

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

**TUESDAY, JULY 15, 2008,
WEDNESDAY, JULY 16, 2008 AND
THURSDAY, JULY 17, 2008**

CALL TO ORDER - 9:41 a.m.

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

The meeting opened with *O Canada*.

23.2 **MOMENT OF SILENCE**

July 15, 2008

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

June Delores Currie
Jose Ferreira

July 16, 2008

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

Dimitra Arvanitis

23.3 **CONFIRMATION OF MINUTES**

Councillor Perks moved that the Council Minutes for the regular meeting held on June 23 and 24, 2008 be confirmed in the form supplied to the Members, which carried.

23.4 ADMINISTRATIVE INQUIRY AND ANSWER

Council had before it the following Administrative Inquiry and Answer:

IA23.1 Council Procedure By-law
(July 4, 2008) Inquiry from Councillor Stintz

IA23.1a (July 14, 2008) Answer from Mayor Miller

Vote:

Receipt of the Administrative Inquiry and Answer, for information:

Yes - 28	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Thompson, Walker
No - 7	
Councillors:	Ainslie, Ford, Moscoe, Nunziata, Shiner, Stintz, Vaughan

Carried by a majority of 21.

City Council Decision

City Council received the Administrative Inquiry and Answer for information.

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

Mayor Miller presented the Report from Meeting 22 of the Executive Committee for consideration.

Councillor Davis presented the Report from Meeting 16 of the Board of Health for consideration.

Councillor Mihevc presented the Report from Meeting 17 of the Community Development and Recreation Committee for consideration.

Councillor Rae presented the Report from Meeting 15 of the Economic Development Committee for consideration.

Councillor Lindsay Luby presented the Report from Meeting 16 of the Government Management Committee for consideration.

Councillor Moscoe presented the Report from Meeting 15 of the Licensing and Standards Committee for consideration.

Councillor Fletcher presented the Report from Meeting 18 of the Parks and Environment Committee for consideration.

Councillor Kelly presented the Report from Meeting 17 of the Planning and Growth Management Committee for consideration.

Councillor De Baeremaeker presented the Report from Meeting 17 of the Public Works and Infrastructure Committee for consideration.

Councillor Nunziata presented the Report from Meeting 18 of the Etobicoke York Community Council for consideration.

Councillor Augimeri presented the Report from Meeting 17 of the North York Community Council for consideration.

Councillor Kelly presented the Report from Meeting 17 of the Scarborough Community Council for consideration.

Councillor Davis presented the Report from Meeting 17 of the Toronto and East York Community Council for consideration.

Councillor Jenkins 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.

23.6 **DECLARATIONS OF INTEREST**

Councillor Ashton declared an interest in Government Management Committee Item GM16.5, headed "Pension Committees - Toronto Fire Department Superannuation and Benefit Fund and the Toronto Civic Employees' Pension and Benefit Fund", in that his father-in-law is a Member of the Toronto Civic Employees' Pension and Benefit Fund.

Councillor Augimeri declared an interest in New Business Item CC23.6, headed “Review of OMB Decision Regarding 1465 Lawrence Avenue West Condominium Conversion”, in that her mother owns a condominium in the immediate vicinity.

Councillor Giambrone declared an interest in Toronto and East York Community Council Item TE17.77, headed “Ontario Municipal Board Hearing - Request for Directions - 730 Dovercourt Road and 323 and 357 Rusholme Road”, in that his parents live in the area.

Councillor Moscoe declared an interest in the following Items:

- Community Development and Recreation Committee Item CD17.4, headed “Per Diem Rate for Child Care Operators”, in that his daughter is a part-time child care worker employed by the City of Toronto.
- Parks and Environment Committee Item PE18.3, headed “Amendment to Municipal Code, Alternative Parkland Dedication”, in that his principal residence is in the subject neighbourhood.

Deputy Mayor Pantalone declared an interest in Government Management Committee Item GM16.8, headed “Lease – City Owned Lands Situated at the rear of 208 Bloor Street West”, in that he has a property interest in the vicinity.

23.7 PETITIONS

July 15, 2008

Speaker Bussin in the Chair.

1. Councillor Ford submitted a communication (July 10, 2008) from Doug Pezzack, President, Islington Place - YCC 409, forwarding a petition containing the signatures of approximately 60 residents of the condominium townhouse complex located at Maplebranch Path, Sweetpea Path and Peachtree Path, respecting the three-bin system for garbage, recycling and waste.
2. Councillor Palacio submitted the following petitions:
 - (undated) containing the signatures of approximately 45 residents of Roseneath Gardens, respecting the surface and sewer flooding of their properties;
 - (undated) containing the signatures of approximately 17 residents of Harvie and Nairn Avenues, respecting flooding issues.

Council received the petitions for information.

23.8 REVIEW OF THE ORDER PAPER

July 15, 2008

Speaker Bussin in the Chair.

Speaker Bussin advised Council that the Mayor had two Key Matters:

- Executive Committee Item EX22.1, headed “Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis (Ward All)”, to be considered with Executive Committee Item EX22.2, headed “Environment Assessment for Changes to York and Bay Ramps of Gardiner Expressway (Ward 20, 28)”.
- Executive Committee Item EX22.16, headed “Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services and Use of City Proceeds from Sale of Toronto Hydro Telecom Inc. (Ward All)”.

Speaker Bussin advised that once the Mayor’s Key Matters were completed, Council would consider the other Items in agenda order, and proposed the following changes:

- Executive Committee Item 22.5, headed “Policy Changes to the Lobbyist Registry (Ward All)”, will be followed by Item CC23.4, headed “Status of the Office of the Lobbyist Registrar”.
- Executive Committee Item 22.6, headed “Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol (Ward All)”, will be followed by Items CC23.2 and CC23.3, headed “Integrity Commissioner Annual Report – 2007” and “Integrity Commissioner End of Term Report – 2008”, respectively.

Procedural Motions:

1. Councillor Vaughan moved that, in accordance with Section 27-60 of Council’s Procedures, Council remove from the Government Management Committee, Item GM16.13, headed “Sale of Closed Lane at the Rear of 585 Queen Street West”, which was deferred by the Committee on July 9, 2008, and that the Item be brought forward to City Council for consideration at this meeting, the vote on which was taken as follows:

Yes - 40	
Mayor:	Miller

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Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
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No - 1

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

2. Councillor Perruzza moved that, in accordance with Section 27-60 of Council's Procedures, Council remove from the Parks and Environment Committee, Item PE18.3, headed "Amendment to Municipal Code, Alternative Parkland Dedication", which was deferred by the Committee on July 4, 2008, and that this Item be brought forward to City Council for consideration at this meeting, which carried, two-thirds of Members present having voted in the affirmative.

Motion:

3. Councillor Rae moved that Council consider Economic Development Committee Item ED15.2, headed "WoodbineLive!: Financial Incentives to Support a Tourism/Entertainment Attraction 'Transformative Project' ", immediately following the Mayor's Key Matters.

Votes:

Motion 3 by Councillor Rae carried.

Council adopted the July 15, 2008 Order Paper, as amended, and all other Items not held on consent.

July 16, 2008

Speaker Bussin in the Chair.

Speaker Bussin proposed that Council confirm the July 16, 2008 Order Paper.

Vote:

Council adopted the July 16, 2008 Order Paper, without amendment.

July 17, 2008

Speaker Bussin in the Chair.

Speaker Bussin proposed that Council confirm the July 17, 2008 Order Paper.

Vote:

Council adopted the July 17, 2008 Order Paper, without amendment.

CONSIDERATION OF REPORTS

23.9 EXECUTIVE COMMITTEE MEETING 22

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.

July 15, 2008

Held for consideration Minute 23.10	EX22.1	Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis (Ward All)
Held for consideration Minute 23.11	EX22.2	Environment Assessment for Changes to York and Bay Ramps of Gardiner Expressway (Ward 20, 28)
Held for consideration Minute 23.12	EX22.3	City Participation in Phase 2 Review of Provincial Integrated Power System Plan and Procurement Processes (Ward All)
Adopted by consent	EX22.4	Climate Change Adaptation Strategy (Ward All)
Held for consideration Minute 23.13	EX22.5	Policy Changes to the Lobbyist Registry (Ward All)
Held for consideration Minute 23.14	EX22.6	Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol (Ward All)
Held for consideration Minute 23.15	EX22.7	Councillor Expense Policy (Ward All)
Held for consideration	EX22.8	Review of Indemnification Policy for Members of

Minute 23.16		Council (Ward All)
Adopted by consent	EX22.10	Toronto Community Housing Corporation - Annual Report to Shareholder, 2007 Audited Consolidated Annual Financial Statements and Annual General Meeting (Ward All)
Adopted by consent	EX22.11	Toronto Community Housing Corporation 2008 - 2010 Community Management Plan (Ward All)
Held for consideration Minute 23.17	EX22.12	Status Report - Action Plans on Access, Equity and Human Rights, 2007-2008 (Ward All)
Adopted by consent	EX22.14	Council Reference Group for Animal Services (Ward All)
Adopted by consent	EX22.15	Toronto Appointments to the Waste Diversion Ontario Board of Directors (Ward All)
Held for consideration Minute 23.18	EX22.16	Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services and Use of City Proceeds from Sale of Toronto Hydro Telecom Inc. (Ward All)
Adopted by consent	EX22.18	Metropolitan Toronto Police Benefit Fund - Actuarial Report as at December 31, 2007 (GM15.5) (Ward All)
Adopted by consent	EX22.19	Facilities and Real Estate - 2008 Capital Budget Reallocations (GM15.14) (Ward All)
Held for consideration Minute 23.19	EX22.20	Securing the City's Interest in Affordable Homes at 2350 Finch Avenue West (Ward 7)
Held for consideration Minute 23.20	EX22.21	Conversion of 717 Broadview Avenue to Affordable Housing by Toronto Community Housing Corporation (Ward 30)
Adopted by consent	EX22.22	Adjustment to the 2008 Parks, Forestry and Recreation Division's Capital Budget (Ward 6)
Adopted by consent	EX22.29	Capital Variance Report for the Four Months Ended April 30, 2008 (Ward All)
Adopted by consent	EX22.30	2007 Final Year-End Capital Variance Report

		(Ward All)
Adopted by consent	EX22.31	2007 Final Year-end Operating Variance Report (Ward All)
Adopted by consent	EX22.32	Budget Adjustments to City Planning's 2008 Approved Operating Budget (Ward All)
Adopted by consent	EX22.33	Transportation Services - Early Construction 2008 Cashflow Reallocations and Deferrals (Ward All)
Adopted by consent	EX22.34	Fire Services 2008 Capital Program Change Request (Ward All)
Held for consideration Minute 23.21	EX22.36	Sony Centre for the Performing Arts - Re-development Activities

Consideration of Items - Executive Committee Meeting 22

23.10 Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis

EX22.1	ACTION	Amended		Ward: All
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During its review of the Order Paper, Council decided to consider this Item and Item EX22.2 together. (See Minute 23.11 for Council's action on EX22.2)

July 15, 2008

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled that the questions Councillor Ford was asking Mayor Miller were out of order as they are beyond the scope of the Item under consideration.

Councillor Ford challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 25	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe,

	Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 9	
Councillors:	Ainslie, Ford, Grimes, Holyday, Jenkins, Lee, Nunziata, Ootes, Walker

Carried by a majority of 16.

Motion:

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

Recognizing the City building benefits that will result in the Central Waterfront as a result of Gardiner ramp improvements, Deputy City Manager Richard Butts and the Waterfront Project Director, when they report on the Western Waterfront Master Plan early in 2009, be requested to address the feasibility of:

1. “decking/bridging” the Western leg of the Gardiner Expressway, west of Exhibition Place, in conjunction with the Western Waterfront Master Plan; and
2. merging and/or downsizing the eastbound and westbound lanes of Lakeshore Boulevard, west of Jameson Avenue to expand the open space along the Western Waterfront.

Ruling by Speaker:

Speaker Bussin ruled motion 1 by Councillor Palacio out of order as it is beyond the scope of the Item under consideration.

Motions:

2. Councillor Shiner moved that the Item be amended by adding to Recommendation 3 of the Executive Committee, the words “this adjusted plan to include sufficient funding to eliminate the need to restrict access to any areas under the Gardiner Expressway due to potential falling debris”, so that Recommendation 3 now reads as follows:
3. City Council defer the total rehabilitation of the Gardiner Expressway east from Jarvis Street, except for essential works required to provide safe operating conditions, and direct the General Manager, Transportation Services, to adjust the 2009 Capital Program submission and 2010 to 2013 Capital Works Plan accordingly; this adjusted plan to include sufficient funding to eliminate the need to restrict access to any areas under the Gardiner Expressway due to potential falling debris.

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

In conjunction with the Environmental Assessment, the Deputy City Manager and Chief Financial Officer and the Waterfront Project Director report on finance options not including property tax revenues for the creation of a waterfront boulevard and removal of the Gardiner Expressway East from Jarvis Street.

4. Councillor Cho moved that the Item be amended by adding the following:

- a. Council request the federal and provincial governments to share the \$11 million cost of the Environmental Assessment for this project with the City of Toronto, with the cost shared equally among the three orders of government.
- b. City Council direct that the Board of Health be included as a stakeholder in this Environmental Assessment, so that the Board can express any concerns and recommendations in terms of environmental impacts during the construction period and on completion of this project.

Ruling by Speaker:

Speaker Bussin ruled motion 4a by Councillor Cho out of order because it is redundant, as funding arrangements are already in place.

Motions:

5. Councillor Ootes moved that the Item be amended by adding the following:

City Council require that the EA also examine options with respect to public access to the waterfront that assumes the retention of the existing Gardiner Expressway structure.

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

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

In conjunction with the Environmental Assessment, the Deputy City Manager and Chief Financial Officer and the Waterfront Project Director report on public/private partnership financing options for the removal of the Gardiner Expressway East from Jarvis Street and Waterfront Boulevard.

8. Councillor Jenkins moved that the Item be amended by:

- a. adding the following:

1. Council authorize the partial or complete closure of the Gardiner Expressway from Jarvis Street to the east of the Don Valley Parkway, including the remaining Lakeshore Boulevard East ramp, for a duration of one week, as a trial for the permanent removal of the Expressway.
2. The General Manager, Transportation Services, be requested to measure the impact on the adjacent road network while the Expressway is closed, and report back to Council on his findings in six-month's time, through the Public Works and Infrastructure Committee.

b. adding the following:

Waterfront Toronto, in consultation with the Chief Planner and Executive Director, City Planning, and the Director, Waterfront Secretariat, be requested to enter into additional discussions with the adjacent landowners to become funding partners, on a proportional basis, in any removal of the Gardiner Expressway, based on the expected increased value of their respective landholdings, and report to the Executive Committee.

9 Councillor Vaughan moved that the Item be amended by:

1. amending Recommendation 7 of the Executive Committee to now read as follows:
 7. City Council request that the EA address climate change, place an emphasis on place making, high quality urban design and further analysis of traffic impacts and pedestrian travel times north and south from the east Bayfront and lower West Don Lands precinct to the neighbourhoods north of the train tracks.
2. amending Recommendation 10i of the Executive Committee to now read as follows:
 - 10.i. the pedestrian realm access and safety, as well as the unlocking of developable land parcels on both sides of any new roadway; and
3. adding the following new Part iii to Recommendation 10 of the Executive Committee:
 - 10.iii. plans to naturalize the mouth of the Don.

Procedural Motion to Extend Speaking Time:

Councillor Carroll moved that in accordance with the provisions of Chapter 27, Council Procedures, Council allow Councillor Perks to continue speaking for an additional two minutes, the vote on which was take as follows:

Yes - 29	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, De Baeremaeker, Di Giorgio, Fillion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Rae, Thompson, Vaughan, Walker
No - 8	
Councillors:	Ainslie, Cho, Feldman, Ford, Nunziata, Saundercook, Shiner, Stintz

Carried by a majority of 21.

Votes:

Adoption of motion 6 by Councillor Ford:

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

Lost by a majority of 21.

Motion 2 by Councillor Shiner carried.

Motion 9 by Councillor Vaughan carried.

Adoption of motion 3 by Councillor Perruzza:

Yes - 24	
Councillors:	Ashton, Augimeri, Carroll, Cho, Di Giorgio, Feldman, Fillion, Ford, Grimes, Holyday, Jenkins, Lee, McConnell,

	Mihevc, Milczyn, Nunziata, Palacio, Pantalone, Parker, Shiner, Stintz, Thompson, Vaughan, Walker
No - 17	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Moeser, Moscoe, Ootes, Perks, Rae, Saundercook

Carried by a majority of 7.

Motion 4b by Councillor Cho carried.

Adoption of motion 5 by Councillor Ootes:

Yes - 30	
Councillors:	Ainslie, Ashton, Bussin, Cho, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 11	
Mayor:	Miller
Councillors:	Augimeri, Carroll, Davis, De Baeremaeker, Filion, Heaps, Mihevc, Pantalone, Perks, Rae

Carried by a majority of 19.

Adoption of motion 7 by Councillor Thompson:

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

Carried by a majority of 13.

Adoption of motion 8a by Councillor Jenkins:

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

Lost by a majority of 17.

Motion 8b by Councillor Jenkins carried.

Adoption of Item EX22.1, as amended:

Yes - 30 Mayor: Miller Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Perks, Rae, Saundercook, Stintz, Vaughan
No - 11 Councillors: Ford, Holyday, Jenkins, Lee, Lindsay Luby, Nunziata, Ootes, Parker, Shiner, Thompson, Walker

Carried by a majority of 19.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the City to act as co-proponent with Waterfront Toronto to undertake an individual environmental assessment (EA) of Waterfront Toronto's (WT) proposal that the elevated Gardiner Expressway from approximately Jarvis Street to east of the Don Valley Parkway including the remaining Lake Shore Boulevard East ramp be removed and an at-grade waterfront boulevard be created.
2. City Council authorize creation of a Steering Committee of WT and City officials, co-chaired by the Deputy City Manager whose responsibilities include Waterfront Revitalization, and the President and Chief Executive Officer of Waterfront Toronto, to oversee and direct all aspects of the EA process.

3. City Council defer the total rehabilitation of the Gardiner Expressway east from Jarvis Street, except for essential works required to provide safe operating conditions, and direct the General Manager, Transportation Services, to adjust the 2009 Capital Program submission and 2010 to 2013 Capital Works Plan accordingly; this adjusted plan to include sufficient funding to eliminate the need to restrict access to any areas under the Gardiner Expressway due to potential falling debris.
4. City Council direct the Executive Director, Technical Services, to conduct annual, detailed condition surveys of the Gardiner Expressway east from Jarvis Street to identify the minimum maintenance required to maintain safe operating conditions, and to make appropriate adjustments to the annual maintenance spending, until such time as City Council makes its decision on the future of this section of the Expressway.
5. City Council request that the Waterfront Project Director, when reporting to City Council in the Fall of 2008 on the updated Long Term Funding Plan for Waterfront Revitalization, ensure that:
 - a. the \$11 million currently earmarked for a Gardiner EA be advanced from 2013 to 2009; and
 - b. recommendations be made as to how funds currently earmarked for the Front Street Extension be reallocated to other approved public realm initiatives within the Waterfront in consultation with other governments and Waterfront Toronto.
6. City Council request the Waterfront Project Director, in partnership with Waterfront Toronto and, in consultation with the government partners, to report on options for funding implementation of the preferred EA alternative at the same time as the preferred alternative is presented to City Council for consideration.
7. City Council request that the EA address climate change, place an emphasis on place making, high quality urban design and further analysis of traffic impacts and pedestrian travel times north and south from the east Bayfront and lower West Don Lands precinct to the neighbourhoods north of the train tracks.
8. City Council request that the EA address previous City Council directions for east of the Don River regarding greening the median of Lake Shore Boulevard East and creating a "Grand Boulevard" and, rezoning the Parks and Open Space Area on the north side of Lake Shore Boulevard East from the Don Valley Parkway to Coxwell to "G".
9. The EA comply with policies of the Official Plan, Central Waterfront Secondary

Plan and South of Eastern Secondary Plan to support the retention of adjacent employment lands and restrict large format, stand alone retail stores and/or power centres.

10. The Environmental Assessment for the take down of the Gardiner Expressway have due regard for:
 - i. the pedestrian realm access and safety, as well as the unlocking of developable land parcels on both sides of any new roadway;
 - ii. plans and funding for a significant public art component; and
 - iii. plans to naturalize the mouth of the Don.
11. City Council require that the EA also examine options with respect to public access to the waterfront that assumes the retention of the existing Gardiner Expressway structure.
12. City Council direct that the Board of Health be included as a stakeholder in this Environmental Assessment, so that the Board can express any concerns and recommendations in terms of environmental impacts during the construction period and on completion of this project.
13. Waterfront Toronto, in consultation with the Chief Planner and Executive Director, City Planning, and the Director, Waterfront Secretariat, be requested to enter into additional discussions with the adjacent landowners to become funding partners, on a proportional basis, in any removal of the Gardiner Expressway, based on the expected increased value of their respective landholdings, and report to the Executive Committee.
14. In conjunction with the Environmental Assessment, the Deputy City Manager and Chief Financial Officer and the Waterfront Project Director report on:
 - a. finance options not including property tax revenues for the creation of a waterfront boulevard and removal of the Gardiner Expressway East from Jarvis Street; and
 - b. public/private partnership financing options for the removal of the Gardiner Expressway East from Jarvis Street and Waterfront Boulevard.
15. The Chief Planner be requested to submit a report to the October meeting of the Planning and Growth Committee, identifying City Building goals for the Lake Shore Boulevard vicinity associated with the takedown of the Gardiner east of Jarvis and outline a framework for comprehensive and managed land use planning for the area to meet these goals which addresses:

- i. current zoning for the aforementioned areas;
 - ii. approximate number of hectares with a precinct plan, and other processes such as EAs and those without;
 - iii. jurisdictional and other potential issues including land ownership which may impede City goals;
 - iv. any issues which should be included in the review of the Official Plan which is required every 5 years and is anticipated for 2011; and
 - v. any other issues that the Chief Planner identifies while developing the report.
16. The following motion be referred to City staff for a report to the September 8, 2008 meeting of the Public Works and Infrastructure Committee, on how the local road in the Liberty Village area can be best achieved:
- Moved by Mayor Miller on behalf of City Councillor Vaughan
- “That staff bring forward the appropriate Official Plan Amendment to designate the proposed Front Street Extension as a local road and report to the Toronto and East York Community City Council on possible routes, plans, designs and costs.”.
17. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

City Council Decision Advice and Other Information

Ms. Elaine Baxter-Trahair, Director, Waterfront Secretariat, and Mr. John Campbell, President and Chief Executive Officer, Waterfront Toronto, gave a presentation to Council on transforming the Gardiner/Lake Shore Corridor.

Background Information (Committee)

Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13984.pdf>)

Background Information (City Council)

Presentation material, entitled “Transforming the Gardiner/Lake Shore Corridor”, submitted by Waterfront Toronto (EX22.1a)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14706.pdf>)

Communications (Committee)

- (June 9, 2008) e-mail from David Smiley (EX.Main.EX22.1.1)
- (June 6, 2008) e-mail from Roger Carter (EX.Main.EX22.1.2)
- (June 1, 2008) e-mail from Julie Beddoes (EX.Main.EX22.1.3)
- (June 5, 2008) e-mail from Susan Fothergill (EX.Main.EX22.1.4)
- (June 4, 2008) e-mail from Braz Menezes (EX.Main.EX22.1.5)
- (June 4, 2008) e-mail from Ulla Colgrass (EX.Main.EX22.1.6)
- (June 3, 2008) e-mail from Roger D. Wilson, Fasken Martineau DuMoulin (EX.Main.EX22.1.7)
- (June 3, 2008) e-mail from Wayne Olson (EX.Main.EX22.1.8)
- (June 2, 2008) e-mail from Bill Freeman (EX.Main.EX22.1.9)
- (June 1, 2008) e-mail from Yvonne Parti (EX.Main.EX22.1.10)
- (June 1, 2008) e-mail from Dennis Bartels (EX.Main.EX22.1.11)
- (June 2, 2008) e-mail from Laura Cooper (EX.Main.EX22.1.12)
- (June 2, 2008) e-mail from Dennis Findlay (EX.Main.EX22.1.13)
- (June 2, 2008) e-mail from Sharon Howarth (EX.Main.EX22.1.14)
- (June 2, 2008) e-mail from Christine de Groot (EX.Main.EX22.1.15)
- (June 2, 2008) e-mail from Stephen Skidd, Principal, Trillium Corporate Communications Inc. (EX.Main.EX22.1.16)
- (June 2, 2008) e-mail from Rick Hay (EX.Main.EX22.1.17)
- (June 24, 2008) e-mail from Julie Beddoes, West Don Lands Committee (EX.Supp.EX22.1.18)
- (June 26, 2008) e-mail from Braz Menezes (EX.Main.EX22.1.19)

23.11 **Environment Assessment for Changes to York and Bay Ramps of Gardiner Expressway**

EX22.2	ACTION	Adopted		Ward: 20, 28
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During its review of the Order Paper, Council decided to consider this Item and Item EX22.1 together. (See Minute 23.10 for Council’s action on EX22.1)

July 15, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of Item EX22.2, without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone,

Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Vaughan
No - 6 Councillors: Ainslie, Augimeri, Holyday, Ootes, Thompson, Walker

Carried by a majority of 29.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the General Manager, Transportation Services, to undertake a Class Environmental Assessment Study to examine potential modifications to the York/Bay/Yonge Streets eastbound off-ramp and the Bay Street eastbound on-ramp of the Gardiner Expressway.
2. City Council request that the Waterfront Project Director, when reporting to Council on the updated Waterfront Long-Term Funding Plan in the Fall of 2008, include funding for both EA costs and the costs of implementing potential modifications to the York/Bay/Yonge Streets eastbound off ramp and Bay Street eastbound on ramp of the Gardiner Expressway, and the improvement of York Off Ramp Park.
3. City Council authorize and direct appropriate City officials to take the necessary action to give effect thereto.

Background Information (Committee)

Environmental Assessment for Changes to York and Bay Ramps of Gardiner Expressway
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13985.pdf>)

Background Information (City Council)

(July 7, 2008) supplementary report from the General Manager, Transportation Services
(EX22.2a)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14695.pdf>)

23.12 City Participation in Phase 2 Review of Provincial Integrated Power System Plan and Procurement Processes

EX22.3	ACTION	Amended		Ward: All
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July 16, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Thompson moved that the Item be amended by amending Recommendation 5 of the Executive Committee to now read as follows:
 5. a. Through its participation in Phase 2, the City advocate that the OPA accommodate the City's priorities and views (including those articulated in the City's Official Plan and its Climate Change, Clean Air and Sustainable Energy Action Plan) in the further development work proposed to address the City's electricity reliability needs in the mid-term and in order to preserve technically and financially viable options, which may include distributed generation, renewable energy projects, conservation and improvement of the existing short-circuit capacity rating, as measures impacting demand estimates giving rise to Toronto transmission requirements and as alternatives to the proposed Toronto Third Supply Line Option – North Parkway Station to Hearn Station; and
 - b. in the event that following the evaluation of the options described in Part 5a., above, it is determined that there remains a need to review and develop additional transmission facilities to address the City's electricity needs in the mid-term, a submarine cable route be evaluated as an alternative to any proposed overland transmission line connecting North Parkway Station to Hearn Station.
2. Deputy Mayor Pantalone moved that motion 1 by Councillor Thompson be referred to the Executive Committee, to be considered when the matter is once again before that Committee.

Votes:

Adoption of motion 2 by Deputy Mayor Pantalone:

Yes - 17	
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Mihevc, Moscoe, Pantalone, Perks
No - 18	
Councillors:	Ainslie, Feldman, Ford, Grimes, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Ootes, Parker, Saundercook, Shiner, Stintz, Thompson, Walker

Lost by a majority of 1.

Adoption of motion 1 by Councillor Thompson:

Yes - 23	Councillors: Ainslie, Cho, De Baeremaeker, Feldman, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Ootes, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 12	Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, Di Giorgio, Filion, Giambrone, Heaps, Mihevc, Pantalone, Perks

Carried by a majority of 11.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The City continue to participate as an intervenor in Phase 2 of the Ontario Energy Board (“Board”) review of the Integrated Power System Plan (“IPSP”) and Ontario Power Authority (“OPA”) procurement process (“Phase 2”), anticipated to conclude in 2009.
2. City Council authorize Deputy City Manager Richard Butts and the Deputy City Manager and Chief Financial Officer to jointly co-ordinate the preparation and submission of the City’s submissions and representations in Phase 2 based upon the issues and concerns set out in Appendix “B”, in consultation with the City Solicitor and other appropriate City officials, to instruct the City Solicitor and external legal counsel in the proceedings, including attendance, before the Board.
3. External legal and technical consulting services be retained, up to a maximum gross amount of \$600,000, with the expense of such services, net of any cost awards by the Board be charged to Facilities and Real Estate’s 2008 Operating Budget on an interim basis and that the costs be passed on proportionately to City divisions (cited in the Financial Implications section of this report), Toronto Community Housing Corporation and Toronto Transit Commission based on their proportionate use of electricity.
4. City Council ratify and approve the retainer of the firm of Macleod Dixon LLP for the provision of external legal services to the City during Phase 2.
5. a. Through its participation in Phase 2, the City advocate that the OPA

accommodate the City's priorities and views (including those articulated in the City's Official Plan and its Climate Change, Clean Air and Sustainable Energy Action Plan) in the further development work proposed to address the City's electricity reliability needs in the mid-term and in order to preserve technically and financially viable options, which may include distributed generation, renewable energy projects, conservation and improvement of the existing short-circuit capacity rating, as measures impacting demand estimates giving rise to Toronto transmission requirements and as alternatives to the proposed Toronto Third Supply Line Option – North Parkway Station to Hearn Station; and

- b. in the event that following the evaluation of the options described in Part 5a., above, it is determined that there remains a need to review and develop additional transmission facilities to address the City's electricity needs in the mid-term, a submarine cable route be evaluated as an alternative to any proposed overland transmission line connecting North Parkway Station to Hearn Station.
6. As part of advocating the City's priorities and views (including those in the City's Official Plan and its Climate Change, Clean Air and Sustainable Energy Action Plan) include a request to the Ontario Power Authority and Ontario Energy Board to allow the Toronto Hydro rate to support its conservation and renewable energy objectives (e.g., energy efficiency measures such as those taking place in Austin, Texas, absorbing costs of connecting renewable energy technologies to the grid, incentives for installation of green roofs, etc.).
7. The appropriate City staff be authorized to take any action necessary to give effect to the above recommendations.

