicitor to periodically submit bills to amend Municipal Code 227 – Administration of Reserves and Reserve Funds – as future accounts are created, in order to include these accounts within the Planning Act Reserve Funds.
8. For accounts within the Planning Act Reserve Funds, where the balance in an account is the lesser of 10 percent of the original funding or \$10,000.00, these funds can be used for a similar purpose within the same ward as the originating development.
9. Municipal Code 227 – Administration of Reserves and Reserve Funds be amended to authorize the Treasurer to establish accounts within the Planning Act Reserve Funds where Council has adopted a report containing a development agreement with Section 37 provisions which are clearly and totally described in the Financial Impact Section of said report, and to establish the seven criteria required by § 227-2B(1) through (7) of the Code.
10. The City Solicitor and the Chief Planner and Executive Director, City Planning Division, in consultation with the Deputy City Manager and Chief Financial Officer, be authorized to amend the current Agreement report template to include wording giving the City authority to exercise the policy enunciated in Part 9, as well as the authority for the Deputy City Manager and Chief Financial Officer to establish an account within the Planning Act Reserve Fund.
11. The appropriate officials be authorized and directed to take the necessary action to give effect thereto, and leave be granted for the introduction of any necessary bills in Council to give effect thereto.

Background Information

Investment Earnings Policy and the Administration of Reserve Accounts
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10354.pdf>)

17.11 Policy for the Provision of Line of Credit and Loan Guarantees for Cultural and Community-Based Organizations

EX17.3	NO AMENDMENT			Ward: All
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March 3, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Council adopt the criteria for Capital Loan and Operating and Line of Credit Guarantees contained in Appendices “A” and “B” of this report.
2. The total amount of all financial guarantees provided by the City under the Capital Loan policy be limited to an aggregate total of \$125 million.
3. The total amount of all financial guarantees provided by the City under the Operating and Line of Credit policy continue to be limited to an aggregate total of \$10 million.
4. The appropriate officials be authorized to take the necessary action to give effect thereto.

Background Information

Policy for the Provision of Line of Credit and Loan Guarantees for Cultural and Community-Based Organizations
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10355.pdf>

17.12 **Canadian Stage Company – Increase in Line of Credit Guarantee**

EX17.4	NO AMENDMENT			Ward: All
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March 3, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Ford moved that the Item be amended by amending Recommendation 1a of the Executive Committee to now read as follows:
 - 1a. the City maintain the line of credit guarantee on behalf of the Canadian Stage Company (CanStage) to its financial institution at \$500,000.00 (inclusive of all interest payable by CanStage), commencing on January 1, 2008 and ending on October 31, 2009.

Votes:

Adoption of motion 1 by Councillor Ford:

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Yes - 4	
Councillors:	Davis, Del Grande, Ford, Saundercook
No - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fillion, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker

Lost by a majority of 31.

Adoption of the Item, without amendment:

Yes - 37	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 3	
Councillors:	Del Grande, Ford, Perruzza

Carried by a majority of 34.

City Council Decision

City Council adopted the following motions:

1. a. the City increase the line of credit guarantee on behalf of the Canadian Stage Company (CanStage) to its financial institution to \$800,000.00 (inclusive of all interest payable by CanStage), commencing on January 1, 2008, and ending on October 31, 2009;
- b. the City extend the agreement with CanStage with respect to the line of credit guarantee; and
- c. the City extend the tri-party agreement with CanStage and with its financial institution with respect to the line of credit guarantee.
2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as Deputy City Manager Sue Corke, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest.
3. The City retain the right to withhold a portion of outstanding grants that the City may provide to the Canadian Stage Company in 2009 to pay off the line of credit if it is not retired or renegotiated by October 31, 2009.
4. The Canadian Stage Company provide the Deputy City Manager and Chief Financial Officer with their 2008 and 2009 audited financial statements when they become available.
5. The guarantee be deemed to be in the interest of the municipality.
6. The appropriate officials be authorized to take the necessary action to give effect thereto.

Background Information

Canadian Stage Company - Increase in Line of Credit Guarantee
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrrd/backgroundfile-10359.pdf>

17.13 **Sony Centre – Proposed Amendments to Umbrella Agreement**

EX17.6	AMENDED			Ward: 28
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This Item was submitted without recommendation.

March 3, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Lindsay Luby moved that Council adopt the following recommendations contained in the report (February 26, 2008) from the Deputy City Manager and Chief Financial Officer and the Chief Executive Officer, Sony Centre for the Performing Arts:
 1. The terms of the Umbrella Agreement be amended in accordance with the Letter of Intent attached as Appendix 'A' of this report to provide for:
 - a. the sale to Castlepoint of the additional strata area on the seventh and eighth floors of the podium structure; and
 - b. the extension of the date by which the SC/City must notify Castlepoint as to whether the CityCentre project will proceed.
 2. The funds received as a result of the sale of the additional strata area be deposited in the Sony Centre's Capital Improvement Reserve Fund (#XR2031).
 3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Votes:

Motion 1 by Councillor Lindsay Luby carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The terms of the Umbrella Agreement be amended in accordance with the Letter of Intent attached as Appendix 'A' to the supplementary report (February 26, 2008) from the Deputy City Manager and Chief Financial Officer and the Chief Executive Officer, Sony Centre for the Performing Arts (EX17.6c), to provide for:
 - a. the sale to Castlepoint of the additional strata area on the seventh and eighth floors of the podium structure; and
 - b. the extension of the date by which the SC/City must notify Castlepoint as

to whether the CityCentre project will proceed.

2. The funds received as a result of the sale of the additional strata area be deposited in the Sony Centre's Capital Improvement Reserve Fund (#XR2031).
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information

Sony Centre - Proposed Amendments to Umbrella Agreement
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10363.pdf>)

Additional Background Information (City Council)

- (February 26, 2008) from the Deputy City Manager and Chief Financial Officer and the Chief Executive Officer, Sony Centre for the Performing Arts ([EX17.6c](#))

17.14 Toronto Water Capital Budget: 2007 Technical Adjustments

EX17.11	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Council approve the technical budget adjustments to Toronto Water's 2007 Approved Capital Budget detailed in Appendix 1, which reallocate funds between projects with no net impact on the 2007 Approved Capital Budget.
2. Council authorize and direct the appropriate staff to take the necessary action to give effect thereto.

Background Information

Toronto Water Capital Budget: 2007 Technical Adjustments
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10402.pdf>)

17.15 **Reimbursement of Legal Expenses pursuant to Members' Code of Conduct**

EX17.12	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan, Walker
No - 2	
Councillors:	Ford, Parker

Carried by a majority of 37.

City Council Decision

City Council adopted the following motion:

1. City Council authorize indemnification of Councillor Augimeri's legal expenses, in the amount of \$6,381.59, from Council's General Expense Budget.

Background InformationReimbursement of Legal Expenses pursuant to Members' Code of Conduct
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10410.pdf>)**Declared Interest (City Council)**

Councillor Augimeri - in that she has a pecuniary interest in this Item.

17.16 **Governance Changes for Toronto Waterfront Revitalization**

EX17.13	AMENDED		Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Minnan-Wong moved that the Item be amended by deleting from Recommendation 1d of the Executive Committee, the words “a third party” and replacing them with the words “Enwave District Energy Ltd.”, so that Recommendation 1d now reads as follows:
 - 1d. Consent to TWRC to establish a subsidiary corporation (DE Sub) to develop and operate, with Enwave District Energy Ltd., a district energy business serving all or part of West Don Lands, East Bayfront, the Port Lands and 480 Lakeshore Blvd. East, and any other areas in the City consented to by the City.

2. Councillor McConnell moved that the Item be amended by inserting in Recommendation 1d of the Executive Committee, the addresses “481 and 545 Lakeshore Blvd. East”, so that Recommendation 1d now reads as follows:
 - 1d. consent to TWRC to establish a subsidiary corporation (DE Sub) to develop and operate, with a third party, a district energy business serving all or part of West Don Lands, East Bayfront, the Port Lands, and 480, 481 and 545 Lakeshore Blvd. East, and any other areas in the City consented to by the City;

Votes:

Adoption of motion 1 by Councillor Minnan-Wong:

Yes - 3	
Councillors:	Holyday, Minnan-Wong, Stintz
No - 38	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone,

Parker, Perks, Perruzza, Rae, Saundercook, Thompson, Vaughan, Walker

Lost by a majority of 35.

Motion 2 by Councillor McConnell carried.

Adoption of the Item, as amended:

Yes - 41	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

City Council Decision

City Council adopted the following motions:

1. Council authorize the City to provide the following consents, subject to the Provincial and Federal governments providing the same or substantially the same consents:
 - a. consent to Toronto Waterfront Revitalization Corporation (TWRC) to borrow money (which includes consent to provide letters or credit (LCs)), mortgage or otherwise encumber its assets in connection with that borrowing, and raise revenues, on and subject to terms and conditions that include:
 - i. borrowing and encumbering TWRC assets being for activities consistent with TWRC's objects, business and Long-Term Funding plans, and annual budget;
 - ii. borrowing being without recourse to the three orders of government (the Governments) unless, in case of City or Province, that Government agrees otherwise;

- iii. no TWRC borrowing being secured by a pledge of City assets;
 - iv. each of the Governments having the right to audit TWRC;
 - v. TWRC using any revenues it raises for purposes consistent with its objects; and
 - vi. TWRC ensuring that the lender is required to give the Governments written notice of any default under the loan agreement.
- b. consent to TWRC to establish one or more subsidiary corporations to operate a real estate business (RE Subs) in the Designated Waterfront Area, to earn revenue from that business, and to guarantee the indebtedness of the RE Subs, with the consent being subject to certain conditions that include:
- i. the articles and by-laws of each RE Sub being in a form satisfactory to the Deputy City Manager whose responsibilities include Waterfront Revitalization (DCM – Waterfront) and the City Solicitor;
 - ii. TWRC using its revenues from the real estate businesses to further the objects of TWRC;
 - iii. the board of directors (the Board) of each RE Sub consisting of members nominated in consultation with TWRC management and members nominated from TWRC's Board, with the total number of directors and the split between those nominated in consultation with management and those nominated from the TWRC Board being proposed by TWRC and subject to approval of the DCM - Waterfront;
 - iv. the Chairs of RE Subs being appointed by the Board of the RE Sub and each director serving a term that does not exceed three years;
 - v. Board meetings being conducted in public, except when discussing matters that City Council could discuss in camera;
 - vi. each RE Sub not acting as an agent of the Federal Government, or (unless it consents) the Province or City; and
 - vii. each RE Sub not borrowing money or encumbering its assets without the consent of the Governments.
- c. consent to each of the RE Sub(s) to raise revenue, borrow, and encumber its assets as security for that borrowing, subject to conditions that include

the following:

- i. borrowing being for purposes consistent with the RE Sub's articles, and TWRC business plans, and annual budgets as they relate to the RE Sub;
 - ii. borrowing being without recourse to the Governments unless, in the case of City or Province, that Government agrees otherwise;
 - iii. borrowing not being secured by a pledge of City assets;
 - iv. the Governments having rights to audit each RE Sub;
 - v. revenues being used for purposes consistent with the RE Sub's articles;
 - vi. the lender being required to give the Governments written notice of any default under the loan agreement; and
 - vii. each RE Sub maintaining separate books, records and accounting processes for its operations, expenses and revenues, and reporting thereon to TWRC, which will include the results of each subsidiary's financial activities in its consolidated financial statements.
- d. consent to TWRC to establish a subsidiary corporation (DE Sub) to develop and operate, with a third party, a district energy business serving all or part of West Don Lands, East Bayfront, the Port Lands, and 480, 481 and 545 Lakeshore Blvd. East, and any other areas in the City consented to by the City;
 - e. consent to TWRC for the DE Sub to earn revenues from the district energy business and to guarantee the indebtedness of the DE Sub, with the consent being subject to the same conditions as those set out in Part 1b for RE Sub(s), excluding those related to the Board of Directors;
 - f. the Board of Directors of the DE Sub consist of three members nominated in consultation with TWRC management and six members nominated from TWRC's Board (two TWRC directors nominated by each of the City, Province, and Federal Government), with the chair being appointed by the DE Sub's Board and each director serving a term that does not exceed three years;
 - g. the DE Sub not borrowing money, encumbering its assets, or acquiring any equity or similar ownership interest in any corporation, partnership or trust

without the consent of the Governments; and

- h. Consent to the DE Sub to raise revenue, borrow, and encumber its assets as security for that borrowing being subject to the same conditions as are set out in Part 1c (but applying to the DE Sub rather than to the RE Sub(s)).
2. Council authorize the City to amend future Contribution Agreements by:
 - a. either deleting the prohibition against TWRC acquiring or disposing of more than \$10,000.00 worth of assets in any given year, or increase the maximum to an amount that is satisfactory to the DCM - Waterfront; and
 - b. allowing TWRC to determine, subject to the satisfaction of the DCM - Waterfront, the indemnities that are required in the particular circumstances and projects.
 3. Council authorize the DCM - Waterfront or any person acting in that capacity to execute and deliver the documents and take the actions referred to above as well as to take any other actions that may be required to give effect to the foregoing.
 4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information

Governance Changes for Toronto Waterfront Revitalization

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10411.pdf>

17.17 Update on Green Roof Strategy

EX17.15	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 39
Mayor: Miller
Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins,

Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 1 Councillor: Ford

Carried by a majority of 38.

City Council Decision

City Council adopted the following motion:

1. Council amend its policy respecting the installation of green roofs on City and ABC owned facilities by deleting the term ‘where feasible’ so that the policy now reads:
 - a. where technically practical, green roofs with a coverage of at least 50% of the building footprint be constructed on all new city-owned buildings, including agencies, boards and commissions; and
 - b. where technically practical, green roofs be installed on existing City-owned buildings, including agencies, boards and commissions, when roofs are due to be replaced.

Background Information

Update on Green Roof Strategy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10414.pdf>)

17.18 Official Mark Protection for Live Green Toronto

EX17.16	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The word mark and visual identifier for “Live Green Toronto” be adopted and

used as official marks of the City of Toronto, and the City Solicitor be directed to request the Registrar of Trade-marks to give public notice of their adoption and use.

2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto and to take any action required to be taken thereunder.

Background Information

Official Mark Protection for Live Green Toronto

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-10415.pdf>

17.19 AUDIT COMMITTEE MEETING 6

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.

March 3, 2008

Adopted by consent	AU6.1	External Audit Services Contract Extension – Results of Negotiations (Ward: All)
Held for consideration Minute 17.20	AU6.2	2008 Audit Work Plan
Held for consideration Minute 17.21	AU6.3	Employee Benefits Review
Held for consideration Minute 17.22	AU6.4	2007 Fraud and Waste Hotline (Ward: All)

Consideration of Items - Audit Committee Meeting 6

17.20 2008 Audit Work Plan

AU6.2	NO AMENDMENT			
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council receive the 2008 Audit Work Plan attached as Appendices 1 and 2.

Background Information

2008 Audit Work Plan - January 21, 2008 report from the Auditor General, including Appendices 1 and 2

(<http://www.toronto.ca/legdocs/mmis/2008/au/bgrd/backgroundfile-10691.pdf>)

17.21 **Employee Benefits Review**

AU6.3	NO AMENDMENT			
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The Director, Pension, Payroll and Employee Benefits, in consultation with senior management representatives of the City's agencies, boards and commissions, review and consider the cost-effectiveness of expanding the current City of Toronto benefits umbrella to include other City of Toronto agencies, boards and commissions.
2. The Director, Pension, Payroll and Employee Benefits, continue to review cost containment initiatives for the purpose of identifying potential cost reduction opportunities related to employee and retiree benefit costs. The review should include the use of drug dispensing fee caps as well as the potential for deductible and co-insurance provisions.
3. The Director, Pension, Payroll and Employee Benefits, give consideration to the formal documentation of an annual evaluation of benefit administrator performance.

Background Information

Employee Benefits Review - October 16, 2007 report from the Auditor General

(<http://www.toronto.ca/legdocs/mmis/2008/au/bgrd/backgroundfile-10709.pdf>)

Employee Benefits Review - Appendix 1
(<http://www.toronto.ca/legdocs/mmis/2008/au/bgrd/backgroundfile-11011.pdf>)
Employee Benefits Review - Appendix 2 Management's Response
(<http://www.toronto.ca/legdocs/mmis/2008/au/bgrd/backgroundfile-10711.pdf>)

17.22 **2007 Fraud and Waste Hotline**

AU6.4	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Walker, at 7:57 p.m., moved that Council remain in session past the scheduled 8:00 p.m. recess in order to complete this Item and pass a confirming bill, which carried, two-thirds of Members present having voted in the affirmative.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council direct the City Manager to ensure that all management staff are aware of their reporting responsibilities under the Fraud Prevention Policy. Such responsibilities include the reporting of allegations pertaining to fraud and wrongdoing to the Auditor General's Office on a timely basis.

Background Information

2007 Fraud and Waste Hotline - February 7, 2008 report from the Auditor General
(<http://www.toronto.ca/legdocs/mmis/2008/au/bgrd/backgroundfile-10712.pdf>)
Appendix 1
(<http://www.toronto.ca/legdocs/mmis/2008/au/bgrd/backgroundfile-10713.pdf>)

17.23 **BOARD OF HEALTH MEETING 10**

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.

March 3, 2008

6. The City Manager be requested to undertake a detailed review of the proposed actions to sustain critical City functions in a pandemic emergency to ensure that the proposed actions represent the most effective and appropriate options. Such a review should include, but not be limited to, an examination of the viability, effectiveness, and resource requirements of the proposed preparedness actions.
7. The City Manager be requested to take necessary steps to ensure a co-ordinated corporate process to prioritize and implement the proposed preparatory actions to sustain critical City services in a pandemic emergency.
8. The City Manager be requested to take necessary steps to develop a corporate procurement policy and plan for infection control supplies, personal protective equipment and critical operational supplies, in preparation for a pandemic emergency. Such steps should include, but not be limited to, a review, prioritization, and alignment of purchasing requirements with the World Health Organization pandemic alert phases.
9. The City Manager be requested to set a timeline for completion of the corporate pandemic response plan and the corporate pandemic communications strategy, and ensure that both documents contain essential details facilitating a timely and effective City response to the World Health Organization's pandemic alert phases.
10. The City Manager be requested to undertake a review of the City's Human Resources related pandemic planning assumptions and preparedness actions to ensure they are adequate and sufficient. Such a review should include, but not be limited to, an examination of Human Resources related pandemic planning issues and criteria, a review of other Cities' employee support actions in preparation for a pandemic and consultation with employee unions and management association.
11. The City Manager be requested to take necessary steps to develop and implement a process to systematically track and monitor costs associated with pandemic preparedness.
12. The City Manager be requested to develop a corporate pandemic implementation plan outlining goals, specific short-term objectives and targeted timelines, as well as assignment of responsibilities.

Background Information

Review of City of Toronto Pandemic Planning and Preparedness

(<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-8892.pdf>)

Review of City of Toronto Pandemic Planning and Preparedness - Appendix 1

(<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-8893.pdf>)

Review of City of Toronto Pandemic Planning and Preparedness - Appendix 2

(<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-8894.pdf>)

Review of City of Toronto Pandemic Planning and Preparedness - Appendix 3
(<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-8895.pdf>)

17.25 **Prudent Avoidance Policy on Siting Telecommunication Towers and Antennas**

HL10.3	AMENDED			
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March 4, 2008

Speaker Bussin in the Chair.

Council considered this Item together with Item PG13.2, headed “Supplementary Report - Proposed Protocol for the Installation of Telecommunication Towers”. (See Minute 17.48)

Motions:

1. Councillor Filion moved that the Items be amended by:
 1. deleting Recommendation 1 of the Board of Health and replacing it with the following:
 1. City Council endorse the Prudent Avoidance Policy (a standard 100 times more stringent than the current Safety Code 6), as recommended by the Board of Health and the Medical Officer of Health, and Health Canada and Industry Canada be so advised.
 2. adding the following:
 - a. Staff use the Prudent Avoidance Standard to evaluate cell tower and antenna applications, oppose those which do not meet it and report on these to the Planning and Growth Management Committee.
 - b. The Medical Officer of Health be requested to report further on how the cumulative impact of cell phone towers and antennae can best be measured in areas with concentrations of them.
 - c. The Telecommunications Tower and Antenna Protocol be amended so that property owners and tenants within 25 metres of antennae will also be notified by the City of applications, with all costs to be borne by the applicant.
2. Councillor Ainslie moved that Item PG13.2 be amended by:

1. deleting the following Recommendation 1 of the Planning and Growth Management Committee:

Recommendation to be deleted:

1. Approve the amended Attachment 1: Revised Draft Telecommunications Protocol entitled "City of Toronto Telecommunications Tower and Antenna Protocol".

2. adding the following:

That Council adopt the recommendations contained in the report (February 28, 2008) from the Acting Chief Planner and Executive Director, City Planning, subject to amending Recommendation 1, so that the Recommendations as amended, now read as follows:

1. approve the amended City of Toronto Telecommunications Tower and Antenna Protocol (dated February 28, 2008) attached to this report as Attachment 1, subject to replacing Section 11.B.(c) with the following:

"11.B.(c) That Notice be provided to all property owners and tenants located within 400 metres of a proposed Telecommunication Tower, such Notice to be prepared and sent by the City Clerk's Office as pre-paid first-class mail, with all costs to be borne by the Applicant."

2. approve a Toronto Telecommunications Tower and Antenna application review fee of \$2,133 subject to further review by staff.

3. Councillor Moscoe moved that Item PG13.2 be amended by amending the City of Toronto Telecommunications Tower and Antenna Protocol (attached to the February 28, 2008 report from the Acting Chief Planner) by:

1. deleting from Part (a) of Section 8 both instances of the word "may" and replacing them with the word "shall", so that the preamble reads as follows:

"8(a) The proponent shall be required, if requested by the City, to enter into an agreement, which shall include the following requirements:"

2. deleting the following Part (b) from Section 10, headed "Building Permits":

Part (b) to be deleted:

“10(b) A building permit is not required:

- (i) For the design and construction of the telecommunication antennae or telecommunication tower structures.”

3. deleting from Parts (a) and (g) of Section 11.B, headed “Procedure for Public Consultation”, the words “open house”, so that Parts (a) and (g) now read as follows:

“11.B(a) For proposals that do not meet the exemption criteria in Section 11A, the proponent will be responsible for organizing and chairing community meeting.

11.(B)(g) The proponent will also make available at the community meeting an appropriate visual display, including at a minimum, a display-size (24”x36”) colour photograph of the subject property with a superimposed image of the proposed telecommunication tower.”

4. Councillor Palacio moved that Item PG13.2 be amended by adding the following:

The Acting Chief Planner and Executive Director, City Planning, in consultation with the Executive Director and Chief Building Official, be requested to report to the Planning and Growth Management Committee with a list of locations of all existing and proposed telecommunications towers in the City of Toronto, including the ward where they are located, street address, existing zoning, and any other pertinent details. If this information is not available, the Acting Chief Planner be requested to obtain this information from Industry Canada.

Votes:

Adoption of motion 1 by Councillor Filion:

Yes - 29	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Filion, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Lee, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Shiner, Stintz, Vaughan, Walker
No - 9	
Councillors:	Del Grande, Feldman, Grimes, Kelly, Lindsay Luby, Minnan-Wong, Ootes, Parker, Thompson

Carried by a majority of 20.

Adoption of motion 2 by Councillor Ainslie:

Yes - 33 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Cho, De Baeremaeker, Del Grande, Feldman, Filion, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Shiner, Stintz, Thompson, Vaughan, Walker
No - 5 Councillors:	Carroll, Kelly, Milczyn, Minnan-Wong, Ootes

Carried by a majority of 28.

Adoption of motion 3 by Councillor Moscoe:

Yes - 27 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Filion, Ford, Giambrone, Hall, Heaps, Jenkins, Lee, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Shiner, Vaughan, Walker
No - 11 Councillors:	Del Grande, Feldman, Grimes, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Ootes, Parker, Stintz, Thompson

Carried by a majority of 16.

Adoption of motion 4 by Councillor Palacio:

Yes - 22 Councillors:	Ainslie, Bussin, Cho, De Baeremaeker, Filion, Ford, Grimes, Hall, Holyday, Jenkins, Lee, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Palacio, Parker, Perruzza, Vaughan, Walker
No - 16 Councillors:	Ashton, Augimeri, Carroll, Del Grande, Feldman, Giambrone, Heaps, Kelly, Lindsay Luby, Milczyn, Minnan-Wong, Pantalone, Perks, Shiner, Stintz, Thompson

Carried by a majority of 6.

Adoption of the Items, as amended:

Yes - 34 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Feldman, Fillion, Ford, Giambrone, Grimes, Hall, Heaps, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Shiner, Stintz, Thompson, Vaughan, Walker
No - 4 Councillors: Del Grande, Holyday, Kelly, Parker

Carried by a majority of 30.

City Council Decision - Item HL10.3

City Council adopted the following motions:

1. City Council endorse the Prudent Avoidance Policy (a standard 100 times more stringent than the current Safety Code 6), as recommended by the Board of Health and the Medical Officer of Health, and Health Canada and Industry Canada be so advised.
2. Staff use the Prudent Avoidance Standard to evaluate cell tower and antenna applications, oppose those which do not meet it and report on these to the Planning and Growth Management Committee.
3. The Medical Officer of Health be requested to report further on how the cumulative impact of cell phone towers and antennae can best be measured in areas with concentrations of them.

Background Information

Prudent Avoidance Policy on Siting Telecommunication Towers and Antennas
<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-8919.pdf>

See also Planning and Growth Management Committee Item PG13.2, headed "Supplementary Report - Proposed Protocol for the Installation of Telecommunication Towers (Ward: All)", Minute 17.48

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.

March 3, 2008

- | | | |
|--------------------|--------|--|
| Adopted by consent | CA11.1 | Replacement Board Member, St. Lawrence Centre for the Arts |
| Adopted by consent | CA11.2 | Appointment of a Citizen Representative to the Heritage Toronto Board of Directors, to replace a vacancy |

17.27 COMMUNITY DEVELOPMENT AND RECREATION COMMITTEE MEETING 14

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.

March 3, 2008

- | | | |
|--|--------|---|
| Held for consideration
Minute 17.28 | CD14.2 | 2008 Per Diem Rates for the Purchase of Service Shelter System and Related Matters |
| Held for consideration
Minute 17.29 | CD14.3 | Adequacy of Child Care Funding and Service Levels |
| Held for consideration
Minute 17.30 | CD14.4 | Informing the Development of a Full Day Program for Junior and Senior Kindergarten |
| Adopted by consent | CD14.6 | Service Canada Funding Renewal for the Toronto Youth Job Corps (TYJC) Program |
| Held for consideration
Minute 17.31 | CD14.7 | Ineligible Applicants to the 2008 Community Service Partnerships |
| Held for consideration
Minute 17.32 | CD14.8 | Request for Change of Name from Homes for the Aged Division to Long-Term Care Homes and Services Division |

**Consideration of Items - Community Development and Recreation
Committee Meeting 14**

**17.28 2008 Per Diem Rates for the Purchase of Service Shelter System and
Related Matters**

CD14.2	AMENDED			
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March 4, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Shiner moved that the Item be amended as follows:
 1. Council approve a minimum rate of \$60.00 per bed night for all youth shelters, effective July 1, 2008.
 2. Appendix A, headed "2008 Recommended Per Diem Rates, Bed Capacities and Personal Needs Allowances", be amended to reflect this rate.
 3. The matter of the funding required be referred to the Budget Committee for consideration during the 2008 budget process.
2. Councillor Carroll moved that motion 1 by Councillor Shiner be referred to the Budget Committee for consideration.

Votes:

Adoption of motion 2 by Councillor Carroll:

Yes - 25	Councillors: Ashton, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Fillion, Fletcher, Ford, Giambrone, Grimes, Heaps, Jenkins, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Perks, Rae, Vaughan
No - 10	Councillors: Feldman, Holyday, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Shiner, Stintz, Walker

Carried by a majority of 15.