Background Information (Committee)

City Participation in Phase 2 Review of Provincial Integrated Power System Plan and Procurement Processes
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13841.pdf>)

Communications (Committee)

(June 26, 2008) e-mail from David MacLeod, President, Transforming Toronto (EX.Main.EX22.3.1)

23.13 **Policy Changes to the Lobbyist Registry**

EX22.5	ACTION	Amended		Ward: All
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor McConnell moved that the Item be amended by deleting Recommendations 1 and 2 of the Executive Committee, and that Council adopt the following instead:

Council approve policy changes to the lobbyist registry as outlined in Schedules 1 and Schedule 2 of this report, and Municipal Code Chapter 140 be amended as necessary.

July 16, 2008

Speaker Bussin in the Chair.

Votes:

Motion 1 by Councillor McConnell carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Council approve policy changes to the lobbyist registry as outlined in Schedule 1 and Schedule 2 of this report, and Municipal Code Chapter 140 be amended as necessary.
2. City Council retroactively approve the action taken by the Executive Committee in authorizing the policy changes in Schedule 1 effective July 7, 2008.
3. The policy changes in Schedule 2 come into effect on a date to be determined by the Lobbyist Registrar.
4. The Lobbyist Registrar be authorized to temporarily close access to the lobbyist registration system as necessary to allow for system changes and migration of data to implement the policy changes in the registry.
5. The Lobbyist Registrar be authorized to migrate data in the registry system as necessary and in a manner and form that the Registrar determines appropriate, including removal of data incompatible with the new registration requirements.
6. Any data in the Lobbyist Registry that will be incompatible under the new registration requirements be disposed of under Transitory and Duplicate Records

By-law No. 635-2000 (now § 217-12 of the Municipal Code).

7. The Lobbyist Registrar be requested to:
 - a. consult with the non-profit community services sector on difficulties arising during the registration process and possible solutions;
 - b. report back to the Executive Committee on whether the non-profit community services sector should be exempted from the registry, or means by which the registry can be amended to make the registration less onerous for the non-profit community sector, and
 - c. suspend registry for the non-profit community services sector until the report dealing with these organizations is approved by Council.
8. The City Solicitor be authorized to introduce the necessary Bills in Council.

Background Information (Committee)

Policy Changes to the Lobbyist Registry

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13843.pdf>

23.14 **Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol**

EX22.6	ACTION	Amended		Ward: All
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July 16, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Shiner moved that the Item be amended by deleting from Recommendation 12c of the Executive Committee, the words “formal Section 37 processes”, and replacing them with the words “Planning Act processes including Sections 37 and 45”, so that Recommendation 12c now reads as follows:
 - 12c. a Member of Council or a third party acting on behalf of the member shall neither solicit nor accept support in any form from those registered as lobbyists with the City, or developers with any pending planning, conversion, demolition or sign variance application. This prohibition extends to the negotiation of community benefits outside of the Planning Act processes including Sections 37 and 45.

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

The City Manager be requested to report to the Executive Committee on the feasibility of applying the “Indemnification Policy for Members of Council, Management and Excluded Staff” to Board members of the City’s agencies, boards and commissions.

Votes:

Motion 1 by Councillor Shiner carried.

Motion 2 by Councillor Davis carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council approve the two Codes of Conduct for members of local boards (restricted definition) set out in Appendices I and II of this report.
2. City Council approve the Code of Conduct for Members of Council set out in Appendix III of this report.
3. City Council approve the Code of Conduct Complaint Protocol for Members of Local Boards (Restricted Definition) including Adjudicative Boards set out in Appendix IV of this report.
4. City Council approve the Code of Conduct Complaint Protocol for Members of Council set out in Appendix V of this report.
5. City Council direct the City Manager to submit a report to the Executive Committee on extending the Indemnification Policy for Members of Council and Management and Excluded Staff adopted by Council on November 24, 2005, to members of local boards.
6. City Council not proceed at this time with the proposal to include a general conflict of interest provision in the Members Code of Conduct.
7. City Council not adopt the motion repealing Article XIII of the Code of Conduct (“Conduct Respecting Lobbyists”).
8. City Council approve the inclusion of a provision in the Code of Conduct

Complaint Protocol for Members of Council placing a moratorium on the filing of Code of Conduct complaints against Members seeking re-election from Labour Day in an election year until the new Council is sworn in.

9. City Council approve as part of the policy governing Members' use of their Office Expense Budget that Members of Council who are the subject of an Integrity Commissioner investigation be entitled to charge against that budget the cost of an initial legal consultation but restricted to one hour and a maximum value of \$500.
10. City Council approve the following addition to item (f) in the list of permissible gifts and benefits:

...or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity.
11. City Council approve the following addition to the list of permissible gifts and benefits provided for in Article IV of the Code of Conduct:
 - i. sponsorships and donations for community events organized or run by a member or a third party on behalf of a member, subject to the limitations set out in the Policy on Council Member-Organized Community Events.
12. City Council adopt the following Policy on Council Member-Organized Community Events:
 - a. donations must be for specific community events held on a specific date or a specific series of dates. Members of Council should not seek donations in money or in kind for ongoing or new programs that have been or could be offered through City programs, and which have a separate donations policy;
 - b. support for the events (whether in money or in kind) shall not exceed \$10,000 annually (whether for a single event or multiple events). (This amount does not include moneys or goods collected at any event in support of a charity or other cause if those donations go directly to the charity or cause.);
 - c. a Member of Council or a third party acting on behalf of the member shall neither solicit nor accept support in any form from those registered as lobbyists with the City, or developers with any pending planning, conversion, demolition or sign variance application. This prohibition extends to the negotiation of community benefits outside of the Planning Act processes including Sections 37 and 45;
 - d. Members of Council must report to the Director, Council and Support

Services, in a manner and form prescribed by the City Clerk, on the source, details and value of all donations for community events prior to the event (if it is anticipated that the value of donations will exceed \$500) and a statement of accounts subsequent to the event if the value of the donations has exceeded \$300). This report shall include a genuine estimate of the value of in-kind donations. All donations and expenses paid for by donations are subject to the same administration, accounting and disclosure requirements as expenses charged to Office Expense Budgets;

- e. all donation cheques should be made out to the City of Toronto and accounted through the City Clerk's Office. Members of Council or third parties acting on behalf of members should not hold or administer donations in separate personal accounts;
- f. surpluses should be minimized with accurate estimation of event costs and requirements. Surpluses (including in-kind donations such as equipment) should be returned to donors or transferred to general Council revenue. Under no circumstances, can a surplus be used for a different community event and, in particular, in supplementation of a member's office operations. Any surplus will count against the member's \$10,000 annual limit in the year in which it is used or drawn upon. Multi-year donations are not permitted;
- g. the City Clerk, in consultation with the Treasurer, will develop detailed procedures and guidelines regarding the receipt and accounting of donations for Council member community events, including the administration of surplus funds;
- h. This policy does not affect the entitlement of a member of Council to:
 - i. use her or his office expense budget to run or support community events subject to the terms of the Councillor Expense Policy;
 - ii. urge constituents, businesses and other groups to support community events staged by others in the member's Ward or elsewhere in the City;
 - iii. play an advisory or membership role in any organization staging community events in the member's Ward; and
 - iv. team with the City and its agencies in the staging of community events.
- i. under clause h., Members of Council should not handle any funds on behalf of these organizations and should remain at arms length from the financial

aspects of these external events; and

- j. in an election year, a Member of Council must not seek donations and sponsorships for any community event that has not been staged in the previous two years nor accept donations or stage any community event supported by donations and sponsorships after he or she has filed nomination papers for election to any office in the City of Toronto.

A community event is considered to have been staged in the previous two years if it meets the following criteria:

- has a very similar, if not the same, event name/title
 - takes place at approximately the same time
 - has the same general purpose.
13. City Council approve the removal from the Code of Conduct of the Schedule (“Role and Responsibilities of the Council Members and Staff”) and the two appendices on Acts governing conduct.
 14. City Council authorize the Integrity Commissioner, in consultation with the City Manager and City Solicitor, to make additional technical amendments as necessary to the Codes of Conduct and Complaint Protocols to ensure a consistent style and to reflect the additional amendments authorized in the above recommendations and future amendments to these documents.
 15. The City Manager be requested to report to the Executive Committee on the feasibility of applying the “Indemnification Policy for Members of Council, Management and Excluded Staff” to Board members of the City’s agencies, boards and commissions.

Background Information (Committee)

Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13844.pdf>

Appendices I to VI

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13845.pdf>

6a Report on Congruence between Lobbying By-law and Obligations under Members Code of Conduct - Executive Committee Item 19.7

Background Information (Committee)

Report on Congruence between Lobbying By-law and Obligations under Members Code of Conduct - Executive Committee Item 19.7

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14534.pdf>

23.15 Councillor Expense Policy

EX22.7	ACTION	Amended	Ward: All
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July 16, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Councillor Holyday asked the Speaker to advise why the previous report on his and Councillor Ford's office expenditures had not been submitted to Council for consideration as part of this Item.

Motion to Recess:

The Speaker recessed the meeting at 6:02 p.m. in order to speak with the City Clerk about the status of the previous report. The meeting resumed at 6:05 p.m.

Advice by Speaker:

Speaker Bussin advised that on December 11, 12 and 13, 2007, Council considered Executive Committee Item EX15.3, headed "Councillors Office Expenses – Councillor Ford and Councillor Holyday". Council referred the Item to the City Clerk for consideration in developing a consolidated Policy on Councillor's Office Expenses. The Speaker advised that the referral instructions did not require further action other than the development of a consolidated policy which is now before Council.

Councillor Holyday expressed concern that the findings from the previous report were not before Council. The Speaker advised the Council that the Item before Council did make reference to the findings of the previous report that Councillor Holyday was in compliance with the Policy.

Councillor Mammoliti, with the permission of Council, stated that the findings contained in Item EX15.3 clearly show that there had been no wrong-doing on the part of Councillor Holyday, and he apologized to Councillor Holyday for any offence he had caused with respect to that issue.

Councillor Saundercook also apologized to Councillor Holyday for remarks he made respecting that matter.

Councillor Holyday accepted the apologies.

Motions:

1. Councillor Moscoe moved that the Item be amended by amending the Councillor Expense Policy by:
 - a. adding the following:
 1. In recognition of the role of the Integrity Commissioner to provide advice to Members of Council with regard to their conduct, Members may seek advice from the Integrity Commissioner on matters of conflict of interest pertaining to themselves in relation to their role on Council.
 2. A Member of Council will be entitled to a written opinion from the Integrity Commissioner.
 - b. deleting from the section headed "Legal Fees", the following from the list of Ineligible Expenses:
 - Legal opinion that Councillors have sought as a second opinion to the advice that the City Solicitor has already provided; and
 - Legal opinion that contradicts or weakens a known City position.
2. Councillor Ford moved that the Item be amended by amending the Councillor Expense Policy to provide that:
 1. Councillors' Expense Budgets be reduced to \$20,000.00;
 2. the following items not be included as eligible expenses:
 - newspapers, books, magazine subscriptions;
 - Blackberries;
 - conference travel;
 - tickets for community events, concerts and theatres;
 - gas and mileage;
 - transit passes and tokens for staff;
 - taxis; and
 - food and alcohol; and
 3. the following items be included as eligible expenses:
 - postage;
 - printing supplies, printing services, advertising;
 - toner cartridges;

- letterhead, envelopes, business cards and other stationery materials;
and
- cell phones.

Ruling by Speaker:

Speaker Bussin ruled Part 1 of motion 2 by Councillor Ford out of order at it is beyond the scope of the Item under consideration.

Motions:

3. Councillor Moeser moved that the Item be amended by adding the following to the list of Eligible Expenses:
 - Councillor's support of community groups up to \$500.00 per group from the Councillor's Office Expense Budget.
4. Councillor Walker moved that the Item be amended by amending the Councillor Expense Policy by:
 - a. adding to the section headed "Legal Fees", the following to the list of Eligible Expenses:
 - Legal fees related to legal opinions deemed eligible by the Integrity Commissioner.
 - b. adding to the section headed "Legal Fees", the following to the list of Eligible Expenses:
 - Legal fees related to a legal opinion that the City Solicitor can provide but has not formally provided to Council, has not provided in a timely manner and/or is unable/unwilling to provide.
 - c. deleting from the section headed "Legal Fees", the following from the list of Ineligible Expenses:
 - Legal opinion that the City Solicitor can provide.
 - Legal opinion that supports a community group against a City position.
 - d. deleting from the section headed "Legal Fees", the following from the list of Conditions:

Councillors who wish to receive a second opinion to the advice that City

staff have already provided must process a request to Council, requesting that Council direct the City Solicitor to retain external legal services for this purpose.

and replacing it with the following:

Councillors will receive final approval from the Integrity Commissioner to incur any legal expenses.

5. Councillor Ootes moved that the Item be amended by amending the Councillor Expense Policy by deleting from the section headed “Consulting Services”, the list of *Eligible Expenses* and the *Other information about consulting services*, and replacing them with the following:

Eligible Expense:

Consulting services may be contracted for the purpose of research related to City business.

Other information about consulting services:

Councillors must sign a contract or formal agreement with the consultant which sets out the terms and conditions in detail.

For consultants that Councillors engage on a long-term basis, a blanket contract will be set up.

The consultant’s monthly invoice must identify the hours worked and the deliverables.

The City Clerk reports consulting costs through quarterly variance reports.

6. Councillor Holyday moved that the Item be amended by:
- a. amending the Councillor Expense Policy by:
 - 1. reducing the Conference Expenses from \$7,000.00 to \$3,500.00;
 - 2. limiting the annual cell phone charges to \$1,200.00 per Councillor’s office;
 - 3. moving the cut-off date for use of corporate resources in an election year to August 1;
 - b. adding the following:
 - 1. The City Clerk be requested to report to the Executive Committee on a definition for ‘newsletter’ that ensures that newsletters really are for the purpose of relaying information to constituents.

2. The Budget Committee be requested to consider reducing the Councillors' Office Expense Budgets to \$25,000.00 as part of the 2009 Budget deliberations.

Ruling by Speaker:

Speaker Bussin ruled Part 2 of motion 6b by Councillor Holyday out of order as it is beyond the scope of the Item under consideration.

Motion to End Debate:

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

Yes - 20 Councillors: Augimeri, Carroll, Davis, Di Giorgio, Feldman, Filion, Ford, Giambrone, Grimes, Kelly, Lee, Mammoliti, Palacio, Pantalone, Parker, Rae, Saundercook, Shiner, Stintz, Walker
No - 17 Councillors: Ainslie, Bussin, De Baeremaeker, Fletcher, Hall, Holyday, Jenkins, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Perks, Perruzza, Thompson, Vaughan

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

Motion:

7. Councillor Fletcher moved that the Item be amended by:
 1. referring the annual \$500.00 business meal allowance, as contained in the Councillor Expense Policy, to the City Clerk for further review and report to the Executive Committee as it relates to compulsory staff attendance at evening community and constituency meetings and that in the meantime, the existing rules for meal allowance expenses continue to apply; and
 2. adding the following:

The City Clerk be requested to review the provincial model whereby the dining room for members at the Provincial Legislature is fully subsidized.

Votes:

Adoption of motion 1a by Councillor Moscoe:

Yes - 29	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Grimes, Hall, Jenkins, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 10	
Councillors:	Augimeri, Davis, Ford, Giambrone, Holyday, Kelly, Lee, Mammoliti, Perks, Walker

Carried by a majority of 19.

Adoption of motion 1b by Councillor Moscoe:

Yes - 21	
Councillors:	Ainslie, Di Giorgio, Feldman, Filion, Grimes, Jenkins, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Ootes, Palacio, Parker, Perruzza, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 18	
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Ford, Giambrone, Hall, Holyday, Kelly, Mammoliti, Milczyn, Pantalone, Perks, Rae

Carried by a majority of 3.

Ruling by Speaker:

Speaker Bussin ruled Part 3 of motion 2 by Councillor Ford redundant because the items listed are already included as eligible expenses in the Councillor Expense Policy.

Votes:

Adoption of Part 2 of motion 2 by Councillor Ford:

Yes - 4	
Councillors:	Augimeri, Ford, Holyday, Mammoliti
No - 35	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Kelly, Lee,

Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
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Lost by a majority of 31.

Adoption of motion 3 by Councillor Moeser:

Yes - 24	
Councillors:	Ainslie, Augimeri, Bussin, Di Giorgio, Filion, Fletcher, Grimes, Hall, Kelly, Lee, Mammoliti, Mihevc, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Saundercook, Shiner, Stintz, Thompson, Walker
No - 15	
Councillors:	Ashton, Carroll, Cho, Davis, De Baeremaeker, Feldman, Ford, Giambrone, Holyday, Jenkins, Lindsay Luby, Milczyn, Perruzza, Rae, Vaughan

Carried by a majority of 9.

Adoption of motion 4a by Councillor Walker:

Yes - 15	
Councillors:	Bussin, Carroll, Cho, Di Giorgio, Feldman, Lee, Moeser, Palacio, Parker, Perruzza, Saundercook, Shiner, Stintz, Thompson, Walker
No - 24	
Councillors:	Ainslie, Ashton, Augimeri, Davis, De Baeremaeker, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Perks, Rae, Vaughan

Lost by a majority of 9.

Adoption of motion 4b by Councillor Walker:

Yes - 14	
Councillors:	Cho, Feldman, Fletcher, Grimes, Jenkins, Lee, Moscoe, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 25	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis,

De Baeremaeker, Di Giorgio, Fillion, Ford, Giambrone, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Ootes, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 9.

Adoption of motion 4c by Councillor Walker:

Yes - 11	Councillors: Di Giorgio, Fillion, Grimes, Jenkins, Lee, Palacio, Parker, Saundercook, Stintz, Thompson, Walker
No - 28	Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Fletcher, Ford, Giambrone, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Perks, Perruzza, Rae, Shiner, Vaughan

Lost by a majority of 17.

Adoption of motion 4d by Councillor Walker:

Yes - 9	Councillors: Cho, Di Giorgio, Feldman, Palacio, Parker, Saundercook, Shiner, Stintz, Walker
No - 30	Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Fillion, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Perks, Perruzza, Rae, Thompson, Vaughan

Lost by a majority of 21.

Adoption of motion 5 by Councillor Ootes:

Yes - 27	Councillors: Ainslie, Ashton, Augimeri, Bussin, Di Giorgio, Feldman, Fillion, Grimes, Hall, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Ootes, Palacio, Parker, Perruzza, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 12	

Councillors: Carroll, Cho, Davis, De Baeremaeker, Fletcher, Ford, Giambrone, Holyday, Moscoe, Pantalone, Perks, Rae

Carried by a majority of 15.

Adoption of motion 6a and Part 1 of motion 6b by Councillor Holyday:

Yes - 4 Councillors: Ford, Holyday, Milczyn, Walker
No - 34 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan

Lost by a majority of 30.

Adoption of motion 7 by Councillor Fletcher:

Yes - 18 Councillors: Augimeri, Bussin, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Moeser, Pantalone, Perruzza, Saundercook
No - 21 Councillors: Ainslie, Ashton, Carroll, Feldman, Filion, Ford, Giambrone, Holyday, Lee, Milczyn, Moscoe, Ootes, Palacio, Parker, Perks, Rae, Shiner, Stintz, Thompson, Vaughan, Walker

Lost by a majority of 3.

Adoption of the Item, as amended:

Yes - 37 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker

No - 2 Councillors: Ford, Holyday

Carried by a majority of 35.

City Council Decision

City Council adopted the following motions:

1. City Council approve the Councillor Expense Policy in Attachment 1 and rescind previous policy and reports related to Councillor expenses, in Attachment 2, with the following amendments:
 - a. deleting from the section headed “Consulting Services”, the list of *Eligible Expenses* and the *Other information about consulting services*, and replacing them with the following:

“Eligible Expense:
Consulting services may be contracted for the purpose of research related to City business.

Other information about consulting services:
Councillors must sign a contract or formal agreement with the consultant which sets out the terms and conditions in detail.
For consultants that Councillors engage on a long-term basis, a blanket contract will be set up.
The consultant’s monthly invoice must identify the hours worked and the deliverables.
The City Clerk reports consulting costs through quarterly variance reports.”;
 - b. deleting from the section headed “Legal Fees”, the following from the list of Ineligible Expenses:
 - “- Legal opinion that Councillors have sought as a second opinion to the advice that the City Solicitor has already provided; and
 - Legal opinion that contradicts or weakens a known City position.”;
 - c. adding the following to the list of Eligible Expenses:
 - “- Councillor’s support of community groups up to \$500.00 per group from the Councillor’s Office Expense Budget.”; and

- d. adding the following to the Councillor Expense Policy:
- “1. In recognition of the role of the Integrity Commissioner to provide advice to Members of Council with regard to their conduct, Members may seek advice from the Integrity Commissioner on matters of conflict of interest pertaining to themselves in relation to their role on Council.
 2. A Member of Council will be entitled to a written opinion from the Integrity Commissioner.”.
2. The City Clerk update the Councillor Expense Policy pursuant to City Council’s decision on the Integrity Commissioner’s report dated June 16, 2008, and titled “Report on Issues Arising out of Operation of Members Code of Conduct and Complaint Protocol”, and the joint report by the City Manager and City Solicitor, dated June 6, 2008, and titled “Review of Indemnification Policy for Members of Council”.
3. The Councillor Expense Policy come into effect immediately upon City Council approval. All Councillor expenses incurred after the approval of the Councillor Expense Policy must be in compliance with the new Policy. Councillors who have incurred expenses prior to City Council approval of the Councillor Expense Policy will have until September 30, 2008, to submit these expenses for reimbursement or payment in accordance with previous policies and documentation requirements. On and after October 1, 2008, reimbursement and payment of all Councillor expenses, irrespective of the date the expense was incurred, will be in compliance with the new Policy.
4. The Council Expense Policy as it pertains to Travel – Conferences, Seminars and Business Trips be amended by adding the following to the conditions:
- “- Claims by Councillors for travel shall be paid within 10 business days after submission to staff, and if not, Councillors shall be entitled to any interest charges to their credit cards that may result from late payment by the City.”

Background Information (Committee)

Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13846.pdf>)

Attachment 1: Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13847.pdf>)

Attachment 2: Previous Council-approved reports and policies related to Councillor expenses superseded by the Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13848.pdf>)

Attachment 3: Summary of research: Legislative Assembly of Ontario, House of

Commons, and six Canadian Municipalities
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13849.pdf>)

Communications (City Council)

(June 20, 2008) e-mail from Karen Somerville (CC.Main.EX22.7.1)

23.16 **Review of Indemnification Policy for Members of Council**

EX22.8	ACTION	Amended		Ward: All
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July 16, 2008

Speaker Bussin in the Chair.

Motion:

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

The City Manager be requested to canvass the Insurance industry to determine if conflict of interest insurance is available to elected officials and report to the Executive Committee for its meeting on November 10, 2008.

Votes:

Adoption of motion 1 by Councillor Moscoe:

Yes - 34 Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 4 Councillors:	Ford, Holyday, Milczyn, Parker

Carried by a majority of 30.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The adoption of the amendments to the Councillor Indemnification Policy set out in Appendix B to this report.
2. The City Manager and the City Solicitor be requested to submit a report to the Executive Committee on indemnifying Councillors for legal advice/support on defamation actions.
3. The City Manager, in consultation with the City Clerk and other appropriate officials, be requested to report to the Executive Committee on the establishment of a Public Official Defender to provide assistance to Members of Council on legal matters in their capacity as public office holders.
4. The City Manager be requested to canvass the Insurance industry to determine if conflict of interest insurance is available to elected officials and report to the Executive Committee for its meeting on November 10, 2008.

Background Information (Committee)

Review of Indemnification Policy for Members of Council

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13850.pdf>)

23.17 **Status Report - Action Plans on Access, Equity and Human Rights, 2007-2008**

EX22.12	ACTION	Amended		Ward: All
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Perks moved that the Item be amended by adding to the end of Recommendation 1 of the Executive Committee, the words “and that they be submitted to the November 2008 Executive Committee meeting for information”, so that Recommendation 1 now reads as follows:
 1. City divisions continue to develop Access, Equity and Human Rights Action Plans for 2009-2011 and that they be submitted to the November 2008 Executive Committee meeting for information.

Votes:

Motion 1 by Councillor Perks carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City divisions continue to develop Access, Equity and Human Rights Action Plans for 2009-2011 and that they be submitted to the November 2008 Executive Committee meeting for information.
2. A status report be submitted on 2008 Access, Equity and Human Rights achievements in 2009.
3. City agencies, boards, commissions and corporations (ABCCs) be requested to advise City Council on their access, equity and human rights initiatives and accomplishments in 2009.
4. The current Status Report be amended to include participation in our national FCM projects such as Cities Against Racism and the Regional Champions Campaign.
5. Future status reports be modeled after the benchmarking performance report and develop and include quantitative benchmarks and results where available.
6. Future status reports highlight work involving gender equity and youth, including employment, scholarships, mentoring, and empowerment.
7. Regular presentations be made to the Executive Committee and Standing Committees on the access, equity, and human rights work being done in the City's agencies, boards, commissions, corporations, and divisions, as well as the results and plans for future initiatives.

Background Information (Committee)

Status Report - Action Plans on Access, Equity and Human Rights, 2007-2008

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13863.pdf>

Cover Sheet and List of Appendices

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13881.pdf>

Appendix A: Reporting to City Manager Shirley Hoy

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13970.pdf>

Appendix B: Reporting to Council

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13971.pdf>

Appendix C: Reporting to Deputy City Manager Sue Corke

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13972.pdf>

Appendix D: Reporting to Deputy City Manager Richard Butts

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13973.pdf>

Appendix E: Reporting to Deputy City Manager and Chief Financial Officer

Joe Pennachetti

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13974.pdf>)

23.18 **Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services and Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.**

EX22.16	ACTION	Amended		Ward: All
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July 15, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motions:

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

City Council request the Board of Directors of the Toronto Community Housing Corporation to request its Chief Executive Officer to report to the Board of Directors on how TCHC might utilize some of these funds to leverage a refinancing of all or part of its housing stock to finance the balance of repairs and whether further approvals are required by City Council in this regard.

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

That Council adopt the following recommendations contained in the supplementary report (July 14, 2008) from the Deputy City Manager and Chief Financial Officer:

1. This report be received for information.
2. Council direct that the information in the Confidential Attachment not be disclosed, in order to protect the financial interests and competitive position of the City.
3. Councillor Hall moved that the Item be amended by adding the following:

The Provincial and Federal governments be requested to recognize the significant contribution by the City of Toronto of \$75 million to upgrade TCHC properties and make similar contributions, which would greatly reduce the backlog of repairs.

Speaker Bussin in the Chair.

4. Councillor Holyday moved that the Item be amended by deleting Recommendation 8 of the Executive Committee, and that Council adopt the

following instead:

8. The proceeds resulting from the sale of Toronto Hydro Telecom Inc. by Toronto Hydro Corporation be distributed as follows:
 - a. \$25 million to Roads;
 - b. \$25 million to Parks; and
 - c. \$25 million to Housing.

Votes:

Adoption of motion 4 by Councillor Holyday:

Yes - 4 Councillors: Ford, Holyday, Milczyn, Ootes
No - 34 Mayor: Miller Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker

Lost by a majority of 30.

Motion 2 by Councillor Shiner carried.

Motion 1 by Councillor Moscoe carried.

Motion 3 by Councillor Hall carried.

Adoption of the Item, as amended, as it relates to Recommendations 1-6 of the Executive Committee:

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

Carried unanimously.

Adoption of the Item, as amended, as it relates to Recommendations 7 and 8 of the Executive Committee:

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

Carried by a majority of 32.

Adoption of the balance of the Item, as amended:

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

Carried by a majority of 36.

City Council Decision

City Council adopted the following motions:

1. Funds in the amount of \$5,034,643.00 to be received from Toronto Hydro Telecom Inc. as a result of the transaction contemplated in Part 1 of this report be transferred to the Telecommunication Public Policy Benefits Reserve and that

application of those funds be subject to the annual budget process.

2. City Council authorize the Deputy City Manager and Chief Financial Officer, Chief Information Officer and the City Solicitor to further negotiate as necessary and finalize the following:

- a. Memorandum of Understanding with Toronto Hydro Corporation and Toronto Hydro Telecom Inc.;
- b. Lit Fibre Data Services Agreement with Toronto Hydro Telecom Inc.;
- c. Dark Fibre Licence Agreement with Toronto Hydro Telecom Inc.; and
- d. Renegotiated Municipal Access Agreement with Toronto Hydro Telecom Inc.,

all on the terms and conditions as set out in the Confidential Attachment to this report and such other terms as may be satisfactory to staff.

3. City Council make the following reserve account changes:
 - a. establish a new reserve account group within the Schedule 1- Corporate Reserves, called the “Telecommunications Group”, for funding of telecommunications infrastructure improvements (see Attachment #2);
 - b. transfer the existing Telecommunications Development Reserve to the new Telecommunications Reserve Group;
 - c. establish within the Telecommunications Reserve Group a new reserve account called the ‘Telecommunication Public Policy Benefits Reserve’ to support telecommunications infrastructure improvements supporting the City’s public policy benefits as may be stated from time to time (see Attachment #3); and
 - d. amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the Telecommunications Group and its component reserves to Schedule #1 – Corporate Reserves.
4. City Council direct that the information in the Confidential Attachment not be disclosed, in order to protect the financial interests and competitive position of the City in future negotiations with third parties.
5. City Council authorize the public release of the Memorandum of Understanding (not including the schedules), renegotiated Municipal Access Agreement and the long form dark fibre licence agreement, once fully executed by the parties.

6. City Council request the Board of Directors of Toronto Hydro Corporation to declare a one-time, special dividend of \$75 million from the net proceeds of the sale of THTI.
7. City Council establish a new account within the State of Good Repair Discretionary Reserve Funds account, called the Toronto Community Housing Corporation State of Good Repair Reserve Fund, and accordingly:
 - a. amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the Toronto Community Housing Corporation State of Good Repair Reserve Fund to Schedule #8 - State of Good Repair Discretionary Reserve Funds; and
 - b. adopt Appendix 1, which describes the purpose and administrative features of the new Reserve Fund.
8. City Council contribute one time City proceeds resulting from the sale of Toronto Hydro Telecom Inc. by Toronto Hydro Corporation to the new reserve fund as referred to in Part 7.
9. The Provincial and Federal governments be requested to recognize the significant contribution by the City of Toronto of \$75 million to upgrade TCHC properties and make similar contributions, which would greatly reduce the backlog of repairs.
10. City Council request TCHC to submit, to a TCHC Board meeting, a list of repairs showing where the \$75 million for the maintenance of existing housing stock, will be spent.
11. City Council request TCHC, when using these funds as recommended by the Mayor, to continue the emphasis on local partnerships and local training and job creation, environmental design, including the purchase of local and environmentally sustainable products to achieve the objective of eliminating the maintenance deficit inherited by TCHC.
12. City Council request the Board of Directors of the Toronto Community Housing Corporation to request its Chief Executive Officer to report to the Board of Directors on how TCHC might utilize some of these funds to leverage a refinancing of all or part of its housing stock to finance the balance of repairs and whether further approvals are required by City Council in this regard.
13. City Council receive the supplementary report (July 14, 2008) from the Deputy City Manager and Chief Financial Officer (EX22.16b), for information.

14. City Council direct that the information in Confidential Attachment 1 to the supplementary report (July 14, 2008) from the Deputy City Manager and Chief Financial Officer (EX22.16b) not be disclosed, in order to protect the financial interests and competitive position of the City.
15. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

Confidential Attachment 1 to the report (June 11, 2008) from the Deputy City Manager and Chief Financial Officer, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

Confidential Attachment 1 to the report (July 14, 2008) from the Deputy City Manager and Chief Financial Officer (EX22.16b), 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.

Confidential Attachment - The security of the property of the municipality or local board

Background Information (Committee)

Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13886.pdf>)

Background Information (City Council)

(July 14, 2008) supplementary report from the Deputy City Manager and Chief Financial Officer (EX22.16b)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14704.pdf>)

Communications (Committee)

(June 26, 2008) letter from Tracy Izzard, Kathrine Wallace, Donna Roper and Rita Oiver, Members, Save Our Structures (EX.Main.EX22.16.2)

16a Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.

Background Information (Committee)

Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13900.pdf>)

23.19 **Securing the City's Interest in Affordable Homes at 2350 Finch Avenue West**

EX22.20	ACTION	Amended		Ward: 7
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July 17, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Moscoe moved that the Item be amended by adding the following:
 - a. The supplementary report (July 9, 2008) from Deputy City Manager Sue Corke be received for information.
 - b. That Council adopt the following recommendations contained in the communication (July 10, 2008) from the Audit Committee:
 1. City Council request the Deputy City Manager responsible for the Affordable Housing Office to co-ordinate with the City Solicitor to ensure City contracts with proponents developing affordable housing projects provide that:
 - adequate controls are followed in hiring of contractors and consultants;
 - contracts include standard performance bonds and warranties; and
 - proponents prepare business case justifications for actions that deviate from the normal business practices, such as awarding a contract to the bidder other than the lowest bidder.
 2. City Council request the Deputy City Manager responsible for the Affordable Housing Office to develop procedures to monitor the controls exercised by proponents responsible for developing affordable housing projects.
 3. City Council request the Ontario Association of Architects to investigate the actions of the architect involved in this project.
2. Councillor Ford moved that the Item be amended by adding the following:

The Toronto Police Service and/or the Ontario Provincial Police, as appropriate, be

requested to investigate the project at 2350 Finch Avenue West in order to determine whether any criminal charges are warranted.

3. Councillor Holyday moved that the Item be amended by deleting Recommendations 2, 4, 5, 6, 7 and 9 of the Executive Committee, and that Council adopt the following instead:

Deputy City Manager, Sue Corke, be directed to seek bids from other not-for-profit housing groups to own and operate the facility at 2350 Finch Avenue West.

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

The Board of Directors of Toronto Community Housing Corporation be requested to try to find a sound, established community services provider to work with Toronto Community Housing Corporation in providing support services at 2350 Finch Avenue West, to single mothers or seniors as required.

Vote:

Adoption of motion 3 by Councillor Holyday:

Yes - 3 Councillors: Ford, Holyday, Ootes
No - 25 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Pantalone, Parker, Perks, Rae, Shiner, Vaughan, Walker

Lost by a majority of 22.

Ruling by Speaker:

Speaker Bussin ruled motion 1a by Councillor Moscoe redundant because the supplementary report was already before Council for information.

Votes:

Motion 1b by Councillor Moscoe carried.

Adoption of motion 2 by Councillor Ford:

Yes - 8

Minutes of the Council of the City of Toronto
July 15, 16 and 17, 2008

Councillors:	Cho, Feldman, Ford, Holyday, Lindsay Luby, Ootes, Shiner, Vaughan
No - 20	
Councillors:	Ainslie, Ashton, Bussin, Carroll, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Heaps, Jenkins, Kelly, Mammoliti, Mihevc, Milczyn, Moscoe, Pantalone, Parker, Perks, Rae, Walker

Lost by a majority of 12.

Motion 4 by Councillor Hall carried.

Adoption of the Item, as amended:

Yes - 25	
Councillors:	Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Pantalone, Parker, Perks, Rae, Shiner, Vaughan, Walker
No - 4	
Councillors:	Ainslie, Ford, Holyday, Ootes

Carried by a majority of 21.

City Council Decision

City Council adopted the following motions:

1. Authority be granted to fund up to \$852,454 from the Capital Revolving Fund and \$852,454 from the Development Charges Reserve Fund as a grant by way of a forgivable loan to be used to fund construction, finishing and operating expenses (including initial vacancy losses estimated to be \$90,000) for the completion of the Ghana Amansie Project, to be expended as the Director of the Affordable Housing Office (AHO), at his sole discretion, directs from time to time.
2. Authority be granted for the City to consent to and enter into an assignment of the land lease and funding agreements entered into by the City with Ghana Amansie Non-Profit Homes, to effect a transfer of the Project to TCHC, subject to approval by the Board of Directors of TCHC.
3. Authority be granted for the City to pursue any legal remedies it may have under its various agreements with Ghana Amansie, including the lease and loan and grant agreement, if necessary, to acquire possession and control of the Project and to allow the City to transfer the Project to TCHC.

4. Authority be granted to enter into an agreement with TCHC that sets out the terms and conditions of the transfer of the Project, on such terms and conditions, satisfactory to the Director and in a form approved by the City Solicitor.
5. Authority be granted to terminate the lease for 2350 Finch Avenue West and to transfer legal title to the property to TCHC, at a later date, in keeping with the Affordable Housing Office's intention to transfer title to TCHC of the affordable housing projects developed by it on City-owned land.
6. Authority be granted to amend any or all of the City Lease, Affordable Housing Agreement and the Loan and Grant Agreement and ancillary documents, to provide for the current CRF loan, in the amount of \$1,584,000 to be converted to a grant, by way of forgivable loan, and that all amended agreements also to be in keeping with the form of these agreements usually entered into between TCHC and the City for affordable housing projects and as may be required to effect to the transfer of these agreements to TCHC.
7. Authority be granted to enter into any agreements that the Ministry of Municipal Affairs and Housing, First National Financial Corporation or any other parties, as may be necessary to give effect to the transfer of the Project to TCHC.
8. Authority be granted for the City to continue the sole source contract with R. Seligman Associates Inc., effective May 1, 2008, for project management services, and for any other consultants deemed necessary by the Director, for a fee not to exceed \$50,000 and on such terms and conditions satisfactory to the Director and in a form approved by the City Solicitor.
9. The Director of the Affordable Housing Office be authorized and directed, on behalf of the City, to execute all assignments, agreements and other documents required to complete the construction and transfer of the Project at 2350 Finch Avenue West to TCHC.
10. The Board of Directors of Toronto Community Housing Corporation be requested to try to find a sound, established community services provider to work with Toronto Community Housing Corporation in providing support services at 2350 Finch Avenue West, to single mothers or seniors as required.
11. City Council request the Deputy City Manager responsible for the Affordable Housing Office to co-ordinate with the City Solicitor to ensure City contracts with proponents developing affordable housing projects provide that:
 - adequate controls are followed in hiring of contractors and consultants;
 - contracts include standard performance bonds and warranties; and

- proponents prepare business case justifications for actions that deviate from the normal business practices, such as awarding a contract to the bidder other than the lowest bidder.
12. City Council request the Deputy City Manager responsible for the Affordable Housing Office to develop procedures to monitor the controls exercised by proponents responsible for developing affordable housing projects.
 13. City Council request the Ontario Association of Architects to investigate the actions of the architect involved in this project.

Background Information (Committee)

Securing the City's Interest in Affordable Homes at 2350 Finch Avenue West
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13917.pdf>)

Background Information (City Council)

(July 9, 2008) supplementary report from Deputy City Manager Sue Corke (EX22.20a)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14653.pdf>)

(July 10, 2008) communication from the Audit Committee (EX22.20b)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14688.pdf>)

23.20 **Conversion of 717 Broadview Avenue to Affordable Housing by Toronto Community Housing Corporation**

EX22.21	ACTION	Adopted		Ward: 30
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July 15, 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 approve TCHC as the proponent for the conversion of 717 Broadview Avenue to approximately 62 affordable homes for seniors.
2. The City of Toronto enter into an Agreement of Purchase and Sale with TCHC for the sale of 717 Broadview Avenue for the nominal consideration of One Dollar (\$1.00), substantially on the terms and conditions outlined in Appendix A to this

report.

3. Each of the Executive Director of Facilities and Real Estate and the Director of Real Estate Services be authorized severally to execute such other consents, licences to enter, approvals, authorizations, directions and other documents as may be required for TCHC to complete its due diligence and pre-development processes.
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms, as she considers reasonable.
5. Authority be granted to provide capital funding:
 - a. to a maximum of \$3,215,000 from the Capital Revolving Fund for Affordable Housing as a grant, by way of forgivable loan;
 - b. \$2,690,800 from the Provincial portion of the AHP Program through the conversion of AHP Housing Allowance/Rent Supplement funding to Rental and Supportive funding previously approved by Council; and
 - c. \$1,649,200 from the Federal portion of the AHP Program through the conversion of AHP Housing Allowance/Rent Supplement funding to Rental and Supportive funding previously approved by Council;

all to assist in the construction of the above-mentioned project, on terms and conditions satisfactory to the Deputy City Manager and which terms and conditions may be varied from time to time, as the project progresses and circumstances change.
6. Authority be granted to exempt the project from taxation for municipal and school purposes from the date of the transfer of the Property to TCHC.
7. Authority be granted for exempting the project from charges, under the Development Charges Act, from payment of development fees and charges.
8. Authority be granted to designate the Project as social housing allowing all or part of the project relief from normal parking standards.
9. Authority be granted to enter into a municipal capital facility agreement and such other agreements, licences, security and documents in a form approved by the City Solicitor; with TCHC, to provide for the development and operation of approximately 62 units of affordable housing, on such terms and conditions as the Director, Affordable Housing Office considers appropriate and to approve any

changes to the Project, during its development that the Director deems to be in the best interest of the City and/or the project.

10. The Director, Affordable Housing Office be authorized and directed, on behalf of the City, to execute the municipal capital facility agreement and such other agreements and documents deemed necessary to complete the sale of the Property and the financing of the Project, on terms and conditions satisfactory to the Director Affordable Housing Office and in a form approved by the City Solicitor.
11. The Affordable Housing Office be authorized to pay all direct and indirect costs of maintaining the building, estimated at approximately \$311,700, including, but not necessarily limited to, hydro, gas, water and security, from the date Council approves the transfer of the Property to TCHC to the date that TCHC takes title to the Property, from the Capital Revolving Fund for Affordable Housing.
12. Council request TCHC to work with other non-profit housing agencies such as Scarborough Residential Alternative, to look at providing housing opportunities within the seniors housing complex at 717 Broadview Avenue.

Background Information (Committee)

Conversion of 717 Broadview Avenue to Affordable Housing by Toronto Community Housing Corporation

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13992.pdf>

Communications (Committee)

- (June 18, 2008) e-mail from Maureen Gilroy (EX.Main.EX22.21.1)
- (June 17, 2008) e-mail from Karen Bach (EX.Main.Ex22.21.2)
- (June 24, 2008) e-mail from Sheila Hazell (EX.Main.EX22.21.3)
- (June 18, 2008) e-mail from Toula Rubello (EX.Main.EX22.21.4)
- (June 18, 2008) e-mail from N. S. Mingo (EX.Main.EX22.21.5)
- (June 18, 2008) e-mail from David Pamenter (EX.Main.EX22.21.6)
- (June 18, 2008) e-mail from Mark Nenadovic (EX.Main.EX22.21.7)
- (June 18, 2008) e-mail from Yanzhi Chen (EX.Main.EX22.21.8)
- (June 18, 2008) e-mail from Ellen Durjancik (EX.Main.EX22.21.9)
- (June 18, 2008) e-mail from Margaret Franklin (EX.Main.EX22.21.10)
- (June 18, 2008) e-mail from Stewart Kiff (EX.Main.EX22.21.11)
- (June 18, 2008) e-mail from Laurie McGugan (EX.Main.EX22.21.12)
- (June 18, 2008) e-mail from Tony Gilroy (EX.Main.EX22.21.13)
- (June 18, 2008) e-mail from Anne Donald (EX.Main.EX22.21.14)
- (June 18, 2008) e-mail from Lillian Adamakis (EX.Main.EX22.21.15)
- (June 18, 2008) e-mail from Robert & Ilana Fawcett (EX.Main.EX22.21.16)
- (June 18, 2008) e-mail from Abby Simons (EX.Main.EX22.21.17)
- (June 18, 2008) e-mail from Gregg Lawless (EX.Main.EX22.21.18)
- (June 18, 2008) e-mail from Barbara Hirst (EX.Main.EX22.21.19)

- (June 18, 2008) e-mail from Vaune Davis (EX.Main.EX22.21.20)
- (June 18, 2008) e-mail from Claire and Bruce Shewfelt (EX.Main.EX22.21.21)
- (June 19, 2008) e-mail from Sharon Kiff (EX.Main.EX22.21.22)
- (June 19, 2008) e-mail from Elena Cherry (EX.Main.EX22.21.23)
- (June 19, 2008) e-mail from Fr. Andrew Morasse (EX.Main.EX22.21.24)
- (June 18, 2008) e-mail from Collette Skelly (EX.Main.EX22.21.25)
- (June 18, 2008) e-mail from Liz Watkinson (EX.Main.EX22.21.26)
- (June 18, 2008) e-mail from Robert van de Linde (EX.Main.EX22.21.27)
- (June 19, 2008) e-mail from Tim & Alison Binkley (EX.Main.EX22.21.28)
- (June 19, 2008) e-mail from Jane Truemner (EX.Main.EX22.21.29)
- (June 19, 2008) e-mail from Mike Dampf (EX.Main.EX22.21.30)
- (June 19, 2008) e-mail from Dan Gandy (EX.Main.EX22.21.31)
- (June 23, 2008) e-mail from Judy Stinson (EX.Main.EX22.21.32)
- (June 21, 2008) e-mail from Pauline Adams (EX.Main.EX22.21.33)
- (June 20, 2008) e-mail from Janet Solberg (EX.Main.EX22.21.34)
- (June 20, 2008) e-mail from Paul Thompson (EX.Main.EX22.21.35)
- (June 22, 2008) e-mail from Mariana Valverde (EX.Main.EX22.21.36)
- (June 20, 2008) e-mail from Lina Risi (EX.Main.EX22.21.37)
- (June 20, 2008) e-mail from Carol Kushner (EX.Main.EX22.21.38)
- (June 20, 2008) e-mail from Terri Pamentor (EX.Main.EX22.21.39)
- (June 23, 2008) e-mail from Susan Hynds (EX.Main.EX22.21.40)
- (June 20, 2008) e-mail from David Cohen (EX.Main.EX22.21.41)
- (June 20, 2008) e-mail from Barbara Cohen (EX.Main.EX22.21.42)
- (June 23, 2008) e-mail from Peggy Irwin (EX.Main.EX22.21.43)
- (June 23, 2008) e-mail from Bonnie Heath (EX.Main.EX22.21.44)
- (June 23, 2008) e-mail from Elizabeth Rainsberry (EX.Main.EX22.21.45)
- (June 23, 2008) e-mail from Jennifer Volk (EX.Main.Ex22.21.46)
- (June 23, 2008) e-mail from Denise Blinn (EX.Main.EX22.21.47)
- (June 23, 2008) e-mail from Mirka Macalik (EX.Main.EX22.21.48)
- (June 24, 2008) e-mail from Elizabeth Borek (EX.Main.EX22.21.49)
- (June 24, 2008) e-mail from Catherine Currie (EX.Main.EX22.21.50)
- (June 24, 2008) e-mail from Dan Fast (EX.Main.EX22.21.51)
- (June 24, 2008) e-mail from Jean Weihs (EX.Main.EX22.21.52)
- (June 24, 2008) e-mail from Mary Anne Beamish (EX.Main.EX22.21.53)
- (June 24, 2008) e-mail from Randy Robinson (EX.Main.EX22.21.54)
- (June 24, 2008) e-mail from Nancy Huntley (Sarino) (EX.Main.EX22.21.55)
- (June 21, 2008) e-mail from Gerry Ker (EX.Supp.EX22.21.56)
- (June 26, 2008) e-mail from Rita Philipacopoulos (EX.Main.EX22.21.57)
- (June 26, 2008) e-mail from Susan Weiss (EX.Main.EX22.21.58)
- (June 26, 2008) e-mail from Claire Shewfelt (EX.Main.EX22.21.59)
- (June 25, 2008) e-mail from Daniel Kushner (EX.Main.EX22.21.60)
- (June 25, 2008) e-mail from Kathy Laird (EX.Main.EX22.21.61)
- (June 25, 2008) e-mail from Helen Lenskyj (EX.Main.EX22.21.62)
- (June 24, 2008) letter from Marilyn Wilcoxon and A. Gladstone (EX.Main.EX22.21.63)
- (June 26, 2008) e-mail from Susan Ruskin (EX.Main.EX22.21.64)

- (June 26, 2008) e-mail from Lesley Ackrill (EX.Main.EX22.21.65)
 (June 25, 2008) e-mail from Sharon Brickman (EX.Main.EX22.21.66)
 (June 25, 2008) e-mail from Helen Lenskyj (EX.Main.EX22.21.67)
 (June 25, 2008) e-mail from Kathy Laird (EX.Main.EX22.21.68)
 (June 26, 2008) e-mail from Yurgo Alexopoulos (EX.Main.EX22.21.69)
 (June 26, 2008) letter from Kam Seung Lew (EX.Main.EX22.21.70)
 (June 26, 2008) letter from Yuk Fong Wu (EX.Main.EX22.21.71)
 (June 25, 2008) letter from Diane Alexopoulos (EX.Main.EX22.21.72)
 (June 25, 2008) letter from Zoe Alexopoulos (EX.Main.EX22.21.73)

Communications (City Council)

- (July 2, 2008) e-mail from Trish Wood (CC.Main.EX22.21.74)
 (July 2, 2008) e-mail from Dawn Zubrisky (CC.Main.EX22.21.75)
 (July 11, 2008) e-mail from Rod O'Handley (CC.Supp.EX22.21.76)
 (July 11, 2008) e-mail from Thuy Vo, Day Treatment Program, Bridgepoint Hospital (CC.Supp.EX22.21.77)
 (July 11, 2008) e-mail from Allison Arnott, Director of Health Disciplines, Bridgepoint Health (CC.Supp.EX22.21.78)
 (July 13, 2008) e-mail from Kosu Boudreau (CC.Supp.EX22.21.79)
 (July 11, 2008) e-mail from Anne Davison (CC.Supp.EX22.21.80)
 (July 14, 2008) e-mail from Ene (Aileen) Underwood (CC.New.EX22.21.81)

23.21 Sony Centre for the Performing Arts – Re-development Activities

EX22.36	ACTION	Amended	
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July 16, 2008

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Shiner, at 3:30 p.m., moved that Council vary the Order Paper to now consider Item EX22.36, the vote on which was taken as follows:

Yes - 24	
Councillors:	Ashton, Augimeri, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Parker, Shiner, Stintz, Walker
No - 7	
Councillors:	Ainslie, Bussin, Carroll, Ford, Giambrone, Holyday, Perks

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

Motion:

1. Councillor Moscoe moved that the Item be amended by adopting the following recommendations contained in the supplementary report (July 16, 2008) from the Deputy City Manager and Chief Financial Officer:
 1. City Council approve the amendments to the Umbrella Agreement outlined in Appendix 'A', to provide for a change in the Board's Business Plan, so that a public plaza development can be considered, in place of the City Centre cultural project or a commercial development in the strata area at the base of the proposed residential condominium tower, and other amendments as outlined in Appendix 'A'.
 2. City Council direct that the Deputy City Manager and Chief Financial Officer, in consultation with the Chief Executive Officer of the Sony Centre for the Performing Arts, report back to the Executive Committee in the fall of 2008 on their assessment of the proposed public plaza development option for the Sony Centre redevelopment.

Votes:

Motion 1 by Councillor Moscoe carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council approve the amendments to the Umbrella Agreement outlined in Appendix 'A' to the report (July 16, 2008) from the Deputy City Manager and Chief Financial Officer (EX22.36a), to provide for a change in the Board's Business Plan, so that a public plaza development can be considered, in place of the City Centre cultural project or a commercial development in the strata area at the base of the proposed residential condominium tower, and other amendments as outlined in Appendix 'A'.
2. City Council direct that the Deputy City Manager and Chief Financial Officer, in consultation with the Chief Executive Officer of the Sony Centre for the Performing Arts, report back to the Executive Committee in the fall of 2008 on their assessment of the proposed public plaza development option for the Sony Centre redevelopment.

Votes:

Motion 1 by Councillor Shiner carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the following policy of prudent avoidance to reduce childhood exposure to electromagnetic fields (EMF) in and adjacent to hydro corridors with transmission lines such that:
 - a. when the City plans new multi-use trails, garden allotment, recreational or parkland uses in or abutting a hydro corridor, the appropriate division undertake an EMF management plan and design the layout to minimize the increase in yearly average exposure to EMF for young children; and
 - b. when applications are received for official plan and zoning bylaw amendments or plan of subdivisions for residential, school or day nursery uses on property that abuts a hydro corridor, the Chief Planner and Executive Director, City Planning, request the applicant to undertake an EMF management plan which outlines low or no-cost measures to minimize the increase in yearly average exposure to EMF for young children and to provide a copy of the plan to the Medical Officer of Health.
2. City Council request Toronto Hydro and the Medical Officer of Health to continue to explore current and potential resources to reduce EMF emissions when new equipment used in the distribution of electricity is installed or existing equipment is modified.
3. City Council request the Provincial Minister of Energy to direct Hydro One to continue to incorporate practical low-cost measures to reduce EMF emissions, when new equipment used in the transmission of electricity is installed or existing equipment is modified.
4. When new high-voltage transmission lines or increases in the capacity of existing transmission lines are proposed within the City of Toronto, the Chief Planner and Executive Director, City Planning, in consultation with the Medical Officer of Health, request the proponent to undertake a health impact assessment to evaluate options available to minimize any increase to the yearly average exposure to EMF in Toronto.

Background Information (Committee)

Reducing Electromagnetic Field Exposure from Hydro Corridors - Staff Report
(<http://www.toronto.ca/legdocs/mmis/2008/hl/bgrd/backgroundfile-13980.pdf>)

Communications (Committee)

(June 30, 2008) letter from Blair Peberdy, Vice President, Marketing, Communications, Public Affairs and Chief Conservation Officer, Toronto Hydro, and Michelle Morrissey O’Ryan, Vice President, Health Safety and Environment, Hydro One Networks (HL.New.HL16.2.1)

23.24 COMMUNITY DEVELOPMENT AND RECREATION 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.

July 15, 2008

Adopted by consent	CD17.1	Alzheimer's Adult Day Program at Wesburn Manor (Ward 3)
Adopted by consent	CD17.2	Supportive Housing Services at 55 Bleecker Street (Ward 28)
Adopted by consent	CD17.3	Full-Day Learning for Four-and Five-Year Olds (Ward All)
Adopted by consent	CD17.4	Per Diem Rate for Child Care Operators (Ward All)
Held for consideration Minute 23.25	CD17.5	Provincial Funding for Social Housing Capital Repairs (Ward 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 20, 23, 24, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42)

Consideration of Item - Community Development and Recreation Committee Meeting 17

23.25 Provincial Funding for Social Housing Capital Repairs

CD17.5	ACTION	Adopted	Ward: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 20, 23, 24, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39,
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				40, 42
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July 15, 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 approve the acceptance of \$36,459,240 from the Province, as a one time Capital allocation for repair of the social housing stock.
2. City Council approve the allocation to Toronto Community Housing Corporation of up to \$34,659,240 from the Capital funding accepted from the Province, to be allocated to the following capital repair projects:
 - a. as listed in Appendix A, \$2,760,000 in Capital repairs to be allocated to 138 vacant units; and
 - b. as listed in Appendix B, \$31,899,240 in Capital repairs to be allocated for refurbishment of 2,437 kitchens and 1,780 bathrooms.
3. City Council approve the allocation of \$1,800,000 to specific projects in Attachment 1 – Confidential Information.
4. The 2008 Shelter, Support and Housing Administration approved budget be increased by \$36,459,240 gross and \$0 net.
5. City Council request the Toronto Community Housing Corporation (TCHC) to provide the Community Development and Recreation Committee for its information a detailed list of TCHC Social Housing Capital Repairs projects recommended by its Board resulting from the allocation of the \$75 million from the sale of Toronto Hydro Telecom Inc., should Council approve the recommendations contained in Item EX22.16 entitled “Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services and Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.”.
6. City Council approve the recommendation set out in the Confidential Letter dated July 4, 2008, from the Community Development and Recreation Committee.

7. City Council authorize the public release of the confidential information in Attachment 1, and in the Confidential Letter (July 4, 2008) from the Community Development and Recreation Committee, if Council approves the specific projects and they are completed to the satisfaction of the City Solicitor.

Confidential Attachment 1 to report (June 18, 2008) from the General Manager, Shelter, Support and Housing Administration, and the confidential letter (July 4, 2008) from the Community Development and Recreation Committee, remain confidential in their entirety, at this time, in accordance with the provisions of the City of Toronto Act, 2006, as they contain information related to a proposed or pending acquisition or sale of land for municipal or local board purposes. The confidential information in Confidential Attachment 1, and in the confidential letter (July 4, 2008) from the Community Development and Recreation Committee, will be made public once the specific projects are completed to the satisfaction of the City Solicitor.

Confidential Attachment - A proposed or pending acquisition or sale of land for municipal or local board purposes

Background Information (Committee)

cd17.5-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-14390.pdf>)

cd17.5-Appendix A

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-14391.pdf>)

cd17.5-Appendix B

(<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-14392.pdf>)

23.26 ECONOMIC DEVELOPMENT COMMITTEE MEETING 15

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.

July 15, 2008

Adopted by consent	ED15.1	Emirates' Application to Seek Daily Landing Rights at Toronto Pearson International Airport
Held for consideration Minute 23.27	ED15.2	WoodbineLive!: Financial Incentives to Support a Tourism/Entertainment Attraction "Transformative Project" (Ward 2)
Adopted by consent	ED15.3	Winterlicious and Summerlicious Culinary Programs New Criteria and Process for Restaurant Participation (Ward All)

- Adopted by consent ED15.4 Junction Gardens Business Improvement Area (BIA) Board of Management Addition (Ward 13, 14)
- Adopted by consent ED15.5 Intention to Designate the Queen Street West Business Improvement Area (BIA) (Ward 20)
- Adopted by consent ED15.6 Intention to Rename the Midtown Danforth BIA to the Danforth Mosaic BIA (Ward 29, 30, 31, 32)

Consideration of Item - Economic Development Committee Meeting 15

23.27 WoodbineLive!: Financial Incentives to Support a Tourism/Entertainment Attraction “Transformative Project”

ED15.2	ACTION	Amended		Ward: 2
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July 15, 2008

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Moscoe, at 7:35 p.m., moved that Council:

1. recess its public session to meet as Committee of the Whole in closed session to consider Item ED15.2, Reason for Confidential Information: the security of the property of the municipality or local board and to receive advice that is subject to solicitor-client privilege, as it relates to WoodbineLive!: Financial Incentives to Support a Tourism/Entertainment Attraction “Transformative Project” ; and
2. vary the Order Paper to remain in session past the scheduled 8:00 p.m. recess in order to complete the closed session.