Due to the above decision of Council, motion 1 by Councillor Shiner was not put to a vote.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Council approve the recommended per diem rates, bed capacities and personal needs allowances rates for the shelter system as set out in Appendix A, subject to the approval of the 2008 Operating Budget.
2. The following motion be referred to the Budget Committee for consideration:

Moved by Councillor Shiner:

1. That Council approve a minimum rate of \$60.00 per bed night for all youth shelters, effective July 1, 2008.
2. That Appendix A, headed “2008 Recommended Per Diem Rates, Bed Capacities and Personal Needs Allowances”, be amended to reflect this rate.
3. That the matter of the funding required be referred to the Budget Committee for consideration during the 2008 budget process.

Background Information

cd14.2- Letter from the Community Development and Recreation Committee

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11107.pdf>)

cd14.2-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11093.pdf>)

cd14.1-Appendix A

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11094.pdf>)

cd14.2-Appendix B

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11095.pdf>)

cd14.2-Appendix C

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11096.pdf>)

cd14.2-Appendix D

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11097.pdf>)

cd14.2-Appendix E

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11098.pdf>)

cd14.2-Appendix F

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11099.pdf>)

cd14.2-Appendix G

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11100.pdf>)

cd14.2-Appendix H

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11101.pdf>)

cd14.2-Appendix I

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11102.pdf>)

cd14.2-Appendix J

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11103.pdf>)

cd14.2-Appendix K

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11104.pdf>)
cd14.2-Appendix L
(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11105.pdf>)

17.29 Adequacy of Child Care Funding and Service Levels

CD14.3	NO AMENDMENT			
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. The 2010 – 2015 Child Care Service Plan outline the annual service growth necessary to achieve equitable distribution of child care fee subsidies and licensed child care spaces by 2015 and that this service level target be included in the draft “Toronto Children’s Plan”.

Background Information

cd14.3-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11106.pdf>)

17.30 Informing the Development of a Full Day Program for Junior and Senior Kindergarten

CD14.4	NO AMENDMENT			
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. This report, along with the research findings from Toronto First Duty, be forwarded to Dr. Charles Pascal, Special Advisor to the Premier on full-day learning for four- and five-year-olds.
2. The City of Toronto ask to participate in consultations on full-day learning for four- and five-year-olds to inform the strategy development.

Background Information

cd14.4-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11108.pdf>

Declared Interest (City Council)

Councillor Moscoe - in that his daughter is a part-time child care worker employed by the City of Toronto.

17.31 Ineligible Applicants to the 2008 Community Service Partnerships

CD14.7	AMENDED			
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March 3, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Davis moved that the Item be amended in accordance with the following recommendations contained in the report (February 27, 2008) from the Executive Director, Social Development, Finance and Administration:
 1. First Portuguese Canadian Cultural Centre be determined to be eligible for support under the 2008 CSP and proceed to the assessment phase;
 2. Bangladeshi-Canadian Community Services be confirmed as ineligible, and be advised that they are not eligible for support under the 2008 (CSP); and
 3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Votes:

Motion 1 by Councillor Davis carried.

Adoption of the Item, as amended:

Yes - 36 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1 Councillor: Ford

Carried by a majority of 35.

City Council Decision

City Council adopted the following motions:

1. The following 6 new applicants determined to be ineligible at this stage of the assessment process be advised that they are not eligible for support under the 2008 Community Service Partnerships (CSP):
 - a. Africanadain Mediation and Community Services;
 - b. Bangladeshi-Canadian Community Services;
 - c. Chinese Professional Women of Canada;
 - d. East Area Women's Mental Health of Toronto (Margaret Frazer House);
 - e. Madbakh Women's Initiative, Inc.; and
 - f. Metro Street Focus Organization.

2. The following 8 new applicants determined to be eligible proceed to the assessment review:
 - g. East Metro Youth Services;
 - h. East York East Toronto Family Resources;
 - i. Elizabeth Fry Society of Toronto;
 - j. First Portuguese Canadian Cultural Centre;
 - k. Franklin Horner Community Centre;
 - l. Humewood House Association;
 - m. Literature for Life; and
 - n. Youthlink.

3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information

cd14.7-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-11111.pdf>)

Additional Background Information (City Council)

- Report (February 27, 2008) from the Executive Director, Social Development, Finance and Administration ([CD14.7a](#))

Declared Interest (City Council)

Councillor Mihevc - in that his spouse works for one of the agencies that is being considered for funding.

17.32 **Request for Change of Name from Homes for the Aged Division to Long-Term Care Homes and Services Division**

CD14.8	AMENDED			
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March 3, 2008

Speaker Bussin in the Chair.

Motion:

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

The name of the Advisory Committee on Homes for the Aged be changed to the Advisory Committee on Long-Term Care Homes and Services, effective June 1, 2008.

Votes:

Motion 1 by Councillor Mihevc carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The name of the Homes for the Aged Division be changed to the Long-Term Care Homes and Services Division, effective June 1, 2008.
2. Senior management develop both a communication plan and an implementation plan to support this change, thus ensuring that residents, clients, families, staff volunteers and the general public understand the change and the rationale for it.

3. The name of the Advisory Committee on Homes for the Aged be changed to the Advisory Committee on Long-Term Care Homes and Services, effective June 1, 2008.

Background Information

cd14.8-Letter from Advisory Committee on Home for the Aged
(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-10453.pdf>)

cd14.8-Staff Report
(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-10454.pdf>)

17.33 ECONOMIC DEVELOPMENT COMMITTEE MEETING 12

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.

March 3, 2008

Adopted by consent	ED12.2	Design Exchange (DX) 2008 Annual Grant Review (Ward: All)
Adopted by consent	ED12.3	Creative City Framework (Ward: All)
Adopted by consent	ED12.4	Issues and Opportunities: Greater Toronto Airports Authority/Toronto Pearson International Airport (Ward: All)
Held for consideration Minute 17.34	ED12.5	Regulation of Holiday Shopping (Ward: All)
Adopted by consent	ED12.6	Official Mark Protection for "Yonge-Dundas Square", "Dundas Square", "The Heart of the City" and Yonge-Dundas Square Visual Identifier (Ward: All)
Adopted by consent	ED12.7	Intention to Designate the Area along Danforth Avenue between Victoria Park Avenue and Scotia Avenue as the Crossroads of the Danforth Business Improvement Area (BIA) (Ward: 35)
Adopted by consent	ED12.8	2008 Business Improvement Area Operating Budgets: Report No. 3 (Ward: 20, 21, 28)

Consideration of Item - Economic Development Committee Meeting 12

17.34 Regulation of Holiday Shopping

ED12.5	RECEIVED FOR INFORMATION			Ward: All
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Procedural Motions:

Councillor Rae, at 7:10 p.m., moved that Council vary the Order Paper in order to now consider Item ED12.5, which carried, two-thirds of Members present having voted in the affirmative.

Councillor Rae, at 7:32 p.m., moved that Council continue in session past the scheduled 8:00 p.m. recess in order to complete consideration of Item ED12.5, the vote on which was taken as follows:

Yes - 22 Mayor: Miller Councillors: Ashton, Augimeri, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Heaps, Holyday, Lee, Lindsay Luby, Mihevc, Milczyn, Moscoe, Palacio, Parker, Perks, Perruzza, Rae, Walker
No - 16 Councillors: Ainslie, Cho, Del Grande, Feldman, Fletcher, Ford, Jenkins, Kelly, Minnan-Wong, Nunziata, Ootes, Pantalone, Saundercook, Shiner, Stintz, Vaughan

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

Speaker Bussin in the Chair.

Councillor Ashton, at 7:55 p.m., moved that Council continue in session past the scheduled 8:00 p.m. recess to allow Members to finish questioning City officials on Item ED12.5, and to pass a confirming bill, the vote on which was taken as follows:

Yes - 25 Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Heaps, Holyday, Jenkins, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Rae, Saundercook, Stintz
No - 9 Councillors: Del Grande, Ford, Lee, Minnan-Wong, Pantalone, Perruzza, Shiner, Vaughan, Walker

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

March 5, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Walker moved that the Item be received for information.
2. Councillor Nunziata moved that the Item be referred to the Executive Director, Tourism Section, with a request that he seek input from the local Business Improvement Areas and report back to the Economic Development Committee.

Vote on Referral:

Adoption of motion 2 by Councillor Nunziata:

Yes - 6 Councillors: Feldman, Fletcher, Nunziata, Palacio, Saundercook, Walker
No - 22 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Ford, Grimes, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Ootes, Parker, Perks, Perruzza, Shiner, Vaughan

Lost by a majority of 16.

Motion to Reconsider:

Councillor Perruzza, with the permission of Council, moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider the vote on the adoption of motion 2 by Councillor Nunziata, the vote on which was taken as follow:

Yes - 26 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Fletcher, Grimes, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Nunziata, Ootes, Palacio, Parker, Perks, Perruzza, Shiner, Vaughan, Walker
No - 3 Councillors: Ford, Lee, Saundercook

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

Re-vote:

Adoption of motion 2 by Councillor Nunziata:

Yes - 9	
Councillors:	Feldman, Fletcher, Milczyn, Nunziata, Palacio, Perruzza, Saundercook, Shiner, Walker
No - 20	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Ford, Grimes, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Ootes, Parker, Perks, Vaughan

Lost by a majority of 11.

Motions:

3. Councillor Palacio moved that the Item be amended by deleting from Recommendation 1 of the Economic Development Committee, the words “Good Friday” after the words “Family Day”, and adding the words “Good Friday” after the words “Christmas Day”, so that Recommendation 1 reads:
 1. Permit all retail operations in the city core defined as Wards 19, 20, 27 and 28 to remain open on all designated holidays except for Christmas Day and Good Friday, (i.e., New Year's Day, Family Day, Easter Sunday, Victoria Day, Canada Day, Labour Day and Thanksgiving Day), if they wish. To include a condition “That a provision in a lease or other agreement that has the effect of requiring a retail business establishment to remain open on a designated holiday is of no effect even if the lease or agreement was made before the amendments to By-law 8-2007 Chapter 510 came into place.”
4. Councillor Lindsay Luby moved that the Item be amended by deleting the recommendations of the Economic Development Committee, and that Council adopt instead the following recommendations contained in the report (February 6, 2008) from the Executive Director, Tourism Section:
 1. Permit all retail operations inside the geographic boundaries of the city to remain open on all designated holidays except for Christmas Day, (i.e. New Year's Day, Family Day, Good Friday, Easter Sunday, Victoria Day, Canada Day, Labour Day and Thanksgiving Day) between the hours of 11:00 a.m. and 6:00 p.m., if they wish. To include a condition “That a provision in a lease or other agreement that has the effect of requiring a retail business establishment to remain open on a designated holiday is of

no effect even if the lease or agreement was made before the amendments to By-law 8-2007 Chapter 510 came into place.”;

2. Permit pharmacies accredited under the Drug and Pharmacies Regulation Act to remain open on Christmas Day as well as on all the designated holidays referred to in recommendation 1, if they wish, providing that the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and that dispensing of drugs is available to the public; and
 3. Authorize the City Solicitor to bring forward amendments to Municipal Code Chapter 510, Holiday Shopping, reflecting these recommendations.
5. Councillor Ford moved that the Item be amended by deleting the recommendations of the Economic Development Committee, and that Council adopt the following instead:
1. All retail operations throughout the geographic boundaries of the City be permitted to remain open 365 days per year, and 24 hours per day if they so wish.
 2. The City Solicitor be authorized to bring forward amendments to Municipal Code Chapter 510, Holiday Shopping, reflecting this recommendation.
6. Councillor Holyday moved that the Item be amended by amending Recommendation 2 of the Economic Development Committee so that it now reads as follows:
2. Permit pharmacies throughout the geographic boundaries of the city accredited under the Drug and Pharmacies Regulation Act to remain open regular operating hours on all the designated holidays referred to in Recommendation 1 and on Christmas Day, only as it pertains to the sale of goods of a pharmaceutical or therapeutic nature and provided that dispensing of drugs is available to the public.
7. Councillor Davis moved that the Item be amended by:
1. deleting Recommendation 1 of the Economic Development Committee, and that Council adopt instead Option 1 contained in the report (February 6, 2008) from the Executive Director, Tourism Section, which provides for the status quo on holiday retail openings and streamlines the current application process for tourist designated areas as set out in Attachment 4 to the report; and

2. adding to Recommendation 2 of the Economic Development Committee, the words “and the retail area be no greater than 2,500 square metres”.
8. Councillor Del Grande moved that:
 - a. Part 2 of motion 7 by Councillor Davis be amended by deleting the figure “2,500 square metres” and replacing it with “7,500 square feet”, so that it now reads:
 2. Recommendation 2 be amended by adding the words “and the retail area be no greater than 7,500 square feet”.
 - b. the Item be amended by adding the following:

The Schedule of Meetings for Council and Committees should not exclude meetings on any statutory holidays.

Ruling by Speaker:

Speaker Bussin ruled motion 8b by Councillor Del Grande out of order as it is not related to the Item under consideration.

Motion:

9. Councillor Fletcher moved that the Item be amended by adding the following:
 - a. That the Executive Director, Tourism Section, report to the Economic Development Committee on:
 1. the establishment of a statutory holiday fund into which retail establishments open on statutory holidays could contribute, with all retail establishments operating on a statutory holiday being obliged to pay into this fund on a basis to be determined in the future;
 2. ways to ensure that every employee of a retail establishment located in the City of Toronto be granted three personal days per year, to be used on statutory holidays, without threat of retribution or dismissal; and
 3. options to ensure employees of a retail establishment located in the City of Toronto not covered by a labour agreement are guaranteed statutory holidays.
 - b. The Executive Director, Children’s Services report to the Budget Committee on the impact on the City’s budget for the cost of City-run child

care facilities, which may be required to remain open as a result of the extension of holiday shopping provisions on statutory holidays.

Vote on Receipt:

Adoption of motion 1 by Councillor Walker:

Yes - 19	
Councillors:	Augimeri, Bussin, Cho, Del Grande, Di Giorgio, Feldman, Fletcher, Grimes, Holyday, Kelly, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Perruzza, Saundercook, Shiner, Walker
No - 15	
Councillors:	Ashton, Carroll, Davis, De Baeremaeker, Filion, Ford, Heaps, Jenkins, Lee, Lindsay Luby, Mihevc, Milczyn, Pantalone, Perks, Vaughan

Carried by a majority of 4.

Due to the above decision of Council, the following motions were not put to a vote:

- motion 3 by Councillor Palacio;
- motion 4 by Councillor Lindsay Luby;
- motion 5 by Councillor Ford;
- motion 6 by Councillor Holyday;
- motion 7 by Councillor Davis;
- motion 8a by Councillor Del Grande; and
- motion 9 by Councillor Fletcher.

City Council Decision

City Council received this Item for information.

Background Information

2008-02-20-ed12-5

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-10674.pdf>)

2008-02-20-ed12-5-attach 1

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-10675.pdf>)

2008-02-20-ed12-5-attach 2

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-10676.pdf>)

2008-02-20-ed12-5-attach 3

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-10677.pdf>)

2008-02-20-ed12-5-attach 4

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-10678.pdf>)

Additional Communications (City Council)

- (February 22, 2008) from Carmen Lewis, Chair, Andrew King, Vice-Chair, and Walter McIntyre, Communications, Etobicoke Strategy (ED12.5.6)
- (February 29, 2008) from the Executive Vice President, Operations, The Cadillac Fairview Corporation Limited (ED12.5.7)
- (February 29, 2008) from the Vice President, Ontario, Canadian Council of Grocery Distributors (ED12.5.8)

17.35 GOVERNMENT MANAGEMENT COMMITTEE MEETING 12

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.

March 3, 2008

Adopted by consent	GM12.2	Authority for City Solicitor to Recover Unpaid Industrial Waste Surcharges (Ward: All)
Adopted by consent	GM12.3	Authority for City Solicitor to Recover Damages Incurred Due to Improper Construction (Ward: All)
Adopted by consent	GM12.4	Cancellation, Reduction or Refund of Property Taxes (Ward: All)
Adopted by consent	GM12.5	Apportionment of Property Taxes – February 2008 Hearing (Ward: All)
Held for consideration Minute 17.36	GM12.6	Green Fleet Plan 2008-2011 (Ward: All)
Held for consideration Minute 17.37	GM12.7	Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited (Ward: 20)
Held for consideration Minute 17.38	GM12.8	Possibility of Bringing the 2.3 acre Parcel of Land Abutting Port Union Village Common Park into Public Ownership (Ward: 44)
Held for consideration Minute 17.39	GM12.10	Acquisition of Provincial Lands - Southeast Corner of Black Creek Drive and Eglinton Avenue West (Ward: 12)
Adopted by consent	GM12.11	Lease Renewal 1243 Islington Avenue – 9,716 Square Feet of Rentable Area for Children's Services (Ward: 5)

- Held for consideration Minute 17.40 GM12.12 Sale of the Public Lane at the Rear of 709 and 711 Yonge Street, Extending Northerly from Hayden Street (Ward: 27)
- Adopted by consent GM12.13 Release of City Interest in 261 Jarvis Street to the Toronto Community Housing Corporation (Ward: 27)
- Adopted by consent GM12.14 Lease Expansion and Renewal and Designation as a Municipal Capital Facility – 2380-2386 Eglinton Avenue East – Toronto Public Library (Ward: 37)
- Held for consideration Minute 17.41 GM12.15 Consolidated Oracle Contract Negotiations (Ward: All)
- Held for consideration Minute 17.42 GM12.16 Sale of Strata Ownership at 259 Victoria Street

Consideration of Items - Government Management Committee Meeting 12

17.36 Green Fleet Plan 2008-2011

GM12.6	AMENDED		Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Shiner moved that the Item be amended by adding the following:
 - a. City Council request the Federal Minister of Finance to re-instate the rebates for hybrid vehicles and to make this a permanent long-term program.
 - b. The Fleet Services Division identify Canadian manufacturers of alternate fuel/green fleet vehicles to indicate that the City of Toronto supports the development of these vehicles and technologies and wishes to assist with testing and demonstration of these vehicles.
 - c. the following Recommendation 16b:
 - 16b. staff from the Fleet Services Division, the Energy Efficiency Office and the City's Environmental Office be requested to assist the Toronto Transit Commission in identifying and reporting on the emissions from the current and proposed streetcars and LRT fleet.

- d. The Director of the Toronto Environmental Office be requested to work with staff of the Fleet Services Division to identify the emissions from the fleet of vehicles which are hauling the City's waste to Michigan, and in the future to Greenlane, and ways to reduce these emissions.
2. Councillor Del Grande moved that the Item be amended by adding the following:

City Council encourage the Provincial government to allow low-speed electric vehicles on City streets, on a pilot basis.
 3. Councillor Ootes moved that the Item be amended by adding the following:
 - a. The Chief Corporate Officer be requested to report to the Government Management Committee on the life cycle impact of the proposed hybrid vehicles to conventional vehicles.
 - b. The Chief Corporate Officer be requested to report to the Government Management Committee on the environmental impact of ethanol and/or as well as the economic impact on the cost of food products.
 4. Councillor Hall moved that the Item be amended by adding the words "and the environmental impact of converting forests and food-producing land to growing crops for fuel", to the end of Recommendation 8 of the Government Management Committee, so that Recommendation 8 now reads as follows:
 8. Fleet Services Division evaluate biofuels to determine which products and feedstocks provide the greatest environmental benefits on a life-cycle basis, and the environmental impact of converting forests and food-producing land to growing crops for fuel.
 5. Councillor Holyday moved that the Item be amended by adding the following:

The Chief Corporate Officer be requested to report to the Government Management Committee on actual savings achieved, including details of the savings as shown on Page 11 of the Green Fleet Plan 2008-2011, and that this report be submitted to the March 2009 Council meeting.
 6. Councillor Perks moved that the following motions be referred to the City Manager for review and report by appropriate City staff:
 - motion 1 by Councillor Shiner;
 - motion 2 by Councillor Del Grande;
 - motion 3 by Councillor Ootes;
 - motion 4 by Councillor Hall; and

- motion 5 by Councillor Holyday.

Procedural Motion:

Councillor Walker, at 12:26 p.m., moved that Council remain in session past the scheduled lunch break in order to complete the vote on Item GM12.6, which carried, two-thirds of Members present having voted in the affirmative.

Ruling by Speaker:

Councillor Shiner requested that a separate vote be taken on each part of motion 6 by Councillor Perks. Speaker Bussin ruled that the request for separate votes is contrary to the intent of the motion, which is to refer all the motions as a package.

Councillor Walker challenged the ruling of the Speaker.

Vote to Uphold Ruling of Speaker:

Yes - 25 Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Nunziata, Palacio, Pantalone, Perks, Rae
No - 15 Councillors:	Feldman, Ford, Grimes, Holyday, Jenkins, Minnan-Wong, Moscoe, Ootes, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker

Carried by a majority of 10.

Votes:

Adoption of motion 6 by Councillor Perks:

Yes - 20 Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Filion, Giambrone, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Pantalone, Perks, Rae, Vaughan
No - 20 Councillors:	Ainslie, Del Grande, Feldman, Ford, Grimes, Hall, Holyday, Jenkins, Lee, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker

Lost, there being a tie vote.

The following motions carried:

- motion 1 by Councillor Shiner;
- motion 2 by Councillor Del Grande;
- motion 3 by Councillor Ootes;
- motion 4 by Councillor Hall; and
- motion 5 by Councillor Holyday.

Adoption of the Item, as amended:

Yes - 40
Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0

Carried unanimously.

City Council Decision

City Council adopted the following motions:

Re: Emission reduction targets

1. Fleet Services Division ensure its fleet operations meet or surpass the emission reduction targets adopted by Council:
 - a. reduction targets for greenhouse gas emissions from the 1990 levels of 6% by 2012 (the “Kyoto target”); 30% by 2020; and 80% by 2050; and
 - b. a 20% reduction target for locally-generated smog causing pollutants from 2004 levels by 2012.

Re: Vehicles

2. Fleet Services Division contain fleet size and purchase fuel-efficient, right-sized vehicles as a standard practice across all divisions, if they are commercially

available and meet operational needs, specifically:

- a. contain the size of the City's fleet by working with Divisions to reduce the number of vehicles required and kilometres travelled, use vehicles more efficiently and delete underused vehicles from the fleet or move them to other City operations;
 - b. purchase the right size of vehicle for the job, using small vehicles where they meet operational needs; and
 - c. purchase the most fuel-efficient vehicle, or lowest-emitting vehicle, that is commercially available and meets operational needs.
3. Fleet Services Division replace the following numbers of City vehicles with green vehicles, giving priority to the cleanest technologies: At a minimum, replace 80 vehicles in 2008, 100 vehicles in 2009, 140 vehicles in 2010 and 200 vehicles in 2011.
4. Fleet Services Division pilot test promising green vehicle technologies and work with industry to accelerate development and large-scale adoption in Canada by:
- a. actively seeking, pilot testing and incorporating green vehicles and technologies into the City's fleet;
 - b. pilot testing more plug-in electric vehicles and ensuring that they are re-charged at night using off-peak electricity where possible;
 - c. working with the Toronto Atmospheric Fund to expand the Toronto Plug-in Hybrid Electric Vehicle Project to a larger consortium of fleet managers, potentially to include GTA municipalities and utilities;
 - d. pilot testing full-electric vehicles as well as recharging station technologies and options, in partnership with the Toronto Atmospheric Fund and the Toronto Parking Authority;
 - e. evaluating electric, low-speed vehicles for City of Toronto operations and pilot testing these vehicles if the evaluation indicates they will be beneficial;
 - f. pilot testing green trucks, including light-duty, medium-duty and heavy-duty vehicles, targeting those that idle excessively such as delivery trucks and garbage packers, and sharing results with municipal and private fleet managers;
 - g. developing, in collaboration with the Toronto Atmospheric Fund, a

Low-Carbon Truck Pilot Project that pilot tests hybrid, plug-in hybrid and all-electric truck technologies;

- h. pilot testing hydrogen-powered vehicles;
 - i. adding hybrid-electric aerial tower trucks to the City's fleet;
 - j. replacing all of the City's old street sweepers with "regenerative-air" dustless sweepers that trap fine particulate matter (PM_{2.5}) pollution and have cleaner diesel engines;
 - k. adding electric, zero-emission ice resurfacers to the City's fleet; and
 - l. continuing to review the merits and applicability of natural gas vehicles.
5. Fleet Services Division identify and incorporate equipment and practices that reduce fuel consumption, pollutant emissions and idling by the City's vehicles, such as:
- a. procure LED lights, batteries, inverters, space heaters or other equipment that reduces the need to idle a vehicle for long periods in order to operate lights, arrow boards and other necessary tools; and
 - b. install electric plugs for truck block heaters at all major Solid Waste yards where feasible, and develop a policy to ensure they are used by staff to reduce unnecessary vehicle idling.
6. Fleet Services Division replace the oldest vehicles with cleaner, modern technology by continuing to accelerate the replacement of overdue City vehicles.
7. Fleet Services Division include, in all vehicle procurement specifications, green vehicle attributes, such as fuel efficiency and low emissions, and provide an appropriate weighting for these attributes when selecting a product.

Re: Fuels

- 8. Fleet Services Division evaluate biofuels to determine which products and feedstocks provide the greatest environmental benefits on a life-cycle basis, and the environmental impact of converting forests and food-producing land to growing crops for fuel.
- 9. Fleet Services Division evaluate the use of biofuels with the federally-mandated new diesel engines (2007 US EPA compliant models) and emission control devices to optimize emission reductions achieved by the City.

10. Fleet Services Division expand the biofuels program to deliver biofuels to all City Divisions.
11. Fleet Services Division explore the feasibility of using biodiesel in off-road diesel fuel, and implement a pilot project if feasible.
12. Fleet Services Division use clean sources of energy for vehicles, including biofuels from sustainable feedstocks as they become available, for example ethanol produced from cellulose.
13. Fleet Services Division advocate for sustainable electricity in Ontario, including conservation, renewables and the timely phase out of coal-fired electricity, to ensure the environmental benefits of plug-in and all-electric vehicles are realized.

Re: Sustainable choices

14. Fleet Services Division host the annual Green Fleet Expo with the City of Hamilton, Fleet Challenge and other partners to provide public and private fleet managers and members of the public with an opportunity to learn about green fleet technologies and practices.
15. Fleet Services Division encourage other municipalities and private companies to green their fleets, and share Toronto's experience by:
 - a. participating in Fleet Challenge, in 2008, by presenting Toronto's green fleet experience to other Ontario municipalities;
 - b. sharing information with Greater Toronto Area municipal fleet managers through the GTA Clean Air Council;
 - c. sharing information with public and private fleet managers through the Canadian Association of Municipal Fleet Managers (CAMFM), National Association of Fleet Administrators (NAFA Canada) and Municipal Equipment and Operations Association (MEOA); and
 - d. working with the Director of the Toronto Environment Office to create a Greening Commercial Fleets Enviro-Action Working Group consisting of representatives of the National Association of Fleet Administrators and operators of large fleets in the areas of phone, cable, utilities, retail and courier providers to work together to identify and implement actions that green these fleets and achieve a reduction in emissions City-wide.
16. a. Fleet Services Division provide technical support to the Toronto Transit Commission, Emergency Medical Services, Toronto Fire Services, the Toronto Police Service and other agencies, boards and commissions in

developing and implementing their consolidated green fleet plans; and

- b. staff from the Fleet Services Division, the Energy Efficiency Office and the City's Environmental Office be requested to assist the Toronto Transit Commission in identifying and reporting on the emissions from the current and proposed streetcars and LRT fleet.
17. Fleet Services Division provide technical support to Municipal Licensing and Standards, Toronto Atmospheric Fund and other partners in their efforts to green the fleets of vehicles that are licensed by the City (e.g., taxis).
18. Fleet Services Division support the City's Bike Share program for staff by providing bike procurement assistance, safety training and maintenance for a pool of City bicycles.
19. Fleet Services Division provide information and assistance to support establishment of bicycle infrastructure at City facilities by Facilities and Real Estate, including bike parking, bike lockers and other ancillary facilities as appropriate.
20. Fleet Services Division promote the City's Idle-Free Policy and ten-second idling rule for City staff.
21. Fleet Services Division continue to provide Idle-Free training in staff driver training courses, to monitor staff compliance with the ten-second idling rule and to follow up with staff found to be idling.
22. Fleet Services Division determine the feasibility of establishing a policy prohibiting City vehicles from drive-throughs, and establish the policy if feasible.
23. Fleet Services Division encourage other orders of government to support policies and incentives that encourage the use of sustainable vehicles, fuels and practices.
24. Fleet Services Division work with Divisions to explore the feasibility of making green pool vehicles available to staff who require their vehicle for work.
25. Fleet Services Division investigate and implement ways to reduce the number of work-related vehicle trips taken by Fleet Services staff, such as increasing the use of conference calls and scanners to share information between work sites.
26. Fleet Services Division work with other Divisions to encourage City of Toronto employees to make sustainable transportation choices on their commute and at home, including by providing information on green vehicles and commuting alternatives to City staff.

27. Fleet Services Division support the Smart Commute program by providing data and information and promoting the program as it is rolled out to all City employees.
28. Fleet Services Division provide information to the public on green vehicles and funding incentives on the Fleet Services' website.
29. Fleet Services Division promote green vehicles at public events, such as the Green Living Show, Canadian National Exhibition and Green Toronto Festival.

Re: Maintenance and management practices

30. Fleet Services Division investigate the feasibility and benefit of adopting additional green practices at Fleet maintenance facilities, such as using synthetic oils and extending the time between oil changes.
31. Fleet Services Division continue to reduce the number of fuel sites operated by the City of Toronto by consolidating, upgrading or closing fuel sites, in consultation with client Divisions.
32. Fleet Services Division have the City's fleet reviewed and rated under the E3 Fleet Rating System to identify opportunities to reduce fuel use and pollutant emissions and measure Toronto's fleet against available environmental benchmarks.
33. Fleet Services Division examine the practices used by international municipal green fleet leaders such as New York City and Los Angeles, and incorporate successful practices into Toronto's fleet operations where feasible.
34. Fleet Services Division undertake a study to confirm that the actions Fleet Services is taking will meet the emission reduction targets for greenhouse gases and smog pollutants.
35. Fleet Services Division request funding in 2009 and later years to provide an operating budget for emission reduction assessment studies and green fuel premiums.
36. Fleet Services Division seek funding opportunities to enable the City to accelerate greening of its fleet.
37. Fleet Services Division include green fleet practices in tenders for work done by private contractors, such as a requirement to use fuel-efficient vehicles for City business and to prevent idling, and consider this information in the selection process.
38. Fleet Services Division provide annual updates on progress achieved in meeting

the commitments and targets of the Green Fleet Plan 2008-2011 on Fleet Services' website.

39. The Director of the Toronto Environmental Office be requested to work with staff of the Fleet Services Division to identify the emissions from the fleet of vehicles which are hauling the City's waste to Michigan, and in the future to Greenlane, and ways to reduce these emissions.
40. The Chief Corporate Officer be requested to report to the Government Management Committee on actual savings achieved, including details of the savings as shown on Page 11 of the Green Fleet Plan 2008-2011, and that this report be submitted to the March 2009 Council meeting.
41. The Fleet Services Division identify Canadian manufacturers of alternate fuel/green fleet vehicles to indicate that the City of Toronto supports the development of these vehicles and technologies and wishes to assist with testing and demonstration of these vehicles.
42. City Council request the Federal Minister of Finance to re-instate the rebates for hybrid vehicles and to make this a permanent long-term program.
43. The Chief Corporate Officer be requested to report to the Government Management Committee on the life cycle impact of the proposed hybrid vehicles to conventional vehicles.
44. The Chief Corporate Officer be requested to report to the Government Management Committee on the environmental impact of ethanol and/or as well as the economic impact on the cost of food products.
45. City Council encourage the Provincial government to allow low-speed electric vehicles on City streets, on a pilot basis.
46. A copy of this report be forwarded to Members of the Parks and Environment Committee for information.
47. All of the City's agencies, boards and commissions be requested to report to City Council on their progress in achieving the emission reduction targets adopted by Council.

Background Information

Report - Green Fleet Plan 2008-2011

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10520.pdf>

Attachment - GM12-6

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10521.pdf>

Additional Background Information (City Council)

- Report (February 20, 2008) from the Chief Corporate Officer (GM12.6a)
- Staff presentation to March 3, 2008 Council meeting, entitled “Green Fleet Plan 2008-2011” (GM12.6b)

17.37 Sale of City-owned Leased Property at 192A Bloor Street West to McDonald’s Restaurants of Canada Limited

GM12.7	AMENDED			Ward: 20
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This Item was considered during Closed Session.

(See Minutes 17.107 and 17.110)

17.38 Possibility of Bringing the 2.3 acre Parcel of Land Abutting Port Union Village Common Park into Public Ownership

GM12.8	NO AMENDMENT			Ward: 44
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March 4, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 29	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Vaughan, Walker
No - 7	
Councillors:	Del Grande, Feldman, Ford, Minnan-Wong, Shiner, Stintz, Thompson

Carried by a majority of 22.

City Council Decision

City Council adopted the following motion:

1. City Council urge GO Transit to consider purchasing the 2.3-acre parcel of land abutting Port Union Village Common Park to assure adequate parking is available.

Background Information

Report - Possibility of Bringing the 2.3 acre Parcel of Land Abutting Port Union Village Common Park into Public Ownership

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10503.pdf>

Appendix A - GM12-8

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10504.pdf>

17.39 **Acquisition of Provincial Lands - Southeast Corner of Black Creek Drive and Eglinton Avenue West**

GM12.10	NO AMENDMENT			Ward: 12
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Confidential Attachment 1 - A proposed or pending acquisition or sale of land for municipal or local board purposes

March 4, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Authority be granted to enter into an Agreement of Purchase and Sale with Her Majesty The Queen in right of the Province of Ontario represented by the Ministry of Transportation for Ontario for the acquisition of the property located at the southeast corner of Black Creek Drive and Eglinton Avenue West, designated as Parts 1 to 21 inclusive on Plan 66R-23258 in the City of Toronto (the "Property"), substantially on the terms outlined in Appendix "A" and on such other or varied terms as are satisfactory to the Chief Corporate Officer, in consultation with the General Manager of Parks, Forestry and Recreation, and in a form satisfactory to the City Solicitor.
2. Authority be granted to the Chief Corporate Officer, in consultation with the General Manager of Parks, Forestry and Recreation, to negotiate and approve such other related agreements and documentation deemed necessary or desirable by them to acquire the Property, in a form acceptable to the City Solicitor.

3. An exemption be granted from the policy in effect which would preclude the City from acquiring lands that are either not clean or remediated to Ministry of Environment (Ontario) standards.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses, amending the closing date and the due diligence or other dates to such earlier or later date(s), and amending and/or waiving terms and conditions in favour of the City, all on such terms and conditions as she may from time to time consider reasonable.
5. Council adopt the Confidential Recommendations in Attachment 1 in this report.
6. The Confidential Information in Attachment 1 remain confidential.
7. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Confidential Attachment 1 to the report (January 29, 2008) from the Chief Corporate Officer, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to a proposed or pending acquisition or sale of land for municipal or local board purposes.

Background Information

Report - Acquisition of Provincial Lands - Southeast Corner of Black Creek Drive and Eglinton Avenue West

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10524.pdf>

Confidential Attachment 1 - GM12-10

17.40 **Sale of the Public Lane at the Rear of 709 and 711 Yonge Street, Extending Northerly from Hayden Street**

GM12.12	NO AMENDMENT		Ward: 27
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March 4, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Subject to City Council authorizing the permanent closure of the public lane at the rear of 709 and 711 Yonge Street, being an unnamed road on Plan 163 and also shown as Part 1 on Sketch No. PS-2007-248 (the "Lane"), the City of Toronto enter into an Agreement of Purchase and Sale with the adjoining owners, One Bloor Street East Limited (the "Purchaser"), for the sale of the Lane, in the amount of \$1,170,000.00, substantially on the terms and conditions outlined in Appendix "A" to this report.
2. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Lane and the completion of the sale transaction.
3. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

Background Information

Report - Sale of the Public Lane at the Rear of 709 and 711 Yonge Street, Extending Northerly from Hayden Street

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10527.pdf>

Appendix A - GM12-12

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10528.pdf>

Appendix B - GM12-12

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10529.pdf>

17.41 Consolidated Oracle Contract Negotiations

GM12.15	AMENDED			Ward: All
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Confidential Attachment - 1 - The security of the property of the municipality or local board

March 3, 2008

Speaker Bussin in the Chair.

Motion:

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

Should staff be unable to conclude an agreement as directed by Council, by March 31, 2008, staff be authorized to investigate the use of alternative database products commencing April 1, 2008.

Votes:

Motion 1 by Councillor Del Grande carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Staff in the Information and Technology Division continue negotiations as directed in the May 29, 2007 report approved by Council in its meeting of June 19, 20 and 22, 2007.
2. The December 31, 1999 agreement between the City and Oracle be amended to extend the support provided for in that agreement for a maximum of one (1) year from January 1, 2008, to December 31, 2008, at a cost not to exceed \$1,630,565.88 (net of GST) to provide support on existing Oracle licenses and in a form satisfactory to the Chief Information Officer and the City Solicitor.
3. Should staff be unable to conclude an agreement as directed by Council, staff be authorized to investigate the use of alternative database products.
4. Council authorize staff to extend the Client Level Agreement under the Province of Ontario's Master Standing Agreement and Blanket Contract 47011278 with Oracle Corporation Canada, Inc. until March 30, 2009, to acquire licences in an amount not to exceed \$2,025,000.00, net of GST, until a new contract is executed.
5. The information disclosed in the confidential Attachment 1 not be made public as it contains advice or communications that are subject to solicitor-client privilege.
6. Should staff be unable to conclude an agreement as directed by Council, by March 31, 2008, staff be authorized to investigate the use of alternative database products commencing April 1, 2008.

Confidential Attachment 1 to the report (February 4, 2008) from Chief Information Officer, Information and Technology, and the Director, Purchasing and Materials Management, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

Background Information

Report - Consolidated Oracle Contract Negotiations

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10535.pdf>

Confidential Attachment 1 - GM12-15

17.42 **Sale of Strata Ownership at 259 Victoria Street**

GM12.16	AMENDED			
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This Item was submitted without recommendation.

Confidential Attachment 1 - the security of the property of the municipality.

March 4, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Lindsay Luby moved that Council adopt the following recommendations contained in the report (March 3, 2008) from the Chief Corporate Officer:
 1. The City enter into an Agreement of Purchase and Sale with Rogers Communications Inc., the owner of 259 Victoria Street, for the sale of the City's residual interest in that part of 259 Victoria Street, being part of Lot 69, Part of Dundas Street East and Part of Victoria Street, Plan 22A shown as Parts 3, 10 and 11 on Reference Plan 64R-16753 (the "Property"), in the amount and on the terms and conditions as defined in the Confidential Attachment 1.
 2. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Property and the completion of the transaction.
 3. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses, amending the closing date and the due diligence or other dates to such earlier or later date(s), and amending and/or waiving terms and conditions in favour of the City, all such terms and conditions as she may from time to time consider reasonable.
 4. Council authorize the public release of the confidential information in Attachment 1, if Council approves the transaction.

Votes:

Motion 1 by Councillor Lindsay Luby carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The City enter into an Agreement of Purchase and Sale with Rogers Communications Inc., the owner of 259 Victoria Street, for the sale of the City's residual interest in that part of 259 Victoria Street, being part of Lot 69, Part of Dundas Street East and Part of Victoria Street, Plan 22A shown as Parts 3, 10 and 11 on Reference Plan 64R-16753 (the "Property"), in the amount and on the terms and conditions as defined in the Confidential Attachment 1.
2. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Property and the completion of the transaction.
3. The City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses, amending the closing date and the due diligence or other dates to such earlier or later date(s), and amending and/or waiving terms and conditions in favour of the City, all such terms and conditions as she may from time to time consider reasonable.
4. Council authorize the public release of the confidential information in Attachment 1, if Council approves the transaction.

Confidential Attachment 1 to the report (March 3, 2008) from the Chief Corporate Officer, is now public in its entirety, and contains the following recommendations:

1. The City enter into an Agreement of Purchase and Sale with Rogers Communications Inc., the owner of 259 Victoria Street, for the sale of the City's residual interest in that part of 259 Victoria Street, being part of Lot 69, Part of Dundas Street East and Part of Victoria Street, Plan 22A shown as Parts 3, 10 and 11 on Reference Plan 64R-16753 (the "Property"), in the amount of \$2,750,000.00, substantially on the terms and conditions outlined in Appendix "A" to this Attachment 1 of this report.
2. Council authorize the public release of the confidential information in Attachment 1, if Council approves the transaction.

Background Information

Report - Sale of Strata Ownership at 259 Victoria Street

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-11129.pdf>

Appendix A - Rogers Proposed Exterior Rendering

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-11130.pdf>

Additional Background Information (City Council)

- Report (March 3, 2008) from the Chief Corporate Officer ([GM12.16a](#))

[Confidential Attachment 1 to the report \(March 3, 2008\) from the Chief Corporate Officer, is now public in its entirety](#), and contains the above-noted recommendations.

17.43 LICENSING AND STANDARDS COMMITTEE MEETING 11

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.

March 3, 2008

Adopted by consent LS11.3 Change of Name Request by Approved Professional
Holistic Association (Ward: All)

17.44 PARKS AND ENVIRONMENT COMMITTEE MEETING 14

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.

March 3, 2008

Held for consideration PE14.2 Parks Forestry and Recreation Shade Audit Strategy for
Minute 17.45 Playground and Waterplay Facilities (Ward: All)

Consideration of Item - Parks and Environment Committee Meeting 14

17.45 Parks Forestry and Recreation Shade Audit Strategy for Playground and Waterplay Facilities

PE14.2	AMENDED			Ward: All
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Stintz moved that the Item be amended by:

1. deleting Recommendations 1 and 2 of the Parks and Environment Committee; and
2. by adding the following:
 1. Toronto Public Health and the Shade Policy Committee develop a Shade Policy Guide for the Parks, Forestry and Recreation Division that includes guidelines and standards for existing playgrounds and waterplay facilities.
 2. The guide be made available to City staff who supervise waterplay facilities so that the staff can review the guidelines and make recommendations to senior staff on possible shade enhancements.
 3. The Shade Policy Committee be consulted on adding shade provisions to any park or waterplay facility that is being retrofitted.
 4. The Shade Policy Committee be requested to submit an information bulletin to the General Manager, Parks, Forestry and Recreation on the importance of protecting children from UVR exposure to be included in the Spring/Summer 2008 The Fun Guide.
 5. The Shade Policy Committee develop an information bulletin that can be posted on the City of Toronto's Website and can be used by Councillors who wish to include such information in their constituency newsletter.

March 5, 2008

Speaker Bussin in the Chair.

2. Councillor Davis moved that motion 1 by Councillor Stintz be referred to the General Manager, Parks, Forestry and Recreation, and the Shade Policy Committee, to be considered as part of the previously requested staff report to be submitted to the Parks and Environment Committee on June 18, 2008.

Votes:

Adoption of motion 2 by Councillor Davis:

Yes - 31 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Filion, Ford, Heaps, Holyday,
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Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 0

Carried unanimously.

Due to the above decision of Council, motion 1 by Councillor Stintz was not put to a vote.

Adoption of the Item, as amended:

Yes - 31 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Feldman, Filion, Ford, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 1 Councillor: Minnan-Wong

Carried by a majority of 30.

City Council Decision

City Council adopted the following motions:

1. The General Manager, Parks, Forestry and Recreation, work with Toronto Public Health and the Shade Policy Committee to adopt standards for shade provision and confirm a Shade Audit Process to guide the preparation of shade audits by staff and consultants.
2. 'Pilot' shade audits and shade plans be developed for priority playgrounds and waterplay facilities and staff report back on the plans, including their capital and operating costs. The knowledge gained from the 'pilot' is to serve as a basis for conducting shade audits for the entire system of playgrounds and waterplay facilities.
3. The following motion be referred to the General Manager, Parks, Forestry and Recreation, and the Shade Policy Committee, to be considered as part of the previously requested staff report to be submitted to the Parks and Environment Committee on June 18, 2008:

Moved by Councillor Stintz:

That:

1. Recommendations 1 and 2 of the Parks and Environment Committee be deleted.
2. Council adopt the following recommendations:
 - “1. Toronto Public Health and the Shade Policy Committee develop a Shade Policy Guide for the Parks, Forestry and Recreation Division that includes guidelines and standards for existing playgrounds and waterplay facilities.
 2. The guide be made available to City staff who supervise waterplay facilities so that the staff can review the guidelines and make recommendations to senior staff on possible shade enhancements.
 3. The Shade Policy Committee be consulted on adding shade provisions to any park or waterplay facility that is being retrofitted.
 4. The Shade Policy Committee be requested to submit an information bulletin to the General Manager, Parks, Forestry and Recreation on the importance of protecting children from UVR exposure to be included in the Spring/Summer 2008 The Fun Guide.
 5. The Shade Policy Committee develop an information bulletin that can be posted on the City of Toronto’s Website and can be used by Councillors who wish to include such information in their constituency newsletter.”

Background Information

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-10539.pdf>

Provision of Shade at Parks, Forestry and Recreation Sites Attachment

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-10540.pdf>

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

The Acting Chief Planner and Executive Director, City Planning, in consultation with the Executive Director and Chief Building Official and the Chief Administrative Officer, Toronto and Region Conservation Authority, be requested to report to the Planning and Growth Management Committee on any further amendments or actions necessary to address impacts on wind turbine locations adjacent to ravines.

2. Councillor De Baeremaeker moved that the Item be amended by adding the following:

The Acting Chief Planner and Executive Director, City Planning, be requested to report back to the Planning and Growth Management Committee on any impacts of wind turbine installations on residential properties as part of the City-wide Zoning By-law Review.

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

Council receive the report (February 26, 2008) from the Acting Chief Planner and Executive Director, City Planning, for information.

Votes:

Motion 1 by Councillor Hall carried.

Motion 2 by Councillor De Baeremaeker carried.

Motion 3 by Councillor Kelly carried.

Adoption of the Item, as amended:

Yes - 41	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	
Councillors:	

Carried unanimously.

City Council Decision

City Council adopted the following motions:

1. City Council enact the Renewable Energy Zoning By-law for the City of Toronto substantially in accordance with the draft zoning by-law identified as Attachment 1 of the report.
2. The Acting Chief Planner and Executive Director, City Planning, in consultation with the Executive Director and Chief Building Official and the Chief Administrative Officer, Toronto and Region Conservation Authority, be requested to report to the Planning and Growth Management Committee on any further amendments or actions necessary to address impacts on wind turbine locations adjacent to ravines.
3. The Acting Chief Planner and Executive Director, City Planning, be requested to report back to the Planning and Growth Management Committee on any impacts of wind turbine installations on residential properties as part of the City-wide Zoning By-law Review.
4. Council receive the report (February 26, 2008) from the Acting Chief Planner and Executive Director, City Planning (PG13.1a), for information.

Background Information

Zoning By-law Amendment - Renewable Energy Devices ... and allow for the distribution of that Energy

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10467.pdf>

Additional Background Information (City Council)

- Report (February 26, 2008) from the Acting Chief Planner and Executive Director, City Planning ([PG13.1a](#))

17.48 Supplementary Report - Proposed Protocol for the Installation of Telecommunication Towers

PG13.2	AMENDED			Ward: All
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Council considered this Item together with Item HL10.3, headed “Prudent Avoidance Policy on Siting Telecommunication Towers and Antennas”.

(See Minute 17.25)

City Council Decision - Item PG13.2

City Council adopted the following motions:

1. City Council approve the amended City of Toronto Telecommunications Tower and Antenna Protocol attached to the report (February 28, 2008) from the Acting Chief Planner and Executive Director, City Planning (PG13.2d), subject to:
 - a. deleting from Part (a) of Section 8 both instances of the word “may” and replacing them with the word “shall”, so that the preamble reads as follows:

“8.(a) The proponent shall be required, if requested by the City, to enter into an agreement, which shall include the following requirements.”;
 - b. deleting the following Part (b) from Section 10, headed “Building Permits”:

“10(b) A building permit is not required:
 - (i) For the design and construction of the telecommunication antennae or telecommunication tower structures.”; and
 - c. amending Section 11, “Public Consultation”, as follows:
 - (i) replacing Section 11.B.(a) with the following:

“11.B.(a) For proposals that do not meet the exemption criteria in Section 11A, the proponent will be responsible for organizing and chairing the community meeting.”;
 - (ii) replacing Section 11.B.(c) with the following:

“11.B.(c) That Notice be provided to all property owners and tenants located within 400 metres of a proposed Telecommunication Tower, and within 25 metres of a proposed antenna, such Notice to be prepared and sent by the City Clerk’s Office as pre-paid first-class mail, with all costs to be borne by the Applicant.”; and
 - (iii) replacing Section 11.B.(g) with the following:

“11.B.(g) The proponent will also make available at the community meeting an appropriate visual display,

including at a minimum, a display-size (24"x36") colour photograph of the subject property with a superimposed image of the proposed telecommunication tower.”.

2. City Council direct that the protocol come into effect 30 days after the date of Council approval.
3. City Council direct the Acting Chief Planner and Executive Director of City Planning, in consultation with Industry Canada, to review the protocol in two years' time and report to the Planning and Growth Management Committee on any issues arising from the review and any related zoning issues on which all telecommunications towers reside.
4. City Council direct that the fees for the processing of applications for telecommunication towers be based on full cost recovery, including the cost of staff time from all departments.
5. City Council approve a Toronto Telecommunications Tower and Antenna application review fee of \$2,133.00, subject to further review by staff.
6. City Council enact a by-law in a form required by the City Solicitor to amend Chapter 441, Fees, to include application fees for the processing of applications under the City of Toronto Telecommunication Tower and Antenna Protocol in the amounts as recommended in Part 5 above.
7. City Council request the City Clerk to forward a copy of the report and the attached protocol to the following for information:
 - a. Industry Canada;
 - b. Federation of Canadian Municipalities; and
 - c. Representatives of the telecommunication industry.
8. The Acting Chief Planner and Executive Director, City Planning, in consultation with the Executive Director and Chief Building Official, be requested to report to the Planning and Growth Management Committee with a list of locations of all existing and proposed telecommunications towers in the City of Toronto, including the ward where they are located, street address, existing zoning, and any other pertinent details. If this information is not available, the Acting Chief Planner be requested to obtain this information from Industry Canada.

[Link to approved City of Toronto Telecommunications Tower and Antenna Protocol](#)

Background Information

Supplementary Report - Proposed Protocol for the Installation of Telecommunication

Towers

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10457.pdf>)

Proposed Protocol for the Installation of Telecommunications Towers

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10469.pdf>)

Letter Dec 4, 2007 from BOH re Prudent Avoidance Policy on Siting Telecommunication Towers and Antennas

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10471.pdf>)

Report Nov 20, 2007 from MOH re Prudent Avoidance Policy on Siting Telecommunication Towers and Antennas

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10472.pdf>)

Letter from Councillor Cesar Palacio

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11069.pdf>)

Additional Background Information (City Council)

- Report (February 28, 2008) from the Acting Chief Planner and Executive Director, City Planning ([PG13.2d](#))

17.49 **Guidelines for Identifying and Processing Planning Matters of City-wide Interest and Cross-Boundary Issues**

PG13.4	AMENDED			Ward: All
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

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

The Acting Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Growth Management Committee, within three (3) months, on a protocol to report to Community Councils and/or the Planning and Growth Management Committee on development applications and Official Plan Amendments (OPAs) in municipalities which are on the City of Toronto boundaries.

March 5, 2008

Speaker Bussin in the Chair.

Motions:

2. Councillor Vaughan moved that the Item be amended by amending the Guidelines contained in Revised Attachment 1, by:
 - a. amending Section B, entitled “Guidelines for Determining City-Wide

Interest”, by:

- i. deleting the preamble and replacing it with the following:

“A planning matter, other than a planning application, will be considered to have a City-wide interest if it meets at least one of the criteria listed below, in which case the Planning and Growth Management Committee will have carriage of the issue. Identification of the City-wide interest will be included as part of the initial report on the item and the local Councillor(s) will be so notified prior to the Committee's consideration of the item:”;
- ii. adding to the second bullet point, under Part B.3., the words “(in more than one Community Council area)”, so that it reads as follows:
 - “The determination of whether a new Secondary Plan should be created (in more than one Community Council area);”; and
- b. amending Section C, entitled “Process”, by deleting from the preamble to subsections B, C and D the words “subject to the approval of City Council”, so that the preambles to these subsections now read as follows:

“B. Process for dealing with planning policy and research work of the City Planning Division identified to be of City-wide interest:”;

“C. Process for dealing with transportation related matters of the City Planning Division for planning matters identified to be of City-wide interest:”; and

“D. Process for dealing with City Planning Division administrative matters:”.
3. Councillor Walker moved that the Item be amended by amending Revised Attachment 1, headed “Guidelines for Identifying and Processing Planning Matters of City-wide Interest and Cross-Boundary Issues”, as follows:
 - a. Section C.A.1(c), be amended to read as follows:

C.A.1(c) if the application is considered to be of City-wide interest, an initial report is produced that recommends that such a determination be made by City Council.

- b. Section C.A.2.(b) and (c) be amended to read as follows:
- C.A.2(b) in consultation with the Ward Councillor, a Community Information Meeting will be held prior to the preparation of the Status/Preliminary Report;
- C.A.2(c) all Reports including the Status/Preliminary Report and Final Report from staff will be sent to the Community Council(s) which will make recommendations to Planning and Growth Management Committee.

Ruling by Speaker:

Speaker Bussin ruled out of order that portion of motion 3 by Councillor Walker which amends Part C.A.2(c) of the Guidelines as the proposed amendment conflicts with the authority which has been delegated to Community Councils.

Councillor Walker challenged the ruling of the Speaker.

Vote to Uphold Speaker's Ruling:

Yes - 20	Councillors: Ashton, Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Palacio, Pantalone, Perks, Perruzza, Saundercook, Vaughan
No - 10	Councillors: Cho, Del Grande, Di Giorgio, Feldman, Ford, Lee, Minnan-Wong, Parker, Shiner, Walker

Carried by a majority of 10.

4. Councillor Kelly moved that the balance of motion 3 by Councillor Walker be referred to the Planning and Growth Management Committee for consideration.

Votes:

Motion 2 by Councillor Vaughan carried.

Adoption of motion 4 by Councillor Kelly:

Yes - 9	Councillors: Bussin, Cho, Del Grande, Di Giorgio, Holyday, Kelly, Nunziata, Pantalone, Perruzza
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No - 23
Councillors: Ashton, Augimeri, Carroll, Davis, De Baeremaeker, Feldman, Fillion, Fletcher, Grimes, Heaps, Jenkins, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Palacio, Parker, Perks, Saundercook, Shiner, Vaughan, Walker

Lost by a majority of 14.

Adoption of the balance of motion 3 by Councillor Walker:

Yes - 10
Councillors: Cho, Feldman, Lee, Minnan-Wong, Nunziata, Palacio, Perruzza, Saundercook, Shiner, Walker
No - 23
Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Fletcher, Giambone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Pantalone, Parker, Perks, Vaughan

Lost by a majority of 13.

Motion 1 by Councillor Shiner carried.

Adoption of the Item, as amended:

Yes - 31
Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Giambone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Vaughan
No - 2
Councillors: Shiner, Walker

Carried by a majority of 29.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the modified Guidelines contained in Revised Attachment 1 submitted by Councillor Vaughan, which set out a process for dealing with City-wide planning matters, subject to:

- a. amending Section B, entitled “Guidelines for Determining City-Wide Interest”, by:
 - i. deleting the preamble and replacing it with the following:

“A planning matter, other than a planning application, will be considered to have a City-wide interest if it meets at least one of the criteria listed below, in which case the Planning and Growth Management Committee will have carriage of the issue. Identification of the City-wide interest will be included as part of the initial report on the item and the local Councillor(s) will be so notified prior to the Committee's consideration of the item.”;
 - ii. adding to the second bullet point, under Part B.3., the words “(in more than one Community Council area)”, so that it reads as follows:
 - “The determination of whether a new Secondary Plan should be created (in more than one Community Council area);”; and
 - b. amending Section C, entitled “Process”, by deleting from the preamble to subsections B, C and D the words “subject to the approval of City Council”, so that the preambles to these subsections now read as follows:
 - “B. Process for dealing with planning policy and research work of the City Planning Division identified to be of City-wide interest.”;
 - “C. Process for dealing with transportation related matters of the City Planning Division for planning matters identified to be of City-wide interest.”; and
 - “D. Process for dealing with City Planning Division administrative matters.”.
2. The Acting Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Growth Management Committee, within three (3) months, on a protocol to report to Community Councils and/or the Planning and Growth Management Committee on development applications and Official Plan Amendments (OPAs) in municipalities which are on the City of Toronto boundaries.