Vote:

Adoption of Part 1 of the motion by Councillor Moscoe:

Yes - 14	
Councillors:	Bussin, Carroll, Cho, Davis, Fletcher, Grimes, Holyday, Jenkins, Lee, Mihevc, Moscoe, Palacio, Parker, Vaughan
No - 19	
Mayor:	Miller
Councillors:	Ainslie, De Baeremaeker, Di Giorgio, Feldman, Ford,

Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Milczyn, Nunziata, Pantalone, Perks, Rae, Saundercook, Stintz, Thompson
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Lost, less than two-thirds of Members present having voted in the affirmative.

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

Procedural Motion:

Councillor Lindsay Luby, at 7:55 p.m., moved that Council vary the Order Paper to remain in session past the scheduled 8:00 p.m. recess in order to complete consideration of Item ED15.2, the vote on which was taken as follows:

Yes - 15	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Davis, De Baeremaeker, Giambrone, Hall, Heaps, Lindsay Luby, Milczyn, Nunziata, Perks, Rae, Thompson
No - 15	
Councillors:	Cho, Di Giorgio, Feldman, Fletcher, Ford, Jenkins, Kelly, Lee, Mihevc, Moscoe, Palacio, Parker, Saundercook, Stintz, Vaughan

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

July 16, 2008

Speaker Bussin in the Chair.

Ruling by Speaker:

Councillor Moscoe requested the Speaker to rule on whether the questions being asked by Councillor Palacio of the Deputy City Manager and Chief Financial Officer were in order. Speaker Bussin ruled that questions related to the revenue sharing formula for casinos were not in order with this Item, but that questions respecting the feasibility of negotiating a separate deal for new slots at this project would be permitted.

Councillor Rae challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 16	
Councillors:	Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Fletcher, Hall, Holyday, Jenkins, Kelly, Mihevc,

Moscoe, Palacio, Parker, Perks, Vaughan	
No - 12	
Councillors:	Davis, Ford, Heaps, Lee, Lindsay Luby, Mammoliti, Milczyn, Moeser, Nunziata, Ootes, Rae, Saundercook

Carried by a majority of 4.

Motions:

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

Deputy City Manager Sue Corke be requested to report to the September 10, 2008 meeting of Planning and Growth Management Committee on:

- a. the Local Hiring Program and Local Training Plan requirements, including the program components, measures of success, reporting requirements and how these requirements will be secured through appropriate agreements; and
- b. ensuring public access to the privately-owned outdoor recreation and amenity features, open green spaces, theatre/performing arts venue and how it will be secured through appropriate agreements.

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

The City, to the best of its ability, assist WoodbineLive! to fast-track the office component in Phase 2, including making the Concierge Service available from the Economic Development, Culture and Tourism Division.

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

- a. That:
 1. the approval be conditional upon Woodbine Entertainment Group signing an agreement not to exempt future residential development on its land being relieved of the obligation to meet the affordable housing provisions outlined in the Official Plan; and
 2. further, the final deal be conditional on Woodbine Entertainment Group agreeing to provide on-site daycare for workers as part of any further development on its property.

- b. That:

1. Deputy City Manager Sue Corke be requested to report back, after completion of the project, on the costs incurred by the City to provide service to the site in comparison to the net total of taxes paid to the City.
2. The proponent be requested to track and report out on a yearly basis to Council, the tax revenues collected by all three orders of government and of the tax breaks granted by the three orders government for the life of the agreement.

Ruling by Speaker:

Speaker Bussin ruled motion 3a by Councillor Vaughan out of order because it relates to planning matters that are beyond the scope of the Item under consideration.

Councillor Vaughan challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 26	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, Moscoe, Ootes, Palacio, Pantalone, Parker, Perruzza, Rae, Thompson
No - 6	
Councillors:	Davis, Jenkins, Saundercook, Stintz, Vaughan, Walker

Carried by a majority of 20.

Motion:

4. Councillor Rae moved that the Item be amended by:
 1. adding to the end of Recommendation 2b of the Economic Development Committee, the following:

The site specific CIP shall contain provisions respecting the timing and method for payments of Development Grants (TIEGs) to address to the phased development of the Transformative Project, including recourse for failure to construct the completed project within the 5-year timeframe.
 2. adding the following new Recommendation 2i:

- 2i. should the applicant's proposal change to incorporate a casino or other gaming-related uses, said uses will not be eligible to receive financial incentives pursuant to the CIP.

Procedural Motion:

Mayor Miller, at 12:28 p.m., moved that Council vary the Order Paper to remain in session past the scheduled 12:30 p.m. lunch break in order to complete the vote on this Item, the vote on which was take as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Parker, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan
No - 8	
Councillors:	Ashton, Di Giorgio, Jenkins, Kelly, Palacio, Pantalone, Shiner, Walker

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

Votes:

Motion 4 by Councillor Rae carried.

Motion 1 by Councillor Davis carried.

Motion 2 by Councillor Carroll carried.

Adoption of Part 1 of motion 3b by Councillor Vaughan:

Yes - 21	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Filion, Giambrone, Heaps, Holyday, Jenkins, Lee, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Perruzza, Vaughan, Walker
No - 17	
Councillors:	De Baeremaeker, Di Giorgio, Feldman, Ford, Grimes, Hall, Kelly, Lindsay Luby, Mammoliti, Moeser, Pantalone, Parker, Rae, Saundercook, Shiner, Stintz, Thompson

Carried by a majority of 4.

Adoption of Part 2 of motion 3b by Councillor Vaughan:

Yes - 13 Councillors:	Ashton, Augimeri, Bussin, Cho, Filion, Jenkins, Mihevc, Moeser, Moscoe, Ootes, Palacio, Vaughan, Walker
No - 25 Mayor: Councillors:	Miller Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Pantalone, Parker, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson

Lost by a majority of 12.

Adoption of the Item, as amended:

Yes - 36 Mayor: Councillors:	Miller Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson
No - 2 Councillors:	Vaughan, Walker

Carried by a majority of 34.

City Council Decision

City Council adopted the following motions:

1. City Council approve, in principle, the Woodbine Live Project as a “Transformative Project”, eligible to receive Development Grants in accordance with the definition of “Transformative Project” in the City-Wide Community Improvement Plan for Brownfield Remediation and Development of Prescribed Employment Uses (such definition and related policies to be brought forward in the site-specific community improvement plan in accordance with Part 2, below), subject to the large format retail, parking and residential components of the development being ineligible to receive Development Grants.

2. City Council approve, subject to the adoption of a site-specific CIP under the Planning Act, containing the same policies as the City-Wide Community Improvement Plan referenced in Part 1, above, with the provision of increased financial incentives for the entertainment/retail, live venue, outdoor amenity and hotel portion of the Woodbine Live Phase 1A development as shown in Attachment 1, Map 1, but not the large format retail or parking components of the development, subject to the following terms:
 - a. Development Grants in the form of Tax Increment Equivalent Grants (TIEG) be made under the same provisions as the existing policy referred to in Part 1, above, with a modification of the percentage of the taxes to be granted back to Woodbine Live as follows: 90% in each of the first 5 years, then declining 5% from that level each year from year 6 through year 20, as set out in Schedule 1 of Attachment 3, in this report;
 - b. to be eligible to receive the proposed enhanced Development Grants, the eligible uses must be substantially constructed within five years from the date the CIP providing for increased grants comes into effect (this status to be referred to as “the completed project”), and in accordance with the other requirements contained in the City-Wide CIP definition of Transformative Projects; the site specific CIP shall contain provisions respecting the timing and method for payments of Development Grants (TIEGs) to address to the phased development of the Transformative Project, including recourse for failure to construct the completed project within the 5-year timeframe;
 - c. a maximum gross floor area of 1.28 million square feet will be eligible to receive enhanced Development Grants;
 - d. total Development Grants for retail stores may not exceed 40% of the total Development Grant payable for the completed project, based on grants payable for retail stores and other uses being apportioned according to their gross floor areas;
 - e. should retail stores comprise more than 40% of the total GFA of the completed project in any given year then the most recently completed retail store GFA in excess of 40% of the total GFA will not be eligible for Development Grants in that year;
 - f. the outdoor amenity space and live venue to be approved in the site plan for the development must be included within the completed project;
 - g. a local hiring program must be undertaken by Woodbine Live with respect to initial hiring for Phase 1A, to provide unemployed and underemployed residents of the local area, including Priority Neighbourhoods in the

north-west quadrant of the City, preferred consideration for job opportunities; and further:

- following the initial local hiring process, local hiring protocols be considered for the entire term of the TIEG; and
 - in recognition of Council direction and the efforts of the North Etobicoke Employment and Training Strategy Task Force, the priority in the process be given to candidates in the local area of north Etobicoke;
- h. a local training plan will be created, with the assistance of the Province if possible, to improve the ability of local residents to qualify for the above-noted jobs. Furthermore, in recognition of Council direction and the efforts of the North Etobicoke Employment and Training Strategy Task Force, the priority in the process be given to candidates in the local area of north Etobicoke; and
- i. should the applicant's proposal change to incorporate a casino or other gaming-related uses, said uses will not be eligible to receive financial incentives pursuant to the CIP.
3. City Council direct staff to bring forward a site-specific CIP to the September 10, 2008 Planning and Growth Management Committee meeting, to provide for the financial incentives outlined in Part 2, above.
4. City Council direct staff to assess and report on the need to adjust the approved schedule of Development Grants should the Province make a direct contribution to Phase 1A, with the understanding that indirect contributions by the Province, such as infrastructure improvements, would not necessitate such an adjustment.
5. City Council approve the exemption of the financial incentives outlined in Part 2, above, from the \$50 million level of commitment that would trigger a review of the CIP's and Financial Incentives Program, as directed by Council on May 26 and 27, 2008.
6. City Council require that the payment in lieu of parkland for Phase 1A shall be payable prior to the issuance of the first building permit for Phase 2 or on the date which is 2 years from the date of issuance of the first Phase 1A building permit, whichever is sooner, said payment to be secured through a letter of credit. The Subdivision Agreement for Phase 1A and the appropriate development agreement for Phase 2 shall contain clauses to that effect, to the satisfaction of the General Manager of Parks, Forestry and Recreation in consultation with the City Solicitor. City staff shall explore and report back to City Council on what elements of the public amenities in Phase 1A could be deeded to the City as equivalent to parkland

for the purpose of reducing the payment in lieu of parkland.

7. City Council advise Woodbine Live that adoption of this report does not commit the City to any enhanced incentive (TIEG) with respect to any other development phases that may be planned for this site.
8. The City, to the best of its ability, assist WoodbineLive! to fast-track the office component in Phase 2, including making the Concierge Service available from the Economic Development, Culture and Tourism Division.
9. Deputy City Manager Sue Corke be requested to report to the September 10, 2008 meeting of Planning and Growth Management Committee on:
 - a. the Local Hiring Program and Local Training Plan requirements, including the program components, measures of success, reporting requirements and how these requirements will be secured through appropriate agreements; and
 - b. ensuring public access to the privately-owned outdoor recreation and amenity features, open green spaces, theatre/performing arts venue and how it will be secured through appropriate agreements.
10. Deputy City Manager Sue Corke be requested to report back, after completion of the project, on the costs incurred by the City to provide service to the site in comparison to the net total of taxes paid to the City.
11. The General Manager, Economic Development, Culture and Tourism examine the feasibility of approaching the North Etobicoke Employment and Training Strategy Task Force to assume responsibility for working with the other Priority Neighbourhoods in the north-west quadrant of the City with respect to Woodbine hiring and training considerations.
12. The City Solicitor and the General Manager, Economic Development, Culture and Tourism be directed to take all necessary steps to implement the foregoing.

Background Information (Committee)

2008-07-08-ed15.2-Revised Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14463.pdf>

2008-07-08-ed15.2-Attachment 1-Map

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14464.pdf>

2008-07-08-ed15.2-Attachment 2-Hunden Strategic Partners Report

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14465.pdf>

2008-07-08-ed15.2-Attachment 3-Schedule 1

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14466.pdf>

2008-07-08ed15.2-Attachment 4-Summary of Project Scope and Data

<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-14467.pdf>

Background Information (City Council)

(undated) memorandum from Deputy City Manager Sue Corke (ED15.2a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14707.pdf>

Presentation material, entitled “WoodbineLive!, Financial Incentives to Support a Tourism/Entertainment Attraction 'Transformation Project' “ (ED15.2b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14708.pdf>

Communications (Committee)

(April 18, 2008) letter from Nasser, Muna, Abdul and Adna Egal (ED.Main.ED15.2.1)

(April 18, 2008) letter from Maryana Ahmed (ED.Main.ED15.2.2)

(April 11, 2008) letter from Aisha Ahmed (ED.Main.ED15.2.3)

(April 18, 2008) letter from Hoden Haji (ED.Main.ED15.2.4)

(April 18, 2008) letter from Abdullah Mohamed (ED.Main.ED15.2.5)

(April 17, 2008) letter from Fatuma Issa (ED.Main.ED15.2.6)

(April 16, 2008) letter from Zahar Moalling (ED.Main.ED15.2.7)

(April 18, 2008) letter from Katra Yusuf (ED.Main.ED15.2.8)

(July 8, 2008) presentation from Eva Pyatt, Director, Business Services, Economic Development, Culture and Tourism, and submitted a presentation, entitled “WoodbineLive! Financial Incentives to Support a Tourism/Entertainment Attraction 'Transformative Project'“ (ED.New.ED15.2.9)

(July 8, 2008) presentation from Rob Hunden and Rob Smitherman, Hunden Strategic Partners, and submitted a presentation, entitled “Woodbine Live! Incentive Review” (ED.New.ED15.2.10)

(July 8, 2008) submission from Nick Eaves, President and Chief Operating Officer, Woodbine Entertainment Group, and filed a copy of Woodbine's “2007 Annual Report” and “Corporate Social Responsibility Report 2006” (ED.New.ED15.2.11)

(July 8, 2008) presentation from Blake L. Cordish, Vice-President, Development, The Cordish Company (ED.New.ED15.2.12)

(July 8, 2008) submission from Rick Ciccarelli, Mount Dennis Weston Network (ED.New.ED15.2.13)

(July 8, 2008) submission from John Cartwright, President, Toronto and York Region Labour Council (ED.New.ED15.2.14)

(July 8, 2008) letter from Ann Dembinski, President, Canadian Union of Public Employees, Local 79 (ED.New.ED15.2.15)

(July 8, 2008) submission from Councillor Suzan Hall, Ward 1, Etobicoke North, and filed a copy of “Local Employment Strategy: Summary of Task Force Activities” (ED.New.ED15.2.16)

Communications (City Council)

(July 14, 2008) letter from Stephen Diamond, Diamond Corp (CC.New.ED15.2.17)

(July 15, 2008) submission from regarding Slot Revenues and Woodbine Entertainment Corporation, from Councillor Howard Moscoe, Ward 15,

Eglinton-Lawrence (CC.New.ED15.2.18)

23.28 **GOVERNMENT MANAGEMENT COMMITTEE MEETING 16**

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.

July 15, 2008

Held for consideration Minute 23.29	GM16.1	Opinion Regarding Council Member "Read Only" Access to the Integrated Business Management System (IBMS) (Speakers) (Ward All)
Held for consideration Minute 23.30	GM16.2	Request for Proposal for Snack and Hot Drink Vending (Ward All)
Adopted by consent	GM16.3	Boards of Trustees - Metropolitan Toronto Pension Plan and Metropolitan Toronto Police Benefit Fund (Ward All)
Adopted by consent	GM16.4	Pension Committee - City of York Employee Pension Plan (Ward All)
Held for consideration Minute 23.31	GM16.5	Pension Committees - Toronto Fire Department Superannuation and Benefit Fund and the Toronto Civic Employees' Pension and Benefit Fund (Ward All)
Adopted by consent	GM16.6	The Corporation of the City of York Employee Pension Plan – Actuarial Report as at December 31, 2007 (Ward All)
Held for consideration Minute 23.32	GM16.7	76 Wychwood Avenue - Designation of the Premises used for Wychwood Green Arts Barn Project as a Municipal Capital Facility (Ward 21)
Held for consideration Minute 23.33	GM16.8	Lease – City Owned Lands Situated at the rear of 208 Bloor Street West (Ward 20)
Adopted by consent	GM16.9	Proposed Land Exchange at 444 Yonge Street (Ward 27)
Adopted by consent	GM16.10	Renewal of Lease – Road Allowance at the South- East Corner of Eglinton Avenue East and Don

		Mills Road, East Portion (Ward 26)
Adopted by consent	GM16.11	Renewal of Lease – Road Allowance at the South-East Corner of Eglinton Avenue East and Don Mills Road, West portion (Ward 26)
Adopted by consent	GM16.12	Renewal of Licence for Outdoor Patio at 100 Queen Street West (Ward 27)
Held for consideration Minute 23.34	GM16.13	Sale of Closed Lane at the Rear of 585 Queen Street West (Ward 20)
Held for consideration Minute 23.35	GM16.14	Toronto York Spadina Subway Extension - Acquisition of Land from Parc Downsview Park (Ward 9)
Adopted by consent	GM16.15	York University Busway – Canadian National Railway Crossing Agreements (Ward 8)
Adopted by consent	GM16.16	Settlement of Temporary Construction Easements at 4600 Dufferin Street for the York University Busway (Ward 8)
Adopted by consent	GM16.17	Settlement of Litigation – Bonnydon Limited v. City of Toronto, Court File No. 06-CV-312155PD3 (Ward 42)

Consideration of Items - Government Management Committee Meeting 16

23.29 Opinion Regarding Council Member “Read Only” Access to the Integrated Business Management System (IBMS) (Speakers)

GM16.1	ACTION	Deferred		Ward: All
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Moscoe moved that consideration of this Item be deferred to the next regular meeting of City Council on September 24, 2008.

Vote on Deferral:

Motion 1 by Councillor Moscoe carried.

City Council Decision

City Council deferred consideration of this Item to its next regular meeting on September 24, 2008.

Background Information (Committee)

Report - Opinion Regarding Council Member "Read Only" Access to the Integrated Business Management System (IBMS)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14330.pdf>

Attachment 1 - GM16-1

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14331.pdf>

Communications (Committee)

(April 17, 2008) memo from Councillor Moscoe (GM.Main.GM16.1b)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7781.pdf>

(May 16, 2008) letter from Government Management Committee (GM.Main.GM16.1.1)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7782.pdf>

(April 21, 2008) letter from Government Management Committee (GM.Main.GM16.1.2)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7783.pdf>

(July 2, 2008) letter from George H. Rust-D'Eye, WeirFoulds LLP (GM.Supp.GM16.1.3)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7896.pdf>

(July 2, 2008) letter from George H. Rust-D'Eye, Weir Foulds LLP (GM.Supp.GM16.1.4)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7897.pdf>

(July 9, 2008) e-mail from George Millbrandt, Federation of North Toronto Residents' Association (FONTRA) (GM.New.GM16.1.5)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7975.pdf>

(July 9, 2008) letter from City Clerk (GM.New.GM16.1.6)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7976.pdf>

(June 27, 2008) letter from City Clerk (GM.New.GM16.1.6a)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7983.pdf>

(July 9, 2008) e-mail from Rami Tabello, ILLEGAL Signs.ca, Tracking Toronto's Outdoor Advertising Industry (GM.New.GM16.1.7)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7977.pdf>

(July 8, 2008) letter from Martin P. Zarnett, Sandler, Gordon, Barristers & Solicitors (GM.New.GM16.1.8)

<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-7978.pdf>

Communications (City Council)

(July 14, 2008) letter from George H. Rust-D'Eye (CC.New.GM16.1.9)

1a Routine Disclosure Plans

Background Information (Committee)

Report - Routine Disclosure Plans

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14405.pdf>)

23.30 Request for Proposal for Snack and Hot Drink Vending

GM16.2	ACTION	Amended		Ward: All
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July 17, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Shiner moved that the Item be amended by adding the following:
 1. The RFP include a provision that Vendors are prohibited from selling products that list “peanuts” on the ingredient list. This restriction shall not prohibit the sale of products which have the warning “may contain peanuts”.
 2. No claims are to be made that City facilities or vending machines are Peanut-Free.

2. Councillor Ainslie moved that the Item be amended by:
 - a. deleting Recommendation 5 of the Government Management Committee, and that Council adopt the following instead:
 5. A performance bond of 25% of the estimated annual rent provided through a Letter of Credit will be required from the successful proponents.
 - b. adding the following:

That Council adopt the following Recommendation 3 contained in the report (June 19, 2008) from the General Manager, Parks, Forestry and Recreation, subject to amending Part b, so that Recommendation 3, as amended, now reads:

 3. There be a requirement for 20% healthy snack vending to be included in the evaluation process for awarding the RFP for Snack and Hot Drink Vending:
 - a. successful Vendors provide for 100% healthy snack vending at 5 locations in each district as a pilot project; and

- b. Parks, Forestry and Recreation report on the success of this pilot project after one year, to determine whether future RFP's will include up to 100% healthy snack vending or as determined by Council.
3. Councillor Moscoe moved that motion 1 by Councillor Shiner be amended by adding the following new Part 3:
- 3. Recommendation 3 of the Government Management Committee be amended by deleting the requirement for "20 percent" healthy snacks, and replacing it with a "10 percent" requirement.

Votes:

Adoption of motion 3 by Councillor Moscoe:

Yes - 4 Councillors:	Kelly, Milczyn, Moscoe, Ootes
No - 22 Councillors:	Ainslie, Bussin, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Hall, Heaps, Jenkins, Lindsay Luby, Mihevc, Palacio, Pantalone, Parker, Perks, Perruzza, Shiner, Thompson, Vaughan

Lost by a majority of 18.

Adoption of motion 1 by Councillor Shiner, without amendment:

Yes - 9 Councillors:	Bussin, Cho, Di Giorgio, Feldman, Fletcher, Ootes, Perruzza, Shiner, Vaughan
No - 17 Councillors:	Ainslie, De Baeremaeker, Ford, Giambrone, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Parker, Perks, Thompson

Lost by a majority of 8.

Adoption of motion 2a by Councillor Ainslie:

Yes - 24 Councillors:	Ainslie, Bussin, Cho, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday,
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Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Thompson, Vaughan
No - 3 Councillors: Feldman, Milczyn, Shiner

Carried by a majority of 21.

Adoption of motion 2b by Councillor Ainslie:

Yes - 25 Councillors: Ainslie, Bussin, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Thompson, Vaughan
No - 2 Councillors: Milczyn, Shiner

Carried by a majority of 23.

Adoption of the Item, as amended:

Yes - 26 Councillors: Ainslie, Bussin, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Thompson, Vaughan
No - 1 Councillor: Shiner

Carried by a majority of 25.

City Council Decision

City Council adopted the following motions:

1. The staff report dated April 1, 2008, from the General Manager of Parks, Forestry and Recreation, be received.
2. A Request for Proposals for four license agreements, one for each of Etobicoke York District, North York District, Scarborough District and Toronto

East York District, for Snack and Hot Drink Vending be released for a two-year term commencing November 1, 2008, to October 31, 2010, with an option to renew for a two year period.

3. There be a requirement for 20% healthy snack vending to be included in the evaluation process for awarding the RFP for Snack and Hot Drink Vending:
 - a. successful Vendors provide for 100% healthy snack vending at 5 locations in each district as a pilot project; and
 - b. Parks, Forestry and Recreation report on the success of this pilot project after one year, to determine whether future RFP's will include up to 100% healthy snack vending or as determined by Council.
4. Vendors may bid on more than one district.
5. A performance bond of 25% of the estimated annual rent provided through a Letter of Credit will be required from the successful proponents.
6. The RFP include provisions for Vendors to provide culturally diverse products.
7. The City Solicitor be authorized to commence legal proceedings against Mr. Vending, to appeal any orders and settle the claim if, in the City Solicitor's view, it is in the City's interest to do so.

Background Information (Committee)

Report - Request for Proposal for Snack and Hot Drink Vending
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14469.pdf>)

2a Government Management Committee Item GM13.8 - Termination of Mr. Vending Inc. License Agreement (Ward: All)

Background Information (Committee)

Letter - Government Management Committee Item GM13.8 - Termination of Mr. Vending Inc. License Agreement (Ward: All)
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14470.pdf>)

23.31 **Pension Committees - Toronto Fire Department Superannuation and Benefit Fund and the Toronto Civic Employees' Pension and Benefit Fund**

GM16.5	ACTION	Amended		Ward: All
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Walker moved that the Item be amended by amending Recommendation 2 of the Government Management Committee so that it now reads as follows:
 2. The composition of the Toronto Civic Employees' Pension and Benefit Fund pension plan be modified as follows:
 - a. effective as of January 1, 2008, the following two positions be eliminated:
 - i. the position occupied by the "Commissioner of Corporate Services" or pro tempore by the "Director of Human Resources"; and
 - ii. the position occupied by one member of the Toronto Civic Pensioners' Protective Association, or alternate, appointed by Council; and
 - b. effective as of January 1, 1998:
 - i. the positions of the Pension Committee previously filled by Council from among the membership of the Toronto Civic Pensioners Protective Association be so filled instead by that Association itself; and
 - ii. it be made clear that those designated as alternates have the right to attend a Pension Committee meeting even when not participating.

Votes:

Motion 1 by Councillor Walker carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. Each of the Toronto Civic Employees' Pension and Benefit Fund pension plan and

the Toronto Fire Department Superannuation and Benefit Fund pension plan be modified so that:

- i. effective as of January 1, 2000, at any time that the plan requires its active members or any class thereof to elect a representative and/or alternate representative to fill a Pension Committee position,
 - a. if there are fewer than three such members in the plan or in the class, as applicable, no seconder be required for a nomination;
 - b. if there is only a single such member, the member may nominate himself or herself; and
 - c. if the required election process cannot be held because there are no longer any active members in the plan or the class, as applicable, then for all purposes, such position shall be filled by the plan's pensioner organization from among its membership; and
 - ii. all references to the "Deputy City Treasurer" be read as references to such senior subordinate of the City Treasurer as the Treasurer may from time to time appoint for the purpose.
2. The composition of the Toronto Civic Employees' Pension and Benefit Fund pension plan be modified as follows:
- a. effective as of January 1, 2008, the following two positions be eliminated:
 - i. the position occupied by the "Commissioner of Corporate Services" or pro tempore by the "Director of Human Resources"; and
 - ii. the position occupied by one member of the Toronto Civic Pensioners' Protective Association, or alternate, appointed by Council; and
 - b. effective as of January 1, 1998:
 - i. the positions of the Pension Committee previously filled by Council from among the membership of the Toronto Civic Pensioners Protective Association be so filled instead by that Association itself; and
 - ii. it be made clear that those designated as alternates have the right to attend a Pension Committee meeting even when not participating.
3. The Toronto Fire Department Superannuation and Benefit Fund pension plan be

modified to provide that:

- i. effective as of January 1, 1998,
 - a. the positions on the Pension Committee previously filled by Council from among the membership of the Toronto Fire Department Pensioners' Association be so filled instead by that Association itself; and
 - b. it be made clear that those designated as alternates have the right to attend a Pension Committee meeting even when not participating;
 - ii. effective as of January 1, 2009, the positions on the Pension Committee occupied,
 - a. ex officio by the "Chief of the Fire Department" or pro tempore by the "Deputy Chief of the Fire Department";
 - b. by one of the members of the Toronto Fire Department Pensioners' Association, or alternate, appointed by Council,

be eliminated; and
 - iii. the number of Pension Committee meetings required to be held per year be reduced from monthly to quarterly.
4. By-law Nos. 380-74 and 10649 of the former City of Toronto governing respectively the Toronto Civic Employees' Pension and Benefit Fund and the Toronto Fire Department Superannuation and Benefit Fund as amended to date be further amended accordingly and authority be granted to introduce the necessary bills in Council.
 5. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

Background Information (Committee)

Report - Pension Committees - Toronto Fire Department Superannuation and Benefit Fund and the Toronto Civic Employees - Pension and Benefit Fund
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14473.pdf>)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor Brian Ashton - in that his father-in-law is a Member of the Toronto Civic Employees' Pension and Benefit Fund.

23.32 **76 Wychwood Avenue - Designation of the Premises used for Wychwood Green Arts Barn Project as a Municipal Capital Facility**

GM16.7	ACTION	Adopted		Ward: 21
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July 17, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 23	
Councillors:	Ainslie, Bussin, Cho, Di Giorgio, Feldman, Giambrone, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Shiner, Thompson
No - 2	
Councillors:	Ford, Holyday

Carried by a majority of 21.

City Council Decision

City Council adopted the following motions:

1. City Council pass a by-law pursuant to section 252 of the City of Toronto Act, 2006, providing authority to:
 - a. enter into a municipal capital facility agreement with Artscape, with whom the City has an agreement to develop the Green Arts Barn Project on portions of the leased premises (14,518 square feet) at 76 Wychwood Avenue, to be used for the Covered Street Barn and Community Gallery (8,566 sq. ft.) and the area used as public washrooms, entryways and utility rooms (5,952 sq. ft.); and
 - b. exempt the above mentioned portions of the leased lands from property taxation for municipal and school purposes, which tax exemption is to be effective from the latest of the following dates: the commencement date of the lease between Artscape and the City, the date the municipal capital

facility agreement is signed; or the date the tax exemption by-law is enacted.