[Link to approved Guidelines for Identifying and Processing Planning Matters of City-wide Interest and Cross-Boundary Issues](#)

Background Information

Guidelines for Identifying ... City-Wide Interest and Cross-Boundary Issues

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10461.pdf>)

Guidelines for Identifying and Processing Planning Matters of City-wide Interest and Cross-Boundary Issues

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10473.pdf>)

Revised Attachment 1 - Guidelines for Identifying and Processing Planning Matters

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-11270.pdf>)

Additional Communications (City Council)

- (February 21, 2008) from David Fleming, Executive Secretary, Swansea Area Ratepayers' Association (PG13.4.10)
- (February 28, 2008) from George Milbrandt, Co-Chair, Federation of North Toronto Residents' Associations (PG13.4.11)
- (February 21, 2008) from Ingrid Furtado, Chair, Beach Triangle Residents Association (PG13.4.12)
- (February 28, 2008) from Helmut Hock, Vice President, Lawrence Park Ratepayers Association (PG13.4.13)
- (February 27, 2008) from Peter and Eleanor Loebel (PG13.4.14)
- (February 28, 2008) from Anne E. McConnell, Vice-President, Edithvale-Yonge Community Association (PG13.4.15)
- (February 28, 2008) from Brian Maguire, Secretary, Forest Hill Homeowners' Association (PG13.4.16)
- (February 27, 2008) from T.A. Bryk (PG13.4.17)
- (February 29, 2008) from John Smart, President, Teddington Park Residents Association (PG13.4.18)
- (February 26, 2008) from Wolfgang Kaufmann, President, Metropolitan Toronto Condominium Corporation No. 1077 (PG13.4.19)
- (February 29, 2008) from Cindy Weiner, President, St. Andrew's Ratepayers Association (PG13.4.20)
- (February 29, 2008) from Geoff Kettel, President, Leaside Property Owners Association Incorporated (PG13.4.21)
- (March 2, 2008) from Ben Daube, President, Sherwood Park Ratepayers' Association (PG13.4.22)
- (March 3, 2008) from Matthias Schlaepfer (PG13.4.23)
- (March 3, 2008) from Anna Traer, Director, Kingsway Park Ratepayers Inc. (PG13.4.24)

17.50 **Adoption of The Standards and Guidelines for the Conservation of Historic Places in Canada**

PG13.5	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council adopt The Standards and Guidelines for the Conservation of Historic Places in Canada as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.
2. The Standards and Guidelines for the Conservation of Historic Places in Canada be updated as new content is made available by the Parks Canada Agency or the Historic Places Initiative and its partners.

Background Information

Adoption of The Standards and Guidelines for the Conservation of Historic Places in Canada

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10072.pdf>)

Adoption of the Standards and Guidelines for the Conservation of Historic Places in Canada

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10255.pdf>)

17.51 2008 Avenue Studies

PG13.6	AMENDED		Ward: All
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Shiner moved that:
 - a. In accordance with Section 27-60, Removal of a Matter from Committee, Council assume the jurisdiction for the proposed Avenue Study of Yonge Street, from Cummer Avenue to Steeles Avenue, and the comprehensive analysis of that portion of Yonge Street.
 - b. Council adopt the following:

1. the Avenue Study of Yonge Street, from Cummer Avenue to Steeles Avenue, be approved, consisting of two phases, Phase 1 to consist of a comprehensive analysis of traffic capacity on Yonge Street, from north of Steeles Avenue to Highway 401 together with an examination of current and projected transit capacity during the peak period, immediately followed with Phase II, the Avenue Study;
 2. the Acting Chief Planner and Executive Director, City Planning, in consultation with the two local councillors, develop proposed terms of reference for the Avenue study, for approval by North York Community Council;
 3. the Acting Chief Planner and Executive Director, City Planning, in consultation with the two local councillors, develop a plan for community consultation, for approval by North York Community Council; and
 4. the Studies be conducted by North District staff, and that all reports be presented to North York Community Council for recommendations to Council.
- c. Council adopt the following recommendation contained in the report (February 28, 2008) from the Acting Chief Planner and Executive Director, City Planning:
1. Recommendation 1 of the Planning and Growth Management Committee be amended by adding the following:
 - b. Kingston Road from west of Danforth Avenue to east of Chine Drive in the Cliffside Community.

March 5, 2008

Speaker Bussin in the Chair.

2. Councillor Kelly moved that Part b.1 of motion 1 by Councillor Shiner be amended by adding the words “and direct that this study be done in 2009”, so that Part b.1 now reads as follows:
 - b.1. the Avenue Study of Yonge Street, from Cummer Avenue to Steeles Avenue, be approved, consisting of two phases, Phase 1 to consist of a comprehensive analysis of traffic capacity on Yonge Street, from north of Steeles Avenue to Highway 401 together with an examination of current and projected transit capacity during the peak period,

immediately followed with Phase II, the Avenue Study, and direct that this study be done in 2009.

Votes:

Motion 2 by Councillor Kelly carried.

Motion 1 by Councillor Shiner, as amended, carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council endorse the following areas for study as Avenue in 2008:
 - a. Bloor Street West from Dundas Street West to Keele Street; and
 - b. Kingston Road from west of Danforth Avenue to east of Chine Drive in the Cliffside Community.
2. In accordance with Section 27-60, Removal of a Matter from Committee, Council assume the jurisdiction for the proposed Avenue Study of Yonge Street, from Cummer Avenue to Steeles Avenue, and the comprehensive analysis of that portion of Yonge Street, and that Council adopt the following:
 - a. the Avenue Study of Yonge Street, from Cummer Avenue to Steeles Avenue, be approved, consisting of two phases, Phase 1 to consist of a comprehensive analysis of traffic capacity on Yonge Street, from north of Steeles Avenue to Highway 401 together with an examination of current and projected transit capacity during the peak period, immediately followed with Phase II, the Avenue Study, and direct that this study be done in 2009;
 - b. the Acting Chief Planner and Executive Director, City Planning, in consultation with the two local councillors, develop proposed terms of reference for the Avenue study, for approval by North York Community Council;
 - c. the Acting Chief Planner and Executive Director, City Planning, in consultation with the two local councillors, develop a plan for community consultation, for approval by North York Community Council; and
 - d. the Studies be conducted by North District staff, and that all reports be presented to North York Community Council for recommendations to Council.

Background Information

2008 Avenue Studies

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10463.pdf>)

Additional Background Information (City Council)

- Report (February 28, 2008) from the Acting Chief Planner and Executive Director, City Planning ([PG13.6a](#))

17.52 Sheppard Corridor Study - Final Report

PG13.7	NO AMENDMENT			Ward: 33, 39, 40, 41
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council forward the report and the findings of the Sheppard Corridor Study to the Toronto Transit Commission (TTC) for consideration during the Transit City, Sheppard East Light Rail Line Class Environmental Assessment Study.

Background Information

Sheppard Corridor Study - Final Report

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10465.pdf>)

17.53 Request for Direction Report - Official Plan Amendment and Zoning By-law Amendment Applications 16 Lesmill Road and 840 to 842 York Mills Road

PG13.8	NO AMENDMENT			Ward: 34
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March 4, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council refuse the proposed Zoning By-law amendment application.
2. City Council authorize the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to oppose the Official Plan and Zoning By-law amendment applications.

Background Information

Request for Direction, OP and Zoning Amendment - 16 Lesmill Road
(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-10462.pdf>)

17.54 PUBLIC WORKS AND INFRASTRUCTURE COMMITTEE MEETING 13

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.

March 3, 2008

Held for consideration Minute 17.55	PW13.1	Extension to Leaf and Yard Waste/Christmas Tree Collection Programs (Ward: All)
Held for consideration Minute 17.56	PW13.2	Extension of Green Lane Occupancy Licence and Transition Agreement and Trade-Mark Licence Agreement (Ward: All)
Held for consideration Minute 17.57	PW13.3	Installation of Banners on Bridge Structures - Various Locations (Ward: All)
Held for consideration Minute 17.58	PW13.4	F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario - 2008, 2009 and 2010 "Ride for Heart" Event (Ward: All)
Held for consideration Minute 17.59	PW13.6	Update on the City's Accessible Pedestrian Signal (APS) Retrofit Program and an Ontario Human Rights Complaint Involving the City's Provision of APS (Ward: All)

- Adopted by consent PW13.9 Report on Over-Expenditure to Purchase Order No. 47012292 - Toronto Water Contract 07TE-301WS - Tender Call 218-2006 (Ward: 14, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32)

- Held for consideration PW13.10 Purchase Order Amendment - Digesters 1 to 8
 Minute 17.60 Refurbishing - Ashbridges Bay Treatment Plant (Ward: 32)

- Adopted by consent PW13.11 Request for Proposal No. 9117-07-7283 - Highland Creek Treatment Plant - Implementation of Odour Control Upgrades (Ward: 44)

- Adopted by consent PW13.12 MacLennan Avenue Pedestrian Bridge over CPR Tracks, Structure Rehabilitation - Contract No. 08FS-18S - Agreement with CPR (Ward: 27)

Consideration of Items - Public Works and Infrastructure Committee Meeting 13

17.55 **Extension to Leaf and Yard Waste/Christmas Tree Collection Programs**

PW13.1	NO AMENDMENT		Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The current Leaf and Yard Waste and Christmas Tree collection schedules be amended beginning in September 2008, such that these services be provided on a bi-weekly basis with extended spring and fall Leaf and Yard Waste collection and extended Christmas tree collection.

2. The General Manager exercise his discretion to adjust the actual collection dates as required.

Background Information

2008-02-08-pw13-1.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10395.pdf>

17.56 **Extension of Green Lane Occupancy Licence and Transition Agreement and Trade-Mark Licence Agreement**

PW13.2	NO AMENDMENT			Ward: All
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March 3, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The General Manager of Solid Waste Management Services be authorized to extend the Occupancy Licence and Transition Agreement dated April 2, 2007, between the City of Toronto and Green Lane Environmental Group Limited Partnership, for up to 12 additional months on substantially the same terms and conditions as set out in the above agreement.
2. The General Manager of Solid Waste Management Services be authorized to extend the Trade-Mark Licence Agreement dated April 2, 2007, between the City of Toronto and St. Thomas Sanitary Collection Services Limited Partnership, for up to 12 additional months on substantially the same terms and conditions as set out in the above agreement.
3. The extension agreements described in Parts 1 and 2 be in a form satisfactory to the City Solicitor.

Background Information

2008-02-08-pw13-2.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10396.pdf>

17.57 **Installation of Banners on Bridge Structures - Various Locations**

PW13.3	NO AMENDMENT			Ward: All
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March 4, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council approve the installation of banners on bridges over expressways within City of Toronto’s public right-of-way for the TD Canada Trust Toronto Jazz Festival from June 9 to June 22, 2008, inclusive, at the following locations:
 - a. Don Valley Parkway and Queen Street East - southbound direction;
 - b. Don Valley Parkway and Dundas Street East - southbound direction;
 - c. Don Valley Parkway and Gerrard Street East - southbound direction;
 - d. Don Valley Parkway and Lawrence Avenue East - southbound direction;
 - e. Don Valley Parkway and Wynford Drive - southbound direction;
 - f. Gardiner Expressway and Sunnyside Pedestrian Bridge - eastbound direction; and
 - g. Gardiner Expressway and Sunnyside Pedestrian Bridge - westbound direction.

Background Information

2008-02-08-pw13-3.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10397.pdf>

17.58 **F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario - 2008, 2009 and 2010 “Ride for Heart” Event**

PW13.4	NO AMENDMENT			Ward: All
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council approve the closure of the F.G. Gardiner Expressway, from the Humber River to the Don Valley Parkway, including all ramps, and the Don Valley Parkway, from the F.G. Gardiner Expressway to York Mills Road,

including all ramps, on the Sundays of June 1, 2008, June 7, 2009, and June 6, 2010, from 2:00 a.m. to 2:00 p.m., for the 2008, 2009 and 2010 “Ride for Heart” event.

2. City Council prohibit other road closures due to events or film permits on arterial roads bounded by Highway No. 401, Warden Avenue, the Lake, Humber River, Queen Street/The Queensway, and Yonge Street, which will be required to accommodate overflow traffic from the expressway closures on the day of the 2008, 2009 and 2010 “Ride for Heart” event.

Background Information

2008-02-08-pw13-4.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10398.pdf>

2008-02-08-pw13-4.appA

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10401.pdf>

17.59 **Update on the City’s Accessible Pedestrian Signal (APS) Retrofit Program and an Ontario Human Rights Complaint Involving the City’s Provision of APS**

PW13.6	NO AMENDMENT		Ward: All
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Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and receiving of advice that is subject to solicitor-client privilege.

March 4, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment:

City Council Decision

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize the public release of the recommendation in Attachment 1 if a settlement to the Complaint is achieved in accordance with Council’s instructions and in a form satisfactory to the City Solicitor.
3. All new traffic control signal installations approved by City Council, after the adoption of this report, include accessible pedestrian signals as an integral

component of the intersection equipment and operation.

4. Transportation Services staff eliminate the existing backlog of 51 requested accessible pedestrian signal retrofit locations by December 31, 2010.
5. Funds totalling \$670,000.00 be transferred within the Transportation Services 2008 Approved Capital Budget from projects CTP708-03 Traffic Signal Modifications (\$335,000.00) and CTP707-07 Traffic Plant Requirements (\$335,000.00) to Capital project CTP708-06 Audible Signals to increase the \$680,000.00 included in the budget for the Accessible Pedestrian Signal Program (APS) improvements in 2008 to \$1,350,000.00, in order to address the backlog of intersections in 2008.
6. The General Manager, Transportation Services, be requested to revise the Transportation Services five-year Capital plan as part of the 2009 Capital Budget process to include the funds required to eliminate all of the remaining APS backlog in 2009 and 2010.
7. Commencing January 1, 2011, Transportation Services establish as a performance target and basis for Capital Budget requests, the retrofit and activation of an accessible pedestrian signal within 12 months of receipt of a request, assuming that no major physical intersection modifications are required.

Confidential Attachment 1 to the report (January 21, 2008) from the City Solicitor and the General Manager, Transportation 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 related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, and the receiving of advice that is subject to solicitor-client privilege. The recommendation in Attachment 1 will be made public if a settlement to the Complaint is achieved in accordance with Council's instructions and in a form satisfactory to the City Solicitor.

Background Information

2008-02-08-pw13-6.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10400.pdf>

17.60 Purchase Order Amendment - Digesters 1 to 8 Refurbishing - Ashbridges Bay Treatment Plant

PW13.10	NO AMENDMENT			Ward: 32
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 38	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 37.

City Council Decision

City Council adopted the following motions:

1. Funds in the amount of \$1,800,000.00 net of GST be reallocated to the Digesters 1 to 8 Refurbishment Project for construction as follows: \$900,000.00 from CWW465-02 Groups 2 and 3 Sewage Pumping Station Upgrades, and \$900,000.00 from CWW465-04 Drain Lining to CWW005-95 Digesters 1 to 8 Refurbishment. Funding is included in the approved 2008 Capital Budget.
2. Subject to approval of Part 1, authority be granted to amend Purchase Order No. 47010691 for the refurbishment of Digesters 1 to 8 at the Ashbridges Bay Treatment Plant with Bondfield Construction Company Ltd. by an additional amount of \$4,475,003.89 excluding GST, revising the current contract value from \$42,277,570.09 to \$46,752,573.98 excluding GST. Funding for the amendment, subject to approval of Part 1, is available from account CWW005-95 ABTP Digesters 1 to 8 Refurbishment.
3. Council authorize and direct the appropriate staff to take the necessary action to give effect thereto.

Background Information

2008-02-08-pw13-10.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-10412.pdf>

17.61 ETOBICOKE YORK COMMUNITY COUNCIL MEETING 14

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.

March 3, 2008

- Adopted by consent EY14.1 Naming of Private Lanes at 115 Torbarrie Road as “Joseph Griffith Lane” and “Jim Baird Mews” (Ward: 7)
- Adopted by consent EY14.22 Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes (Ward: 2)
- Adopted by consent EY14.23 Extension of Interim Control By-law No. 160-2007 applying to the north side of Davenport Road between Alberta Avenue and Winona Drive (Ward: 17)
- Adopted by consent EY14.28 CP Railway Lands - St. Clair Avenue West and Jane Street Official Plan Amendment and Rezoning Applications - Final Report (Ward: 11)
- Held for consideration EY14.30 21 Old Mill Road - Official Plan and Zoning Amendment Applications - Final Report (Ward: 5)
 Minute 17.62
- Held for consideration EY14.31 2 Holiday Drive - Rezoning Application - Final Report (Ward: 3)
 Minute 17.63
- Adopted by consent EY14.35 St. Clair Avenue West between Jane Street and Scarlett Road - Parking Amendments (Ward: 11)
- Adopted by consent EY14.36 Gary Drive and Portage Avenue – All-Way Stop Control (Ward: 11)
- Held for consideration EY14.39 829, 833, 839 Oxford Street and 156, 160 Evans Avenue - Site Plan Approval (Ward: 6)
 Minute 17.64

Consideration of Items - Etobicoke York Community Council Meeting 14

17.62 21 Old Mill Road - Official Plan and Zoning Amendment Applications - Final Report

EY14.30	AMENDED		Ward: 5
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March 4, 2008

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Milczyn moved that Council vary the Order Paper in order to now consider Item EY14.30 as the next item of business, the vote on which was taken as follows:

Yes - 26 Councillors: Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Saundercook, Shiner, Stintz, Vaughan
No - 6 Councillors: Holyday, Jenkins, Lee, Moscoe, Rae, Walker

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

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Milczyn moved that the Item be amended as follows:
 1. In accordance with Section 27-60, Removal of a Matter from Committee, Council assume the jurisdiction for site plan approval, and the approval be bumped up to City Council.
 2. The following requirements be added:
 - a. the future building must be built in compliance with the City of Toronto's Green Development Standard; and
 - b. the replacement of trees to be at least a 3 to 1 ratio for the 58 trees 10cm and greater (DBH) with comparable trees, and at least a 3 to 1 ratio for the 264 trees less than 10cm (DBH) with comparable trees, to the satisfaction of the Urban Forestry Department in consultation with Toronto and Region Conservation Authority. These additional plantings would be considered on and off site, including the large areas under consideration for Toronto and Region Conservation Authority remediation.
2. Councillor Holyday moved that the Item be received for information.

Votes:

Adoption of motion 2 by Councillor Holyday:

Yes - 15 Councillors:	Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Ford, Holyday, Lee, Minnan-Wong, Moeser, Moscoe, Parker, Saundercook, Shiner, Walker
No - 21 Councillors:	Ainslie, Carroll, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Nunziata, Ootes, Pantalone, Perks, Perruzza, Rae, Stintz, Vaughan

Lost by a majority of 6.

Adoption of Part 1 of motion 1 by Councillor Milczyn:

Yes - 30 Councillors:	Augimeri, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan
No - 7 Councillors:	Ainslie, Del Grande, Ford, Grimes, Jenkins, Lee, Walker

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

Adoption of Part 2 of motion 1 by Councillor Milczyn:

Yes - 35 Councillors:	Ainslie, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan
No - 3 Councillors:	Ford, Saundercook, Walker

Carried by a majority of 32.

Adoption of the Item, as amended:

Yes - 26	Councillors: Ainslie, Augimeri, Carroll, Cho, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan
No - 12	Councillors: Davis, De Baeremaeker, Del Grande, Fletcher, Ford, Holyday, Lee, Moeser, Moscoe, Saundercook, Shiner, Walker

Carried by a majority of 14.

City Council Decision

City Council adopted the following motions:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 10 to the Final Report (January 25, 2008) and which is now replaced with Attachment No. 1 to the Supplementary Report (February 11, 2008) from the Director, Community Planning, Etobicoke York District.
2. City Council amend the former City of Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the Final Report (January 25, 2008) and which is now replaced with Attachment No. 2 to the Supplementary Report (February 11, 2008) from the Director, Community Planning, Etobicoke York District.
3. In accordance with Section 27-60, Removal of a Matter from Committee, Council assume the jurisdiction for site plan approval, and the approval be bumped up to City Council.
4. The following requirements be added:
 - a. the future building must be built in compliance with the City of Toronto's Green Development Standard; and
 - b. the replacement of trees to be at least a 3 to 1 ratio for the 58 trees 10cm and greater (DBH) with comparable trees, and at least a 3 to 1 ratio for the 264 trees less than 10cm (DBH) with comparable trees, to the satisfaction

of the Urban Forestry Department in consultation with Toronto and Region Conservation Authority. These additional plantings would be considered on and off site, including the large areas under consideration for Toronto and Region Conservation Authority remediation.

5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment, as may be required.
6. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into a Section 37 Agreement to secure community benefits outlined in the Final Report (January 25, 2008) from the Director, Community Planning, Etobicoke York District, and report and summarized in Attachment No. 12.
7. Before introducing the necessary Bills to City Council for enactment, the Notice of Approval Conditions for the site plan be issued.
8. City Council deem that no further notice of Public Meeting be given.

Background Information

January 25, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-10349.pdf>)

Notice

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-10350.pdf>)

February 11, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-10869.pdf>)

Additional Communications (City Council)

- (February 21, 2008) from Paul Badics (EY14.30.29)
- (February 26, 2008) from Anna Traer, Director, Kingsway Park Ratepayers Inc. (EY14.30.30)
- (February 27, 2008) from Charles Petersen (EY14.30.31)
- (February 27, 2008) from Kayla and Manny DeSousa (EY14.30.32)
- (February 27, 2008) from Mel and Thérèse Mason (EY14.30.33)
- (February 27, 2008) from Hannelore and Emil F. Pai (EY14.30.34)
- (February 27, 2008) from Barbara Andrews (EY14.30.35)
- (February 27, 2008) from John Koehler (EY14.30.36)
- (February 27, 2008) from Denise Furgiuele (EY14.30.37)
- (February 27, 2008) from Christine Woodman (EY14.30.38)
- (February 27, 2008) from George A. Buck (EY14.30.39)
- (February 27, 2008) from Julius Ondracek and Elfriede Ondracek (EY14.30.40)
- (February 27, 2008) from Lionel Houle (EY14.30.41)
- (February 27, 2008) from Iveta and Larry May (EY14.30.42)

- (February 27, 2008) from Henry and Gillian Cheah (EY14.30.43)
- (February 27, 2008) from Bob Besner and Ruth Morrison (EY14.30.44)
- (February 27, 2008) from Doris Vogtle (EY14.30.45)
- (February 27, 2008) from Barbara Switzer (EY14.30.46)
- (February 27, 2008) from Chepa Wang (EY14.30.47)
- (February 27, 2008) from Ron Rhodes (EY14.30.48)
- (February 27, 2008) from Tonio Carrubba (EY14.30.49)
- (February 27, 2008) from Susan E. Murray (EY14.30.50)
- (February 27, 2008) from Nigel Guilford (EY14.30.51)
- (February 27, 2008) from Cathryn L. Mulvihill (EY14.30.52)
- (February 27, 2008) from Yvonne Greig (EY14.30.53)
- (February 27, 2008) from David and Kathy Girvin (EY14.30.54)
- (February 27, 2008) from Christopher and Loretta McEvelly (EY14.30.55)
- (February 27, 2008) from Nancy E. Rose (EY14.30.56)
- (February 27, 2008) from Nigel G. H. Guilford (EY14.30.57)
- (February 27, 2008) from Robert B. Cumming (EY14.30.58)
- (February 27, 2008) from Frank and Suzanne Battiston (EY14.30.59)
- (February 27, 2008) from Vernon Fernandes (EY14.30.60)
- (February 27, 2008) from Karel Hodgert (EY14.30.61)
- (February 27, 2008) from Lisa Kellett (EY14.30.62)
- (February 27, 2008) from Vanessa Alsop (EY14.30.63)
- (February 27, 2008) from Margaret Gilbey (EY14.30.64)
- (February 27, 2008) from Janet Marechaux (EY14.30.65)
- (February 27, 2008) from Dejan Bojic (EY14.30.66)
- (February 27, 2008) from John and Sally Cobb (EY14.30.67)
- (February 27, 2008) from Sandra Fairman (EY14.30.68)
- (February 27, 2008) from David Kearney and Heather Attridge (EY14.30.69)
- (February 27, 2008) from Karen Kolyn (EY14.30.70)
- (February 27, 2008) from Sonia Stephens (EY14.30.71)
- (February 27, 2008) from John and Margaret Harrison (EY14.30.72)
- (February 27, 2008) from Margaret McAllister (EY14.30.73)
- (February 27, 2008) from Joseph Shillaci (EY14.30.74)
- (February 27, 2008) from Carol and Greg Gulyas (EY14.30.75)
- (February 27, 2008) from Tony G. Graci (EY14.30.76)
- (February 27, 2008) from Philip Giroday (EY14.30.77)
- (February 27, 2008) from Che Anne Loewen (EY14.30.78)
- (February 27, 2008) from Glen K. Ness (EY14.30.79)
- (February 27, 2008) from Robert Field (EY14.30.80)
- (February 27, 2008) from Martin Hering and Nadine Kadri Altourjuman (EY14.30.81)
- (February 27, 2008) from Theo Kempe (EY14.30.82)
- (February 27, 2008) from Thomas T. Robins (EY14.30.83)
- (February 27, 2008) from Nicholas and Elizabeth Fanuzzi (EY14.30.84)
- (February 27, 2008) from Professor Richard N. Edwards (EY14.30.85)
- (February 27, 2008) from Warren N. Barnard (EY14.30.86)

- (February 27, 2008) from Barry Tait (EY14.30.87)
- (February 27, 2008) from Leslie M. Giroday (EY14.30.88)
- (February 27, 2008) from Alistair and Karen Grant (EY14.30.89)
- (February 27, 2008) from Brad King (EY14.30.90)
- (February 27, 2008) from Ron Ing (EY14.30.91)
- (February 27, 2008) from Greg Cochrane (EY14.30.92)
- (February 27, 2008) from Marg Dickson and Cyril MacLean (EY14.30.93)
- (February 27, 2008) from Derick Linegar (EY14.30.94)
- (February 27, 2008) from Charles and Dorothy Donley (EY14.30.95)
- (February 27, 2008) from Steve Vogtle (EY14.30.96)
- (February 27, 2008) from Miranda Germani (EY14.30.97)
- (February 27, 2008) from Anna Visocchi (EY14.30.98)
- (February 27, 2008) from Christine Yovorsky (EY14.30.99)
- (February 27, 2008) from Nancy Moysiuk (EY14.30.100)
- (February 27, 2008) from Ralph Jamieson (EY14.30.101)
- (February 27, 2008) from Steven Lynch (EY14.30.102)
- (February 27, 2008) from Ann M. Tai (EY14.30.103)
- (February 27, 2008) from Bruce Klassen (EY14.30.104)
- (February 27, 2008) from Stuart and Paulette French (EY14.30.105)
- (February 27, 2008) from Mary-Ann Klassen (EY14.30.106)
- (February 27, 2008) from Ron Nicholson (EY14.30.107)
- (February 27, 2008) from Stanley Schiff (EY14.30.108)
- (February 27, 2008) from Elizabeth Newton (EY14.30.109)
- (February 27, 2008) from Mary and Vernon Fernandes (EY14.30.110)
- (February 27, 2008) from Leslie M. Giroday (EY14.30.111)
- (February 27, 2008) from Jim Durran (EY14.30.112)
- (February 27, 2008) from Ingo Koenig (EY14.30.113)
- (February 27, 2008) from Shannon Bowness (EY14.30.114)
- (February 27, 2008) from Patrizia McNeely (EY14.30.115)
- (February 27, 2008) from Anne Lancashire (EY14.30.116)
- (February 27, 2008) from Stan J. Arnot (EY14.30.117)
- (February 27, 2008) from Karen and Richard Zurawski (EY14.30.118)
- (February 27, 2008) from Tracy Gray (EY14.30.119)
- (February 27, 2008) from Claudia McLean (EY14.30.120)
- (February 27, 2008) from Nick Plavac (EY14.30.121)
- (February 27, 2008) from Steve O'Neil and Colette Léger (EY14.30.122)
- (February 28, 2008) from Halena Mermer (EY14.30.123)
- (February 28, 2008) from Catharine Barnes (EY14.30.124)
- (February 28, 2008) from Joe Wolfer (EY14.30.125)
- (February 28, 2008) from Jennifer McNab (EY14.30.126)
- (February 28, 2008) from Peter Dick (EY14.30.127)
- (February 28, 2008) from Alex Feness (EY14.30.128)
- (February 27, 2008) from Margaret Lang (EY14.30.129)
- (February 27, 2008) from Arthur Harris (EY14.30.130)
- (February 28, 2008) from Lynda Ryder (EY14.30.131)

- (February 28, 2008) from John Guest (EY14.30.132)
- (February 28, 2008) from Peter and Mary-Louise Collins (EY14.30.133)
- (February 28, 2008) from Kathy Wolfer (EY14.30.134)
- (February 28, 2008) from Gillian and James Dempsey (EY14.30.135)
- (February 28, 2008) from Ann Teschke and Malcolm MacKay (EY14.30.136)
- (February 28, 2008) from Jane Craig and Lloyd Taylor (EY14.30.137)
- (February 28, 2008) from Kevin Whelly (EY14.30.138)
- (February 28, 2008) from Jane Hunter (EY14.30.139)
- (February 28, 2008) from Avril G. Morton (EY14.30.140)
- (February 28, 2008) from Regina and Saulius Masionis (EY14.30.141)
- (February 28, 2008) from Jane and John Bright (EY14.30.142)
- (February 28, 2008) from Peter and Laura Scott (EY14.30.143)
- (February 28, 2008) from Stuart Harvey (EY14.30.144)
- (February 28, 2008) from Graeme Wilson (EY14.30.145)
- (February 28, 2008) from A.C. Bromstein (EY14.30.146)
- (February 28, 2008) from Perry Leapard (EY14.30.147)
- (February 28, 2008) from David R. Windeyer (EY14.30.148)
- (February 28, 2008) from Catherine Montgomery (EY14.30.149)
- (February 28, 2008) from Margot Thompson (EY14.30.150)
- (February 28, 2008) from Lynne Thiessen (EY14.30.151)
- (February 28, 2008) from Susan Rawle (EY14.30.152)
- (February 28, 2008) from Joyce Clitheroe (EY14.30.153)
- (February 28, 2008) from Robert Dean (EY14.30.154)
- (February 28, 2008) from Helen Reed (EY14.30.155)
- (February 28, 2008) from Kathy Flagler (EY14.30.156)
- (February 28, 2008) from Kathy Flagler (EY14.30.157)
- (February 28, 2008) from Todd Haney (EY14.30.158)
- (February 28, 2008) from Rachel Woodman (EY14.30.159)
- (February 28, 2008) from Susan McDonald (EY14.30.160)
- (February 28, 2008) from Dan Guebert (EY14.30.161)
- (February 28, 2008) from Jackie DeKnock (EY14.30.162)
- (February 28, 2008) from Andrew Gory (EY14.30.163)
- (February 28, 2008) from Virginia Reimer (EY14.30.164)
- (February 28, 2008) from Renette Bourgeois (EY14.30.165)
- (February 29, 2008) from D.G. and M.E. Allan (EY14.30.166)
- (February 29, 2008) from Alvin Kisonas (EY14.30.167)
- (February 29, 2008) from Urs Villiger (EY14.30.168)
- (February 28, 2008) from Robin Dempsey (EY14.30.169)
- (February 28, 2008) from John J. Dempsey (EY14.30.170)
- (February 29, 2008) from Nicholas Singh, President, Swansea Area Ratepayers' Association (EY14.30.171)
- (February 28, 2008) from Olena Wawrshyn, President, Old Millside Residents' Association (EY14.30.172)
- (February 28, 2008) from Shelagh Barrington (EY14.30.173)
- (February 28, 2008) from John McLaughlin (EY14.30.174)

- (February 28, 2008) from Cynthia Whitburn (EY14.30.175)
- (February 28, 2008) from Lionel Levitt (EY14.30.176)
- (February 29, 2008) from Ammar Al-Joundi (EY14.30.177)
- (February 29, 2008) from Victoria Al-Joundi (EY14.30.178)
- (February 29, 2008) from Tami Strong (EY14.30.179)
- (February 27, 2008) from Margaret Hurst and Sharon Conway (EY14.30.180)
- (February 29, 2008) from Sylvia D’Addario (EY14.30.181)
- (February 29, 2008) from Alex Maksymiw (EY14.30.182)
- (February 29, 2008) from Kevin Bender (EY14.30.183)
- (February 29, 2008) from Trevor Bain (EY14.30.184)
- (February 29, 2008) from Robert and Rosemary Gardner (EY14.30.185)
- (February 29, 2008) from Nancy Newton (EY14.30.186)
- (February 29, 2008) from A.G. Scott (EY14.30.187)
- (March 2, 2008) from Madeleine McDowell (EY14.30.188)
- (March 1, 2008) from Richard Zemel (EY14.30.189)
- (March 1, 2008) from Darren Soanes (EY14.30.190)
- (March 1, 2008) from Sandra Brazel and Rajiv Singal (EY14.30.191)
- (March 1, 2008) from Greig S. Dunn (EY14.30.192)
- (March 1, 2008) from Tony Pitassi (EY14.30.193)
- (March 2, 2008) from Eloise Oliver (EY14.30.194)
- (March 2, 2008) from Ellen and David Thomson (EY14.30.195)
- (March 2, 2008) from Marilyn Green Robson (EY14.30.196)
- (March 3, 2008) from Mary L. Campbell (EY14.30.197)
- (March 3, 2008) from Brian Maguire, Acting Chair, Confederation of Resident and Ratepayer Associations in Toronto (CORRA) (EY14.30.198)

17.63 **2 Holiday Drive - Rezoning Application - Final Report**

EY14.31	AMENDED		Ward: 3
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March 5, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

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

The General Manager of Parks, Forestry and Recreation, in consultation with the Acting Chief Planner and Executive Director, City Planning, be requested to report to the next meeting of the Etobicoke York Community Council on April 8, 2008, on the application of the alternative parkland dedication by-law with respect to this application.

Votes:

Motion 1 by Councillor Jenkins carried.

Adoption of the Item, as it relates to Recommendation 1 and 2 of the Etobicoke York Community Council:

Yes - 22 Councillors: Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Filion, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Palacio, Pantalone, Parker, Perruzza, Vaughan, Walker
No - 2 Councillors: Ford, Saundercook

Carried by a majority of 20.

The balance of the Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council amend the Zoning By-law for the property at 2 Holiday Drive substantially in accordance with the draft Zoning By-law Amendments attached as Attachment 9 to the Final Report (January 25, 2008) from the Director, Community Planning, Etobicoke York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bill to City Council for enactment, City Council require the owner to enter into an agreement under Section 37 of the Planning Act to secure public benefits outlined in Attachment 8 to the Final Report.
4. City Council direct the General Manager, Parks, Forestry and Recreation Division, to designate \$400,000.00 from the Alternative Parkland Dedication payment to be received from the development at 2 Holiday Drive, for improvements to Broadacres Park, as contained in Attachment 8 to the Final Report (January 25, 2008) from the Director, Community Planning, Etobicoke York District.
5. City Council direct the General Manager, Children's Services Division, to use any Section 37 funds from the proposed development at 2 Holiday Drive that are not required for improvements to daycare facilities at Broadacres School, for improvements to daycare facilities at the Etobicoke Civic Centre.

6. The General Manager of Parks, Forestry and Recreation, in consultation with the Acting Chief Planner and Executive Director, City Planning, be requested to report to the next meeting of the Etobicoke York Community Council on April 8, 2008, on the application of the alternative parkland dedication by-law with respect to this application.

Background Information

January 25, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-10360.pdf>

Notice

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-10361.pdf>

Draft Zoning By-law

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11218.pdf>

Additional Communications (City Council)

- (February 13, 2008) from Randy Thomson (EY14.31.1)

Declared Interest (City Council)

Councillor Holyday - as it relates to Recommendations 3, 4 and 5, of the Etobicoke York Community Council, in that his grand-daughter attends the daycare centre at the Etobicoke Civic Centre.

17.64 829, 833, 839 Oxford Street and 156, 160 Evans Avenue - Site Plan Approval

EY14.39	AMENDED			Ward: 6
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March 5, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor De Baeremaeker moved that the Item be amended by adding to the end of Recommendation 1 of the Etobicoke York Community Council, the words “subject to the site servicing plan being finalized to the satisfaction of the General Manager, Toronto Water”, so that Recommendation 1 now reads as follows:
 1. City Council direct the Director, Community Planning, Etobicoke York District, and the City Solicitor to issue final site plan approval and complete the necessary site plan agreement in accordance with the site plan, elevations and landscape plans previously submitted and acceptable and the revised servicing and grading plans submitted by the applicant on February 11, 2008, by no later than March 5, 2008, subject to the site

servicing plan being finalized to the satisfaction of the General Manager, Toronto Water.

Votes:

Adoption of motion 1 by Councillor De Baeremaeker:

Yes - 17	Councillors: Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Ford, Heaps, Holyday, Jenkins, Lee, Mihevc, Nunziata, Parker, Perruzza, Shiner, Walker
No - 9	Councillors: Augimeri, Di Giorgio, Grimes, Lindsay Luby, Minnan-Wong, Palacio, Pantalone, Saundercook, Vaughan

Carried by a majority of 8.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council direct the Director, Community Planning, Etobicoke York District, and the City Solicitor to issue final site plan approval and complete the necessary site plan agreement in accordance with the site plan, elevations and landscape plans previously submitted and acceptable and the revised servicing and grading plans submitted by the applicant on February 11, 2008, by no later than March 5, 2008, subject to the site servicing plan being finalized to the satisfaction of the General Manager, Toronto Water.
2. The modifications that the applicant for 829, 833 and 839 Oxford Street and 156-160 Evans Avenue has agreed to undertake to the City's existing storm sewer and culvert on Oxford Street based on City standard T-1006.01-1, be done to the satisfaction of the General Manager, Toronto Water.

Background Information

Motion

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-11029.pdf>)

17.65 NORTH YORK COMMUNITY COUNCIL MEETING 13

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.

March 3, 2008

- | | | |
|--|---------|---|
| Adopted by consent | NY13.3 | Intention to Designate - 2822 Keele Street - Part IV, Section 29, Ontario Heritage Act (Ward: 9) |
| Adopted by consent | NY13.5 | Lane Designation - Bathurst Street at Finch Avenue West (Ward: 10) |
| Adopted by consent | NY13.6 | Parking Amendments/Pay and Display Installation - Glencairn Avenue, east of Dufferin Street (Ward: 15) |
| Adopted by consent | NY13.8 | Turn Restriction - Duplex Avenue at Finch Avenue West (Ward: 23) |
| Adopted by consent | NY13.10 | Stopping Prohibitions - Bayview Avenue (Ward: 25) |
| Adopted by consent | NY13.11 | Pedestrian Crossing Prohibition – Don Mills Road, south of Overlea Boulevard/Gateway Boulevard (Ward: 26) |
| Adopted by consent | NY13.17 | Final Report - Site Plan Control Application - 1325 Lawrence Avenue East (Ward: 34) |
| Held for consideration
Minute 17.66 | NY13.18 | Request for Direction Report - Official Plan Amendment Application – 5170 Yonge St. (Ward: 23) |
| Held for consideration
Minute 17.67 | NY13.19 | Final Report - Official Plan and Zoning By-law Amendment Applications – 1066 Avenue Road (Ward: 16) |
| Adopted by consent | NY13.20 | Decision of the Agnes Macphail Award Selection Committee - Recipient of the 2008 Agnes Macphail Award (Ward: 25) |
| Adopted by consent | NY13.21 | Amendments to Conditions of Approval Regarding the Rezoning Application for 20 Graydon Hall Drive (Ward 34 – Don Valley East) (Ward: 34) |
| Adopted by consent | NY13.22 | Staff Representation at the Ontario Municipal Board - 25 Wilfred Avenue (Ward: 23) |
| Adopted by consent | NY13.23 | Re-polling - 27 Cortleigh Boulevard (Ward: 16) |
| Adopted by consent | NY13.24 | Identification of land for the development of a multi-pad ice arena in Wards 25 - Don Valley West, 26 - Don Valley West or Ward 34 - Don Valley East (Ward: 25, 26, 34) |

Adopted by consent NY13.25 Amendment to Chapter 918 - Removal of Ward 15 from Section 5. a) of Chapter 918 of Toronto Municipal Code (Ward: 15)

Consideration of Items - North York Community Council Meeting 13

17.66 Request for Direction Report - Official Plan Amendment Application - 5170 Yonge St.

NY13.18	NO AMENDMENT			Ward: 23
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March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council refuse the application in its current form and authorize the City Solicitor and necessary City staff and consultants to attend the Ontario Municipal Board hearing in opposition to the appeals for the reasons outlined in the report (January 25, 2008) from the Director, Community Planning, North York District.

Background Information

Official Plan Amendment Application - Request for Direction Report - 5170 Yonge St.
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-10188.pdf>)

17.67 Final Report - Official Plan and Zoning By-law Amendment Applications - 1066 Avenue Road

NY13.19	AMENDED			Ward: 16
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March 5, 2008

Speaker Bussin in the Chair.

Motion:

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

The General Manager of Parks, Forestry and Recreation, in consultation with the Acting Chief Planner and Executive Director, City Planning, be requested to report to the next meeting of the North York Community Council on April 8, 2008, on the application of the alternative parkland dedication by-law with respect to this application.

Votes:

Motion 1 by Councillor Jenkins carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to the report (January 24, 2008) from the Director, Community Planning, North York District.
2. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report (January 24, 2008) from the Director, Community Planning, North York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
4. City Council require that the building be constructed in a manner that facilitates the City's objective to move to 70 percent diversion from landfill and the applicant be required to submit a waste diversion plan subject to the approval of the General Manager of Solid Waste Management Services.
5. City Council require that the right-turn only curb configuration on Avenue Road, that directs traffic from the service lane, be reinforced by a no left-turn by-law.
6. City Council direct the Director, Community Planning, North York District, to consider concerns, including the provision for a retirement residence use and the inclusion of the 45 degree angular plane into the by-law, as expressed by the applicants, the Avenue Road Eglinton Community Association (ARECA) and any other concerned parties and make modifications to the draft Zoning By-law as appropriate.
7. The General Manager of Parks, Forestry and Recreation, in consultation with the Acting Chief Planner and Executive Director, City Planning, be requested to report

to the next meeting of the North York Community Council on April 8, 2008, on the application of the alternative parkland dedication by-law with respect to this application.

Background Information

Final Report Official Plan and Zoning By-law Amendment Applications - 1066 Avenue Road

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-10187.pdf>)

Final Report - 1066 Avenue Road Draft By-law

(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-10245.pdf>)

Additional Communications (City Council)

- (February 11, 2008) from Irving Baker (NY13.19.28)

Declared Interest (City Council)

Councillor Shiner - in that the Solicitor representing the applicant is also representing his family on another planning matter.

17.68 SCARBOROUGH COMMUNITY COUNCIL MEETING 13

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.

March 3, 2008

- | | | |
|--------------------|---------|--|
| Adopted by consent | SC13.14 | Assumption of Services – Trans-Gate Inc. - Registered Plan of Subdivision 66M-2395 - Staines Avenue and Finch Avenue East (Ward: 42) |
| Adopted by consent | SC13.15 | Sale of Vacant Parcel of Land at the Rear of 3097 Danforth Avenue (Ward: 35) |
| Adopted by consent | SC13.16 | 1725 Kingston Road - Rezoning and Site Plan Applications - Request for Direction Report (Ward: 36) |
| Adopted by consent | SC13.17 | 1750 Brimley Road - Zoning Application to Lift Holding Provisions (H) Final Report (Ward: 37) |
| Adopted by consent | SC13.18 | 18 Rosebank Drive - Part Lot Control Application - Final Report (Ward: 42) |
| Adopted by consent | SC13.19 | 30 Massie Street (Part of Lots 1 to 75 inclusive) - Part Lot Control Application - Final Report (Ward: 42) |

17.69 **TORONTO AND EAST YORK COMMUNITY COUNCIL MEETING 13**

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.

March 3, 2008

Adopted by consent	TE13.5	Intention to Designate, Part IV, Section 29, Ontario Heritage Act - 2 Strachan Avenue (Ward: 19)
Adopted by consent	TE13.6	Approval of Alterations to a Heritage Building - The John Street Roundhouse - 222 Bremner Boulevard (Ward: 20)
Adopted by consent	TE13.7	Inclusion on Heritage Inventory – 63 and 69 Lonsdale Road (Ward: 22)
Adopted by consent	TE13.8	Intention to Designate, Part IV, Section 29, Ontario Heritage Act – 670, 672 and 674 Broadview Avenue (Ward: 30)
Adopted by consent	TE13.9	Final Report - Rezoning Application to Remove the Holding Symbol (“h”) – 90 Sloping Sky Mews - Fort York Neighbourhood (Block 3A) (Ward: 19)
Held for consideration Minute 17.70	TE13.10	Final Report - Official Plan Amendment and Rezoning Application - Part of 50 St. Joseph Street (Ward: 27)
Held for consideration Minute 17.71	TE13.11	Final Report - Rezoning Application - 799, 803, 803R, 807 and 809 Broadview Avenue and 21R Pretoria Avenue (Ward: 29)
Adopted by consent	TE13.40	Front Yard Parking - By-law Amendment - 853 Bathurst Street (Ward: 20)
Adopted by consent	TE13.43	Lane and Sidewalk Closure for Construction - Adelaide Street East (Ward: 28)
Adopted by consent	TE13.44	Road Alteration - Williamson Road (Ward: 32)
Adopted by consent	TE13.49	On-street Loading Zone for Disabled Persons - Bloor Street West (Ward: 18)
Adopted by consent	TE13.53	Extension of Lane Closure Duration - Adelaide Street East (Ward: 28)

Adopted by consent	TE13.54	Proposed Permanent Closure of the Public Lane at the rear of 709 and 711 Yonge Street, extending northerly from Hayden Street (Ward: 27)
Adopted by consent	TE13.55	Consent to Sign Development Applications for Land abutting Closed Scott Street Road Allowance (Ward: 28)
Adopted by consent	TE13.56	Use of Nathan Phillips Square for Various Events up to July 2008 (Ward: All)
Adopted by consent	TE13.59	Endorsement of Events for Liquor Licensing Purposes (Ward: All)
Adopted by consent	TE13.61	Decision of the Agnes Macphail Award Selection Committee - Recipient of the 2008 Agnes Macphail Award (Ward: 31)
Adopted by consent	TE13.63	Subdivision Agreement Amendment - Railway Land West (Pedestrian Bridges) (Ward: 20)
Held for consideration Minute 17.72	TE13.64	Road Closing - Lake Shore Boulevard East, from Coxwell Avenue to the Don Road Way (Ward: 32)

Consideration of Items - Toronto and East York Community Council Meeting 13

17.70 Final Report - Official Plan Amendment and Rezoning Application - Part of 50 St. Joseph Street

TE13.10	NO AMENDMENT			Ward: 27
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March 4, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Del Grande moved that the Item be deferred to the next regular meeting of Council on April 28, 2008, and in the meantime, the Acting Chief Planner be requested to meet with the Ward Councillor and representatives of the developer, St. Basil's Church and the Student Union.

Motion to End Debate:

Councillor Saundercook moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council end the debate on motion 1 by Councillor Del Grande and

take the vote immediately, the vote on which was taken as follows:

Yes - 25 Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Heaps, Kelly, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Parker, Perks, Rae, Saundercook, Shiner
No - 8 Councillors:	Ashton, Ford, Holyday, Jenkins, Lee, Ootes, Palacio, Walker

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

Vote on Deferral:

Adoption of motion 1 by Councillor Del Grande:

Yes - 5 Councillors:	Ainslie, Del Grande, Ford, Kelly, Palacio
No - 31 Mayor: Councillors:	Miller Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Lee, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Vaughan, Walker

Lost by a majority of 26.

Motion:

2. Councillor Ford moved that the Item be received for information.

Votes:

Adoption of motion 2 by Councillor Ford:

Yes - 1 Councillor:	Ford
No - 37 Mayor:	Miller

Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
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Lost by a majority of 36.

Adoption of the Item, without amendment:

Yes - 37	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 36.

City Council Decision

City Council adopted the following motions:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 7 of the report (January 25, 2008) from the Director, Community Planning, Toronto and East York District.
2. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8 of the report (January 25, 2008) from the Director, Community Planning, Toronto and East York District, subject to parking being provided in accordance with the Downtown Zone standards set out in By-law No. 438-86, instead of the higher parking ratios recommended by the Final Report, and that this standard also be reduced by nine spaces if a car-sharing parking space is provided.
3. City Council authorize the City Solicitor and Chief Planner and Executive Director, City Planning Division, to make such stylistic, technical and other changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required to implement the intent of the Final Report as

adopted by Council.

4. City Council authorize a credit against the Parks and Recreation component of Development Charges payable for the development for above-base park improvements to be installed by the developer; the credit shall be in an amount that is the lesser of the cost to the developer of installing the above-base park improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of Development Charges payable for the development.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the applicant to submit an application under Toronto Municipal Code Chapter 813, Trees, Article III, 'Tree Protection', for the five private trees that qualify for protections and are proposed to be removed as part of the proposal, and complete the application review process.
6. Before introducing the necessary Bills to City Council for enactment, City Council authorize the appropriate City officials and require the owner to execute an Agreement pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:
 - i. convey lands for a public park, all at no cost to the City other than such parkland acquisition payment as may be approved by the City;
 - ii. pedestrian walkway from Bay Street to the courtyard;
 - iii. building assessment of St. Basil's Church and Cloverhill Wing and construction monitoring program and insurance;
 - iv. improvements/upgrades to municipal infrastructure if required to service the development;
 - v. costs associated with the installation of a new traffic signal at St. Mary and Bay Street intersection;
 - vi. design and materials for the exterior of the development;
 - vii. a wind assessment of specific mitigation measures identified through the Site Plan Approval process and incorporation of such measures into the development;
 - viii. continuous tree pit/trench and an automatic irrigation system for proposed street trees;

- ix. reasonable commercial efforts to obtain LEED certification for the development;
 - x. tree plantings on either side of the ceremonial driveway leading from St. Joseph Street to St. Basil's Church;
 - xi. an open space requirement/setback zone for a distance of 20 metres on the St. Michael's playing field west of the proposed western property line of the site; and
 - xii. provide the Parks and Recreation component of Development Charges payable for the development as Development Charge credits for above-base park improvements to be installed by the developer subject to Recommendation 4.
7. City Council direct that public pedestrian accessibility over the green space between the development and the proposed public park be secured by the Section 37 Agreement alone and not also by way of an easement;
8. The open space requirement/setback zone, as noted in Part 6xi., above, be secured through any legal mechanism satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning Division.
9. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

Background Information

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-10219.pdf>

Additional Communications (City Council)

- (March 2, 2008) from Cesare Plastina, President, St. Michael's College Student Union (TE10.13.4)

Petition (City Council)

- Petition (undated) containing the signatures of approximately 1,339 members of St. Basil's Parish regarding the proposed development on the land adjacent to and encompassing St. Basil's Church (TE13.10.5)

17.71 **Final Report - Rezoning Application - 799, 803, 803R, 807 and 809 Broadview Avenue and 21R Pretoria Avenue**

TE13.11	AMENDED			Ward: 29
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March 3, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Ootes moved that the Item be amended by deleting the following Recommendation 3 of the Toronto and East York Community Council:

Recommendation to be deleted:

3. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act.

March 4, 2008

Speaker Bussin in the Chair.

Votes:

Motion 1 by Councillor Ootes carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 of the report (January 25, 2008) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Background Information

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-10231.pdf>

Additional Communications (City Council)

- (February 12, 2008) from Judy Worsley, Administrator, The Danforth BIA (TE13.11.3)
- (February 10, 2008) from Judy Worsley, Administrator, The Danforth BIA (TE13.11.4)

17.72 **Road Closing - Lake Shore Boulevard East, from Coxwell Avenue to the Don Road Way**

TE13.64	NO AMENDMENT		Ward: 32
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March 4, 2008

Deputy Speaker Lindsay Luby 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 the meeting.

City Council Decision

City Council adopted the following motions:

1. City Council permanently close the portion of the boulevard on the north side of Lake Shore Boulevard East, generally from Coxwell Avenue in the east to the Don Road Way in the west, the southern limit of the bicycle trail to the southern property line of the properties to the north.
2. City Council authorize staff to give notice to the public of the proposed by-law to close the road in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law at its April 8, 2008 meeting.
3. City Council authorize Transportation Services staff to advise the public of the proposed closure of the road prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notice pages of the City's Web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the roadway will be considered.

4. City Council authorize Transportation Services staff to adjust the limits of the closure as necessary and incorporate and advise Council of any other terms and conditions that may be applicable to this process.

Background Information

Member Motion

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-10952.pdf>)

17.73 **ADMINISTRATIVE INQUIRIES AND ANSWERS**

March 3, 2008

Speaker Bussin in the Chair.

Council had before it the following Administrative Inquiries and Answers:

IA17.1

“Fair Taxes” Campaign
(February 19, 2008) Inquiry from Councillor Walker

IA17.1a

(February 29, 2008) Answer from Mayor David Miller

IA17.2

Strategic Communications Division
(February 19, 2008) Inquiry from Councillor Walker

IA17.2a

(February 26, 2008) Answer from the City Manager

IA17.3

“One Cent Now” Campaign
(February 19, 2008) Inquiry from Councillor Walker

IA17.3a

(February 29, 2008) Answer from the Deputy City Manager
and Chief Financial Officer

Vote:

The vote to receive Administrative Inquiries and Answers IA17.2, IA17.2a, IA17.3 and IA17.3a for information, carried.

March 5, 2008

Speaker Bussin in the Chair.

Vote to Receive Administrative Inquiry and Answer IA17.1 and IA17.1a for information:

Yes - 31

Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Di Giorgio, Feldman, Fillion, Ford, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 1 Councillor:	Del Grande

Carried by a majority of 30.

City Council Decision

City Council received the Administrative Inquiries and Answers for information.

17.74 NEW BUSINESS FROM THE MAYOR AND CITY OFFICIALS

March 3, 2008

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.

- | | |
|---|---|
| Adopted by consent | CC17.1 (January 18, 2008) from the City Solicitor, headed "Technical Amendment to Subsection 64.25(5) of North York Zoning By-law 7625, Zoning Amendment Application, 5435 Yonge Street, 32 and 38 Byng Avenue, and 31 Olive Avenue"
<i>(Deferred from City Council Meeting of January 29 and 30, 2008 – Item CC16.4)</i> |
| Held for consideration.
Minute 17.75 | CC17.2 (February 20, 2008) from the City Solicitor and the General Manager, Transportation Services, headed "Yorkville North Development Ltd., 15, 21, 25 Holmes Avenue – Potential Settlement of Ontario Municipal Board Hearing"
<i>(Confidential Attachment 1 – litigation or potential litigation that affects the City or one of its agencies, boards or commissions)</i> |

Held for consideration. CC17.3 (February 25, 2008) from Mayor Miller, headed Minute 17.76 “Appointment of Citizens to the Board of Directors of Toronto Community Housing Corporation (TCHC)” *(Confidential Attachment 1 – personal information about identifiable individuals)*

Held for consideration. CC17.4 (February 25, 2008) from the City Solicitor, headed Minute 17.77 “4187 Dundas Street West, 567, 569 and 571 Prince Edward Drive: Ontario Municipal Board Matter” *(Confidential Attachment 1 – litigation or potential litigation that affects the City or one of its agencies, boards or commissions and solicitor-client privilege)*

17.75 Yorkville North Development Ltd., 15, 21, 25 Holmes Avenue – Potential Settlement of Ontario Municipal Board Hearing

CC17.2	NO AMENDMENT			Ward: 23
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Confidential Attachment 1 – litigation or potential litigation that affects the City or one of its agencies, boards or commissions

March 4, 2008

Speaker Bussin in the Chair.

Vote:

Item CC17.2 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. If adopted, the recommendations in Attachment 1 may be made public after the conclusion of the Council meeting.