2. The City Clerk be directed to give written notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation, the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District du Centre-Sud-Ouest, and the Conseil Scolaire de District du Catholique Centre-Sud.
3. City Council pass a Resolution that the above municipal capital facility is for the purposes of the municipality and is for public use.
4. Authority be granted for the introduction of the necessary bills to give effect thereto.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information (Committee)

Report - 76 Wychwood Avenue - Designation of the Premises used for Wychwood Green Arts Barn Project as a Municipal Capital Facility
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14476.pdf>)

23.33 **Lease – City Owned Lands Situated at the rear of 208 Bloor Street West**

GM16.8	ACTION	Adopted		Ward: 20
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July 16, 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 authorize the proposed lease for the City owned lands situated at the rear of 208 Bloor Street West consisting of approximately 610 square meters (6,564 square feet) to 208 Bloor Street West Inc. (the “Tenant”), for a four (4) year period, commencing on January 1, 2007, and expiring on December 31, 2010, for parking purposes. The basic rent will be \$39,000 per annum, plus realty taxes, and based substantially on the terms and conditions as set out in the attached

Appendix “A” and in a form acceptable to the City Solicitor.

2. The Chief Corporate Officer be authorized to administer and manage the renewal agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Background Information (Committee)

Report - Lease - City Owned Lands Situated at the rear of 208 Bloor Street West

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14477.pdf>)

Appendix A - GM16-8

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14478.pdf>)

Appendix B - GM16-8

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14479.pdf>)

Declared Interests (City Council)

The following member(s) declared an interest:

Deputy Mayor Joe Pantalone - in that he has a property interest in the vicinity.

23.34 **Sale of Closed Lane at the Rear of 585 Queen Street West**

GM16.13	ACTION	Amended		Ward: 20
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July 15, 2008

Speaker Bussin in the Chair.

During its review of the Order Paper, Council adopted a procedural motion to remove, from the Government Management Committee, Item GM16.13, which was deferred by the Committee on July 9, 2008, and bring the Item forward to City Council for consideration at this meeting.

July 17, 2008

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Vaughan moved that Council consider Item GM16.13 together with Item TE17.62, headed “Proposed Permanent Closure of the Public Lane at the rear of 585 Queen Street West”, which carried.

Motions:

1. Councillor Vaughan moved that Council adopt the following recommendations contained in the report (July 14, 2008) from the Chief Corporate Officer:
 1. Subject to City Council authorizing the permanent closure of the public lane at the rear of 585 Queen Street West, being Part of Lot 11, Section C, Plan Military Reserve Toronto, shown as Part 1 on Sketch No. PS-2006-056, and designated as Part 1 on Plan 66R-23674 (the "Lane"), the Offer to Purchase (the "Offer") from Riocan PS Inc. ("Riocan") to purchase the Lane for a total of \$1,000,000.00, to be satisfied by way of an initial cash payment of \$700,000.00 on closing, and the City having the right to elect, in its sole discretion, within 1 year of the date the City accepts the Offer, either to have Riocan pay the remaining \$300,000.00 by certified cheque or to have Riocan convey to the City two (2) store front condominium units (the "Condo Units") in the development to be constructed by the Riocan on the site, having a total value of \$300,000.00, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report.
 2. The City be authorized to enter into an agreement with Riocan under Section 45 of the Planning Act to secure the payment of \$300,000.00 to the City or the conveyance of the Condo Units to the City, as the City may elect, and certain other matters, substantially on the terms and conditions outlined in Appendix "B" to this report, and in a form satisfactory to the City Solicitor.
 3. 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.
 4. 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.
 5. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.
2. Councillor Holyday moved that motion 1 by Councillor Vaughan be amended by deleting from Recommendation 1 of the staff report (July 14, 2008) all of the words after the words "certified cheque", so that Recommendation 1 now reads as follows:
 1. Subject to City Council authorizing the permanent closure of the public lane at the rear of 585 Queen Street West, being Part of Lot 11, Section C,

Plan Military Reserve Toronto, shown as Part 1 on Sketch No. PS-2006-056, and designated as Part 1 on Plan 66R-23674 (the “Lane”), the Offer to Purchase (the “Offer”) from Riocan PS Inc. (“Riocan”) to purchase the Lane for a total of \$1,000,000.00, to be satisfied by way of an initial cash payment of \$700,000.00 on closing, and the City having the right to elect, in its sole discretion, within 1 year of the date the City accepts the Offer, to have Riocan pay the remaining \$300,000.00 by certified cheque.

Votes:

Adoption of motion 2 by Councillor Holyday:

Yes - 7 Councillors:	Ford, Holyday, Lindsay Luby, Parker, Shiner, Thompson, Walker
No - 24 Councillors:	Ainslie, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Mammoliti, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Vaughan

Lost by a majority of 17.

Adoption of motion 1 by Councillor Vaughan, without amendment:

Yes - 27 Councillors:	Ainslie, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Mammoliti, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan, Walker
No - 4 Councillors:	Ford, Holyday, Lindsay Luby, Thompson

Carried by a majority of 23.

Item GM16.13, as amended, carried.

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 585 Queen Street West, being Part of Lot 11, Section C, Plan Military Reserve Toronto, shown as Part 1 on Sketch No. PS-2006-056, and designated as Part 1 on Plan 66R-23674 (the "Lane"), the Offer to Purchase (the "Offer") from Riocan PS Inc. ("Riocan") to purchase the Lane for a total of \$1,000,000.00, to be satisfied by way of an initial cash payment of \$700,000.00 on closing, and the City having the right to elect, in its sole discretion, within 1 year of the date the City accepts the Offer, either to have Riocan pay the remaining \$300,000.00 by certified cheque or to have Riocan convey to the City two (2) store front condominium units (the "Condo Units") in the development to be constructed by the Riocan on the site, having a total value of \$300,000.00, be accepted substantially on the terms and conditions outlined in Appendix "A" to this report.

2. The City be authorized to enter into an agreement with Riocan under Section 45 of the Planning Act to secure the payment of \$300,000.00 to the City or the conveyance of the Condo Units to the City, as the City may elect, and certain other matters, substantially on the terms and conditions outlined in Appendix "B" to this report, and in a form satisfactory to the City Solicitor.
3. 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.
4. 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.
5. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

City Council Decision Advice and Other Information

City Council on July 15, 16 and 17, 2008, adopted a procedural motion to remove, from the Government Management Committee, Item GM16.13, headed "Sale of Closed Lane at the Rear of 585 Queen Street West", which was deferred by the Committee on July 9, 2008, and bring the Item forward to City Council for consideration at this meeting. City Council considered this Item with Toronto and East York Community Council Item TE17.62.

Background Information (Committee)

Item - Sale of Closed Lane at the Rear of 585 Queen Street West
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14490.pdf>)

Background Information (City Council)

(July 14, 2008) report from the Chief Corporate Officer (GM16.13a)
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14771.pdf>

23.35 **Toronto York Spadina Subway Extension - Acquisition of Land from Parc Downsview Park**

GM16.14	ACTION	Adopted	Ward: 9
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July 16, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

Motion to Reconsider:

Councillor Moscoe moved that:

1. in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider this Item; and
2. the Item be amended by adding the following:
 - a. Both the Toronto Transit Commission and Parc Downsview Park be requested to commit to a mutually agreed upon binding dispute resolution mechanism prior to the formulation of this Memorandum of Principles.
 - b. In the interest of time, the Chief Corporate Officer be authorized to sign off on the wording of this mechanism to be incorporated into the Memorandum of Principles.

Vote to Reconsider Item GM16.14:

Yes - 15	Councillors: Ashton, Cho, Di Giorgio, Holyday, Kelly, Lee, Mihevc, Milczyn, Moscoe, Palacio, Rae, Stintz, Thompson, Vaughan, Walker
No - 17	Mayor: Miller Councillors: Ainslie, Bussin, Carroll, Davis, De Baeremaeker, Fletcher, Ford, Giambrone, Grimes, Heaps, Lindsay Luby, Moeser, Ootes, Pantalone, Perks, Perruzza

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

Due to the above decision of Council, Part 2 of motion 1 by Councillor Moscoe was not put to a vote.

City Council Decision

City Council adopted the following motions:

1. Authority be granted for the City to enter into the MOP with the TTC and PDP, substantially on the terms and conditions as set out in Appendix A to Attachment 1 - Confidential Information, together with such revisions as satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
2. Each of the Chief Corporate Officer and the Director of Real Estate Services be severally authorized to execute the MOP with the TTC and PDP, on the City's behalf.
3. City Council authorize the public release of the confidential information contained in Attachment 1, upon the later of completion and final settlement of all agreements or claims with PDP to the satisfaction of the City Solicitor or commencement of revenue service of the Project.
4. City Council waive the condition contained in the Spadina Subway Extension Update Report, Item 8.5 of the Executive Committee adopted by Council on May 23, 24 and 25, 2007, requiring that no agreement be entered into with PDP until such time as it has agreed to comply with the City's planning process with respect to future development of the site.

Confidential Attachment 1 to the report (June 18, 2008) from the Chief Corporate Officer, 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 a proposed or pending acquisition or sale of land for municipal or local board purposes. Confidential Attachment 1 will be made public upon the later of completion and final settlement of all agreements or claims with Parc Downsview Park to the satisfaction of the City Solicitor, or commencement of revenue service of the Project.

Confidential Attachment - 1 - A proposed or pending acquisition or sale of land for municipal or local board purposes

Background Information (Committee)

Report - Toronto York Spadina Subway Extension - Acquisition of Land from Parc Downsview Park

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-14491.pdf>

Confidential Attachment 1 - GM16-14

23.36 LICENSING AND STANDARDS COMMITTEE MEETING 15

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.

July 15, 2008

- | | | |
|--|--------|---|
| Held for consideration
Minute 23.37 | LS15.1 | Amendments to Municipal Code Respecting Dangerous Trees, Standards to Limit Entry to Vacant Buildings and Fencing of Hazardous Land Under the City Of Toronto Act, 2006. (Ward All) |
| Adopted by consent | LS15.2 | Fence Sight Lines (Ward All) |
| Adopted by consent | LS15.3 | Amendment to Toronto Municipal Code 545, Licensing, Areas Where Driving Instructions Prohibited (Ward 44 - Statutory: City of Toronto Act, 2006) |

Consideration of Item - Licensing and Standards Committee Meeting 15

23.37 Amendments to Municipal Code Respecting Dangerous Trees, Standards to Limit Entry to Vacant Buildings and Fencing of Hazardous Land Under the City of Toronto Act, 2006.

LS15.1	ACTION	Adopted		Ward: All
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July 15, 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 amend the Municipal Code, under the authority of the City of Toronto Act, 2006, to permit the City to remedy certain unsafe or potentially unsafe conditions by:

- a. amending Chapter 813, Trees, to require owners or persons in charge of any premises to remove decayed, damaged or dangerous trees or branches that pose a danger to persons or property as described in section 105.1 of the City of Toronto Act, 2006;
 - b. re-enacting the standards to protect against entry into vacant buildings, as defined in the Building Code Act, 1992 and set out in Chapter 629, Property Standards, in a new or other Municipal Code Chapter;
 - c. requiring fencing of hazardous land; and
 - d. providing for rights of entry, notice, remedial action and adding costs incurred to the tax roll in accordance with section 105.1 of the City of Toronto Act, 2006, and otherwise in accordance with the general provisions pertaining to rights of entry (section 376), remedial action and addition of costs to the tax roll (section 386) as necessary to deal with unsafe and potentially unsafe conditions.
2. City Council authorize the City Solicitor to introduce the necessary Bills amending the Municipal Code in accordance with Recommendation (1).
 3. City Council repeal former City of Toronto Municipal Code, Chapter 331, Trees, Article II Dangerous Trees.
 4. City Council amend Municipal Code Chapter, 629, Property Standards, as necessary.

Background Information (Committee)

Staff Report from City Solicitor and Executive Director, Municipal Licensing and Standards

(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-14296.pdf>)

23.38 PARKS AND ENVIRONMENT COMMITTEE MEETING 18

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.

July 15, 2008

Held for consideration Minute 23.39	PE18.2	Undertaking Shade Audits at Parks, Forestry and Recreation Playgrounds and Waterplay Facilities (Ward All)
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Held for consideration PE18.3 Amendment to Municipal Code, Alternative Parkland
Minute 23.40 Dedication (Ward 8)

Consideration of Items - Parks and Environment Committee Meeting 18

23.39 **Undertaking Shade Audits at Parks, Forestry and Recreation Playgrounds and Waterplay Facilities**

PE18.2	ACTION	Amended		Ward: All
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July 17, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Stintz moved that the Item be amended by:
 1. deleting Recommendation 2 of the Parks and Environment Committee;
and
 2. 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 requested to submit an information bulletin to the General Manager of Parks, Forestry and Recreation, on the importance of protecting children from UVR exposure, to be included in the Spring/Summer 2009 “The Fun Guide”.
 4. 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.

Procedural Motion:

Councillor Moscoe, at 12:28 p.m., moved that Council vary the Order Paper to remain in session past the 12:30 p.m. lunch break, in order to complete the vote on this Item, which carried, two-thirds of Members present having voted in the affirmative.

Votes:

Adoption of Part 1 of motion 1 by Councillor Stintz:

Yes - 13 Councillors: Di Giorgio, Feldman, Ford, Grimes, Jenkins, Milczyn, Ootes, Parker, Perruzza, Saundercook, Stintz, Thompson, Walker
No - 17 Councillors: Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Giambrone, Heaps, Kelly, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Perks, Rae, Vaughan

Lost by a majority of 4.

Part 2 of motion 1 by Councillor Stintz carried.

Adoption of the Item, as amended:

Yes - 27 Councillors: Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Parker, Perks, Perruzza, Saundercook, Stintz, Thompson, Vaughan, Walker
No - 2 Councillors: Ford, Ootes

Carried by a majority of 25.

City Council Decision

City Council adopted the following motions:

1. The approach to conducting shade audits, developing standards for shade provision and the criteria for selecting pilot project sites, as outlined in the report (June 19, 2008) from the General Manager, Parks, Forestry and Recreation, be adopted.
2. Staff proceed with the selection of pilot project sites and report back on any additional resources that may be required to complete the shade audits.

3. Staff continue to work with the Shade Policy Committee led by Toronto Public Health and build on knowledge gained from the pilot projects to confirm standards for shade provision, to be used on future shade projects.
4. 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.
5. 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.
6. The Shade Policy Committee be requested to submit an information bulletin to the General Manager of Parks, Forestry and Recreation, on the importance of protecting children from UVR exposure, to be included in the Spring/Summer 2009 “The Fun Guide”.
7. 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 (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-14285.pdf>

Staff Presentation

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-14559.pdf>

23.40 **Amendment to Municipal Code, Alternative Parkland Dedication**

PE18.3	ACTION	Amended		Ward: 8
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July 15, 2008

Speaker Bussin in the Chair.

During its review of the Order Paper, Council adopted a procedural motion to remove, from the Parks and Environment Committee, Item PE18.3, which was deferred by the Committee on July 4, 2008, and bring the Item forward to City Council for consideration at this meeting.

Motion:

1. Councillor Perruzza moved that Council adopt the following recommendation contained in the report (June 13, 2008) from the General Manager, Parks, Forestry and Recreation:
 1. The City Solicitor be authorized to introduce a Bill to amend Municipal Code, Chapter 415, Development of Land, Article III, Conveyance of Land for Park Purposes, Schedule A, Maps 1(a), A-1 and A-4, to include the area in the vicinity of Black Creek, Finch Avenue and Keele Street as shown on Attachment 1.

Votes:

Motion 1 by Councillor Perruzza carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motion:

1. The City Solicitor be authorized to introduce a Bill to amend Municipal Code, Chapter 415, Development of Land, Article III, Conveyance of Land for Park Purposes, Schedule A, Maps 1(a), A-1 and A-4, to include the area in the vicinity of Black Creek, Finch Avenue and Keele Street as shown on Attachment 1.

City Council Decision Advice and Other Information

City Council on July 15, 16 and 17, 2008, adopted a procedural motion to remove, from the Parks and Environment Committee, Item PE18.3, headed "Amendment to Municipal Code, Alternative Parkland Dedication", which was deferred by the Committee on July 4, 2008, and bring the Item forward to City Council for consideration at this meeting.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-14286.pdf>

Communications (Committee)

(July 4, 2008) memo from Councillor Anthony Perruzza, Ward 8 York-West (PE.New.PE18.3.1)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor Howard Moscoe - in that his principal residence is in the subject neighbourhood.

23.41 PLANNING AND GROWTH MANAGEMENT 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.

July 15, 2008

- | | | |
|--|---------|---|
| Adopted by consent | PG17.1 | Official Plan Amendment for Sheppard East Light Rail Transit (LRT) – Final Report (Ward 41, 42, 44 - Statutory: Planning Act, RSO 1990) |
| Adopted by consent | PG17.3 | West Don Lands Class EA Master Plan and Front Street Design (Ward 28) |
| Held for consideration
Minute 23.42 | PG17.8 | Request for Approval of the Sheppard East LRT Environmental Assessment Study |
| Held for consideration
Minute 23.43 | PG17.10 | Waterfront West Streetcars Extension CNE to Dufferin – EA Modification. |

Consideration of Items - Planning and Growth Management Committee Meeting 17

23.42 Request for Approval of the Sheppard East LRT Environmental Assessment Study

PG17.8	ACTION	Amended		
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July 17, 2008

Speaker Bussin in the Chair.

Motions:

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

During the detailed design phase, the Toronto Transit Commission be requested to consider options that minimize the amount of property expropriated for the widening of Sheppard Avenue.
2. Councillor Walker moved that the Item be amended by adding the following:

That the Environmental Assessment Study be expanded to include options in

addition to the Light Rail Transit preferred solution, such as:

- continuing the Sheppard East Subway between Don Mills Station and Meadowvale Road
- electric trolley buses
- electric trolley buses in dedicated lanes, such as on Eglinton Avenue East;
- electric trolley lines connecting into an upgraded Lawrence Avenue East rapid transit corridor.

Ruling by Speaker:

Speaker Bussin ruled motion 2 by Councillor Walker redundant because that work is already covered in the Environmental Assessment Study.

Votes:

Motion 1 by Councillor Perks carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council approve the recommendations of the Sheppard East LRT Environmental Assessment study to allow staff to begin detailed design as soon as possible, and be in a position to begin construction of this first Transit City light rail line in 2009.
2. City Council authorize staff to submit the final Environmental Assessment Study report for the 30-day public review period, as required to complete the EA process for this project.
3. City Council advise the Province of Ontario of its approval of this Environmental Assessment study.
4. During the detailed design phase, the Toronto Transit Commission be requested to consider options that minimize the amount of property expropriated for the widening of Sheppard Avenue.

Background Information (Committee)

Request for Approval of the Sheppard East LRT Environmental Assessment Study

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-14148.pdf>

TTC Report No. 11

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-14149.pdf>

23.43 **Waterfront West Streetcars Extension CNE to Dufferin – EA Modification**

PG17.10	ACTION	Adopted		
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July 15, 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 approve the Environmental Assessment (EA) Modification Report.
2. Upon approval by Toronto City Council, this report be forwarded to the Ministry of the Environment for approval of the recommended modification to the original Waterfront West LRT Environmental Assessment.

Background Information (Committee)

Waterfront West Streetcars Extension CNE to Dufferin - EA Modification

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-14532.pdf>

Attachment

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-14533.pdf>

23.44 **PUBLIC WORKS AND INFRASTRUCTURE 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.

July 15, 2008

Adopted by consent	PW17.3	Municipal Hazardous or Special Waste Funding from Waste Diversion Ontario/Stewardship Ontario (Ward All)
Held for consideration	PW17.4	Purchase Order Amendment - Sole Source Contract

Minute 23.45		No. 47011505 Organics Collection Containers (Ward All)
Adopted by consent	PW17.6	Biosolids and Residuals Master Plan Peer Review Panel Report (Ward All)
Adopted by consent	PW17.7	Toronto Water Land Acquisition Source Water Protection - Status Report and Updated Property Acquisition List (Ward All)
Held for consideration Minute 23.46	PW17.9	2008 Bikeway Network Program - Phase 3 Installation of Bicycle Lanes (Ward 6, 20, 35, 36, 42, 44)
Held for consideration Minute 23.47	PW17.10	Agreement with Waterfront Toronto (TWRC) Subsidiary for the Installation of District Energy System Plant in Various Public Streets - West Don Lands, East Bayfront and Other Waterfront Development (Ward 28)
Adopted by consent	PW17.11	Municipal Access Agreement for Telecommunications Installations - Blink Communications Inc. (Ward All)
Adopted by consent	PW17.12	Policy on Quantifying In-Kind Payments for Encroachment Agreements (Ward All)
Held for consideration Minute 23.48	PW17.15	Request for Quotations 6032-08-0183 to 6032-08- 0197 (Inclusive) for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads (Ward All)
Held for consideration Minute 23.49	PW17.16	Requests for Quotation 6032-08-0161 to 6032-08- 0178 (Inclusive) for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads (Ward All)

**Consideration of Items - Public Works and Infrastructure Committee
Meeting 17**

**23.45 Purchase Order Amendment - Sole Source Contract No. 47011505 Organics
Collection Containers**

PW17.4	ACTION	Amended		Ward: All
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July 17, 2008

Speaker Bussin in the Chair.

Motion:

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

The General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, be requested to report to City Council, through the Public Works and Infrastructure Committee, on the issuance of a call document for the second generation of organics collection containers and on the feasibility of mandating verifiable Canadian content requirements.

Votes:

Adoption of motion 1 by Councillor Moscoe:

Yes - 19	Councillors: Ainslie, Ashton, Bussin, Carroll, Davis, Di Giorgio, Feldman, Hall, Holyday, Jenkins, Lindsay Luby, Mihevc, Moscoe, Palacio, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 6	Councillors: Ford, Grimes, Kelly, Milczyn, Ootes, Parker

Carried by a majority of 13.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council grant authority to increase Contract No. 47011505 to Norseman Plastics Limited for the supply of Residential Curbside Green Bins, Kitchen Catchers and Latch Lock Kits by \$917,460.00 net of GST to \$2,107,114.70 net of GST and to extend the validity period to December 31, 2009.
2. The General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, be requested to report to City Council, through the Public Works and Infrastructure Committee, on the issuance of a call document for the second generation of organics collection containers and on the

feasibility of mandating verifiable Canadian content requirements.

Background Information (Committee)

2008-06-27-pw17.4-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13877.pdf>)

23.46 2008 Bikeway Network Program - Phase 3 Installation of Bicycle Lanes

PW17.9	ACTION	Adopted		Ward: 6, 20, 35, 36, 42, 44
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July 16, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 29	Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 7	Councillors: Ashton, Feldman, Ford, Holyday, Milczyn, Ootes, Stintz

Carried by a majority of 22.

City Council Decision

City Council adopted the following motions:

1. City Council approve the installation of a westbound contra-flow bicycle lane on the north side of Stanley Avenue, from Royal York to Superior Avenue, as detailed in Appendix A of this report.
2. City Council approve the installation of bicycle lanes on the west side of Royal York Road, from Cavell Avenue to Evans Avenue, and on the east side of Royal York Road, from Cavell Avenue to Manitoba Street, as detailed in Appendix A of this report.
3. City Council approve the installation of bicycle lanes on both sides of Simcoe

Street/Lower Simcoe Street, from Queens Quay West to Front Street West, as detailed in Appendix A of this report.

4. City Council approve the installation of a stop control for eastbound, westbound, northbound and southbound traffic at the intersection of Bremner Boulevard and Simcoe Street/Lower Simcoe Street.
5. Subject to budget availability, City Council approve the installation of traffic control signals at the intersection of Bremner Boulevard and Simcoe Street/Lower Simcoe Street and, in conjunction, remove the stop control by-laws for this intersection.
6. City Council approve the installation of bicycle lanes on both sides of Birchmount Road, from Kingston Road to a point 65 metres south of St. Clair Avenue East, as detailed in Appendix A of this report.
7. City Council approve the amendments to the traffic and parking regulations detailed in Appendix B of this report.
8. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of all necessary bills.

Background Information (Committee)

2008-06-27-pw17.9-Revised Staff Report-Appendices A and B

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13887.pdf>)

2008-06-27-pw17.9-Drawing 421P0086

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13888.pdf>)

2008-06-27-pw17.9-Drawing 421P0087

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13889.pdf>)

2008-06-27-pw17.9-Drawing 421P0090

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13890.pdf>)

2008-06-27-pw17.9-Drawing 421P0091

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13891.pdf>)

2008-06-27-pw17.9-Drawing 421P0092

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13892.pdf>)

2008-06-27-pw17.9-Drawing 421P0093

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13893.pdf>)

2008-06-27-pw17.9-Drawing 421P0094

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13894.pdf>)

2008-06-27-pw17.9-Drawing 421P0095

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13895.pdf>)

Communications (Committee)

(June 22, 2008) e-mail from Cristina Campanelli (PW.New.PW17.9.1)

23.47 **Agreement with Waterfront Toronto (TWRC) Subsidiary for the Installation of District Energy System Plant in Various Public Streets - West Don Lands, East Bayfront and Other Waterfront Development**

PW17.10	ACTION	Amended		Ward: 28
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July 17, 2008

Speaker Bussin in the Chair.

Motion:

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

In recognition of Part 2 of the Summary of Key Terms of the Agreement in which the City waives utility fees and provides the corporation with free access to the use of public highways, the Waterfront Secretariat and Transportation Services report to Council, in 2009, when a district energy provider has been secured by Waterfront Toronto through a Request for Proposals (RFP) process, on options for compensating the City for this contribution, including the feasibility of:

- a. the District Energy Company or Waterfront Toronto underwriting the Capital cost of providing temporary and permanent installation and connections to City-owned buildings; and
- b. the repayment of these costs in accordance with the provisions of the Agreement, in the event that Waterfront Toronto should sell the district energy utility.

Votes:

Adoption of motion 1 by Councillor Moscoe:

Yes - 22	
Councillors:	Ainslie, Bussin, Carroll, Di Giorgio, Feldman, Fletcher, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 2	
Councillors:	Ashton, Ford

Carried by a majority of 20.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council approve entering into an Agreement with Toronto Waterfront Revitalization Corporation (TWRC) or, at the option of TWRC, Waterfront Thermal Energy Corporation (the “Utility”), a subsidiary of TWRC, to authorize the construction, installation, maintenance and operation of a district energy system, including hot and chilled water distribution piping and ancillary plant in City of Toronto streets within the TWRC’s Designated Waterfront Area, generally under the terms and conditions set out in this report and such other terms and conditions as may be satisfactory to the City Solicitor and General Manager, Transportation Services.
2. The agreement provide that:
 - a. upon the winding up of TWRC pursuant to the TWRC Act, any financial or other pecuniary benefit to be received by TWRC with respect to its interest under the agreement shall be paid directly to the City; and
 - b. TWRC shall provide the City with a full accounting of the funds or other benefits received by it under the agreement and shall agree that those funds or benefits shall be considered to be a municipal contribution to the waterfront initiative.
3. In recognition of Part 2 of the Summary of Key Terms of the Agreement in which the City waives utility fees and provides the corporation with free access to the use of public highways, the Waterfront Secretariat and Transportation Services report to Council, in 2009, when a district energy provider has been secured by Waterfront Toronto through a Request for Proposals (RFP) process, on options for compensating the City for this contribution, including the feasibility of:
 - a. the District Energy Company or Waterfront Toronto underwriting the Capital cost of providing temporary and permanent installation and connections to City-owned buildings; and
 - b. the repayment of these costs in accordance with the provisions of the Agreement, in the event that Waterfront Toronto should sell the district energy utility.

Background Information (Committee)

2008-06-27-pw17.10-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13898.pdf>

23.48 **Request for Quotations 6032 08 0183 to 6032 08 0197 (Inclusive) for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads**

PW17.15	ACTION	Adopted		Ward: All
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July 17, 2008

Speaker Bussin in the Chair.

Motion:

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

The General Manager, Transportation Services and the Director, Purchasing and Materials Management be requested to examine the feasibility of providing snow ploughing services for newly built Development Infrastructure Policy and Standards (D.I.P.S.) compliant public residential laneways, specifically Market Garden Mews in Ward 5, within the parameters of the proposed contract.