The following recommendations contained in Confidential Attachment 1 to the report (February 20, 2008) from the City Solicitor and the General Manager, Transportation Services, are now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards or commissions:

1. The claim by Yorkville North Development Ltd. in the amount of \$26,200,000.00 plus interest and costs, for compensation, disturbance damages and injurious affection, be settled for \$2,500,000.00 less the amount the City has already paid, plus interest and costs, for a total outstanding amount of approximately \$2,300,000.00, in exchange for a full and final release of all claims in a form satisfactory to the City Solicitor.
2. Funding for this settlement, in the amount of \$2,300,000.00, be transferred from Transportation and Services Account CTP508-1 to Transportation and Services Account CTP800-8 which will have no net impact on the 2008 approved debt target.
3. If adopted, these recommendations may be made public after the conclusion of the Council meeting.

Link to Background Information

Council considered the following:

- Report (February 20, 2008) from the City Solicitor and the General Manager, Transportation Services ([CC17.2](#))

17.76 Appointment of Citizens to the Board of Directors of Toronto Community Housing Corporation (TCHC)

CC17.3	NO AMENDMENT		
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Confidential Attachments 1 and 2 – personal information about identifiable individuals

March 4, 2008

Speaker Bussin in the Chair.

Vote:

Item CC17.3 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council appoint the seven persons, including the recommended Chair, listed in Confidential Attachment 1 to the memorandum (February 25, 2008) from Deputy Mayor Joe Pantalone, Chair, Corporations Nominating Panel for TCHC, to

serve at the pleasure of Council as members of the Board of Directors of Toronto Community Housing Corporation effective March 17, 2008, for a term ending December 31, 2009, with a renewal term of two years, or until a successor is appointed, in accordance with the City Public Appointments Policy.

2. The person identified in Attachment 2 be named as an alternate so that, in the event there is a vacancy on the Board of TCHC during the term, the alternate may be approached to determine their continued interest and availability and be considered by Council for appointment at that time.
3. Confidential Attachment 1 to the memorandum (February 25, 2008) from Deputy Mayor Joe Pantalone, Chair, Corporations Nominating Panel for TCHC, be made public, and Confidential Attachment 2 to this memorandum remain confidential, following City Council's approval.

Confidential Attachment 1 is now public in its entirety and contains the names of the following persons appointed to the Board of Directors of Toronto Community Housing Corporation:

David Mitchell (Recommended Chair)
Zahra Dhanani
Michelle Joseph
Greg Kalil
Carol Osler
Sheerin Anwer Sheikh
Ronald Struys

Confidential Attachment 2 which lists the alternate recommended for consideration should a vacancy arise, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about an identifiable person. The name of the alternate will be made public should the individual be appointed as a member of the Board of Directors of the Toronto Community Housing Corporation.

Link to Background Information

Council considered the following:

- Communication (February 25, 2008) from Mayor David Miller with attached memorandum (February 25, 2008) from Deputy Mayor Joe Pantalone, Chair, Corporations Nominating Panel for TCHC ([CC17.3](#))

17.77 4187 Dundas Street West, 567, 569 and 571 Prince Edward Drive: Ontario Municipal Board Matter

CC17.4	NO AMENDMENT			Ward: 5
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Confidential Attachment 1 – litigation or potential litigation that affects the City or one of its agencies, boards or commissions and solicitor-client privilege

This Item was considered during closed session.

(See Minutes 17.107 and 17.108)

NOTICES OF MOTIONS

17.78 **Toronto Hydro – Encouraging the Creation of Local Renewable Power Generation Projects**

Moved by Councillor Thompson, seconded by Councillor Perks

M17.1	AMENDED			Wards: All
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(Deferred from City Council Meeting of January 29 and 30, 2008 - M16.20)

March 5, 2008:

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.1, a Fiscal Impact Statement 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)

Motion:

1. Councillor Mihevc moved that Recommendation 3 contained in Motion M17.1 be amended by adding the following sentence:

“Council request this review to include small residential installations.”

Votes:

Motion 1 by Councillor Mihevc carried.

Motion M17.1, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Toronto Hydro be commended for its proactive initial steps in addressing conservation and demand management and for its achievement to date in peak day demand reductions for electricity.
2. Toronto Hydro be encouraged to continue to build on their initial results and achieve additional reductions in electricity demand to the extent that such reductions would be commercially prudent, and in a manner that is aligned with the energy policies established by Council for the City as a whole.
3. In support of Part 2, above, Council request the Board of Directors of Toronto Hydro to review and document its current policies pertaining to bi-directional distributed generators (co-generation and renewable energy projects) and how it can stimulate such additional projects by reducing the fees and barriers to the connection of these projects to the distribution grid. Council request this review to include small residential installations.
4. Council hereby encourage Toronto Hydro, in carrying out its mandate, including in planning, implementation and in rate applications, to reflect, to the maximum extent practicable and commercially prudent, the energy policies established by City Council for the City as a whole.
5. Toronto Hydro be further encouraged to work in co-operation with City staff to ensure that the most effective and expeditious means of implementing the energy policies are put into effect at the earliest possible opportunity and that reports on progress be submitted to the Executive Committee by City staff.
6. Toronto Hydro be requested to carry out the foregoing recommendations in the spirit of Article 2.3 of the Shareholder Direction, which are the principles that govern the operations of Toronto Hydro.

Link to Background Information

Council considered the following:

- [Motion M17.1](#)
- (February 29, 2008) from the President and Chief Executive Officer, Toronto Hydro Corporation, addressed to Councillor Michael Thompson, Ward 37, Scarborough Centre (M171.1.1)

Moved by Councillor Perruzza, seconded by Councillor Augimeri

M17.2	AMENDED			Wards: All
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March 4, 2008:

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled Recommendation 1 in Motion M17.1 redundant as it proposes to reaffirm a position that Council has already taken.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that the balance of Motion M17.2 be referred to the Community Development and Recreation Committee. A two-thirds vote of the Council Members present is required to consider the balance of Motion M17.2 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.2, a Fiscal Impact Statement (March 4, 2008) 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 1)

Procedural Vote to Consider the balance of Motion M17.2 at this meeting:

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

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

Vote:

The balance of Motion M17.2 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The Fire Chief and the City of Toronto follow up with the Provincial government on the City’s request for an amendment to the Ontario Building Code to require residential fire sprinkler systems in all new residential dwellings.
2. City Council refer the following proposals to the Board of the Toronto Community Housing Corporation (TCHC) for its consideration:
 - a. the installation of residential fire sprinkler systems in all future housing developments;
 - b. consulting with Toronto Fire Services to develop a comprehensive education program with an emphasis on fire safety programs for TCHC tenants; and
 - c. working with Toronto Fire Services to develop and implement a pilot project to determine the most appropriate smoke alarm type: ionization or photoelectric smoke alarms to be used in existing TCHC units.

Link to Background Information

Council considered the following:

- [Motion M17.2](#)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.80 **Reduction of City Council**

Moved by Councillor Ford, seconded by Councillor Nunziata

M17.3	REFERRED			Wards: All
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March 4, 2008:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.3 be referred to the Executive Committee. A

two-thirds vote of the Council Members present is required to consider Motion M17.3 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.3, a Fiscal Impact Statement (March 4, 2008) 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 2)

Procedural Vote to Consider Motion M17.3 at this meeting:

Yes - 14	
Councillors:	Ainslie, Augimeri, Ford, Holyday, Lee, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Stintz, Walker
No - 30	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, 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 M17.3 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M17.3](#)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.81 **Streets of Heroes**

Moved by Councillor Ford, seconded by Councillor Holyday

M17.4	REFERRED			Wards: All
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March 4, 2008:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.4 be referred to the Public Works and Infrastructure Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.4 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.4, a Fiscal Impact Statement 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)

Procedural Vote to Consider Motion M17.4 at this meeting:

Yes - 11	
Councillors:	Ford, Holyday, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Palacio, Parker, Stintz, Walker
No - 33	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Ootes, Pantalone, 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 M17.4 to the Public Works and Infrastructure Committee.

Link to Background Information

Council considered the following:

- [Motion M17.4](#)

17.82 **2008 Salary Freeze for Mayor and City Councillors**

Moved by Councillor Walker, seconded by Councillor Jenkins

M17.5	REFERRED			
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March 4, 2008:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.5 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.5 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.5, a Fiscal Impact Statement (March 4, 2008) 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 3)

Procedural Vote to Consider Motion M17.5 at this meeting:

Yes - 14	
Councillors:	Augimeri, Feldman, Ford, Grimes, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Walker
No - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan

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

City Council Decision

City Council referred Motion M17.5 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M17.5](#)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.83 **Rescind Two-hour Maximum Parking Regulation on Both Sides of St. Clair Avenue West, between Spadina Road and Russell Hill Road (Ward 22)**
Moved by Councillor Walker, seconded by Councillor Palacio

M17.6	NOT RE-OPENED			Ward: 22
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March 4, 2008:
 Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require a re-opening of Toronto and East York Community Council Item TE8.87 (City Council - September 26 and 27, 2007) only as it relates to Part 1c respecting parking on St. Clair Avenue West, from Spadina Road to Russell Hill Road.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.6, a Fiscal Impact Statement 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)

Vote to Re-Open Toronto and East York Community Council Item TE8.87:

Yes - 27	
Councillors:	Ashton, Carroll, Cho, Davis, Di Giorgio, Feldman, Fillion, Ford, Grimes, Holyday, Jenkins, Lee, McConnell, Mihevc, Milczyn, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perruzza, Rae, Shiner, Stintz, Vaughan, Walker
No - 17	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, De Baeremaeker, Del Grande, Fletcher, Giambone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Moscoe, Perks, Saundercook

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

City Council Decision

City Council did not re-open Toronto and East York Community Council Item TE8.87, as it relates to Part 1c respecting parking on St Clair Avenue West, from Spadina Road to Russell Hill Road, for further consideration.

Link to Background Information

Council considered the following:

- [Motion M17.6](#)

17.84 **Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's attendance at the OMB A0845/07NY – 21 Weybourne Crescent**

Moved by Councillor Jenkins, seconded by Councillor Fillion

M17.7	NO AMENDMENT			Ward: 25
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March 4, 2008:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.7 be referred to the North York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M17.7 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.7, a Fiscal Impact Statement 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)

Procedural Vote to Consider Motion M17.7 at this meeting:

The vote to consider Motion M17.7 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion M17.7 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.

Link to Background Information

Council considered the following:

- [Motion M17.7](#) with attached Notice of Decision, Minor Variance/Permission, File Number A0845/07NY (January 16, 2008), for 21 Weybourne Crescent, from the Manager and Deputy Secretary Treasurer, North York Panel

17.85 **Toronto Hydro Renewable Energy Projects within City Facilities**
Moved by Councillor Shiner, seconded by Councillor Saundercook

M17.8	NO AMENDMENT			
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March 4, 2008:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.8 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.8 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.8, a Fiscal Impact Statement (March 4, 2008) 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 4)

Procedural Vote to Consider Motion M17.8 at this meeting:

Yes - 31	
Councillors:	Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Filion, Ford, Giambrone, Grimes, Heaps, Holyday,

<p>Jenkins, Lee, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker</p>
<p>No - 13 Mayor: Miller Councillors: Ainslie, Ashton, Augimeri, De Baeremaeker, Di Giorgio, Fletcher, Hall, Kelly, Lindsay Luby, Mammoliti, Moscoe, Pantalone</p>

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

Vote:

Motion M17.8 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The Green Lane Landfill project replace the Thackeray Landfill project on the original Council-approved list of sites to be developed by Toronto Hydro Energy Services Inc. (THESI).
2. City staff be authorized to negotiate with THESI, on a sole source basis, related agreements to develop co-generation projects, specifically Ashbridges Bay Treatment Plant, Green Lane, Dufferin and Highland Creek Treatment Plant, for the purposes of THESI including these projects in a submission to the OPA's CESOP and RESOP offerings, subject to:
 - a. concurrence of the General Managers of the relevant City operational areas that there is no operational detriment associated with allowing THESI to proceed with the projects when compared with either the City continuing with either the status quo, or with competing Council-approved plans at these locations;
 - b. THESI agreeing to compensate the City by sharing any revenues, payments or other subsidies to be generated through the development and operation of these projects; and
 - c. THESI agreeing to City ownership of any resultant emissions credits that are not required to be provided to the OPA other Provincial entity under the terms of CESOP/RESOP, with such terms and conditions satisfactory to the City's Chief Corporate Officer, in consultation with the Deputy City Manager and Chief Financial Officer, the appropriate Deputy City Manager(s) and either or both the General Managers of Solid Waste

Management Services and Toronto Water, in a form satisfactory to the City Solicitor.

3. Council direct that any funds to be received through the development and operation of the co-generation projects, as outlined in this Motion, be applied first to ensuring that there is no increase in City divisional Operating or Capital costs as a result of undertaking the projects, and second, towards other Council-approved initiatives that would reduce air pollution and greenhouse gas emissions, except in the case of Solid Waste Management Services where funds should be used to stabilize or reduce the Solid Waste Rate or to offset debt at the host facilities.
4. City staff be directed to report back to Council, through the Public Works and Infrastructure Committee and the Executive Committee.
5. THESI be requested to agree to consult with the local communities and Ward Councillor(s) on the impacts to the local community of the proposed options for co-generation being considered and to advise the same groups on the impacts of construction and ongoing operations of the preferred option.
6. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Link to Background Information

Council considered the following:

- [Motion M17.8](#)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.86 **Advocating for the City of Toronto's Support of Bill C-303**

Moved by Councillor Ainslie, seconded by Councillor Stintz

M17.9	WITHDRAWN			
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March 3, 2008:

Speaker Bussin in the Chair.

Permission to Withdraw Motion:

Councillor Ainslie requested the permission of Council to withdraw Motion M17.9. Council concurred in the request of Councillor Ainslie.

City Council Decision

Motion M17.9 was withdrawn at City Council on March 3, 4 and 5, 2008.

Link to Background Information

Council considered the following:

- [Motion M17.9](#)

17.87 **Request Police to Cancel Purchase of Tasers**

Moved by Councillor Walker, seconded by Councillor Jenkins

M17.10	OUT OF ORDER			
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March 4, 2008:

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled Motion M17.10 out of order, as it is a matter that is only within the purview of the Toronto Police Services Board and is not properly before City Council.

Councillor Walker challenged the ruling of the Speaker.

Vote to Uphold Ruling of Speaker:

Yes - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae
No - 14	
Councillors:	Cho, Del Grande, Feldman, Ford, Holyday, Jenkins, Minnan-Wong, Ootes, Parker, Saundercook, Shiner, Stintz, Vaughan, Walker

Carried by a majority of 16.

Fiscal Impact Statement:

City Council had before it, for consideration with Motion M17.10, a Fiscal Impact

Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from this Motion. (See Fiscal Impact Statement Summary)

City Council Decision

Motion M17.10 was ruled out of order at City Council on March 3, 4 and 5, 2008.

Link to Background Information

Council considered the following:

- [Motion M17.10](#)
- (March 3, 2008) from the Chair, Toronto Police Services Board (M17.10.1)

17.88 Request for Closed Session of City Council on a Personnel Matter

Moved by Councillor Walker, seconded by Councillor Holyday

M17.11	REFERRED			
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March 4, 2008:

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.11 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.11 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.11, a Fiscal Impact Statement 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)

Procedural Vote to Consider Motion M17.11 at this meeting:

Yes - 23
Councillors: Augimeri, Cho, Del Grande, Feldman, Ford, Grimes, Hall, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Perruzza, Rae, Saundercook, Shiner, Stintz, Walker

No - 20	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Vaughan

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

City Council Decision

City Council referred Motion M17.11 to the Executive Committee.

Link to Background Information

Council considered the following:

- [Motion M17.11](#)

17.89 Toronto Sun Rent Arrears and Lease Rates for Media Offices

Moved by Councillor Moscoe, seconded by Councillor Augimeri

M17.12	REFERRED			
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March 4, 2008:

Speaker Bussin in the Chair.

Request for Ruling by Speaker:

Councillor Holyday requested Speaker Bussin to rule on whether Motion M17.12 was in order.

Ruling by Speaker:

Speaker Bussin ruled that Motion M17.12 was in order.

Councillor Holyday challenged the ruling of the Speaker.

Vote to Uphold Ruling of Speaker:

Yes - 34	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti,

	McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
No - 9 Councillors:	Del Grande, Feldman, Ford, Grimes, Holyday, Nunziata, Parker, Shiner, Stintz

Carried by a majority of 25.

Advice by Speaker:

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M17.12 be referred to the Government Management Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.12 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.12, a Fiscal Impact Statement (March 4, 2008) 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 5)

Procedural Vote to Consider Motion M17.12 at this meeting:

Yes - 15 Councillors:	Ainslie, Bussin, Feldman, Ford, Grimes, Holyday, Jenkins, Kelly, McConnell, Milczyn, Nunziata, Ootes, Saundercook, Shiner, Stintz
No - 28 Mayor: Councillors:	Miller Ashton, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Hall, Heaps, Lee, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Vaughan, Walker

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

City Council Decision

City Council referred Motion M17.12 to the Government Management Committee.

Link to Background Information

Council considered the following:

- [Motion M17.12](#) with attached memorandum (February 25, 2008) from the Director of Real Estate Services, attaching copies of correspondence related to the Toronto Sun rental arrears
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

MOTIONS WITHOUT NOTICE

17.90 **Funding Support from Environment Canada's Great Lakes Sustainability Fund for Implementing the City's Wet Weather Flow Master Plan (WWFMP) Projects**

Moved by Councillor De Baeremaeker, seconded by Councillor Giambrone

M17.13	AMENDED		
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March 4, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the necessary provisions of Chapter 27, Council Procedures, need to be waived to permit introduction of Motion M17.13.

Procedural Vote to Waive Notice:

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

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 M17.13 be referred to the Public Works and Infrastructure

Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.13 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.13, a Fiscal Impact Statement (March 4, 2008) 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 6)

Procedural Vote to Consider Motion M17.13 at this meeting:

The vote to consider Motion M17.13 at this meeting carried, two-thirds of Members present having voted in the affirmative.

March 5, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor De Baeremaeker moved that Motion M17.13 be amended by adding the following:
2. The funding support from Environment Canada's Great Lakes Sustainability Fund for implementing the City's Wet Weather Flow Master Plan (WWFMP) projects, in the amount of \$300,00.00, be deposited as a contribution to the Water Capital Reserve Fund.

Votes:

Motion 1 by Councillor De Baeremaeker carried.

Motion M17.13, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Subject to Environment Canada granting approval to the City's application for funding, in the amount of \$300,000.00, supporting the Projects, City Council authorize the General Manager of Toronto Water to enter into and execute an agreement for the purposes of receiving such funding towards completion of the Project, on such terms and conditions as may be satisfactory to the General Manager of Toronto Water and in a form acceptable to the City Solicitor, and staff be authorized to take whatever action is necessary to give effect thereto.

2. The funding support from Environment Canada's Great Lakes Sustainability Fund for implementing the City's Wet Weather Flow Master Plan (WWFMP) projects, in the amount of \$300,00.00, be deposited as a contribution to the Water Capital Reserve Fund.

Link to Background Information

Council considered the following:

- [Motion M17.13](#)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.91 **Funding Support from the Ontario Ministry of the Environment for Implementing the City's Wet Weather Flow Master Plan (WWFMP) Implementation**

Moved by Councillor De Baeremaeker, seconded by Councillor Parker

M17.14	AMENDED		
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March 4, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the necessary provisions of Chapter 27, Council Procedures, need to be waived to permit introduction of Motion M17.14.

Procedural Vote to Waive Notice:

The vote to introduce Motion M17.14 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 M17.14 be referred to the Public Works and Infrastructure Committee. A two-thirds vote of the Council Members present is required to consider Motion M17.14 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.14, a Fiscal Impact

Statement (March 4, 2008) 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 7)

Procedural Vote to Consider Motion M17.14 at this meeting:

The vote to consider Motion M17.14 at this meeting carried, two-thirds of Members present having voted in the affirmative.

March 5, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor De Baeremaeker moved that Motion M17.14 be amended by adding the following:
 2. The funding support from the Ontario Ministry of the Environment for implementing the City's Wet Weather Flow Master Plan (WWFMP) Implementation, in the amount of \$300,000.00, be deposited as a contribution to the Water Capital Reserve Fund.

Vote:

Motion 1 by Councillor De Baeremaeker carried.

Motion M17.14, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Subject to the Ontario Ministry of the Environment granting approval to the City's application for funding, in the amount of \$300,000.00, supporting the Project, City Council authorize the General Manager of Toronto Water to enter into and execute an agreement for the purposes of receiving such funding towards completion of the Project, on such terms and conditions as may be satisfactory to the General Manager of Toronto Water and in a form acceptable to the City Solicitor, and staff be authorized to take whatever action is necessary to give effect thereto.
 2. The funding support from the Ontario Ministry of the Environment for implementing the City's Wet Weather Flow Master Plan (WWFMP) Implementation, in the amount of \$300,000.00, be deposited as a contribution to the Water Capital Reserve Fund.
-

Link to Background Information

Council considered the following:

- [Motion M17.14](#)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.92 **Authorization to Send the City Solicitor to the Ontario Municipal Board –
28 Millbank Avenue**

Moved by Councillor Mihevc, seconded by Councillor Davis

M17.15	NO AMENDMENT			Ward: 21
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March 4, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that the necessary provisions of Chapter 27, Council Procedures, need to be waived to permit introduction of Motion M17.15.

Procedural Vote to Waive Notice:

The vote to introduce Motion M17.15 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 M17.15 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M17.15 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.15, a Fiscal Impact Statement 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)

Procedural Vote to Consider Motion M17.15 at this meeting:

The vote to consider Motion M17.15 at this meeting carried, two-thirds of Members present

having voted in the affirmative.

Vote:

Motion M17.15 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the City Solicitor to attempt, if at all possible, to resolve the appeal to the Ontario Municipal Board through mediation.
2. If mediation is not possible, City Council authorize the City Solicitor to attend the Ontario Municipal Board hearing and, if necessary, retain outside consultants to uphold the City's by-law and Committee of Adjustment decision to refuse the application at 28 Millbank Avenue.

Link to Background Information

Council considered the following:

- [Motion M17.15](#) with attached Notice of Decision, Minor Variance/Permission, File Number A0574/07TEY (December 13, 2007), for 28 Millbank Avenue, from the Manager and Deputy Secretary Treasurer, Toronto and East York Panel

17.93 **Timing of Site Interpretation Centre – Gooderham and Worts, 55 Mill Street (Distillery District)**

Moved by Councillor McConnell, seconded by Councillor Rae

M17.16	NO AMENDMENT			Ward: 28
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.16 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 at least 30 Members of Council present at the meeting to add Motion M17.16 to the agenda.

Procedural Vote to add Motion M17.16 to the Agenda for Consideration at this Meeting:

Yes - 38	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 2	
Councillors:	Ford, Holyday

Carried, at least 30 Members present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Vote:

Motion M17.16 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council direct the City Solicitor, in consultation with the Acting Chief Planner and Executive Director, City Planning Division, to amend the Section 37 Agreement, as amended, for Gooderham and Worts, 55 Mill Street, to delete the words, “the occupancy of any new floor area constructed after December 31, 2002, within the Parliament Street Residential District”, in Section 2.6.6(d), and replace with the date “April 1, 2009”.

Link to Background Information

Council considered the following:

- [Motion M17.16](#)

17.94 Liquor Licence Application - 842 Bloor Street West- Zemen Sports Bar and Café

Moved by Deputy Mayor Pantalone, seconded by Councillor Di Giorgio

M17.17	NO AMENDMENT			Ward: 19
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.17 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 at least 30 Members of Council present at the meeting to add Motion M17.17 to the agenda.

Procedural Vote to add Motion M17.17 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.17 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Vote:

Motion M17.17 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council support the application of Yemane Kidane (“Applicant”) for a liquor licence for 842 Bloor Street West, Zemen Sports Bar and Café (“Premises”), provided that the conditions, as set out in Schedule A attached hereto, and as modified, if necessary, to the satisfaction of the City Solicitor, are attached to the liquor licence.
2. Subject to the approval by the Registrar or Board, as the case may be, of the Alcohol and Gaming Commission of Ontario, the conditions as set out in Schedule A be attached to any liquor licence issued to the Premises and the Applicant shall agree that, prior to the issuance of a liquor licence, he shall file with the Registrar written consent to the said conditions being attached to any liquor licence for the Premises.
3. The City Solicitor be authorized to make such stylistic and technical changes to the said conditions as may be required.
4. 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 the above.

Link to Background Information

Council considered the following:

- [Motion M17.17](#) with attached Schedule A, entitled “Conditions for Zemen Sports Bar and Café, 842 Bloor Street West”

17.95 **Liquor Licence Application - 443 Parliament Street - Wing Machine**
Moved by Councillor McConnell, seconded by Councillor Fletcher

M17.18	NO AMENDMENT			Ward: 28
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.18 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 at least 30 Members of Council present at the meeting to add Motion M17.18 to the agenda.

Procedural Vote to add Motion M17.18 to the Agenda for Consideration at this Meeting:

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

Carried, at least 30 Members present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Vote:

Motion M17.18 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council support the application of 1747710 Ontario Inc. (“Applicant”) for a liquor licence for Wing Machine, 443 Parliament Street (“Premises”), provided that Conditions Nos. 5, 6, 7, 8, 9, 10 and 11, as set out in Schedule A attached hereto, and as modified, if necessary, to the satisfaction of the City Solicitor, are attached to the liquor licence and that Conditions Nos. 1, 2, 3 and 4 be incorporated into an agreement between the Applicant, the Alcohol and Gaming Commission of Ontario (“AGCO”) and the City of Toronto.
2. Subject to the approval by the Registrar or Board, as the case may be, of the AGCO, Conditions Nos. 5, 6, 7, 8, 9, 10 and 11, as set out in Schedule A, be attached to any liquor licence issued to the Premises and the Applicant shall agree that, prior to the issuance of a liquor licence, it shall file with the Registrar written consent to the said conditions being attached to any liquor licence for the Premises.
3. The City Solicitor be authorized to make such stylistic and technical changes to the said conditions as may be required.
4. 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 the above.

Link to Background Information

Council considered the following:

- [Motion M17.18](#) with attached Schedule A, entitled “Proposed Licensing Procedure and Conditions for Wing Machine Restaurant, 443 Parliament Street (‘Premises’)”

17.96 **52 Yorkleigh Avenue - Appeal of Committee of Adjustment Decision**

Moved by Councillor Ford, seconded by Councillor Palacio

M17.19	NO AMENDMENT			Ward: 2
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.19 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 at least 30 Members of Council present at the meeting to add Motion M17.19 to the agenda.

Procedural Vote to add Motion M17.19 to the Agenda for Consideration at this Meeting:

Yes - 37 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0

Carried, at least 30 Members present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Vote:

Motion M17.19 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.

Link to Background Information

Council considered the following:

- [Motion M17.19](#) with attached Notice of Decision, Consent, File Number B89/07EYK (December 12, 2007), Notice of Decision, Minor Variance/Permission, File Number A581/07EYK (December 12, 2007), and Notice of Decision, Minor Variance/Permission, File Number A582/07EYK (December 12,

2007), for 52 Yorkleigh Avenue, from the Manager and Deputy Secretary
 Treasurer, Etobicoke York Panel

17.97 **19 River Street – Technical Amendment to By-law No. 589-2007**
Moved by Councillor McConnell, seconded by Councillor Rae

M17.20	NO AMENDMENT			Ward: 28
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.20 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 at least 30 Members of Council present at the meeting to add Motion M17.20 to the agenda.

Procedural Vote to add Motion M17.20 to the Agenda for Consideration at this Meeting:

Yes - 38	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 0	

Carried, at least 30 Members present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that consideration of Motion M17.20 requires a re-opening of Toronto and East York Community Council Item 4.2 (City Council - April 23 and 24, 2007). A two-thirds vote of the Council Members present is required to re-open this Item.

Vote to Re-Open Toronto and East York Community Council Item 4.2:

Yes - 42	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, 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, Vaughan, Walker
No - 1	
Councillor:	Ford

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

Procedural Motion:

Councillor McConnell, at 3:20 p.m., moved that Council vary the Order Paper to now consider Motion M17.20, the vote upon which was taken as follows:

Yes - 32	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Vaughan
No - 5	
Councillors:	Feldman, Ford, Minnan-Wong, Saundercook, Walker

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

Vote to Adopt Motion M17.20, without amendment:

Yes - 36	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes,

Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Vaughan, Walker	
No - 2	Councillors: Ford, Saundercook

Carried by a majority of 34.