Ruling by Speaker:

Speaker Bussin ruled motion 1 by Councillor Milczyn out of order as it is a policy matter, beyond the scope of the Item under consideration.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Request for Quotation 6032-08-0183

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within North York District West-North end, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lima's Gardens & Construction Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$695,111.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour,

vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$5,326,261.75 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

2. Request for Quotation 6032-08-0184

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within North York District West-South end, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lima's Gardens & Construction Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$737,343.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$5,649,862.85 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

3. Request for Quotation 6032-08-0185

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within North York District East-South end, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Bevcon Construction and Paving Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$978,402.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$7,496,968.32 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

4. Request for Quotation 6032-08-0186

City Council grant authority to award a contract for Snow Clearing, Sanding and

Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within North York District East-North end, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to 766585 Ontario Inc. O/A Nu -Con Contracting, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$998,735.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$7,652,769.17 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

5. Request for Quotation 6032-08-0187

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Scarborough District Southwest Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to 614128 Ontario Ltd. O/A Trisan Construction, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,670,650.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$12,801,292.44 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

6. Request for Quotation 6032-08-0188

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Scarborough District Northwest Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to 766585 Ontario Inc. O/A Nu -Con Contracting, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,572,710.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle

capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$12,050,830.90 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

7. Request for Quotation 6032-08-0189

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Scarborough District Northeast Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Royalcrest Paving & Contracting Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,332,940.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$10,213,602.34 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

8. Request for Quotation 6032-08-0190

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Scarborough District Southeast Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Maple-Crete Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,300,918.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$9,968,234.98 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

9. Request for Quotation 6032-08-0191

City Council grant authority to award a contract for Snow Clearing, Sanding and

Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within South Etobicoke York District, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Pave-Tar Construction Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,900,035.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$14,558,946.33 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

10. Request for Quotation 6032-08-0192

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Central Etobicoke York District, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to MTM Landscaping Contractors Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,237,277.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$9,480,588.22 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

11. Request for Quotation 6032-08-0193

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Northwest Etobicoke York District, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Crownwood Construction Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,421,516.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational

maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$10,892,312.59 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

12. Request for Quotation 6032-08-0194

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Northeast Etobicoke York District, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lima's Gardens & Construction Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$820,720.00 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$6,288,735.96 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

13. Request for Quotation 6032-08-0195

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Toronto and East York District Area 1 Arterial Roads, Quadrants A & B, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to A&F DiCarlo Construction Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,985,726.88 net of GST. The "Adjusting Index" noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$15,215,557.12 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

14. Request for Quotation 6032-08-0196

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Toronto and East York District Area 1 Local Roads, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Queensway Excavating & Landscaping Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,808,814.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$13,859,968.87 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

15. Request for Quotation 6032-08-0197

City Council grant authority to award a contract for Snow Clearing, Sanding and Salting of Sidewalks, Bus Bays, Pedestrian Crosswalks, and Signalized Intersections on City of Toronto Roads, within Toronto and East York District Area 2, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Pave-Tar Construction Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$2,111,032.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$16,175,702.86 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

The total potential cost to the City of fifteen contract awards is \$157,631,634.70 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

Background Information (Committee)

2008-06-27-pw17.15-Staff Report and Appendix A

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13958.pdf>

23.49 **Requests for Quotation 6032 08 0161 to 6032 08 0178 (Inclusive) for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads**

PW17.16	ACTION	Adopted		Ward: All
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July 17, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Request for Quotation 6032-08-0161

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, within Toronto and East York Area 1, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to K.J. Beamish Construction Co. Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$709,864.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$5,439,306.05 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

2. Request for Quotation 6032-08-0162

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, within Toronto and East York Area 2, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Miwell Construction Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$751,571.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over

the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$5,758,884.36 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

3. Request for Quotation 6032-08-0163

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Etobicoke York District South, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lafarge Paving and Construction Limited, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$610,148.33 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$4,675,238.50 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

4. Request for Quotation 6032-08-0164

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Etobicoke York District Southeast, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to VBN Paving Limited, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,015,450.10 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$7,780,848.06 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

5. Request for Quotation 6032-08-0165

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Etobicoke York District Southwest, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Pave-Tar

Construction Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,489,355.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. The total potential contract award identified in this report is \$11,412,126.36 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

6. Request for Quotation 6032-08-0166

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Etobicoke York District Northwest, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lafarge Paving and Construction Limited being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,036,125.40 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$7,939,271.69 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

7. Request for Quotation 6032-08-0167

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Etobicoke York District Northeast, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Pave-Tar Construction Ltd., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,441,735.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$11,047,239.91 net of GST including an estimate of the annual cost adjustments using 3% per year after year 1.

8. Request for Quotation 6032-08-0168

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for York District West-North North, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lafarge Paving & Construction Limited, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$901,450.94 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$6,907,333.81 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

9. Request for Quotation 6032-08-0169

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for York District West-South North, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Miller Paving Limited, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,312,505.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$10,057,019.92 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

10. Request for Quotation 6032-08-0170

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for North York District West-North East, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Lafarge Paving & Construction Limited, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,285,025.72 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of

labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$9,846,460.98 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

11. Request for Quotation 6032-08-0171

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for North York District East-North West, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Westridge Farm Equipment Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,035,546.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$7,934,832.06 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

12. Request for Quotation 6032-08-0172

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for North York District East-North East, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Westridge Farm Equipment Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$843,960.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$6,466,811.58 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

13. Request for Quotation 6032-08-0173

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for North York District

East-South West, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to 1269690 Ontario Limited o/a Coons Contracting, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,049,880.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$8,044,665.79 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

14. Request for Quotation 6032-08-0174

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for North York District East-South East, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Miller Paving Limited, being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$991,098.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$7,594,250.94 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

15. Request for Quotation 6032-08-0175

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Scarborough District Southwest Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Westridge Farm Equipment Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,421,745.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential

contract award identified in this report is \$10,894,067.29 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

16. Request for Quotation 6032-08-0176

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Scarborough District Northwest Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to Ipurc Investments Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$1,183,760.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$9,070,516.23 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

17. Request for Quotation 6032-08-0177

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Scarborough District Northeast Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to 487550 Ont. Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount of \$894,450.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$6,853,689.30 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

18. Request for Quotation 6032-08-0178

City Council grant authority to award a contract for Snow Ploughing and Driveway Windrow Clearing on City of Toronto Roads, for Scarborough District Southeast Quadrant, for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 [seven (7) winter seasons], to 487550 Ontario Inc., being the lowest bidder meeting specifications. The potential cost in the first winter season from December 1, 2008 to March 31, 2009, is in the amount

of \$1,212,475.00 net of GST. The “Adjusting Index” noted in the RFQ will be implemented by the City annually commencing the second winter season and will be applied to reflect the percentage change in the cost of labour, vehicle capital and operational maintenance cost encountered by the recommended bidder over the term of the contract from the 2008 base year. Additional details related to the Adjusting Index are provided in Appendix A. The total potential contract award identified in this report is \$9,290,543.83 net of GST, including an estimate of the annual cost adjustments using 3% per year after year 1.

The total potential cost to the City of eighteen contract awards is \$147,013,106.65 net of GST, including an estimate of the annual cost adjustments using 3% per year after Year 1.

Background Information (Committee)

2008-06-27-pw17.16-Staff Report and Appendix A

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-13959.pdf>

23.50 ETOBICOKE YORK COMMUNITY COUNCIL MEETING 18

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.

July 15, 2008

Adopted by consent	EY18.6	1736 Weston Road – Rezoning Application – Status Report (Ward 11)
Adopted by consent	EY18.7	Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan - Consultant’s Report (Ward 6)
Held for consideration Minute 23.51	EY18.8	South Kingsway and The Queensway Interchange – Transit, Cycling, Pedestrian and Urban Design Enhancements (Ward 13)
Adopted by consent	EY18.29	Runnymede Road – Installation of On-Street Parking Space for Persons With Disabilities (Ward 13)
Adopted by consent	EY18.36	40 Rakely Court – Site Plan Control Bump-up – Final Report (Ward 3)
Adopted by consent	EY18.40	115 Torbarrie Road (Plan 66M-2436 - Lots 2 to 51) – Extension of By-law No. 884-2007 Exempting the

		Lands from Part Lot Control - Final Report (Ward 7)
Adopted by consent	EY18.41	115 Torbarrie Road (Plan 66M-2436 - Block 151) – Extension of By-law No. 883-2007 Exempting the Lands from Part Lot Control - Final Report (Ward 7)
Held for consideration Minute 23.52	EY18.42	1844, 1846, 1848, 1850, 1852 and 1854 Bloor Street West; 6, 8, 10, 12 and 14 Oakmount Road; 35 and 37 Pacific Avenue – Refusal of Demolition Control Applications (Ward 13)
Held for consideration Minute 23.53	EY18.43	7-21 Richgrove Drive – Zoning Amendment Application – Final Report (Ward 4 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 23.54	EY18.45	Requests for Endorsement of Events for Liquor Licensing Purposes (Ward 4, 13, 17)
Adopted by consent	EY18.49	1050 The Queensway – Payment-in-lieu of Parking (Ward 5)

Consideration of Items - Etobicoke York Community Council Meeting 18

23.51 **South Kingsway and The Queensway Interchange – Transit, Cycling, Pedestrian and Urban Design Enhancements**

EY18.8	ACTION	Adopted		Ward: 13
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July 15, 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 approve the reconfiguration of the ramps in the north-east quadrant of the interchange, generally as shown on Drawing No. P-2603-041.

2. City Council approve the relocation and widening of the eastbound and westbound streetcar loading platforms on The Queensway in the vicinity of the South Kingsway generally as shown on Drawing No. P-2603-041.
3. City Council approve the installation of new pedestrian activated traffic control signals to accommodate transit riders and to safety facilitate crossing of The Queensway as shown on Drawing No. P-2603-041.
4. City Council approve the installation of stop signs at the intersections of the ramps in the north-west and south-west quadrants, as shown on Drawing No. P-2603-041.
5. City Council approve the introduction of the necessary bills to authorize the alterations, signals and signs described in this report.

Background Information (Committee)

June 16, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-14077.pdf>

Attachment

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-14078.pdf>

Communications (Committee)

- (June 25, 2008) e-mail from Mary L. Campbell (EY.Supp)
- (June 25, 2008) e-mail from David Kearney (EY.Supp)
- (June 25, 2008) e-mail from Donald Dolson (EY.Supp)
- (June 25, 2008) e-mail from Hugh Donnan (EY.Supp)
- (June 27, 2008) e-mail from Michael and Mary Korda (EY.Main)
- (June 30, 2008) e-mail from Randy Colbert (EY.Main)
- (July 2, 2008) e-mail from Geoff Kettel (EY.Main)
- (July 2, 2008) e-mail from Hamish Wilson (EY.Main)
- (July 2, 2008) e-mail from Tereza Coutinho (EY.Main)
- (July 2, 2008) fax from Peter Jarvis (EY.Main)
- (July 3, 2008) e-mail from Ian Mathers (EY.Main)
- (July 3, 2008) e-mail from David Kearney (EY.Main)
- (July 3, 2008) e-mail from Shivan D. Narine (EY.Main)
- (July 3, 2008) e-mail from Nadien Godkewitsch (EY.Main)
- (July 3, 2008) e-mail from Michael and Mary Korda (EY.Main)
- (July 3, 2008) e-mail from Sara Lipson (EY.Main)
- (July 3, 2008) e-mail from Mary Davis (EY.Main)
- (July 4, 2008) e-mail from Woesser Jongdong (EY.Main)
- (July 4, 2008) e-mail from Cathy Erdle (EY.Main)
- (July 4, 2008) e-mail from Neil Gilbertson (EY.Main)
- (July 4, 2008) e-mail from David Fleming (EY.Main)
- (July 4, 2008) e-mail from Anna Traer (EY.Main)
- (July 4, 2008) e-mail from Moeser-McLaughlin Family (EY.Main)

(July 5, 2008) e-mail from Dylan Reid (EY.Main)
(July 6, 2008) e-mail from Lee Veikkamo (EY.Main)

Communications (City Council)

(July 9, 2008) e-mail from from Lee Veikkamo (CC.Supp.EY18.8.27)
(July 15, 2008) e-mail from David Fleming, Executive Secretary, Swansea Area Ratepayers' Association and Swansea Area Ratepayers' Group (CC.New.EY18.8.28)

**8a Toronto Urban Renewal Network (TURN) – South Kingsway
- The Queensway Interchange (SKQI) Cycling Issues**

Background Information (Committee)

April 22, 2008 letter
(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13514.pdf>)

Communications (Committee)

(May 26, 2008) e-mail from Richard Reinert (EY.Main)

23.52 **1844, 1846, 1848, 1850, 1852 and 1854 Bloor Street West; 6, 8, 10, 12 and 14 Oakmount Road; 35 and 37 Pacific Avenue – Refusal of Demolition Control Applications**

EY18.42	ACTION	Amended		Ward: 13
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Saundercook moved that the Item be amended by deleting the following Recommendation 3 of the Etobicoke York Community Council:

Recommendation to be deleted:

3. Should City Council choose to approve these applications:
 - a. such approval be granted subject to the conditions contained in Attachment '4'; and
 - b. the City Solicitor be authorized to make stylistic and technical changes to the conditions of approval as may be required.

Votes:

Motion 1 by Councillor Saundercook carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council refuse the applications to demolish the buildings on the subject site and that a copy of Council's decision be forwarded to the Ontario Municipal Board.
2. City Council authorize the City Solicitor and appropriate City staff to attend before the Ontario Municipal Board in support of the refusal of these applications, and in support of the imposition of the conditions contained in Attachment '4' being imposed in the event the Board allows the appeals.
3. City Council authorize and direct City officials to take necessary actions to give effect thereto.

Background Information (Committee)

June 18, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-14106.pdf>)

**42a Request for Directions: Refusal of Demolition Control Applications -
1844,1846, 1848, 1850, 1852 and 1854 Bloor Street West - 35 and 37 Pacific
Avenue - 6, 8, 10, 12 and 14 Oakmount Road**

Background Information (Committee)

June 20, 2008 report

(<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-14329.pdf>)

23.53 7-21 Richgrove Drive – Zoning Amendment Application – Final Report

EY18.43	ACTION	Adopted		Ward: 4
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July 17, 2008

Speaker Bussin in the Chair.

Motion:

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

Votes:

Adoption of motion 1 by Councillor Ford:

Yes - 3 Councillors: Ford, Holyday, Parker
No - 24 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Saundercook, Stintz, Vaughan

Lost by a majority of 21.

Adoption of the Item, without amendment:

Yes - 23 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Heaps, Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Saundercook, Stintz, Vaughan
No - 4 Councillors: Feldman, Ford, Holyday, Parker

Carried by a majority of 19.

City Council Decision

City Council adopted the following motions:

1. City Council amend the Zoning By-law for the property at 7-21 Richgrove Drive substantially in accordance with the draft Zoning By-law Amendment described in this report.
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 Bills to City Council for enactment, City Council require the owner to enter into a Section 37 Agreement securing the benefits outlined in this report.

4. Before introducing the necessary Bills to Council for enactment, City Council require the owner to provide confirmation to the Director of Community Planning, Etobicoke York District, that the Greater Toronto Airports Authority and NAV CANADA are satisfied that any issues arising from potential impacts of the Toronto – Lester B. Pearson International Airport Zoning Regulations plus impacts on NAV CANADA's Air Navigation Facilities, Services, Communications Systems and Instrument Procedures as a result of this development proposal have been satisfactorily addressed.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the issuance of the Notice of Approval Conditions for the Site Plan Application.
6. City Council direct the Executive Director, Facilities and Real Estate, to actively intervene with the Ontario Realty Corporation in support of the applicant's request to either licence, or obtain an easement along the Hydro lands to Willowridge Road.

Statutory - Planning Act, RSO 1990

Background Information (Committee)

June 18, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13998.pdf>

Communications (Committee)

(June 18, 2008) letter from Stanislaw Gruca (EY.Supp)

(June 18, 2008) letter from Jolanta Gruca and Janina Checko (EY.Supp)

(July 3, 2008) e-mail from James Schmidt (EY.Main)

(July 3, 2008) e-mail from E. J. (Ted) Mulvihill (EY.Main)

(July 7, 2008) e-mail from Angela Del Maestro/Americo Del Maestro (EY.Main)

Communications (City Council)

(July 14, 2008) e-mail from Mr. and Mrs. Franco Moretti (CC.New.EY18.43.6)

(July 14, 2008) e-mail from Carol and Doug Williams (CC.New.EY18.43.7)

(July 14, 2008) e-mail from Barry Holt (CC.New.EY18.43.8)

(July 14, 2008) e-mail from Audrey Pern (CC.New.EY18.43.9)

(July 14, 2008) e-mail from Michael Drost on behalf of Michele and Nuccia Gargaro (CC.New.EY18.43.10)

(July 14, 2008) e-mail from Sam Marinucci (CC.New.EY18.43.11)

(July 14, 2008) e-mail from Earlyne and Don Wheeler (CC.New.EY18.43.12)

(July 14, 2008) e-mail from Angelo Moretti (CC.New.EY18.43.13)

(July 14, 2008) e-mail from Rick Donaldson (CC.New.EY18.43.14)

(July 14, 2008) e-mail from Sofia and Robert Capizzo (CC.New.EY18.43.15)

- (July 14, 2008) e-mail from Juanita D. Macpherson (CC.New.EY18.43.16)
- (July 14, 2008) e-mail from Laureen and Joseph Degan (CC.New.EY18.43.17)
- (July 14, 2008) e-mail from Donald Routley (CC.New.EY18.43.18)
- (July 14, 2008) e-mail from Willson and Linda Moody (CC.New.EY18.43.19)
- (July 13, 2008) e-mail from E.J. (Ted) Mulvihill and G.S. Mulvihill (CC.New.EY18.43.20)
- (July 15, 2008) e-mail from Patricia and Edmund Leen (CC.New.EY18.43.21)
- (July 15, 2008) e-mail from Maxine McEwan (CC.New.EY18.43.22)
- (July 15, 2008) e-mail from Mary L. Nesbitt (CC.New.EY18.43.23)
- (July 16, 2008) e-mail from John Polidoro, Manager, Inventory and Sales Planning, Acme United (Canada) Limited (CC.New.EY18.43.24)

43a 7-21 Richgrove Drive - Zoning Application - Supplementary Report

Background Information (Committee)

July 7, 2008 supplementary report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-14603.pdf>

23.54 Requests for Endorsement of Events for Liquor Licensing Purposes

EY18.45	ACTION	Amended		Ward: 4, 13, 17
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Saundercook moved that the Item be amended by adding the following new Recommendation 4:
 4. the extension of the serving hours and area on to City property, for the times and dates of the Junction Arts Festival on Dundas Street West, between Keele Street and Quebec Avenue, with a further extension of service hours to 2:00 a.m. on Saturday, September 6, 2008, for the following establishment, in conjunction with the festival:
 - Agora Cafe, 3015 Dundas Street West.

Votes:

Motion 1 by Councillor Saundercook carried.

The Item, as amended, carried.

July 17, 2008

Speaker Bussin in the Chair.

Motion to Reconsider:

Councillor Saundercook moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider this Item, which carried, two-thirds of Members present having voted in the affirmative.

Motion:

2. Councillor Saundercook moved that the Item be further amended by adding the following establishment to the list of establishments participating in the Junction Arts Festival on Saturday, September 6, 2008:
 - Pascal's Baguette and Bagels, 2904 Dundas Street West.

Votes:

Motion 2 by Councillor Saundercook carried.

The Item, as further amended, carried.

City Council Decision

City Council adopted the following motion:

City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission of Ontario that the City of Toronto has no objection to:

1. the establishment of an outdoor tent at Montgomery's Inn (Islington Avenue and Dundas Street West) for the serving of alcoholic beverages from 5:00 p.m. to 10:00 p.m. in celebration of Arts Etobicoke 35th Anniversary on Thursday, July 24, 2008;
2. the Ukrainian Community Festival to be held in Bloor West Village on Bloor Street West, from Jane Street to Runnymede Road, and the establishment of a beer garden on Bloor Street West, east of Armadale Avenue, and another beer garden on Bloor Street West, east of Windermere Avenue, on:
 - Friday, September 12, 2008, from 6:00p.m.to 1:00 a.m.;
 - Saturday, September 13, 2008, from 9:00 a.m. to 1:00 a.m.; and
 - Sunday, September 14, 2008, from 11:00 a.m. to 12:00 midnight;
3. the Eden Trattoria Street Party to be held on St. Clarens Avenue south of St. Clair

Avenue West, to the first laneway municipally known as 1331 St. Clair Avenue West, on Saturday, August 24, 2008, from 11:00 a.m. to 11:00 p.m.; and

4. the extension of the serving hours and area on to City property, for the times and dates of the Junction Arts Festival on Dundas Street West, between Keele Street and Quebec Avenue, with a further extension of service hours to 2:00 a.m. on Saturday, September 6, 2008, for the following establishments, in conjunction with the festival:
 - Agora Cafe, 3015 Dundas Street West; and
 - Pascal's Baguette and Bagels, 2904 Dundas Street West.

Communications (Committee)

(July 7, 2008) Member Motion from Councillor Gloria Lindsay Luby (EY.Main)

(<http://www.toronto.ca/legdocs/mmis/2008/ey/comm/communicationfile-7900.pdf>)

(June 13, 2008) letter from Louise Garfield, Executive Director, Arts Etobicoke (EY.Main)

(July 7, 2008) e-mail from Councillor Bill Saundercook (EY.Main)

(<http://www.toronto.ca/legdocs/mmis/2008/ey/comm/communicationfile-7915.pdf>)

(July 7, 2008) e-mail from Councillor Cesar Palacio (EY.Main)

(<http://www.toronto.ca/legdocs/mmis/2008/ey/comm/communicationfile-7951.pdf>)

23.55 NORTH YORK COMMUNITY COUNCIL 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.

July 15, 2008

Adopted by consent	NY17.13	Traffic Operations - William R. Allen Road / Hwy 401 Off-Ramp at Yorkdale Road / Yorkdale Mall Access (Ward 15)
Adopted by consent	NY17.14	Installation of Traffic Control Signals - Otonabee Avenue and Willowdale Avenue (Ward 24)
Adopted by consent	NY17.16	Pedestrian Crossing Prohibition - Lawrence Avenue West at Shermount Avenue (Ward 15)
Held for consideration Minute 23.56	NY17.21	Traffic Calming - Brucewood Crescent, Drexel Road to Prince Charles Drive (Ward 15)
Adopted by consent	NY17.25	Sale of a Portion of the Closed Lane and the One-Foot Reserve at the Rear of 456 Douglas Avenue (Ward 16)

Adopted by consent	NY17.30	Final Report - Common Elements Condominium Application and Part Lot Control Exemption Application - 9 & 11 Clairtrell Road (Ward 23 - Statutory: Planning Act, RSO 1990)
Adopted by consent	NY17.31	Final Report - Rezoning and Site Plan Control Applications - 218, 220, 222 and 224 Finch Avenue West (Ward 23 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 23.57	NY17.32	Final Report and Supplementary Report - Official Plan & Zoning By-law Amendment Applications - 258, 260, 264 Sheppard Avenue West & 10 Senlac Road (Ward 23)
Adopted by consent	NY17.33	Refusal and Directions Report - Zoning By-law Amendment Application - 1185 Eglinton Ave East (Ward 26)
Adopted by consent	NY17.34	Final Report - Zoning By-law Amendment and Site Plan Control Applications - 515 Drewry Avenue (Ward 23 - Statutory: Planning Act, RSO 1990)
Adopted by consent	NY17.35	Refusal Report - Official Plan Amendment and Zoning By-law Amendment Application - 1325, 1351 and 1365 Bayview Avenue (Ward 26)
Adopted by consent	NY17.38	Request for City Representation at the Ontario Municipal Board - Committee of Adjustment Application - A0264/08NY - 8 York Road (Ward25)

Consideration of Items - North York Community Council Meeting 17

23.56 Traffic Calming - Brucewood Crescent, Drexel Road to Prince Charles Drive

NY17.21	ACTION	Adopted		Ward: 15
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July 17, 2008

Speaker Bussin in the Chair.

Motion to End Debate:

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

Yes - 19 Councillors: Ainslie, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Grimes, Heaps, Kelly, Lindsay Luby, Mihevc, Moscoe, Palacio, Parker, Perks, Saundercook, Stintz
No - 6 Councillors: Ashton, Ford, Holyday, Jenkins, Ootes, Perruzza

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

Vote:

Adoption of the Item, without amendment:

Yes - 21 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Grimes, Heaps, Jenkins, Lindsay Luby, Mihevc, Milczyn, Moscoe, Palacio, Parker, Perks, Saundercook, Stintz, Vaughan
No - 5 Councillors: Ford, Holyday, Kelly, Ootes, Perruzza

Carried by a majority of 16.

City Council Decision

City Council adopted the following motions:

1. City Council direct the City Clerk to undertake a poll of the residents of Brucewood Crescent, from Drexel Road to Prince Charles Drive, regarding the installation of traffic calming measures (speed humps) as per plan NY08072, to determine resident support, in accordance with the City of Toronto Traffic Calming Policy.
2. City Council authorize that, subject to a favourable poll:
 - a. a road alteration by-law be prepared for Brucewood Crescent, from Drexel Road to Prince Charles Drive for traffic calming purposes generally as shown on the speed hump plan circulated to the residents; and

- b. the speed limit be reduced from 50 km/h to 40 km/h on Brucewood Crescent, from Drexel Road to Prince Charles Drive, coincident with the implementation of the speed humps.
3. City Council authorize the appropriate City officials to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

Background Information (Committee)

Staff Report - Traffic Calming - Brucewood Cr. & Drexel Rd to Prince Charles Dr.

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14153.pdf>

Attachment 1 - Location Map - Brucewood Cr. & Drexel Rd to Prince Charles Dr.

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14154.pdf>

Attachment 2 - Traffic Calming Warrant - Brucewood Cr. & Drexel Rd to Prince Charles Dr.

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14155.pdf>

23.57 **Final Report and Supplementary Report - Official Plan & Zoning By-law Amendment Applications - 258, 260, 264 Sheppard Avenue West and 10 Senlac Road**

NY17.32	ACTION	Amended		Ward: 23
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Filion moved that the Item be amended by deleting the following Recommendation 6 of the North York Community Council:

Recommendation to be deleted:

6. City Council be requested to waive the Policy on Donations to the City for Community Benefits, as adopted by City Council on September 25 to 28, 2006 (Policy and Finance Committee Report No. 7), to allow for the consideration of a cash donation of \$150,000.00 to the City for the installation of artificial turf at the Willowdale Lawn Bowling Club on Beecroft Drive.

Votes:

Motion 1 by Councillor Filion 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 in Attachment No. 7 to the report (March 10, 2008) from the Director, Community Planning, North York District.
2. City Council amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment in Attachment No. 8 to the report (March 10, 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 direct that, before introducing the necessary Bills for enactment, the applicant be required to have submitted a Site Plan Control application and to have obtained from the City approval in principle of the Site Plan Control application, and the Ward Councillor be involved in the process for site plan approval.
5. City Council determine that this application will not set a precedent for future developments fronting onto Sheppard Avenue to include properties within the "Neighbourhoods" designation of the Official Plan to the north or south of the Sheppard Avenue Commercial Area Secondary Plan.

Background Information (Committee)

Staff Report and Attachments 1-8 - Final Report - Official Plan & Zoning By-law Amendment Applications - 258, 260, 264 Sheppard Avenue West & 10 Senlac Road (<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-13805.pdf>)

Communications (Committee)

(March 25, 2008) letter from Morris Norman and Henry Goldberg, Norman, Goldberg & Co. LLP (NY.Main.NY17.32.1)
(April 8, 2008) e-mail from Marilyn Liard (NY.New.NY17.32.2)

32a Supplementary Report - Official Plan & Zoning By-law Amendment Applications - 258, 260, 264 Sheppard Ave W & 10 Senlac Rd

Background Information (Committee)

Staff Report and Attachments 1-4 - Supplementary Report - Official Plan & Zoning
By-law Amendment Applications - 258, 260, 264 Sheppard Ave W & 10 Senlac Rd
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14043.pdf>)

23.58 SCARBOROUGH COMMUNITY COUNCIL 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.

July 15, 2008

Held for consideration Minute 23.59	SC17.2	Naming of Proposed Public Street West of Warden Avenue, Between Eglinton Avenue East and Ashtonbee Road (Ward 37)
Adopted by consent	SC17.11	Proposed Traffic Control Signals – Markham Road at Select Avenue (Ward 41, 42)
Adopted by consent	SC17.13	Assumption of Services – High Glen Developments and Rossland Real Estate Limited - Registered Plan of Subdivision 66M-2370 - North of Old Finch Avenue, East of Morningside Avenue (Ward 42)
Adopted by consent	SC17.18	5 and 7 Pilkington Drive, and 34, 36, 38, 40 Goulden Crescent (350 Danforth Road) – Part Lot Control Application – Final Report (Ward 35)
Adopted by consent	SC17.19	133 to 143 and 155 Homestead Road and 4275 Lawrence Avenue East – Part Lot Control Application – Final Report (Ward 44)
Adopted by consent	SC17.20	Kingston Road Revitalization Study - Phase 2 Report - Kingston Road - Birch Cliff Community (Ward 36)
Adopted by consent	SC17.21	3291, 3293, 3295 Birchmount Road - Rezoning and Subdivision Applications - Final Report (Ward 39 - Statutory: Planning Act, RSO 1990)
Adopted by consent	SC17.24	Ontario Municipal Board Hearing - Committee of Adjustment (East Panel) Decision 54 Maresfield Drive (Ward 41)

Consideration of Item - Scarborough Community Council Meeting 17

23.59 **Naming of Proposed Public Street West of Warden Avenue, Between Eglinton Avenue East and Ashtonbee Road**

SC17.2	ACTION	Adopted		Ward: 37
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July 15, 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 grant an exception to its policy of avoiding the naming of streets after living persons, using a person's full name, and using names for public streets that could be construed as advertising a particular business and authorize:
 - a. the proposed public street located west of Warden Avenue, between Eglinton Avenue East and Ashtonbee Road, be named "Hakim Avenue", and be dedicated as a public highway; and
 - b. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of a naming and dedication by-law.

Background Information (Committee)

Report - Naming Street - Warden Avenue, between Eglinton Ave E and Ashtonbee Road
(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-14064.pdf>)

Background Information (City Council)

(July 14, 2008) supplementary report from the City Surveyor (SC17.2a)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14700.pdf>)

23.60 **TORONTO AND EAST YORK COMMUNITY COUNCIL 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.