City Council Decision

City Council re-opened Toronto and East York Community Council Item 4.2 (City Council - April 23 and 24, 2007) for further consideration and adopted the following motions:

1. City Council amend By-law No. 589-2007 by substituting Map 2 attached to the by-law for Map 2 attached to this Motion and by changing the maximum permitted projection of balconies as set out in the chart in Section 1(2) of the by-law from 2.1 metres to 2.26 metres.
2. City Council direct the City Solicitor to bring forward to Council’s meeting of March 3, 4 and 5, 2008, for enactment by Council, a by-law to make the changes noted in Part 1 to By-law No. 589-2007.
3. City Council hereby determine, through the adoption of this recommendation that, pursuant to Section 34(17) of the Planning Act, no further notice is to be given in respect of the changes to By-law No. 589-2007.

Link to Background Information

Council considered the following:

- [Motion M17.20](#) with attached Map 2 for 19 River Street and a draft by-law to amend Zoning By-law No. 589-2007 with respect to the lands municipally known as 19 River Street

17.98 Re-Opening of 41 Artificial Outdoor Ice Rinks
Moved by Councillor Ootes, seconded by Councillor Walker

M17.21	AMENDED			Ward: All
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March 3, 2008
 Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.21 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 at least 30 Members of Council present at the meeting to add Motion M17.21 to the agenda.

Procedural Vote to add Motion M17.21 to the Agenda for Consideration at this Meeting:

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

Carried, at least 30 Members present having voted in the affirmative.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.21, a Fiscal Impact Statement (March 4, 2008) 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 8)

March 5, 2008

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled Recommendation 2 contained in Motion M17.21 out of order, as it proposes to reallocate funds that have not yet been approved by Council and, since Council has not yet decided to allocate additional funding to arts and culture grants, there are no funds to be reallocated.

Motions:

1. Councillor Mihevc moved that:
 - a. the recommendation in Motion M17.21 be deleted and City Council confirm that the eight (8) existing outdoor rinks will remain open to March 16, 2008;

and

- b. the General Manager, Parks, Forestry and Recreation, be requested to report to the Community Development and Recreation Committee, prior to the 2008-2009 winter season, on costs and opportunities for further extending outdoor artificial rinks through the March Break.

- 2. Councillor Ootes moved that Motion M17.21 be amended by adding the following:

That the General Manager, Parks Forestry and Recreation, in consultation with the Deputy City Manager and Chief Financial Officer, be directed to report to the Budget Committee on a source of funding for the \$226,000.00 required to keep the rinks open.

- 3. Councillor Perruzza moved that Motion M17.21 be amended by adding the following:

That the General Manager, Parks, Forestry and Recreation, be requested to report to the Community Development and Recreation Committee outlining a plan that allows for the opening/closing of outdoor rinks on a year-to-year basis, when the weather permits.

Deputy Speaker Lindsay Luby in the Chair.

Votes:

Adoption of Part a of motion 1 by Councillor Mihevc:

Yes - 18 Councillors:	Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Heaps, Holyday, Jenkins, Lindsay Luby, Mihevc, Palacio, Pantalone, Perks, Vaughan
No - 13 Councillors:	Feldman, Ford, Grimes, Kelly, Lee, Minnan-Wong, Nunziata, Ootes, Parker, Perruzza, Saundercook, Shiner, Walker

Carried by a majority of 5.

Adoption of Part b of motion 1 by Councillor Mihevc:

Yes - 31 Councillors:	Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly,
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Lee, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 0

Carried unanimously.

Deputy Speaker Lindsay Luby, due to the above decision of Council, declared motion 2 by Councillor Ootes, redundant.

Adoption of motion 3 by Councillor Perruzza:

Yes - 30 Councillors: Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 1 Councillor: Palacio

Carried by a majority of 29.

Motion to Reconsider:

Councillor Palacio, with the permission of Council, moved that the vote on motion 3 by Councillor Perruzza be re-opened to permit Council to again vote on the matter, which carried, two-thirds of Members present having voted in the affirmative.

Re-vote on adoption of motion 3 by Councillor Perruzza:

Yes - 31 Councillors: Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 0

Carried unanimously.

Motion M17.21, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council confirm that the following eight (8) existing outdoor rinks will remain open to March 16, 2008:
 - a. Albert Campbell Square;
 - b. Dufferin Grove;
 - c. Hodgson;
 - d. Kew Gardens;
 - e. Mel Lastman Square;
 - f. Nathan Phillips Square;
 - g. Rennie Park; and
 - h. West Mall.

2. The General Manager, Parks, Forestry and Recreation, be requested to report to the Community Development and Recreation Committee, prior to the 2008-2009 winter season, on costs and opportunities for further extending outdoor artificial rinks through the March Break.

3. The General Manager, Parks, Forestry and Recreation, be requested to report to the Community Development and Recreation Committee outlining a plan that allows for the opening/closing of outdoor rinks on a year-to-year basis, when the weather permits.

Link to Background Information

Council considered the following:

- [Motion M17.21](#)
- Issue Note (March 4, 2008) from the General Manager, Parks, Forestry and Recreation (M17.21a)
- Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.99 **G.B. Scrap Yard - 96 Hyde Avenue**

Moved by Councillor Di Giorgio, seconded by Councillor Nunziata

M17.22	NO AMENDMENT			Ward: 12
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.22 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 at least 30 Members of Council present at the meeting to add Motion M17.22 to the agenda.

Procedural Vote to add Motion M17.22 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.22 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.22, a Fiscal Impact Statement 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)

Vote:

Motion M17.22 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The City of Toronto work collaboratively with the Province to introduce remedial measures that regulate the operation of the salvage yard at 96 Hyde Avenue in a more stringent and effective manner.
2. Constructive action taken by the City of Toronto and the Province include, but not be limited to, a review of the certificate of approval for salvage yards in the area, a review of business licences for salvage yards in the area and a review of essential safety standards for salvage yards operating in close proximity to a residential area.
3. The City give consideration to expropriation or, in the alternative, give consideration to permitting the expansion of some uses in the area, as a means of introducing additional noise attenuation measures and site plan conditions.
4. The City use any other measures available under the City of Toronto Act to

discourage the operation of a public nuisance.

5. The City examine the potential exposure for the City and the owner of lands when zoning regulations and site plan conditions that are essential for operational safety are disregarded or loosely enforced at the discretion of the City.

Link to Background Information

Council considered the following:

- [Motion M17.22](#)

17.100 Expansion of Existing Non-Conforming Uses: 103 - 111 Ingram Drive *Moved by Councillor Di Giorgio, seconded by Councillor Nunziata*

M17.23	NO AMENDMENT			Ward: 12
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.23 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 at least 30 Members of Council present at the meeting to add Motion M17.23 to the agenda.

Procedural Vote to add Motion M17.23 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.23 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.23, a Fiscal Impact Statement 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)

Vote:

Motion M17.23 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The Acting Chief Planner and Executive Director, City Planning, in consultation with the Executive Director and Chief Building Official, provide a report to the Planning and Growth Management Committee, on an urgent basis, outlining whether:
 - a. the owner has an approved site plan that accommodates the existing businesses on the site; and
 - b. the necessary building permits for new structures and trailers on the site were issued prior to the beginning of operations.
2. The City give favourable consideration to an application for recycling of wood on the site, provided the non-conforming asphalt use is removed.

Link to Background Information

Council considered the following:

- [Motion M17.23](#)

17.101 City of Toronto Council Opposition to Federal Bill C10

Moved by Councillor Carroll, seconded by Mayor Miller

M17.24	NO AMENDMENT			
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.24 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 at least 30 Members of Council present at the meeting to add Motion M17.24 to the agenda.

Procedural Vote to add Motion M17.24 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.24 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.24, a Fiscal Impact Statement 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)

Request for Ruling by Speaker:

Councillor Minnan-Wong requested Speaker Bussin to rule on whether Motion M17.24 was properly before Council.

March 5, 2008

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin, in response to the request for a ruling by Councillor Minnan-Wong, advised the Council that Motion M17.24 asks City Council to take a position on a legislative measure that may have an impact on one of the City's larger economic sectors; that City Council has taken a position in regard to Provincial or Federal legislation on many occasions; and that the most recent examples include considering Motions on the Ontario Minimum Wage, the Banning of Handguns and Federal legislation in support of early learning.

Speaker Bussin further advised the Council that the City's Film Board has instructed its Co-Chairs, including the Mayor, to advocate on behalf of the film industry in regard to this legislation. This is in keeping with the Council-approved mandate of the Film Board which includes "advising the Mayor and City Council on legislation, policies and regulations of senior levels of government". In giving the Film Board this mandate, Council has accepted the fact that the film industry is a matter that concerns the City. Speaker Bussin ruled Motion M17.24 in order and properly before City Council.

Councillor Holyday challenged the ruling of the Speaker.

Vote to Uphold Ruling of Speaker:

Yes - 16	
Mayor:	Miller

Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Heaps, Kelly, Lindsay Luby, Mihevc, Milczyn, Pantalone, Rae, Vaughan
No - 11 Councillors:	Del Grande, Feldman, Ford, Grimes, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Stintz, Walker

Carried by a majority of 5.

March 5, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Minnan-Wong moved that consideration of Motion M17.24 be deferred to the next regular meeting of City Council on April 28, 2008.

Votes:

Adoption of motion 1 by Councillor Minnan-Wong:

Yes - 7 Councillors:	Ford, Holyday, Minnan-Wong, Nunziata, Palacio, Parker, Saundercook
No - 18 Councillors:	Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Fillion, Grimes, Heaps, Jenkins, Lee, Lindsay Luby, Mihevc, Pantalone, Perruzza, Shiner, Vaughan, Walker

Lost by a majority of 11.

Motion M17.24 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council express its strong opposition to Bill C10 in its current form.
2. The Federal government be requested to conduct consultation nationwide with industry stakeholders on the implications of the proposal, prior to implementing any change to the tax credit system.
3. Mayor David Miller be requested to write to Heritage Minister Josee Verner, Prime Minister Stephen Harper, and Governor General Michaëlle Jean, on behalf

of Toronto City Council, to express its opposition to Bill C10.

Link to Background Information

Council considered the following:

- [Motion M17.24](#)

- 17.102 **Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's Attendance at the Ontario Municipal Board - A0543/07NY – 13 Heathbridge Park Road**
Moved by Councillor Parker, seconded by Councillor Shiner

M17.25	NO AMENDMENT			Ward: 26
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.25 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 at least 30 Members of Council present at the meeting to add Motion M17.25 to the agenda.

Procedural Vote to add Motion M17.25 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.25 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.25, a Fiscal Impact Statement 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)

Vote:

Adoption of Motion M17.25, without amendment:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 4	
Councillors:	Ashton, Del Grande, Ford, Kelly

Carried by a majority of 35.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to contest the decision of the Committee of Adjustment.

Link to Background Information

Council considered the following:

- [Motion M17.25](#) with attached Notice of Decision, Minor Variance/Permission, File Number A0543/07NY (November 7, 2007), for 13 Heathbridge Park Road

17.103 Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's Attendance at the Ontario Municipal Board - A0637/07NY – 11 Orchard Green

Moved by Councillor Parker, seconded by Councillor Shiner

M17.26	NO AMENDMENT			Ward: 26
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March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.26 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 at least 30 Members of Council present at the meeting to add Motion M17.26 to the agenda.

Procedural Vote to add Motion M17.26 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.26 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 5, 2008

Deputy Speaker Lindsay Luby in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.26, a Fiscal Impact Statement 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)

Motion:

1. Councillor Del Grande moved that Motion M17.26 be received for information.

Votes:

Adoption of motion 1 by Councillor Del Grande:

Yes - 12	
Councillors:	Augimeri, Carroll, De Baeremaeker, Del Grande, Filion, Grimes, Heaps, Jenkins, Mihevc, Minnan-Wong, Pantalone, Vaughan
No - 14	
Councillors:	Cho, Davis, Di Giorgio, Ford, Holyday, Lee, Lindsay Luby, Nunziata, Palacio, Parker, Perruzza, Saundercook, Shiner, Walker

Lost by a majority of 2.

Adoption of Motion M17.26, without amendment:

Yes - 17	
Councillors:	Carroll, Cho, Davis, Di Giorgio, Ford, Heaps, Holyday, Lee, Lindsay Luby, Minnan-Wong, Nunziata, Palacio, Parker, Perruzza, Saundercook, Shiner, Walker
No - 9	

Councillors: Augimeri, De Baeremaeker, Del Grande, Filion, Grimes, Jenkins, Mihevc, Pantalone, Vaughan

Carried by a majority of 8.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and to attend the Ontario Municipal Board Hearing to contest the decision of the Committee of Adjustment.

Link to Background Information

Council considered the following:

- [Motion M17.26](#) with attached Notice of Decision, Minor Variance/Permission, File Number A0637/07NY (November 7, 2007), for 11 Orchard Green

17.104 629, 633 and 675 Eastern Avenue - Ontario Municipal Board

Moved by Councillor Fletcher, seconded by Councillor Rae

M17.27	NO AMENDMENT			Ward: 30
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Confidential Attachment 1 - Litigation or potential litigation that affects the City or one of its agencies, boards and commissions, and solicitor-client privilege

March 3, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.27 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 at least 30 Members of Council present at the meeting to add Motion M17.27 to the agenda.

Procedural Vote to add Motion M17.27 to the Agenda for Consideration at this Meeting:

The vote to add Motion M17.27 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 5, 2008

Deputy Speaker Lindsay Luby in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.27, a confidential Fiscal Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer.

Vote:

Motion M17.27 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Confidential Attachment 1 to the report (February 29, 2008) from the City Solicitor.
2. The Confidential Recommendations be made public at the end of the Council meeting, if adopted.

The following recommendations contained in Confidential Attachment 1 to the report (February 29, 2008) from the City Solicitor are now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions, and that is subject to solicitor-client privilege:

1. The City proceed with the motion for leave to appeal to the Divisional Court from the February 19, 2008 Ontario Municipal Board interim decision respecting 629, 633 and 675 Eastern Avenue, and the City Solicitor be instructed to proceed with the appeal if leave is granted by the Court.
2. If deemed appropriate by the City Solicitor, the OMB be requested to review the February 19, 2008 decision, pursuant to Section 43 of the Ontario Municipal Board Act.
3. 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.

Link to Background Information

Council considered the following:

- [Motion M17.27](#) with attached report (February 29, 2008) from the City Solicitor
- Confidential Financial Impact Statement (March 4, 2008) from the Deputy City Manager and Chief Financial Officer

17.105 Bank Towers – Interim Assessment Appeal Decision

Moved by Mayor Miller, seconded by Councillor Carroll

M17.28	NO AMENDMENT			Ward: 28
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Confidential Attachment 1 - Litigation or potential litigation that affects the City or one of its agencies, boards and commissions

This Motion was considered during closed session.

(See Minutes 17.107 and 17.109)

17.106 Liquor Licence Application – Just Jenny’s Sports Bar, 2634 Danforth Avenue

Moved by Councillor Davis, seconded by Councillor Heaps

M17.29	NO AMENDMENT			Ward: 31
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March 4, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.29 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 at least 30 Members of Council present at the meeting to add Motion M17.29 to the agenda.

Procedural Vote to add Motion M17.29 to the Agenda for Consideration at this Meeting:

Yes - 35	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Ford, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Vaughan, Walker
No - 1	

Councillor: Minnan-Wong

Carried, at least 30 Members present having voted in the affirmative.

March 4, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

Motion M17.29 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the City Solicitor to advise the AGCO of Council's conditional support for this new application, provided that the following conditions, in the form substantially set out below, are attached to the liquor licence:

Conditions for Liquor Licence at 2634 Danforth Avenue – Just Jenny's Sport's Bar:

- a. All managers and employees who work at the licensed premises must successfully complete an AGCO-approved server training course, within thirty days of the attachment of these conditions to the liquor licence of the premises or at the start of employment at the licensed premises.
- b. The establishment shall comply at all times with the City's Noise By-law.
- c. The Licensee shall install and maintain high intensity exterior lighting along the Danforth Avenue flankage and in the alley at the rear of the premises, so that the exterior is fully lighted without shining into residences, and ensure that these lights are at all times fully operational and turned on from dusk until daybreak the following day.
- d. The Licensee shall provide litter pick up on the property, in the front and back, on a regular basis and shall keep the exterior of the licensed premises clean and clear of all garbage and debris.
- e. At all times while the premises are open for business, the Licensee shall ensure that there are clearly visible and functioning security cameras located inside the premises, as well as at the front and back doors, so as to view, monitor and record each entrance and exit of the premises.

- f. The Licensee shall store and retain the video and digital records from each security camera for at least 30 days, and make the recording available immediately to Officers of the Toronto Police Service or Liquor Inspectors upon request.
- g. The Licensee shall post, at the entrance to the premises, a sign stating “Premises Under Video Surveillance”.
- h. The Licensee shall post, at the entrance to the premises, a sign stating that “Management Reserves the Right to Refuse Entry or Service”.
- i. The Licensee shall ensure that all windows on the premises are kept clear and clean, so that it is possible to see directly into the premises from the street at all times.
- j. The rear door of the establishment shall only be used as an emergency exit and for garbage/recycling removal and shall otherwise always be kept closed.
- k. The gate on the fence of the outside enclosed area at the rear of the premises shall be kept closed and locked at all times, other than emergencies.
- l. The outside enclosed area at the rear of the premises shall not be used as a smoking area by either customers or employees of the licensed premises.
- m. There shall be no application to licence any outdoor space on the premises.
- n. The Licensee shall post a sign at the entrance to the premises stating that “Washrooms are for Patron Use Only”.
- o. There shall be no electronic gambling machines or devices on the premises.
- p. The Licensee shall provide the local City Councillor’s office with a contact phone number to deal with complaints and ensure that there is someone available to answer the phone.
- q. There shall be no application for a transfer of the liquor licence, without prior written notice by the Licensee to the local City Councillor’s office.
- r. No application shall be made to change or remove any of these conditions from the liquor licence or to expand the capacity of the licensed premises without prior written notice by the Licensee to the local City Councillor’s office.

2. City Council authorize the City Solicitor to make modifications to the above conditions if deemed necessary and satisfactory to the City Solicitor.

Link to Background Information

Council considered the following:

- [Motion M17.29](#)

17.107 CLOSED MEETING SESSION OF THE COMMITTEE OF THE WHOLE

March 5, 2008 - Closed Session 1

Speaker Bussin in the Chair.

Procedural Motion:

Mayor Miller, at 9:59 a.m., moved that Council recess its public session to meet as Committee of the Whole in Closed Session to consider confidential information relating to the following matters on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006:

- GM12.7 Reason for Confidential Information: *Security of the property of the municipality or local board relating to Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited (Ward: 20)*
- CC17.4 Reason for Confidential Information: *Litigation or potential litigation that affects the City or one of its agencies, boards or commissions and solicitor-client privilege relating to 4187 Dundas Street West, 567, 569 and 571 Prince Edward Drive: Ontario Municipal Board matter*
- M17.28 Reason for Confidential Information: *Litigation or potential litigation that affects the City or one of its agencies, boards, and commissions relating to Bank Towers – Interim Assessment Appeal Decision*

Vote:

The motion by Mayor Miller carried.

Council recessed its public session at 10:00 a.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 12:25 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 confidential information relating to the following matters:

CC17.4 4187 Dundas Street West, 567, 569 and 571 Prince Edward Drive: Ontario Municipal Board matter

M17.28 Bank Towers – Interim Assessment Appeal Decision

Speaker Bussin reported that Committee of the Whole had not concluded its consideration of confidential information relating to Item GM12.7.

17.108 4187 Dundas Street West, 567, 569 and 571 Prince Edward Drive: Ontario Municipal Board Matter

CC17.4	NO AMENDMENT			Ward: 5
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Confidential Attachment 1 – litigation or potential litigation that affects the City or one of its agencies, boards or commissions and solicitor-client privilege

March 5, 2008 - Public Session

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 Committee of the Whole had made no recommendation for consideration by Council with the Item.

Vote:

Adoption of the Item, without amendment:

Yes - 19	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, Filion, Heaps, Holyday, Jenkins, Lee, Mihevc, Milczyn, Minnan-Wong, Moeser, Ootes, Palacio, Perks, Vaughan, Walker
No - 14	

Councillors:	Augimeri, Cho, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Kelly, Lindsay Luby, Nunziata, Pantalone, Perruzza, Saundercook, Shiner
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Carried by a majority of 5.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1.
2. The confidential instructions, if adopted, be released at the end of the Council meeting.

The following recommendations contained in Confidential Attachment 1 to the report (February 25, 2008) from the City Solicitor, are now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards or commissions and solicitor-client privilege:

1. The City seek motion for leave to appeal to the Divisional Court from the February 6, 2008 Ontario Municipal Board decision respecting 4187 Dundas Street West and 567, 569 and 571 Prince Edward Drive, Etobicoke, 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 City Solicitor be directed to request the Ontario Municipal Board to review its February 6, 2008 decision pursuant to Section 43 of the Ontario Municipal Board Act.

Link to Background Information

Council considered the following:

- Report (February 25, 2008) from the City Solicitor ([CC17.4](#))
- (February 26, 2008) from John Zanini, President, Dunpar Developments Inc. (CC17.4.1)
- (March 3, 2008) from Leo F. Longo, Aird and Berlis, LLP, Barristers and Solicitors (CC17.4.2)

17.109 Bank Towers – Interim Assessment Appeal Decision*Moved by Mayor Miller, seconded by Councillor Carroll*

M17.28	AMENDED			Ward: 28
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Confidential Attachment 1 - Litigation or potential litigation that affects the City or one of its agencies, boards and commissions**March 3, 2008 - Public Session**

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion M17.28 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 at least 30 Members of Council present at the meeting to add Motion M17.28 to the agenda.

Procedural Vote to add Motion M17.28 to the Agenda for consideration at this meeting:

The vote to add Motion M17.28 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

March 4, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion M17.28, a confidential Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer.

March 5, 2008 - Public Session

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 Committee of the Whole had amended Confidential Attachment 1.

Vote:

Adoption of the Item, as amended:

Yes - 28 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Fillion, Ford, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Nunziata, Ootes, Palacio, Perks, Saundercook, Vaughan, Walker
No - 1 Councillor:	Di Giorgio

Carried by a majority of 27.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the recommendations contained in Confidential Attachment 1, as amended.
2. City Council authorize the public release of Recommendation 1 in Confidential Attachment 1, if the recommendation is adopted by Council, and the remaining recommendations remain confidential at the discretion of the City Solicitor.
3. The appropriate City staff be authorized and directed to take the necessary action to give effect thereto.

The following Recommendation 1 contained in Confidential Attachment 1 to the report (March 3, 2008) from the Deputy City Manager and Chief Financial Officer and the City Solicitor is now public. The balance of Attachment 1, remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions:

1. The City seek leave to appeal to the Divisional Court from the Interim Decision of the Assessment Review Board dated February 22, 2008, and proceed with the appeal if leave is granted by the Court.

Link to Background Information

Council considered the following:

- [Motion M17.28](#) with attached report (March 4, 2008) from the Deputy City Manager and Chief Financial Officer and the City Solicitor
- (March 3, 2008) from the Director, Municipal Relations, Municipal Property Assessment Corporation, addressed to All Municipal Clerks and Treasurers and

the Municipal Liaison Group (M17.28.1)

March 5, 2008 - Closed Session 2

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Del Grande, at 2:12 p.m., moved that Council recess its public session to meet as Committee of the Whole in Closed Session to consider confidential information relating to the following matter on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006:

GM12.7 Reason for Confidential Information: *Security of the property of the municipality or local board relating to*
Sale of City-owned Leased Property at 192A Bloor Street West to
McDonald's Restaurants of Canada Limited (Ward: 20)

Vote:

The motion by Councillor Del Grande carried.

Council recessed its public session at 2:13 p.m. to meet as Committee of the Whole in the Council Chamber to consider the above matter, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 2:55 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 confidential information relating to the following matter:

GM12.7 Reason for Confidential Information: *Security of the property of the municipality or local board relating to*
Sale of City-owned Leased Property at 192A Bloor Street West to
McDonald's Restaurants of Canada Limited (Ward: 20)

**17.110 Sale of City-owned Leased Property at 192A Bloor Street West to
McDonald's Restaurants of Canada Limited**

GM12.7	AMENDED			Ward: 20
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Confidential Attachment - 1 - The security of the property of the municipality or local board

March 5, 2008 - Public Session

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 Committee of the Whole had made no recommendation for consideration by Council with the Item.

Motions moved in Public Session:

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

The Chief Corporate Officer complete negotiations on the lease and further, if the lessee proposes alternative purchase terms prior to completion of the agreement, report back to the Government Management Committee.

2. Councillor Lindsay Luby moved that the Item be amended by deleting the recommendations of the Government Management Committee, and that Council adopt the following instead:

1. The Offer to Purchase from McDonald's of that portion of the City-owned land located at 192A Bloor Street West being Part of Lot 1 on Registered Plan 289, the said portion being shown as Parts 1, 2 and 5 on Sketch No. PS-2007-278 (the "Property") be accepted, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
2. The surplus declaration with respect to that portion of Lot 1 on Registered Plan 289 depicted as Parts 3 and 4 on Sketch PS-2007-278 be rescinded.
3. The City enter into an encroachment agreement with McDonald's to allow the existing structure and appurtenances to remain within that portion of the land to be retained by the City shown as Part 3 on Sketch PS-2007-278 for the life of the existing building.
4. The City Solicitor be authorized to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending and/or waiving the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.

5. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the property and the completion of the sale transaction.
6. The confidential information in Attachment 1 to the report (March 3, 2008) from the Chief Corporate Officer [Report GM12.7c] and to the reports dated January 3, 2008 and February 13, 2008 remain confidential permanently.

Vote:

Adoption of motion 1 by Councillor Jenkins:

Yes - 5	Councillors: Ford, Jenkins, Lee, Nunziata, Palacio
No - 26	Councillors: Ainslie, Ashton, Augimeri, Bussin, Cho, Davis, Del Grande, Di Giorgio, Feldman, Filion, Grimes, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Ootes, Parker, Perks, Saundercook, Shiner, Vaughan, Walker

Lost by a majority of 21.

Adoption of motion 2 by Councillor Lindsay Luby:

Yes - 28	Councillors: Ainslie, Ashton, Augimeri, Bussin, Cho, Davis, Del Grande, Di Giorgio, Feldman, Filion, Grimes, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Perks, Saundercook, Shiner, Vaughan, Walker
No - 4	Councillors: Ford, Jenkins, Lee, Perruzza

Carried by a majority of 24.

Adoption of the Item, as amended:

Yes - 28	Councillors: Ainslie, Ashton, Augimeri, Bussin, Cho, Davis, Del Grande, Di Giorgio, Feldman, Filion, Grimes, Heaps,
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Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Ootes, Palacio, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker	
No - 4	Councillors: Ford, Jenkins, Lee, Nunziata

Carried by a majority of 24.

City Council Decision

City Council adopted the following motions:

1. The Offer to Purchase from McDonald's of that portion of the City-owned land located at 192A Bloor Street West being Part of Lot 1 on Registered Plan 289, the said portion being shown as Parts 1, 2 and 5 on Sketch No. PS-2007-278 (the "Property") be accepted, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
2. The surplus declaration with respect to that portion of Lot 1 on Registered Plan 289 depicted as Parts 3 and 4 on Sketch PS-2007-278 be rescinded.
3. The City enter into an encroachment agreement with McDonald's to allow the existing structure and appurtenances to remain within that portion of the land to be retained by the City shown as Part 3 on Sketch PS-2007-278 for the life of the existing building.
4. The City Solicitor be authorized to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending and/or waiving the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
5. Authority be granted to direct a portion of the proceeds of closing to fund the outstanding expenses related to the property and the completion of the sale transaction.
6. The confidential information in Attachment 1 to the report (March 3, 2008) from the Chief Corporate Officer (GM12.7c) and to the reports dated January 3, 2008 (GM12.7), and February 13, 2008 (GM12.7a), remain confidential permanently.

Confidential Attachment 1 to the report (January 3, 2008) from the Chief Corporate Officer (GM12.7), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

Confidential Attachment 1 to the report (February 13, 2008) from the Chief Corporate Officer (GM12.7a), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

Background Information

Report - Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10499.pdf>)

Appendix A - GM12-7

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10500.pdf>)

Appendix B - GM12-7

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-10501.pdf>)

Confidential Attachment 1 - GM12-7

Supplementary Report - Sale of City-owned Leased Property at 192A Bloor Street West to McDonald's Restaurants of Canada Limited

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-11190.pdf>)

Confidential Attachment 1 - GM12.7a

Additional Background Information (City Council)

- Confidential communication (February 28, 2008) from the Government Management Committee (GM12.7b)

The confidential communication (February 28, 2008) from the Government Management Committee (GM12.7b), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality.

- Report (March 3, 2008) from the Chief Corporate Officer ([GM12.7c](#))

Confidential Attachment 1 to the report (March 3, 2008) from the Chief Corporate Officer (GM12.7c), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality.

Declared Interests (City Council)

Councillor Carroll - in that her father is a retired Vice President of Real Estate for MacDonald's and may have been involved in the discussion regarding this property.

Deputy Mayor Pantalone - in that he has a property interest in the vicinity.

BILLS AND BY-LAWS

March 3, 2008 - 8:01 p.m.

Speaker Bussin in the Chair.

17.111 Councillor Stintz 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. 244	By-law No. 203-2008	To confirm the proceedings of the Council at its meeting held on the 3rd day of March, 2008,
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the vote on which was taken as follows:

Yes - 33
Councillors: Augimeri, Bussin, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Ford, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2
Councillors: Minnan-Wong, Parker

Carried by a majority of 31.

March 4, 2008 - 7:58 p.m.

Speaker Bussin in the Chair.

17.112 Councillor Ashton 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. 245	By-law No. 204-2008	To confirm the proceedings of the Council at its meeting held on the 3rd and 4th days of March, 2008,
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the vote on which was taken as follows:

Yes - 30
Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Ford, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Vaughan, Walker
No - 4

Councillors: Del Grande, Nunziata, Parker, Stintz

Carried by a majority of 26.

March 5, 2008 - 6:27 p.m.

Speaker Bussin in the Chair.

17.113 Councillor Kelly 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. 196	By-law No. 205-2008	To repeal former City of Toronto By-law No. 1995-0467 appointing Fred Breeze as Deputy Licensing Commissioner and former City of Toronto By-law No. 1997-0581 appointing Patrick Burke as Licensing Commissioner, for the purposes of former City of Toronto Municipal Code Chapter 285, Rooming Houses, Article II.
Bill No. 197	By-law No. 206-2008	Rooming House Licensing Commissioner and Deputy Rooming House Licensing Commissioner Appointments for 2008 - 2010.
Bill No. 198	By-law No. 207-2008	To amend City of Toronto Municipal Code Chapter 71, Financial Control, to revise Schedule A.
Bill No. 199	By-law No. 208-2008	To amend City of Toronto Municipal Code Chapter 441, Fees and Charges, to implement an administrative fee for Municipal Road Damage Deposits.
Bill No. 200	By-law No. 209-2008	To exempt certain lands municipally known as 18 Rosebank Drive from Part Lot Control.
Bill No. 201	By-law No. 210-2008	To adopt Amendment No. 41 to the Official Plan of the City of Toronto with respect to lands municipally

		known as 695 - 717 Sheppard Avenue West.
Bill No. 202	By-law No. 211-2008	To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 695 - 717 Sheppard Avenue West.
Bill No. 203	By-law No. 212-2008	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Glencairn Avenue.
Bill No. 204	By-law No. 213-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bathurst Street, Bayview Avenue, Don Mills Road, Duplex Avenue and Finch Avenue West.
Bill No. 205	By-law No. 214-2008	To dedicate certain land on the east side of Midland Avenue, north of St. Clair Avenue East for public highway purposes to form part of the public highway Midland Avenue.
Bill No. 206	By-law No. 215-2008	To dedicate certain land north of Newmill Gate for public highway purposes to form part of the public highway Middlefield Road.
Bill No. 207	By-law No. 216-2008	To dedicate certain land for public highway purposes to form part of the public highway Newmill Gate.
Bill No. 208	By-law No. 217-2008	To amend City of Toronto Municipal Code Chapter 880, Fire Routes.
Bill No. 209	By-law No. 218-2008	A by-law to permit the production and distribution of energy from specific renewable devices and cogeneration devices.

Bill No. 210	By-law No. 219-2008	To amend City of Toronto Municipal Code Chapter 545, Licensing, to repeal sections that governed the maximum fares charged by pedicabs.
Bill No. 211	By-law No. 220-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Donwoods Drive and Old Yonge Street.
Bill No. 212	By-law No. 221-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Ridgevale Drive.
Bill No. 213	By-law No. 222-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Brookdale Avenue.
Bill No. 214	By-law No. 223-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Miranda Avenue.
Bill No. 215	By-law No. 224-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Schell Avenue.
Bill No. 216	By-law No. 225-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Times Road.
Bill No. 217	By-law No. 226-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue West.
Bill No. 218	By-law No. 227-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bloor Street West.

Bill No. 219	By-law No. 228-2008	To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to a portion of lands 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. 220	By-law No. 229-2008	To amend City of Toronto By-law No. 160-2007 being a by-law “To designate the area zoned Mixed Use District (MCR) on the north side of Davenport Road between Alberta Avenue and Winona Drive as an Interim Control Area.”
Bill No. 221	By-law No. 230-2008	To amend City of Toronto Municipal Code Chapter 545, Licensing, to clarify sections requiring the provision of certain information to the Municipal Licensing and Standards Division by taxi and limousine owners and drivers after refusing a customer service.
Bill No. 222	By-law No. 231-2008	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 650 Queen Street East.
Bill No. 223	By-law No. 232-2008	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 1355 King Street West.
Bill No. 224	By-law No. 233-2008	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 1908 Gerrard Street East.
Bill No. 225	By-law No. 234-2008	To authorize the entering into of an agreement for the provision of a municipal capital facility at 2378 - 2410 Eglinton Avenue East; Kennedy/Eglinton Library.
Bill No. 226	By-law No. 235-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation on traffic of former Metropolitan Roads, regarding Adelaide Street East.
Bill No. 227	By-law No. 236-2008	To amend City of Toronto Municipal Chapter 910, Parking Machines, respecting Adelaide Street East.
Bill No. 228	By-law No. 237-2008	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting the name change of the Association of Massage Therapists and Wholistic Practitioners to National Health Practitioners of Canada Association.
Bill No. 229	By-law No. 238-2008	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 Bessborough Drive.
Bill No. 230	By-law No. 239-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bessborough Drive.
Bill No. 231	By-law No. 240-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glenbrook Avenue.

Bill No. 232	By-law No. 241-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Khedive Avenue.
Bill No. 233	By-law No. 242-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glen Park Avenue.
Bill No. 234	By-law No. 243-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Baycrest Avenue.
Bill No. 235	By-law No. 244-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bude Street.
Bill No. 236	By-law No. 245-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Briar Hill Avenue.
Bill No. 237	By-law No. 246-2008	To amend City of Toronto Municipal Code Chapter 466, Fireworks, respecting insurance requirements and to make technical amendments.
Bill No. 238	By-law No. 247-2008	To make a technical amendment to City of Toronto Municipal Code Chapter 880, Fire Routes.
Bill No. 239	By-law No. 248-2008	To amend Zoning By-law No. 589-2007 with respect to lands municipally known as 19 River Street.
Bill No. 242	By-law No. 249-2008	To name the private lanes at 115 Torbarrie Road as “Joseph Griffith Lane” and “Jim Baird Mews”.
Bill No. 243	By-law No. 250-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 799, 803,

803R, 807 and 809 Broadview
 Avenue and 21R Pretoria Avenue,

the vote on which was taken as follows:

Yes - 29
Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Fillion, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Ootes, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 0

Carried unanimously.

March 5, 2008 - 6:28 p.m.

Speaker Bussin in the Chair.

17.114 Councillor Del Grande 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. 246	By-law No. 251-2008	To confirm the proceedings of the Council at its meeting held on the 3rd, 4th and 5th days of March, 2008,
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the vote on which was taken as follows:

Yes - 29
Councillors: Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Fillion, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 0

Carried unanimously.

March 5, 2008 - 8:35 p.m.

Deputy Speaker Lindsay Luby in the Chair.

17.115 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. 247 By-law No. 252-2008 To confirm the proceedings of the Council at its meeting held on the 3rd, 4th and 5th days of March, 2008,

the vote on which was taken as follows:

Yes - 24 Councillors: Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Grimes, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Palacio, Pantalone, Parker, Perruzza, Saundercook, Shiner, Vaughan, Walker
No - 2 Councillors: Ford, Nunziata

Carried by a majority of 22.

The following Bills were withdrawn:

Bill No. 240 To amend City of Toronto Municipal Code Chapter 510, Holiday Shopping, to permit shopping in certain areas on all Holidays except Christmas Day and to establish a process for tourist area exemptions to permit shopping in other areas.

Bill No. 241 To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue West.

OFFICIAL RECOGNITIONS

17.116 Presentations/Introductions/Announcements:

March 3, 2008

Speaker Bussin, during the morning session of the meeting, introduced students from Stella Maris Catholic School, present at the meeting.

March 4, 2008

Speaker Bussin, during the morning session of the meeting, introduced students from the University of Toronto, present at the meeting.

Speaker Bussin, during the morning session of the meeting, introduced students from Champlain Trail Public School in Mississauga, present at the meeting.

Councillor Vaughan, during the afternoon session of the meeting, recognized Fire Chief William Stewart, Toronto Fire Services, present at the meeting. He thanked the Chief and his staff, as well as the many other City personnel involved in the response to a major fire which had occurred in his ward.

March 5, 2008

Councillor Fletcher, during the afternoon session of the meeting, wished a happy birthday to Councillors Ashton and Carroll.

17.117 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

March 4, 2008

Speaker Bussin in the Chair.

Speaker Bussin recessed the meeting at 11:50 a.m. due to a disturbance in the Council Chamber. Council reconvened at 2:10 p.m.

Deputy Speaker Lindsay Luby in the Chair.

Councillor Fletcher, at 7:31 p.m., moved that Council remain in session past the scheduled 8:00 p.m. recess in order to complete the business remaining, the vote on which was taken as follows:

Yes - 18	
Mayor:	Miller
Councillors:	Ainslie, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Ford, Giambrone, Heaps, Holyday, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Rae, Saundercook
No - 17	
Councillors:	Ashton, Augimeri, Cho, Del Grande, Di Giorgio, Feldman, Jenkins, Kelly, Lee, Minnan-Wong, Ootes, Pantalone, Parker, Perruzza, Shiner, Vaughan, Walker

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

March 5, 2008

Speaker Bussin in the Chair.

Councillor Ootes, at 3:23 p.m., moved that Council vary the Order Paper in order to now consider those Items marked as urgent immediately following Council's completion of Item ED12.5, headed "Regulation of Holiday Shopping", the vote on which was taken as follows:

Yes - 19 Councillors:	Ainslie, Ashton, Cho, Del Grande, Feldman, Ford, Holyday, Kelly, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Vaughan, Walker
No - 13 Councillors:	Augimeri, Bussin, Carroll, Davis, Filion, Grimes, Heaps, Jenkins, Lindsay Luby, Mihevc, Pantalone, Perks, Perruzza

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

Councillor Parker, at 6:44 p.m., moved that Council vary the Order Paper in order to allow Members an opportunity to release holds on Items, the vote on which was taken as follows:

Yes - 25 Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Nunziata, Ootes, Pantalone, Parker, Perks, Saundercook, Vaughan
No - 5 Councillors:	Feldman, Minnan-Wong, Perruzza, Shiner, Walker

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

Deputy Speaker Lindsay Luby in the Chair.

Deputy Mayor Pantalone, at 7:50 p.m., moved that Council remain in session past the scheduled 8:00 p.m. adjournment until 8:30 p.m., the vote on which was taken as follow:

Yes - 21 Councillors:	Augimeri, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Ford, Grimes, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Palacio, Pantalone, Parker, Saundercook, Vaughan
No - 6	

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Councillors: Cho, Filion, Kelly, Perruzza, Shiner, Walker

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

17.118 ATTENDANCE

March 3, 2008	9:41 a.m. to 12:35 p.m.*	2:13 p.m. to 8:02 p.m.*
Miller	x	x
Ainslie	x	x
Ashton	x	x
Augimeri	x	x
Bussin	x	x
Carroll	x	x
Cho	x	x
Davis	x	x
De Baeremaeker	x	x
Del Grande	x	x
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	x
Giambrone	x	x
Grimes	x	x
Hall	x	x
Heaps	x	x
Holyday	x	x
Jenkins	x	x
Kelly	x	x
Lee	x	x
Lindsay Luby	x	x
Mammoliti	x	x

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March 3, 2008	9:41 a.m. to 12:35 p.m.*	2:13 p.m. to 8:02 p.m.*
McConnell	x	x
Mihevc	x	x
Milczyn	x	x
Minnan-Wong	x	x
Moeser	x	x
Moscoe	x	x
Nunziata	x	x
Ootes	x	x
Palacio	x	x
Pantalone	x	x
Parker	x	x
Perks	x	x
Perruzza	-	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Stintz	x	x
Thompson	x	x
Vaughan	x	x
Walker	x	x
Total	44	45

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

March 4, 2008	9:41 a.m. to 11:50 a.m.*	2:10 p.m. to 4:43 p.m.*	5:02 p.m. to 8:11 p.m.*
Miller	x	x	x
Ainslie	x	x	x
Ashton	x	x	x
Augimeri	x	x	x
Bussin	x	x	x
Carroll	x	x	x

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March 4, 2008	9:41 a.m. to 11:50 a.m.*	2:10 p.m. to 4:43 p.m.*	5:02 p.m. to 8:11 p.m.*
Cho	x	x	x
Davis	x	x	x
De Baeremaeker	x	x	x
Del Grande	x	x	x
Di Giorgio	-	x	x
Feldman	x	x	x
Filion	x	x	x
Fletcher	x	x	x
Ford	x	x	x
Giambrone	x	x	x
Grimes	x	x	x
Hall	x	x	-
Heaps	x	x	x
Holyday	x	x	x
Jenkins	x	x	x
Kelly	x	x	x
Lee	x	x	x
Lindsay Luby	x	x	x
Mammoliti	x	x	x
McConnell	x	x	-
Mihevc	x	x	x
Milczyn	x	x	x
Minnan-Wong	x	x	x
Moeser	x	x	x
Moscoe	x	x	x
Nunziata	x	x	x
Ootes	x	x	x
Palacio	x	x	x
Pantalone	x	x	x
Parker	x	x	x
Perks	x	x	x

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March 4, 2008	9:41 a.m. to 11:50 a.m.*	2:10 p.m. to 4:43 p.m.*	5:02 p.m. to 8:11 p.m.*
Peruzza	x	x	x
Rae	x	x	x
Saundercook	-	x	x
Shiner	x	x	x
Stintz	x	x	x
Thompson	x	-	-
Vaughan	x	x	x
Walker	x	x	x
Total	43	44	42

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

March 5, 2008	9:43 a.m. to 10:00 a.m.*	Roll Call 9:45 a.m.	Ctte. of the Whole in closed session 10:03 a.m.	12:25 p.m. to 12:26 p.m.*	2:11 p.m. to 2:12 p.m.*	Ctte. of the Whole in closed session 2:14 p.m.	2:55 p.m. to 8:36 p.m.*
Miller	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	x
Carroll	x	x	x	-	x	x	x
Cho	x	-	x	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	x	x
Feldman	x	x	x	x	x	x	x
Filion	-	-	x	x	x	x	x
Fletcher	-	-	x	-	-	-	x
Ford	x	x	x	x	x	x	x
Giambrone	-	-	-	-	-	-	x
Grimes	x	-	x	x	x	x	x

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March 5, 2008	9:43 a.m. to 10:00 a.m.*	Roll Call 9:45 a.m.	Ctte. of the Whole in closed session 10:03 a.m.	12:25 p.m. to 12:26 p.m.*	2:11 p.m. to 2:12 p.m.*	Ctte. of the Whole in closed session 2:14 p.m.	2:55 p.m. to 8:36 p.m.*
Hall	-	-	-	-	-	-	-
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
Lindsay Luby	x	x	x	x	x	x	x
Mammoliti	-	-	-	-	-	-	-
McConnell	-	-	-	-	-	-	-
Mihevc	x	x	x	x	-	x	x
Milczyn	x	-	x	x	x	x	x
Minnan-Wong	x	x	x	x	x	x	x
Moeser	-	-	x	x	x	x	x
Moscoe	-	-	-	-	-	-	-
Nunziata	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
Parker	-	-	x	x	-	-	x
Perks	-	-	x	x	x	x	x
Perruzza	-	-	x	-	-	-	x
Rae	x	x	x	x	-	-	-
Saundercook	-	-	x	-	x	x	x
Shiner	-	-	-	-	-	-	x
Stintz	x	x	x	-	-	-	-
Thompson	-	-	-	-	-	-	-
Vaughan	x	x	x	x	x	x	x
Walker	x	x	x	x	x	x	x
Total	28	23	38	29	29	30	37

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

Council adjourned on March 3, 2008, at 8:36 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**

Confidential Attachment: Minutes of Closed Session.

FISCAL IMPACT STATEMENT SUMMARY
Notices of Motions and Motions Without Notice
Submitted by the Deputy City Manager and Chief Financial Officer
Council Meeting – March 3, 4 and 5, 2008

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M17.1	Toronto Hydro – Encouraging the Creation of Local Renewable Power Generation Projects	\$0	\$0	Consider
M17.2	Fire Safety Measures	TBD	TBD	This issue was referred to the 2008 Budget process. Budget Committee, on February 11, 2008, recommended deferral of this issue to June 2008 when a staff report to the Community Development and Recreation Committee will be submitted, outlining any future costs. Refer to Community Development & Recreation Committee
M17.3	Reduction of City Council	<ul style="list-style-type: none"> • Current: \$0 • Future: \$9.283M (savings) 	\$0	The potential future year savings is \$9,283,000 (in 2008 dollars) if the membership of City Council member reduced to 22 Councillors from the current number of 44 Councillors Refer to Executive Committee
M17.4	Streets of Heroes	\$0	\$0	Refer to Public Works and Infrastructure Committee
M17.5	2008 Salary Freeze for Mayor and City Councillors	\$82,000 (savings)	\$0	Refer to Executive Committee
M17.6	Rescind Two-hour Maximum Parking Regulation on Both Sides of St. Clair Avenue West, between Spadina Road and Russell Hill Road (Ward 22)	\$0	\$0	Consider

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M17.7	Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's attendance at the OMB - A0845/07NY – 21 Weybourne Crescent	\$0	\$0	Consider
M17.8	Toronto Hydro Renewable Energy Projects within City Facilities	TBD	TBD	Motion will revise a previously approved Council decision from 2005. Recommendations refer to revenue agreements with THESI that may impact operating budgets of Toronto Water and Solid Waste Management Services. No cost estimates have been completed. Refer to Public Works and Infrastructure Committee.
M17.9				<i>Withdrawn by Council at its meeting of March 3, 2008</i>
M17.10	Request Police to Cancel Purchase of Tasers	\$0	\$0	The Toronto Police Service (TPS) cannot purchase tasers for front line officers unless the law in Ontario is changed. The only tasers the TPS currently uses are for those officers (Sergeant, Staff Sergeant and ETF) who By-law can use them. Their tasers were purchased in previous years and neither the Capital nor Operating Budget has funding for any additional tasers. Consider
M17.11	Request for Closed Session of City Council on a Personnel Matter	\$0	\$0	Consider

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Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M17.12	Toronto Sun Rent Arrears and Lease Rates for Media Offices	<ul style="list-style-type: none"> • Current: \$0 • Future: approx. \$63,500 (revenue) 	\$0	<p>Additional revenue would be approximately \$63,500 if the lease rates for media offices increase to full market value.</p> <p>Consider Recommendations 1 and 2</p> <p>Refer Recommendation 3 to Government Management Committee</p>
M17.13	Funding Support from Environment Canada's Great Lakes Sustainability Fund for Implementing the City's Wet Weather Flow Master Plan (WWFMP) Projects	\$0	<ul style="list-style-type: none"> • Current: \$100,000 (net rev.) • Future (2009 & 2010): \$100,000 per year (net rev.) 	<p>Additional Motion required: It is recommended that the 2008 Toronto Water Approved Capital Budget and Plan be adjusted to reflect additional revenue of \$100,000 for 2008, 2009 and 2010 and that the contribution to Water Capital Reserve Fund be adjusted accordingly.</p> <p>Consider</p>
M17.14	Funding Support from the Ontario Ministry of the Environment for Implementing the City's Wet Weather Flow Master Plan (WWFMP) Implementation	\$0	<ul style="list-style-type: none"> • Current: \$0 • Future (2009 & 2010): \$150,000 per year (net rev.) 	<p>The funding of \$150,000 will come from Ministry of the Environment for 2009 and 2010. There will be no funding for 2008.</p> <p>Additional Motion required: It is recommended that the 2008 Toronto Water Approved Capital Budget and Plan be adjusted to reflect additional revenue of \$150,000 for 2009 and 2010 and that the contribution to Water Capital Reserve Fund be adjusted accordingly.</p> <p>Consider</p>
M17.15	Authorization to Send the City Solicitor to the Ontario Municipal Board – 28 Millbank Avenue	\$0	\$0	Consider

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M17.16	Timing of Site Interpretation Centre – Gooderham and Worts, 55 Mill Street (Distillery District)	\$0	\$0	Consider
M17.17	Liquor Licence Application - 842 Bloor Street West- Zemen Sports Bar and Café	\$0	\$0	Consider
M17.18	Liquor Licence Application - 443 Parliament Street - Wing Machine	\$0	\$0	Consider
M17.19	52 Yorkleigh Avenue - Appeal of Committee of Adjustment Decision	\$0	\$0	Consider
M17.20	19 River Street – Technical Amendment to By-law No. 589 2007	\$0	\$0	Consider
M17.21	Re-Opening of 41 Artificial Outdoor Ice Rinks	Up to \$400,000	\$0	<p>This is a service level change.</p> <p>Additional Operating cost estimated at \$200,000 for additional staff hours and \$200,000 for additional utilities and fuel costs; however, required staff may not all be available and weather may not allow safe and usable outdoor ice to extend season until March 16th.</p> <p>No funding has been provided in the 2008 Operating Budget for this purpose.</p> <p>Refer to Budget Committee</p>
M17.22	G.B. Scrap Yard - 96 Hyde Avenue	\$0	\$0	Consider
M17.23	Expansion of Existing Non Conforming Uses: 103-111 Ingram Drive	\$0	\$0	Consider

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Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
M17.24	City of Toronto Council Opposition to Federal Bill C10	\$0	\$0	Consider
M17.25	Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's Attendance at the Ontario Municipal Board - A0543/07NY – 13 Heathbridge Park Road	\$0	\$0	Consider
M17.26	Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's Attendance at the Ontario Municipal Board - A06387/07NY – 11 Orchard Green	\$0	\$0	Consider
M17.27	629, 633 and 675 Eastern Avenue - Ontario Municipal Board			<i>Confidential. See confidential report attached.</i>
M17.28	Bank Towers – Interim Assessment Appeal Decision			<i>Confidential. See confidential report attached.</i>

**FISCAL IMPACT STATEMENT 1 [NOTICE OF MOTION M17.2]
(See Minute 17.79)**

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>TBD</u> (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input checked="" type="checkbox"/> Capital	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>TBD</u> (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – M17.2 – This issue was referred to the 2008 Budget process. Budget Committee, on February 11, 2008, recommended deferral of this issue to June 2008 when a staff report to the Community Development and Recreation Committee will be submitted, outlining any future costs.

- Consider
- Refer to Community Development and Recreation Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 2 [NOTICE OF MOTION M17.3]
(See Minute 17.80)****Financial Implications:**

<input checked="" type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>9,283,000</u> (savings)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – M17.3 – The potential future year savings is \$9,283,000 (in 2008 dollars) if the membership of City Council member reduced to 22 Councillors from the current number of 44 Councillors

- Consider Refer to Executive Committee

Submitted by: _____
Deputy City Manager & Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 3 [NOTICE OF MOTION M17.5]
(See Minute 17.82)**

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: \$ <u>82,000</u> (savings) <input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget <input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues <input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions <input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)
<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net) <input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget <input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues <input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions <input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – M17.5 – The 2008 operating savings would be \$82,000.

- Consider
- Refer to Executive Committee

Submitted by: Deputy City Manager & Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 4 [NOTICE OF MOTION M17.8]
(See Minute 17.85)****Financial Implications:**

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>TBD</u> (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input checked="" type="checkbox"/> Capital	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>TBD</u> (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – M17.8 – Motion will revise a previously approved Council decision from 2005. Recommendations refer to revenue agreements with THESI that may impact operating budgets of Toronto Water and Solid Waste Management Services. No cost estimates have been completed and it is recommended that this motion be referred to the Public Works and Infrastructure Committee.

- Consider Refer to Public Works and Infrastructure Committee.

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 5 [NOTICE OF MOTION M17.12]
(See Minute 17.89)**

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input checked="" type="checkbox"/> Future year impacts: \$ <u>63,500</u> (revenue)
<input type="checkbox"/> Following year
<input checked="" type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – M17.12 – Additional revenue would be approximately \$63,500 if the lease rates for media offices increase to full market value.

- Consider Recommendation #1 & #2
- Refer Recommendation #3 to Government Management Committee

Submitted by: Deputy City Manager & Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 6 [MOTION WITHOUT NOTICE M17.13]
(See Minute 17.90)****Financial Implications:**

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input checked="" type="checkbox"/> Capital	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>100,000</u> (net revenue)	
<input checked="" type="checkbox"/> Future year impacts: \$ <u>100,000 per year</u> (net revenue)	
<input type="checkbox"/> Following year	<input checked="" type="checkbox"/> Future years (2009 & 2010)
<input checked="" type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input checked="" type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Budget adjustments: \$ <u>100,000 (net revenue)</u> - for 2008, 2009 and 2010	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Motion Without Notice – (M17.13) – Additional Motion required:

It is recommended that the 2008 Toronto Water Approved Capital Budget & Plan be adjusted to reflect additional revenue of \$100,000 for 2008, 2009 and 2010 and that the contribution to Water Capital Reserve Fund be adjusted accordingly.

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 7 [MOTION WITHOUT NOTICE M17.14]
(See Minute 17.91)**

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

Accommodation within approved operating budget Third party funding
 New revenues Tax rate impact
 Reserve/Reserve Fund contributions Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net)

Future year impacts: \$ 150,000 per year (net revenue)

Following year Future years (2009 & 2010)

Funding sources (specify):

Accommodation within approved capital budget Third party funding
 New revenues Debt
 Reserve/Reserve Fund contributions Other

Budget adjustments: \$ 150,000 (net revenue) - for 2009 and 2010

Operating Impact:

Program costs: \$ _____ (net) Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
 Consistent with Council Strategic directions and fiscal priorities (specify):

Motion Without Notice - M17.14 – The funding of \$150,000 will come from Ministry of the Environment for 2009 and 2010. There will be no funding for 2008.

Additional Motion required:

It is recommended that the 2008 Toronto Water Approved Capital Budget & Plan be adjusted to reflect additional revenue of \$150,000 for 2009 and 2010 and that the contribution to Water Capital Reserve Fund be adjusted accordingly.

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: March 4, 2008

**FISCAL IMPACT STATEMENT 8 [MOTION WITHOUT NOTICE M17.21]
(See Minute 17.98)****Financial Implications:**

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: <u>up to \$400,000</u>	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input checked="" type="checkbox"/> Other
<input checked="" type="checkbox"/> Budget adjustments: <u>\$400,000</u> (net)	
<input checked="" type="checkbox"/> Impact on staffing levels: <u>55 casuals for 2 weeks</u> (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
 Consistent with Council Strategic directions and fiscal priorities (specify):

Motion Without Notice – M17.21 – This is a service level change. Additional Operating cost estimated at \$200,000 for additional staff hours and \$200,000 for additional utilities and fuel costs; however, required staff may not all be available and weather may not allow safe and usable outdoor ice to extend season until March 16th. No funding has been provided in the 2008 Operating Budget for this purpose.

- Consider Refer to Budget Committee

Submitted by: _____
 Deputy City Manager & Chief Financial Officer

Date: March 4, 2008