July 15, 2008

Adopted by consent	TE17.1	Permanently Close a Portion of the Public Lane Abutting 17 to 25 Gledhill Avenue (Ward 31 - Statutory: City of Toronto Act, 2006)
Adopted by consent	TE17.6	Final Report - Rezoning Application to Remove the Holding Symbol ("h") - 209 and 215 Fort York Boulevard (Parcel 2 within Block 1/2 A of the Fort York Neighbourhood) (Ward 19)
Adopted by consent	TE17.7	Final Report - Draft Plan of Subdivision Application - 125-259 Queens Quay East - East Bayfront, West Precinct, Phase 1 (Ward 28 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE17.8	Designation of the Riverdale Phase 1 Heritage Conservation District under Part V of the Ontario Heritage Act (Ward 30 - Statutory: Ontario Heritage Act, RSO 1990)
Held for consideration Minute 23.61	TE17.9	Final Report - Official Plan Amendment and Rezoning - 21 Swanwick Avenue (Ward 32 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE17.11	Refusal and Directions Report - Rezoning Application - 40 Wellesley Street East (Ward 27)
Held for consideration Minute 23.62	TE17.12	Directions Report - Rezoning Application - 319 Carlaw Avenue (Ward 30)
Adopted by consent	TE17.13	Final Report - Site Plan Application - 1155 Queen Street West (Ward 18)
Adopted by consent	TE17.47	Bloor Street West Visioning Initiative - Bloor Street West between Keele Street and Dundas Street West (Ward 14)
Adopted by consent	TE17.48	Public Art Plan - TEDCO/Corus Entertainment - 125 Queens Quay East (Ward 28)
Held for consideration Minute 23.63	TE17.49	Further Report - Request to Waive Encroachment Fee - 100 Queen's Park Crescent, Royal Ontario Museum (Ward 20)
Adopted by consent	TE17.51	Road Alterations - Bay Street and Harbour Street

(Ward 28)

Adopted by consent	TE17.53	Extended no stopping and left turn prohibitions – College Street and Queen Street West (Sustainable Transportation Initiative) (Ward 18)
Adopted by consent	TE17.56	School Bus Loading Zone – Kensington Community School (Ward 20)
Adopted by consent	TE17.58	Installation of a Sidewalk - Crescent Town Road (Ward 31)
Held for consideration Minute 23.64	TE17.62	Proposed Permanent Closure of the Public Lane at the rear of 585 Queen Street West (Ward 20)
Adopted by consent	TE17.63	Proposed Permanent Closure and Sale of an Untravelled Portion of Musgrave Street Road Allowance at Dengate Road (Ward 32)
Adopted by consent	TE17.64	Temporary Adjustments to Parking Regulations for 2008 Scotiabank Caribana Parade (Ward 19)
Adopted by consent	TE17.66	Parking Amendments - Sammon Avenue, Coxwell Avenue and Mortimer Avenue (Ward 29, 31)
Adopted by consent	TE17.68	Temporary Adjustments to Traffic/Parking Regulations for 2008 Canadian National Exhibition – City Council (Ward 14, 19)
Adopted by consent	TE17.76	Authorization for Execution of s45(9) Agreement – 450 Lake Shore Boulevard West (Ward 20)
Adopted by consent	TE17.77	Ontario Municipal Board Hearing - Request for Directions - 730 Dovercourt Road and 323 and 357 Rusholme Road (Ward 18)
Held for consideration Minute 23.65	TE17.80	Endorsement of Events for Liquor Licensing Purposes (Ward All)
Adopted by consent	TE17.81	Installation and Maintenance of Geothermal Heating/Cooling System Within the City Laneway - 357 College Street - “Planet Traveller” (Ward 20)
Adopted by consent	TE17.84	Ontario Municipal Board Hearing - Potential Settlement - 407 Brunswick Avenue (Ward 20)

- Adopted by consent TE17.86 Amendment to Section 37 Agreement - 430 King Street West (Ward 20)
- Adopted by consent TE17.87 Servicing Agreement – 2 Kilbarry Place (Ward 22)

Consideration of Items - Toronto and East York Community Council Meeting 17

23.61 **Final Report - Official Plan Amendment and Rezoning - 21 Swanwick Avenue**

TE17.9	ACTION	Amended		Ward: 32
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July 16, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Davis moved that the Item be amended by:
 1. adding the following new Part d. to Recommendation 4 of the Toronto and East York Community Council:
 - d. entering into a Heritage Easement Agreement satisfactory to the City Solicitor, in consultation with the Manager, Heritage Preservation Services pursuant to Section 37 of the Ontario Heritage Act, which is registered against the lands to the satisfaction of the City Solicitor and which provides, amongst other things, that prior to the release of the Letter of Credit the owner complete the heritage conservation work satisfactory to the Manager, Heritage Preservation Services, and provide as-built photographs of the heritage property at 21 Swanwick Avenue satisfactory to the Manager, Heritage Preservation Services.
 2. adding the following new Recommendations 8 and 9:
 8. City Council authorize the enactment of a by-law to authorize the Heritage Easement Agreement.
 9. City Council authorize the appropriate City officials to execute the required Heritage Easement Agreement.

Votes:

Motion 1 by Councillor Davis 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. 9 of the report (June 12, 2008) from the Acting 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 No. 10.
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 approve the alterations to the heritage property at 21 Swanwick Avenue substantially in accordance with the Heritage Impact Statement (Conservation Strategy) titled "21 Swanwick Avenue, Conversion from Church to Residential Condominium", prepared by Bernard H. Watt Architects, revised 25 January 2008, date stamped received by the City Planning Division, 25 February 2008, on file with the Manager, Heritage Preservation Services, subject to the owner:
 - a. prior to final site plan approval;

providing a Detailed Conservation Plan, prepared by a qualified heritage consultant, detailing interventions and conservation work and including as found photographs of the exterior and interior to the satisfaction of the Manager, Heritage Preservation Services;

providing final development plans, a landscape plan and an exterior lighting plan satisfactory to the Manager, Heritage Preservation Services;
 - b. prior to the issuance of any building permit for the heritage property located at 21 Swanwick Avenue, including a permit for the demolition, excavation, and/or shoring of the subject property;

providing a Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the Conservation Plan;

providing building permit drawings satisfactory to the Manager, Heritage Preservation Services;

- c. prior to release of the Letter of Credit;

completing the heritage conservation work, satisfactory to the Manager, Preservation Services; and

submitting final as-built photographs of the heritage property at 21 Swanwick Avenue satisfactory to the Manager, Heritage Preservation Services; and
 - d. entering into a Heritage Easement Agreement satisfactory to the City Solicitor, in consultation with the Manager, Heritage Preservation Services pursuant to Section 37 of the Ontario Heritage Act, which is registered against the lands to the satisfaction of the City Solicitor and which provides, amongst other things, that prior to the release of the Letter of Credit the owner complete the heritage conservation work satisfactory to the Manager, Heritage Preservation Services, and provide as-built photographs of the heritage property at 21 Swanwick Avenue satisfactory to the Manager, Heritage Preservation Services.
5. City Council direct that the parks levy attributed to this proposal be assigned to Norwood Park for the purposes of park improvements/children's playground equipment.
 6. City Council direct the General Manager, Toronto Water undertake a water pressure study in this area.
 7. City Council request the Ward Councillor to work with the developer, in accordance with City policy, towards playground improvements at Norwood Park.
 8. City Council authorize the enactment of a by-law to authorize the Heritage Easement Agreement.
 9. City Council authorize the appropriate City officials to execute the required Heritage Easement Agreement.

Statutory - Planning Act, RSO 1990

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14171.pdf>

Communications (Committee)

(July 2, 2008) letter from Irene M. Wintersinger & Robert J. Schmidt

(TE.Supp.TE17.9.1)
(July 7, 2008) e-mail from Letters and a petition signed by 24 individuals addressed to Councillor Bussin, Community Planning and the Committee of Adjustment (TE.New.TE17.9.2)

9a Approval of Alterations to a Heritage Property - 21 Swanwick Avenue, Emmanuel Presbyterian Church

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14159.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14160.pdf>)

Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14161.pdf>)

Attachment 3

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14162.pdf>)

Attachment 4

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14163.pdf>)

Attachment 5

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14164.pdf>)

Attachment 6

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14165.pdf>)

Attachment 7

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14166.pdf>)

Attachment 8

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14167.pdf>)

9b Heritage - Approval of Alterations to a Heritage Property - 21 Swanwick Avenue, Emmanuel Presbyterian Church

Background Information (Committee)

Letter

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14291.pdf>)

23.62 Directions Report - Rezoning Application - 319 Carlaw Avenue

TE17.12	ACTION	Adopted		Ward: 30
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July 15, 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 support the revised applications to amend the Zoning By-law and the associated Site Plan Application respecting the construction of an 11-storey residential building containing 2 storeys of employment uses at 319 Carlaw Avenue, substantially in accordance with the draft zoning by-law contained in Attachment 7 to the report, (June 17, 2008) from the Acting Director, Community Planning, Toronto and East York District, subject to amending the by-law to secure appropriate Section 37 community benefits.
2. Prior to the issuance of the Ontario Municipal Board Order require the owner to execute one or more agreements pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreements be registered on title on the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:
 - a. a cash contribution in the amount of \$40,000 for Park improvements at Hideaway Park;
 - b. a cash contribution in the amount of \$10,000 for public realm improvements on the west side of Boston Ave, south of Dundas, within the area covered by the “Dundas Carlaw Quarter”;
 - c. a cash contribution in the amount of \$25,000 for facilities improvements for Matty Eckler Community Centre;
 - d. a cash contribution in the amount of \$20,000 for Park bench beautification in the area of the site;
 - e. a cash contribution in the amount of \$50,000 for facilities improvements to the change rooms at Greenwood Park;
 - f. a cash contribution in the amount of \$30,000 for an local Off Leash Area Improvement Fund;
 - g. a cash contribution in the amount of \$35,000 for facilities improvements at Jimmie Simpson Community Centre;

- h. a cash contribution in the amount \$65,000 for local parks, including playground shading and Community Message Boards; and
- i. a cash contribution in the amount of \$25,000 for public realm improvements in the “Dundas Carlaw Quarter”, including design competition and installations for a signature marker;

all to be paid to the City prior to the issuance of the first above grade building permit.

- 3. City Council authorize the City Solicitor, the Chief Planner and Executive Director, City Planning Division, and any other appropriate staff to appear at the Ontario Municipal Board in support of the City’s position as set out in Parts 1 and 2, above.
- 4. City Council authorize the City Solicitor to request the OMB to withhold its Order approving the Zoning By-law amendment until:
 - a. Section 37 benefits have been agreed to;
 - b. the Zoning By-law amendment is prepared to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director of City Planning Division; and
 - c. the owner has entered into a Site Plan Agreement under Section 41 of the Planning Act to the satisfaction of the Chief Planner and Executive Director of City Planning Division.
- 5. City Council direct that the 25% portion of the Parks Levy be applied for the purpose of parkland acquisition to be dedicated towards acquiring lands within Dundas-Carlaw Quarter Capital Works Design Strategy.
- 6. City Council direct that 25% portion of the Parks Levy be applied for the purpose of improving local parks be directed to the improvement of local parks including those located within the within Dundas-Carlaw Quarter Capital Works Design Strategy.
- 7. City Council request TEDCO to work with Economic Development staff to undertake a study on the success of live/work land use designation in the employment area in relation to employment retention, generation, the nature of employment within the area of the Dundas-Carlaw Quarter Capital Works Design Strategy.
- 8. City Council amend the draft zoning by-laws to give effect to the above recommendations, including incorporating the requirement for the Section 37

benefits, timing of such benefits and requiring the Section 37 Agreement.

9. City Council direct that 319 Carlaw Avenue be contained within a new on-street permit parking area established by Council; and the developer be notified of any public meetings that may be required.
10. City Council authorize the City Solicitor and City staff to take such necessary steps to implement the foregoing.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14157.pdf>

Communications (Committee)

(July 3, 2008) e-mail from Karen and Justin Siklis (TE.Supp.TE17.12.1)

(July 4, 2008) letter from David Elder (TE.New.TE17.12.2)

(July 7, 2008) e-mail from David Wang (TE.New.TE17.12.3)

(July 7, 2008) e-mail from Fiona Reid (TE.New.TE17.12.4)

(July 7, 2008) e-mail from Thomas McCowan (TE.New.TE17.12.5)

12a Rezoning Application - 319 Carlaw Avenue

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14598.pdf>

23.63 Further Report Request to Waive Encroachment Fee – 100 Queen’s Park Crescent, Royal Ontario Museum

TE17.49	ACTION	Amended		Ward: 20
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This Item was submitted without recommendation.

July 16, 2008

Speaker Bussin in the Chair.

Motion:

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

City Council approve the request to waive the annual encroachment fee for the building structure known as the Crystal, which extends onto the public

right-of-way of Bloor Street West flank of 100 Queen's Park Crescent, on the condition that the Royal Ontario Museum provide five community placements per year to the Principal of Ryerson Public School in the March Break Camp.

Votes:

Adoption of motion 1 by Councillor Vaughan:

Yes - 25	Councillors: Ainslie, Augimeri, Bussin, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perruzza, Rae, Shiner, Stintz, Vaughan, Walker
No - 11	Councillors: Ashton, Carroll, Davis, Ford, Giambrone, Hall, Milczyn, Parker, Perks, Saundercook, Thompson

Carried by a majority of 14.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motion:

1. City Council approve the request to waive the annual encroachment fee for the building structure known as the Crystal, which extends onto the public right-of-way of Bloor Street West flank of 100 Queen's Park Crescent, on the condition that the Royal Ontario Museum provide five community placements per year to the Principal of Ryerson Public School in the March Break Camp.

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrrd/backgroundfile-14047.pdf>)

23.64 Proposed Permanent Closure of the Public Lane at the rear of 585 Queen Street West

TE17.62	ACTION	Adopted		Ward: 20
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July 17, 2008

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Vaughan moved that Council consider Item GM16.13, headed “Sale of Closed Lane at the Rear of 585 Queen Street West”, together with Item TE17.62, which carried. (See Minute 23.34 for Council’s action on GM16.13.)

Vote:

Adoption of the Item, without amendment:

Yes - 28 Councillors:	Ainslie, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Mammoliti, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2 Councillors:	Ford, Lindsay Luby

Carried by a majority of 26.

City Council Decision

City Council adopted the following motions:

1. City Council permanently close the public lane shown as Part 1 on the attached Sketch No. PS-2006-056 (the “Lane”), subject to compliance with the requirements of City of Toronto Municipal Code, Chapter 162, and subject to City Council authorizing a sale of the Lane to the abutting owner, RioCan PS Inc.(“RioCan”).
2. City Council authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Lane 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.
3. City Council authorize Transportation Services staff to advise the public of the proposed closure of the Lane 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 page 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 Lane will be considered.

City Council Decision Advice and Other Information

City Council on July 15, 16 and 17, 2008, considered this Item with Government Management Committee Item GM16.13.

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14158.pdf>

Communications (City Council)

(July 7, 2008) e-mail from Franco Romano, Action Planning Consultants, Community Planning, Dispute Resolution and Municipal Services (CC.Main.TE17.62.1)

23.65 **Endorsement of Events for Liquor Licensing Purposes**

TE17.80	ACTION	Amended		Ward: All
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July 16, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Davis moved that the Item be amended by adding the following new Parts 7 and 8 to the recommendations of the Toronto and East York Community Council:
 7. a special occasion permit for the Eritrean Canadian Association of Ontario (ECAO) to hold the 8th Eritrean Community Annual Festival on August 1, 2 and 3, 2008, from 6:00 p.m. to 2:00 a.m., at the Ukrainian Cultural Centre, 83-85 Christie Street, Toronto; and
 8. permission for establishments on Dundas Street West, between Lansdowne Avenue and Dufferin Street, to serve alcohol on the sidewalk, and the presence of an outdoor beer garden where alcohol will be served on August 17, 2008, from 1:00 p.m. to 5:00 p.m., in conjunction with the Dundas West BIA's Samba on Dundas Festival.

Votes:

Motion 1 by Councillor Davis carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motion:

City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests for:

1. permission to serve alcohol from 11:00 a.m. until 4:00 a.m., from September 4-13, 2008, for Satori Restaurant, 735 Queen Street West, in conjunction with Toronto International Film Festival;
2. permission for the operation of a beer garden on Nathan Phillips Square, from Friday, August 1, 2008, to Sunday, August 3, 2008, in conjunction with the IRIE Music Festival;
3. liquor licence extensions for the following establishments, in order to sell and serve alcohol until 4:00 a.m., for the duration of the Toronto International Film Festival:
 - The Rosewater Supper Club, 19 Toronto Street;
 - The Courthouse, 57 Adelaide Street East; and
 - The Drake Hotel, 1150 Queen Street West;
4. permission for the licensing and consumption of alcohol within the premises of 1139 College Street on Friday, August 8, 2008, from 8:00 p.m. to 12:00 a.m.; Saturday, August 9, 2008, from 8:00 p.m. to 12:00 a.m., and on Sunday, August 10, 2008, from 6:00 p.m. to 10:00 p.m., in conjunction with the Water to Wine Festival;
5. interior and outdoor patio (where applicable) liquor licence extensions of hours for the following establishments to permit the sale and service of alcohol until 4:00 a.m., in conjunction Scotiabank Nuit Blanche event:
 - Academy of Spherical Arts, 1 Snooker Street;
 - Atelier Thuet, 171 East Liberty Street, Unit 153;
 - Brazen Head Irish Pub, 165 East Liberty Street;
 - Caffino Ristorante, 1185 King Street West;
 - Druxy's Famous Deli Sandwich, 39 Mowat Avenue;
 - It's A Wrap, 129 Jefferson Avenue;
 - Jolly Café, 165 Dufferin Street;
 - Liberty Street Café Bistro, 25 Liberty Street;
 - Liberty Village Market, 65 Jefferson Avenue, Unit 101;
 - Magic Oven Pizza, 127 Jefferson Avenue;
 - maro, 135 East Liberty Street;
 - Merci Mon Ami, 171 East Liberty Street, Unit 107;

Mildred's Temple Kitchen, 85 Hanna Avenue;
No Regrets Restaurant & Lounge, 42 Mowat Avenue;
Oro Café, 171 East Liberty Street, Unit 165;
Rotisserie House, 141 Jefferson Avenue;
Select Sandwich, 75 Hanna Avenue, Unit 3;
Shoeless Joe's, 1189 King Street West; and
Warehouse Grill, 70 Fraser Avenue;

6. permission for the Hungarian Canadian Cultural Centre to extend its licence to serve alcohol from 2:00 p.m. to 10:00 p.m. on August 22, 2008, and from 11:00 a.m. to 11:00 p.m. on August 23 and 24, 2008, and in order to serve alcohol on a temporary patio on the front of the building at 840 St. Clair Avenue West, in conjunction with the Hungarian Food Fair;
7. a special occasion permit for the Eritrean Canadian Association of Ontario (ECAO) to hold the 8th Eritrean Community Annual Festival on August 1, 2 and 3, 2008, from 6:00 p.m. to 2:00 a.m., at the Ukrainian Cultural Centre, 83-85 Christie Street, Toronto; and
8. permission for establishments on Dundas Street West, between Lansdowne Avenue and Dufferin Street, to serve alcohol on the sidewalk, and the presence of an outdoor beer garden where alcohol will be served on August 17, 2008, from 1:00 p.m. to 5:00 p.m., in conjunction with the Dundas West BIA's Samba on Dundas Festival.

Background Information (Committee)

Liberty Village BIA / Scotiabank Nuit Blanche 2008 - List of Establishments
(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14600.pdf>)

Communications (Committee)

(May 15, 2008) letter from Richard Bailey, Satori, respecting the Toronto International Film Festival to be held on September 4 - 13, 2008, from 11:00 a.m. until 4:00 a.m., at 735 Queen Street West (TE.Main.TE17.80.1)

(June 27, 2008) e-mail from Donna McCurvin, Toronto Urban Music Festival Incorporated, respecting the IRIE Music Festival to be held at Nathan Phillips Square and Queen's Park on August 1-4, 2008 (TE.Supp.TE17.80.2)

(June 24, 2008) e-mail from Louis Silva, Santa Cruz Church, respecting the Our Lady of the Angels Festival to be held at Santa Cruz Church (142 Argyle Street) on August 16-17, 2008 (TE.Supp.TE17.80.3)

(June 27, 2008) fax from Jeremy Kahnert, Toronto Argonauts Football Club, respecting the Municipally Significant Events being held at the Bremner Street Boulevard Parking lot outside the Rogers Centre (Gate 9 entrance) on multiple dates (TE.Supp.TE17.80.4)

(June 30, 2008) e-mail from Matthew Ferguson, Ward's Island Recreation Association, respecting Ward's Island Gala Day Festival, 20 Withrow Street, Ward's Island on

August 2-4, 2008 (TE.Supp.TE17.80.5)

(July 4, 2008) Member Motion from Councillor Giambrone, respecting the Water to Wine Festival taking place on August 8, 9 and 10, 2008. (TE.Supp.TE17.80.6)

(July 3, 2008) letter from Barbara Hershenhorn, Toronto International Film Festival Group, respecting the Toronto International Film Festival taking place from September 4 to September 13, 2008. (TE.Supp.TE17.80.7)

(July 3, 2008) letter from Lynn Clay, Liberty Village BIA, respecting the Liberty Village BIA/Scotiabank Nuit Blanche 2008 to be held on October 4 and 5, 2008 at various locations (TE.New.TE17.80.8)

(July 2, 2008) fax from Gabor Vaski, Hungarian Canadian Cultural Centre, respecting the Hungarian Food Fair to be held on August 22, 2008 from 2:00 p.m. - 10:00 p.m. and on August 23 and 24, 2008 from 11:00 a.m. - 10:00 p.m. at 840 St. Clair Avenue West (TE.New.TE17.80.9)

23.66 NEW BUSINESS FROM CITY OFFICIALS

July 15, 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.

Held for consideration. CC23.1 (June 12, 2008) from the City Solicitor, headed
Minute 23.67 "Parkland Dedication By-law – Alternate Rate (former City of North York)"

Held for consideration. CC23.2 (July 3, 2008) from the Integrity Commissioner,
Minute 23.68 headed "Integrity Commissioner Annual Report - 2007"

Held for consideration. CC23.3 (July 8, 2008) from the Integrity Commissioner,
Minute 23.69 headed "Integrity Commissioner End of Term Report – 2008"

Held for consideration. CC23.4 (July 3, 2008) from the Lobbyist Registrar, headed
Minute 23.70 "Status of the Office of the Lobbyist Registrar"

Held for consideration. CC23.5 (July 8, 2008) from the City Solicitor, headed "Lease
Minute 23.71 Dispute Between City and Queen St. Patrick Market Inc. Regarding 238 Queen Street West Property"

Held for consideration. CC23.6 (July 7, 2008) from the City Solicitor, headed “Review of OMB Decision Regarding 1465 Lawrence Avenue West Condominium Conversion”
Minute 23.72

23.67 **Parkland Dedication By-law – Alternate Rate (former City of North York)**

CC23.1	ACTION	Amended		
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July 15, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Jenkins moved that Item CC23.1 be amended to provide that:
 1. City Council adopt the confidential recommendations in Attachment 1 in substitution for the recommendation contained in the confidential portion of the deferred report of the City Solicitor (June 12, 2008).
 2. City Council authorize the public release of the confidential recommendations in Attachment 1 if adopted by Council.

Votes:

Motion 1 by Councillor Jenkins carried.

Item CC23.1, as amended, carried.

July 17, 2008

Speaker Bussin in the Chair.

Motion to Reconsider:

Councillor Jenkins, with the permission of Council, moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider Item CC23.1, only for the purpose of considering a revised chart, which carried, two-thirds of Members present having voted in the affirmative.

Motion:

1. Councillor Jenkins moved that Confidential Attachment 1 to the report (July 7, 2008) from the City Solicitor (CC23.1a) be amended in accordance with the revised chart submitted by the City Solicitor.

Votes:

Motion 1 by Councillor Jenkins carried.

Item CC23.1, as further amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in revised Attachment 1 to the report (July 7, 2008) from the City Solicitor (CC23.1a), in substitution for the recommendation contained in the confidential portion of the deferred report of the City Solicitor (June 12, 2008).
2. City Council authorize the public release of the confidential recommendations in Attachment 1 if adopted by Council.

The following recommendations and Section A of the chart contained in revised Confidential Attachment 1 to the report (July 7, 2008) from the City Solicitor (CC23.1a) are now public. The balance of revised Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. The criteria for exclusion of properties from the proposed North York alternate rate parkland dedication by-law shall be based on excluding properties currently the subject of a City Council or OMB decision on appeal predating the passage of such by-law unless the City has received no submissions relating to conditions of approval during the 3 years prior to the date of passage of the by-law.
2. The chart attached to the Confidential Information section of the report of the City Solicitor dated June 12, 2008, and deferred from the Council meeting of June 23 and 24, 2008, be replaced by the chart attached hereto and the properties set out in Section A thereof be included in the alternate rate parkland dedication by-law for the lands within the boundaries of the North York Community Council.

SECTION A - Recommended for Inclusion in By-law

Property	Status
1. York University Secondary Plan	Secondary Plan review underway. No Final Report.

2.	314-325 Bogert Ave. 305-308 Poyntz Ave.	OMB approval in 2000 – s.37 remain unexecuted, major site plan revisions unresolved.
3.	230 Finch Ave. E.	Approved OP and Zoning by City Council in Sept. 2006 – bills not introduced – site plan application abandoned.
4.	939 Lawrence Ave. E. (Don Mills Plaza)	Rezoning/development application. No Final Report.
5.	865-867-869 Sheppard Ave. West	Approved OP and Zoning by City Council Sept. 2005 – bills not introduced – site plan application dormant.
6.	555 Finch Ave. (Advent Health Care)	Application made Aug. 2004 - Final Report currently being prepared confirming agreed upon extensive open space conveyance to TRCA, public trail and buffer lands at top of bank to City.

Confidential Attachment 1 to the report (June 12, 2008) from the City Solicitor (CC213.1), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege.

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

Background Information (City Council)

(June 12, 2008) report from the City Solicitor (CC23.1)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14753.pdf>)

(July 7, 2008) report from the City Solicitor (CC23.1a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14754.pdf>)

23.68 **Integrity Commissioner Annual Report - 2007**

CC23.2	ACTION	Adopted		
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During its review of the Order Paper, Council decided to consider this Item and Item CC23.3, headed “Integrity Commissioner End of Term Report – 2008”, together. (See Minute 23.69 for Council’s action on Item CC23.3)

July 16, 2008

Deputy Speaker Lindsay Luby in the Chair.

Vote:

Item CC23.2 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council receive the report (July 3, 2008) from the Integrity Commissioner, Item CC23.2, for information.

City Council Decision Advice and Other Information

City Council on July 15, 16 and 17, 2008, considered this Item with Item CC23.3, headed “Integrity Commissioner End of Term Report - 2008”.

Background Information (City Council)

(July 3, 2008) report from the Integrity Commissioner (CC23.2)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14755.pdf>)

23.69 **Integrity Commissioner End of Term Report – 2008**

CC23.3	ACTION	Amended		
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During its review of the Order Paper, Council decided to consider this Item and Item CC23.2, headed “Integrity Commissioner Annual Report - 2007” together. (See Minute 23.68 for Council’s action on Item CC23.2)

July 16, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Moscoe moved that Item CC23.3 be amended by adding the following:
 1. That the City Clerk be requested to report to the Executive Committee on amending Council’s Rules of Procedure so that in future reports to Council,

the Integrity Commissioner shall be permitted to introduce the report at Council and the Member(s) who are the subject of the report shall be permitted, if they wish, to address and make submissions to Council.

- 2 That City Council convey its thanks and appreciation to David Mullan for the important and difficult work he has done laying the groundwork as the Province's first municipal Integrity Commissioner.
2. Deputy Mayor Pantalone moved that Item CC23.3 be amended by adding the following:
 1. That the City Manager, in consultation with the Accountability Officers, the City Clerk and the City Solicitor, develop and report to the Executive Committee on an overview framework for the accountability positions setting out the legislated provisions and any governance, policy and support mechanisms required to effectively carry out the functions and ensure their independence.
 3. Councillor Davis moved that Item CC23.3 be amended by adding the following:
 1. That the City Manager, during the two-year review of the City of Toronto Act, be requested to raise the issue, with the Province, of either modernizing the Municipal Conflict of Interest Act or conferring on the City of Toronto the authority to create its own conflict of interest regime in place of or supplementary to the Act.
 4. Councillor Hall moved that motion 3 by Councillor Davis be amended to read as follows:
 1. That The City Manager, during the two year review of the City of Toronto Act, be requested to raise the issue, with the Province, of modernizing the Municipal Conflict of Interest Act.

Votes:

Part 1 of motion 1 by Councillor Moscoe carried.

Adoption of motion 4 by Councillor Hall:

Yes - 25

Councillors:	Ainslie, Augimeri, Bussin, Di Giorgio, Feldman, Fletcher, Ford, Grimes, Hall, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Parker, Rae, Saundercook, Shiner, Stintz, Vaughan
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No - 9

Councillors: Carroll, Cho, Davis, De Baeremaeker, Giambrone,
Heaps, Jenkins, Perks, Perruzza

Carried by a majority of 16.

Motion 3 by Councillor Davis, as amended, carried.

Adoption of Part 2 of motion 1 by Councillor Moscoe:

Yes - 35

Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis,
De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford,
Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins,
Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser,
Moscoe, Ootes, Palacio, Pantalone, Parker, Perks,
Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan

No - 0

Carried unanimously.

Motion 2 by Deputy Mayor Pantalone carried.

Adoption of Item CC23.3, as amended:

Yes - 35

Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis,
De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford,
Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins,
Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser,
Moscoe, Ootes, Palacio, Pantalone, Parker, Perks,
Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan

No - 0

Carried unanimously.

City Council Decision

City Council adopted the following motions:

1. City Council receive the report (July 8, 2008) from the Integrity Commissioner (Item CC23.3), for information.
2. City Council convey its thanks and appreciation to David Mullan for the important and difficult work he has done laying the groundwork as the Province’s first municipal Integrity Commissioner.
3. The City Manager, during the two-year review of the City of Toronto Act, be requested to raise the issue, with the Province, of modernizing the Municipal Conflict of Interest Act.
4. The City Manager, in consultation with the Accountability Officers, the City Clerk and the City Solicitor, develop and report to the Executive Committee on an overview framework for the accountability positions setting out the legislated provisions and any governance, policy and support mechanisms required to effectively carry out the functions and ensure their independence.
5. The City Clerk be requested to report to the Executive Committee on amending Council’s Rules of Procedure so that in future reports to Council, the Integrity Commissioner shall be permitted to introduce the report at Council and the Member(s) who are the subject of the report shall be permitted, if they wish, to address and make submissions to Council.

City Council Decision Advice and Other Information

City Council on July 15, 16 and 17, 2008, considered this Item with Item CC23.2, headed “Integrity Commissioner Annual Report - 2007”.

Background Information (City Council)

(July 8, 2008) report from the Integrity Commissioner (CC23.3)
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14756.pdf>

23.70 **Status of the Office of the Lobbyist Registrar**

CC23.4	ACTION	Amended	
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July 16, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Moscoe moved that Item CC23.4 be received for information.
2. Deputy Mayor Pantalone moved that Item CC23.4 be amended by adding the following:
 1. That the City Manager, in consultation with the Accountability Officers, the City Clerk and the City Solicitor, develop and report to the Executive Committee on an overview framework for the accountability positions setting out the legislated provisions and any governance, policy and support mechanisms required to effectively carry out the functions and ensure their independence.

Permission to Withdraw Motion:

Councillor Moscoe, with the permission of Council, withdrew his motion 1.

Votes:

Motion 2 by Deputy Mayor Pantalone carried.

Item CC23.4, as amended, carried.

City Council Decision

City Council adopted the following motion:

1. The City Manager, in consultation with the Accountability Officers, the City Clerk and the City Solicitor, develop and report to the Executive Committee on an overview framework for the accountability positions setting out the legislated provisions and any governance, policy and support mechanisms required to effectively carry out the functions and ensure their independence.

Background Information (City Council)

(July 3, 2008) report from the Lobbyist Registrar (CC23.4)
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14757.pdf>

23.71 Lease Dispute Between City and Queen St. Patrick Market Inc. Regarding 238 Queen Street West Property

CC23.5	ACTION	Adopted		Ward: 20
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July 15, 2008

Speaker Bussin in the Chair.

Vote:

Item CC23.5 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize the public release of the confidential recommendations in Attachment 1 if adopted by Council and the balance of the report to remain confidential.

The following recommendation contained in Confidential Attachment 1 to the report (July 8, 2008) from the City Solicitor, is now public. The balance of Confidential 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 and that is subject to solicitor-client privilege:

1. The City Solicitor be directed to amend the existing court application to seek a court order terminating Market Inc.'s Lease on the basis of Market Inc.'s failure to operate the Market Building in accordance with the terms of the Lease that require the Market Building to be used as a food market.

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and solicitor-client privilege

Background Information (City Council)

(July 8, 2008) report from the City Solicitor (CC23.5)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14758.pdf>

23.72 Review of OMB Decision Regarding 1465 Lawrence Avenue West Condominium Conversion

CC23.6	ACTION	Adopted		Ward: 12
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July 17, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Di Giorgio moved that Item CC23.6 be received for information.

Votes:

Adoption of motion 1 by Councillor Di Giorgio:

Yes - 11	
Councillors:	Di Giorgio, Feldman, Ford, Grimes, Holyday, Jenkins, Kelly, Milczyn, Ootes, Palacio, Saundercook
No - 12	
Councillors:	Ashton, Bussin, Carroll, Fletcher, Heaps, Lindsay Luby, Mihevc, Moscoe, Parker, Perks, Stintz, Vaughan

Lost by a majority of 1.

Adoption of Item CC23.6, without amendment:

Yes - 13	
Councillors:	Ashton, Bussin, Carroll, Feldman, Fletcher, Heaps, Lindsay Luby, Mihevc, Moscoe, Parker, Perks, Stintz, Vaughan
No - 10	
Councillors:	Di Giorgio, Ford, Grimes, Holyday, Jenkins, Kelly, Milczyn, Ootes, Palacio, Saundercook

Carried by a majority of 3.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1.
2. City Council authorize the public release of the confidential recommendations in Attachment 1, if adopted by Council.

The following recommendations contained in Confidential Attachment 1 to the report (July 7, 2008) from the City Solicitor, are now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. The motion for leave to appeal to the Divisional Court from the Ontario Municipal Board (OMB) Decision of June 17, 2008, respecting the conversion to condominium of 1465 Lawrence Avenue West, Toronto, be confirmed and the City Solicitor be instructed to proceed with the appeal if leave is granted by the court.
2. If leave is not granted by the Divisional Court or if leave is granted and the City is unsuccessful in the subsequent appeal, the City Solicitor be authorized to pay the legal costs incurred by the owner from the Arbitration and Legal Awards Reserve Fund.
3. The City Solicitor be directed to request the OMB to review its decision of June 17, 2008, pursuant to Section 43 of the Ontario Municipal Board Act.

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

Background Information (City Council)

(July 7, 2008) report from the City Solicitor (CC23.6)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14762.pdf>)

Declared Interests (City Council)

The following member(s) declared an interest:
Councillor Maria Augimeri - in that her mother owns a condominium in the immediate vicinity.

NOTICES OF MOTION

- 23.73 **Dr. Sheela Basrur Occupational Health and Safety Award**
Moved by Councillor Davis, seconded by Mayor Miller

MM23.1	ACTION	Adopted	
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July 16, 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 MM23.1 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.1

at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.1, 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)

Procedural Vote to Consider Motion MM23.1 at this meeting:

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan, Walker
No - 0	

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

Vote to Adopt Motion MM23.1, without amendment:

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

City Council Decision

City Council adopted the following motion:

1. The City of Toronto establish a Dr. Sheela Basrur Occupational Health and Safety Award and the Occupational Health and Safety Coordinating Committee be given the authority to present the award annually to a City division that has contributed significantly to improved health and safety performance and programming within

the past year through joint management-labour efforts.

Background Information (City Council)

Member Motion MM23.1

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14656.pdf>)

23.74 **Canadian Red Cross Society Auxiliary Role Project**

Moved by Councillor Hall, seconded by Councillor McConnell

MM23.2	ACTION	Adopted		
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July 16, 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 MM23.2 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.2 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.2, 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 MM23.2 at this meeting:

The vote to consider Motion MM23.2 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM23.2 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The City of Toronto express its support for the Auxiliary Role Project and, in particular, the renewal of the framework for co-operation between public authorities and the Canadian Red Cross to better address the humanitarian challenges of the 21st century by:
 - a. working to reinforce the status and roles of the Canadian Red Cross, as auxiliary to public authorities in the humanitarian field; and
 - b. reviewing existing measures, arrangements and instruments supporting the relationship.

Background Information (City Council)

Member Motion MM23.2

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14657.pdf>

23.75 Implementation of the Fiscal Review Panel’s Recommendation Regarding the Systematic Review of the City’s Capital Assets

Moved by Councillor Stintz, seconded by Councillor Parker

MM23.3	ACTION	Referred		
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July 16, 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 MM23.3 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.3 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.3, 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 MM23.3 at this meeting:

Yes - 13	
Councillors:	Ashton, Feldman, Ford, Grimes, Holyday, Lee, Moeser, Ootes, Palacio, Shiner, Stintz, Thompson, Walker
No - 22	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

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

City Council Decision

City Council referred Motion MM23.3 to the Executive Committee.

Background Information (City Council)

Member Motion MM23.3

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14658.pdf>)

23.76 Issuance of Temporary Special Event Licenses to Toronto Based Livery Companies During Signature City Events

Moved by Councillor Stintz, seconded by Councillor Feldman

MM23.4	ACTION	Referred		
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July 16, 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 MM23.4 be referred to the Licensing and Standards Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.4 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.4, 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 MM23.4 at this meeting:

Yes - 17 Councillors:	Ashton, Cho, Feldman, Ford, Grimes, Holyday, Kelly, Lee, Ootes, Palacio, Parker, Perruzza, Rae, Shiner, Stintz, Thompson, Walker
No - 19 Mayor: Councillors:	Miller Ainslie, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Perks, Vaughan

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

City Council Decision

City Council referred Motion MM23.4 to the Licensing and Standards Committee.

Background Information (City Council)

Member Motion MM23.4

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14659.pdf>

23.77 City Council Request the Province of Ontario to Abolish the Ontario Municipal Board

Moved by Councillor Walker, seconded by Councillor Jenkins

MM23.5	ACTION	Referred		
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July 16, 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 MM23.5 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.5 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.5, 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 MM23.5 at this meeting:

Yes - 10 Councillors:	Feldman, Fletcher, Lee, Moeser, Palacio, Perruzza, Shiner, Stintz, Vaughan, Walker
No - 26 Mayor: Councillors:	Miller Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Parker, Perks, Rae, Thompson

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

City Council Decision

City Council referred Motion MM23.5 to the Executive Committee.

Background Information (City Council)

Member Motion MM23.5

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14660.pdf>

23.78 **City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol**

Moved by Councillor Walker, seconded by Councillor Nunziata

MM23.6	ACTION	Referred		
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July 16, 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 MM23.6 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.6

at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.6, 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)

Procedural Vote to Consider Motion MM23.6 at this meeting:

Yes - 9	
Councillors:	Fletcher, Ford, Mihevc, Moscoe, Palacio, Perruzza, Stintz, Vaughan, Walker
No - 27	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Milczyn, Moeser, Ootes, Pantalone, Parker, Perks, Rae, Shiner, Thompson

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

City Council Decision

City Council referred Motion MM23.6 to the Executive Committee.

Background Information (City Council)

Member Motion MM23.6

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14661.pdf>

23.79 199 Forest Hill Road – Appeal to Ontario Municipal Board of Committee of Adjustment's Refusal Decision

Moved by Councillor Walker, seconded by Councillor Thompson

MM23.7	ACTION	Adopted		Ward: 22
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July 16, 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 MM23.7 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM23.7 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.7, 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 MM23.7 at this meeting:

The vote to consider Motion MM23.7 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM23.7 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council direct the City Solicitor and the appropriate staff to appear at the Ontario Municipal Board to support the Toronto and East York Committee of Adjustment's refusal of the application for variances for 199 Forest Hill Road.

Background Information (City Council)

Member Motion MM23.7, with attached memorandum (July 3, 2008) from the Manager and Deputy Secretary-Treasurer, Committee of Adjustment, Toronto and East York Panel (on file in the City Clerk's Office)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14662.pdf>

23.80 **Offer Congratulations to Swimming Olympian - Alexa Komarnycky from Etobicoke**

Moved by Councillor Grimes, seconded by Mayor Miller

MM23.8	ACTION	Adopted		
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July 16, 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 MM23.8 be referred to the Community Development and Recreation Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.8 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.8, 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 MM23.8 at this meeting:

The vote to consider Motion MM23.8 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote to Adopt Motion MM23.8, without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

City Council Decision

City Council adopted the following motion:

1. City Council extend congratulations and best wishes to Etobicoke Swimming Olympian Alexa Komarnycky, as she competes for Canada at the 2008 Olympic Games in Beijing.

Background Information (City Council)

Member Motion MM23.8

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14663.pdf>)

23.81 **Professional Development Days for City Staff**

Moved by Councillor Ootes, seconded by Councillor Stintz

MM23.9	ACTION	Referred		
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July 16, 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 MM23.9 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.9 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.9, 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 MM23.9 at this meeting:

Yes - 16 Councillors:	Ashton, Fletcher, Ford, Grimes, Hall, Holyday, Kelly, Lee, Moeser, Ootes, Palacio, Parker, Shiner, Stintz, Vaughan, Walker
No - 19 Mayor: Councillors:	Miller Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Heaps, Lindsay Luby, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Rae, Thompson

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

City Council Decision

City Council referred Motion MM23.9 to the Executive Committee.

Background Information (City Council)

Member Motion MM23.9

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14664.pdf>)

23.82 **Minimum Park Size for the Creation of New Off leash Areas in City Parks**
Moved by Councillor Vaughan, seconded by Councillor Perruzza

MM23.10	ACTION	Referred		
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July 16, 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 MM23.10 be referred to the Parks and Environment Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.10 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.10, 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 MM23.10 at this meeting:

Yes - 6	
Councillors:	Feldman, Ford, Mihevc, Shiner, Stintz, Vaughan
No - 29	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Thompson, Walker

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

City Council Decision

City Council referred Motion MM23.10 to the Parks and Environment Committee.

Background Information (City Council)

Member Motion MM23.10

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14665.pdf>)

Communications (City Council)

(July 14, 2008) e-mail from Andrew Long, Chief Pathfinder (CC.Supp.MM23.10.1)

MOTIONS WITHOUT NOTICE

- 23.83 **130 Bloor Street West – Cash Payment in Lieu of Providing Parking**
Moved by Councillor Rae, seconded by Councillor Vaughan

MM23.11	ACTION	Adopted		
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July 16, 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 MM23.11.

Procedural Vote to Waive Notice:

The vote to introduce Motion MM23.11 carried, two-thirds of Members present having voted in the affirmative.

Advice by Speaker:

Speaker Bussin advised the Council that consideration of Motion MM23.11 requires a re-opening of Toronto and East York Community Council Item TE12.4 (January 29 and 30, 2008), as it relates to Payment-in-Lieu of Parking. 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 TE12.4:

The vote to re-open Toronto and East York Community Council Item TE12.4 (January 29 and 30, 2008), as it relates to Payment-in-Lieu of Parking, carried, two-thirds of Members present having voted in the affirmative.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.11, 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)

Vote:

Motion MM23.11 was adopted, without amendment.

City Council Decision

City Council re-opened Toronto and East York Community Council Item TE12.4 (City Council - January 29 and 30, 2008), as it relates to Payment-in-lieu of Parking, for further consideration, and adopted the following motion:

1. City Council authorize the entering into of a Payment-in-Lieu of Parking Agreement with the owner of 130 Bloor Street West for the payment-in-lieu of six non-residential parking spaces, such agreement to be to the satisfaction of the Director of Transportation Services, Toronto and East York District, in consultation with the City Solicitor, including provisions for the payment of \$336,000.00 to the City to be secured by the applicant posting a letter of credit in the amount of \$336,000.00 which the City may draw down upon if the applicant has not, within six months of the date of the agreement, obtained alternative parking within 300 metres of the site through a valid contract or agreement for a period of not less than five years.

Background Information (City Council)

Member Motion MM23.11

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14697.pdf>

23.84 **Bill Hancox Proposed Temporary Gravel Parking Lot**

Moved by Councillor Moeser, seconded by Councillor De Baeremaeker

MM23.12	ACTION	Adopted		Ward: 44
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July 16, 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 MM23.12.

Procedural Vote to Waive Notice:

Yes - 26	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Vaughan, Walker
No - 10	
Councillors:	Carroll, Feldman, Giambrone, Heaps, Lee, Ootes, Rae, Shiner, Stintz, Thompson

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 MM23.12 be referred to the Government Management Committee. A two-thirds vote of the Council Members present is required to consider Motion MM23.12 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.12, 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 MM23.12 at this meeting:

The vote to consider Motion MM23.12 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote to Adopt Motion MM23.12, without amendment:

Yes - 32	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone,

Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Thompson, Vaughan, Walker
No - 4 Councillors: Feldman, Lee, Shiner, Stintz

Carried by a majority of 28.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor, in consultation with the General Manager of Parks, Forestry and Recreation, to negotiate and enter into Lease Agreement at a nominal sum (\$1.00/year) with the Toronto District School Board (the "Board") for the use of a proposed temporary gravel parking lot adjacent to Bill Hancox Park in Ward 44 Scarborough East, for a term of ten (10) years plus one option only to extend the term for a further five (5) year term.

Background Information (City Council)

Member Motion MM23.12

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14698.pdf>)

23.85 **Appeal of Committee of Adjustment Decision – 165 Parkhurst Boulevard**
Moved by Councillor Parker, seconded by Councillor Jenkins

MM23.13	ACTION	Adopted	Ward: 26
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.13 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 MM23.13 to the agenda.

Procedural Vote to add Motion MM23.13 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.13 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.13, 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 MM23.13 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. The City Solicitor and appropriate City staff be instructed to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision of the modification to the Floor Space Index of 0.54 times the lot area that has been appealed by the owner to the Ontario Municipal Board and opposing the Floor Space Index of 0.6 times the lot area (relating to Committee of Adjustment application A0589/07NY).

Background Information (City Council)

Member Motion MM23.13

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14709.pdf>)

Committee of Adjustment Decision

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14710.pdf>)

**23.86 Appeal of Committee of Adjustment Decision – Application A0086/08NY;
453 Sutherland Drive**

Moved by Councillor Parker, seconded by Councillor Jenkins

MM23.14	ACTION	Adopted		Ward: 26
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.14 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 MM23.14 to the agenda.

Procedural Vote to add Motion MM23.14 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.14 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.14, 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 MM23.14 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. The City Solicitor be authorized to engage an external planning consultant and to attend the Ontario Municipal Board hearing to contest the proposed minor variance, together with such City staff as may be required to support the conditions required by Urban Forestry.

Background Information (City Council)

Member Motion MM23.14

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14711.pdf>

Committee of Adjustment Decision

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14752.pdf>

Moved by Councillor Stintz, seconded by Councillor Jenkins

MM23.15	ACTION	Adopted		Ward:16
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.15 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 MM23.15 to the agenda.

Procedural Vote to add Motion MM23.15 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.15 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.15, 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)

Vote:

Motion MM23.15 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor to request the OMB to review, pursuant to section 43 of the Ontario Municipal Board Act, its decision issued July 3, 2008, respecting 3018-3020 Yonge Street, with the purpose of seeking a continuation of the original OMB hearing to allow the City to properly address its objections to the revised proposal.

Background Information (City Council)

Member Motion MM23.15

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14712.pdf>

23.88 **25 Queens Quay East – Directions Report Regarding Appeal of Minor Variance Application No. A0349/07TEY to the Ontario Municipal Board and Requested Amendments to Section 37 Agreement and Three Party Agreement**

Moved by Councillor McConnell, seconded by Councillor Rae

MM23.16	ACTION	Adopted		Ward: 28
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.16 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 MM23.16 to the agenda.

Procedural Vote to add Motion MM23.16 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.16 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.16, 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 MM23.16 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1.
2. City Council authorize the public release, at the end of the Council meeting, of the confidential instructions if adopted by Council.

The following recommendations contained in Confidential Attachment 1 to the report (July 15, 2008) from the City Solicitor, are now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. City Council authorize the City Solicitor and appropriate City staff to attend at the Ontario Municipal Board Hearing with respect to the appeal of Committee of Adjustment Application A0349/07TEY in general support of the application, subject to the following conditions:
 - a. prior to any Board Order issuing, an amending Section 37 Agreement be entered into by the owner with the City to the satisfaction of the Chief Planner and the City Solicitor in consultation with other appropriate City staff as authorized by the City Council, and such agreement be registered on title to the satisfaction of the City Solicitor;
 - b. prior to any Board Order issuing, an amending Three Party Agreement be entered into by the owner with the City and the owner of the Redpath lands to the satisfaction of the Chief Planner and the City Solicitor in consultation with other appropriate City staff as authorized by the City Council, and such agreement being registered on title to the satisfaction of the City Solicitor to address revisions related to noise control;
 - c. the Chief Planner being satisfied, following a peer review of the applicant's noise and vibration study at the applicant's expense, including an opportunity to consider input from a noise and vibration consultant retained by the owner of the Redpath lands if required by the Chief Planner, that the noise and vibration implications resulting from the variances are acceptable and any required noise and vibration implementation measures, including their maintenance are secured to the satisfaction of the City Solicitor in consultation with the Chief Planner;
 - d. the Chief Planner being satisfied, following a peer review of the applicant's air quality study at the applicant's expense, including an opportunity to consider input from an air quality consultant retained by the

owner of the Redpath lands if required by the Chief Planner, that the air quality implications resulting from the variances are acceptable and any required air quality implementation measures, including their maintenance are secured to the satisfaction of the City Solicitor in consultation with the Chief Planner;

- e. no portion of any building (excluding shoring and/or tie backs below finished grade) shall be located within the area identified as Part 7 on the draft Plan of Survey of Part of Blocks 18 and 19, Registered Plan 694-E, City of Toronto, prepared by Krcmar Surveyors Ltd., identified as Drawing Name 06-170RP04;
- f. the proposed setback from Queens Quay East shown on Revised Plan A1 and Revised Plan 1B as 9 metres shall only be permitted with respect to the proposed New Building B and its ancillary and accessory uses and structures and shall also be subject to the following:
 - i. the proposed minimum setback of 9 metres shall be permitted above and below finished grade for a maximum distance of 12 metres from the easterly site limit;
 - ii. beyond the 12 metre distance identified in i., above, the setback shall be a minimum of 11 metres for the underground garage associated with New Building B and New Building D, unless a reduced setback is satisfactory to the Director of Technical Services with respect to proposed development of New Building B; and
 - iii. such setback requirements do not preclude tie backs and shoring or similar encroachments, satisfactory to the Director of Technical Services;
- g. the owner of the subject lands shall erect and maintain New Building B and New Building D substantially in accordance with the following plans and drawings prepared by architects Alliance, dated February 28, 2008, or as revised to the satisfaction of the Chief Planner, (the "Drawings"):
 - i. Overall Site Plan, Drawing A-01;
 - ii. Building D Floor Plans and Roof Plans, consecutively numbered Drawing A-02 to A-10;
 - iii. Building D Elevations, consecutively numbered Drawings A-11 to A-14;
 - iv. Building B Floor Plans and Roof Plans, consecutively numbered as Drawing A-15 to A-26; and
 - v. Building B Elevations, consecutively numbered Drawing A-27 to

A-32;

- h. Variance 9.(a) being conditional upon the requirement that the 30% requirement for Low-End of Market Housing Units for New Building B and New Building D shall be met based on increasing the maximum size requirement for bachelor/one bedroom units from 65 square metres to 67 square metres;
 - i. Variance 8.(a) being conditional on a minimum of 50% of the visitor bike parking being at grade in a non-secured room, enclosure or bicycle lockers;
 - j. prior to any building permit issuing for any part of the lands, the owner making arrangements satisfactory to the Chief Planner in consultation with the City Solicitor, to grant to the City for public and City use, a right-of-way from Queens Quay East to the water's edge, in a location and having a clear width of up to 6 metres, satisfactory to the Chief Planner, such easement to be on terms and conditions and registered to the satisfaction of the City Solicitor, including if required for fire truck access, that any parking garage structure below the right-of-way be constructed in accordance with the Canadian Highway bridge Design Code (CAN/CSA S6-00) for highway loading purposes, as amended, superseded or replaced from time to time, including allowance for impact factors and such additional strength as the structural engineer considers appropriate to support the emergency response vehicles and any structural load imparted on it, including its construction and maintenance during the life expectancy of the parking garage structure; and
 - k. prior to any Board Order issuing, the City Solicitor in consultation with the Chief Planner and other appropriate City officials, providing other appropriate conditions to the Ontario Municipal Board to which the variances shall be made subject, including ensuring that conditions addressing the timing of Section 37 matters are imposed to ensure they comprise applicable law for the purpose of the issuance of building permits.
2. Subject to the owner and the City reaching agreement on the appropriate conditions to the variances to be imposed by the Board to the satisfaction of the Chief Planner and the City Solicitor, in consultation with other appropriate staff, City Council authorize the amendment of the existing Section 37 Agreement, on terms satisfactory to the Chief Planner and the City Solicitor in consultation with other appropriate City staff, including registration of such amending agreement to the City Solicitor's satisfaction, such amendments to include, but not necessarily be limited to:

- a. deleting the requirement for conveyance and construction of the north/south public street (Freeland Street extension), subject to the granting of a satisfactory right-of-way as required in Part 1j.;
 - b. amending the park conveyance provisions to delete the conveyance of the contiguous park land area of 1535.0 square metres with the understanding that other additional park lands shall be sought by the City at nominal cost, in the second phase of development;
 - c. providing for a minimum 9.0 metres and up to 11.0-metre conveyance to the City for road widening along Queens Quay East at a nominal cost, in acceptable condition, to the satisfaction of the Chief Planner, as determined through the environmental assessment;
 - d. amending the park contribution provisions to permit the City to elect that the park contribution funds, which total remains unchanged, be paid to the owner in exchange for the owner carrying out park improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation;
 - e. amending the community facility contribution provisions to allow for the daycare facility or cash payment in lieu of such facility to be provided/paid in the second phase of development provided the Section 37 Agreement Basic Threshold is not exceeded by more than 2600 square metres in the first phase; and
 - f. adding provisions to address air quality.
3. City Council authorize the amendment of the existing Three Party Agreement, to the satisfaction of the Chief Planner and the City Solicitor in consultation with other appropriate City staff and to ensure noise is addressed in an acceptable manner in accordance with Part 1d.
 4. City Council authorize the entering into of a Limiting Distance Agreement with the owner of the development with respect to a portion of the waterfront promenade lands to be conveyed to the City, such agreement to be for nominal consideration and to the satisfaction of the Chief Planner in consultation with the City Solicitor, the Chief Building Official and the General Manager of Parks, Forestry and Recreation.
 5. City Council direct and authorize the appropriate City officials to take the necessary action to give effect thereto.

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

Background Information (City Council)

Member Motion MM23.16

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14713.pdf>

(July 15, 2008) report from the City Solicitor

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14744.pdf>

(April 4, 2008) Public Hearing Notice

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14745.pdf>

- 23.89 **Re-establishment of Laneway Commercial Collections on Bloor Street West, The Queensway, and Dundas Street West in Ward 5, Etobicoke-Lakeshore**
Moved by Councillor Milczyn, seconded by Councillor Grimes

MM23.17	ACTION	Referred		Ward: 5
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.17 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 MM23.17 to the agenda.

Procedural Vote to add Motion MM23.17 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.17 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.17, 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 De Baeremaeker moved that Motion MM23.17 be referred to the Public Works and Infrastructure Committee for consideration at its meeting on September 8, 2008.

Vote:

Motion 1 by Councillor De Baeremaeker carried.

City Council Decision

City Council referred Motion MM23.17 to the Public Works and Infrastructure Committee for consideration at its meeting on September 8, 2008.

Background Information (City Council)

Member Motion MM23.17

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14714.pdf>)

- 23.90 **18 Lower Jarvis Street – Direction With Respect to Section 37 Benefits**
Moved by Councillor McConnell, seconded by Councillor Rae

MM23.18	ACTION	Adopted		Ward: 28
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.18 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 MM23.18 to the agenda.

Procedural Vote to add Motion MM23.18 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.18 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.18, 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 MM23.18 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1.
2. City Council authorize the public release, at the end of the Council meeting, of the confidential instructions if adopted by Council.

The following recommendations contained in Confidential Attachment 1 to the report (July 14, 2008) from the City Solicitor, are now public. The balance of Confidential Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. City Council City Council accept the offer of the applicant to make the following Section 37 contributions to the City:
 - a. \$1,000,000.00 for public art, which could be used to improve the pedestrian environment along Lower Jarvis Street between Front Street East and Lake Shore Boulevard East, including potential enhancements to the canopy along Lower Jarvis Street, the CN underpass and the St. Lawrence Market colonnade, subject to the public art process; and
 - b. \$500,000.00 for other streetscape improvements on Lower Jarvis Street not abutting the property.
2. In accordance with the settlement offer from the applicant, City Council direct that the local capital improvement portion of the cash-in-lieu of parkland payment made pursuant to Section 42 of the Planning Act with respect to the subject development be directed to the future extension of Crombie Park (directly north of the site).
3. City Council delete the requirement in Recommendation 3.d. of Toronto East York Community Council Item TE15.10 as adopted by City Council at its meeting of May 26 and 27, 2008, with respect to the proportion of residential

units in the podium facing Jarvis Street.

4. City Council direct the City Solicitor to attend the upcoming Ontario Municipal Board Hearing on August 6 and 7, 2008, and not oppose the applicant's request that any gross floor area previously used for the mechanical penthouse may be used for residential purposes should any or all of the mechanical penthouse be relocated to another part of the building, provided that there is no change to the height or built form of the building previously considered and approved by City Council and that there will be a maximum of 33 residential floors.
5. City Council City Council direct and authorize the appropriate City officials to take the necessary action to give effect thereto.

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

Background Information (City Council)

Member Motion MM23.18

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14715.pdf>

(July 14, 2008) report from the City Solicitor

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14716.pdf>

23.91 **Gardiner/Lake Shore Corridor West of Exhibition Place**

Moved by Councillor Palacio, seconded by Mayor Miller

MM23.19	ACTION	Referred		
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.19 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 MM23.19 to the agenda.

Procedural Vote to add Motion MM23.19 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.19 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.19, 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 Lindsay Luby moved that Motion MM23.19 be referred to the Planning and Growth Management Committee.

Vote:

Motion 1 by Councillor Lindsay Luby carried.

City Council Decision

City Council referred Motion MM23.19 to the Planning and Growth Management Committee.

Background Information (City Council)

Member Motion MM23.19

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14717.pdf>)

23.92 **City-wide Strategy to Retain and Create Cultural Space through the Development Approval Process**

Moved by: Councillor Vaughan, seconded by Councillor Mihevc

MM23.20	ACTION	Adopted		
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July 15, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.20 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 MM23.20 to the agenda.

Procedural Vote to add Motion MM23.20 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM23.20 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM23.20, 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 MM23.20 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. The City Manager co-ordinate a process with staff from Planning, Culture, Economic Development, Legal and Finance and report back to Executive Committee, in September 2008, on a City-wide strategy to retain existing cultural space and create affordable and sustainable new cultural space through the development approval process.

Background Information (City Council)

Member Motion MM23.20

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14718.pdf>

23.93 **Final Report - Rezoning Application - 1 Front Street East, 5 - 7 The Esplanade**

Moved by Councillor Lindsay Luby, seconded by Councillor Feldman

MM23.21	ACTION	Amended		Ward: 28
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July 17, 2008

Speaker Bussin in the Chair.

Advice by Speaker:

Speaker Bussin advised the Council that, as Motion MM23.21 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 MM23.21 to the agenda.

Procedural Vote to add Motion MM23.21 to the Agenda for Consideration at this Meeting:

Yes - 30	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz
No - 2	
Councillors:	Ford, Vaughan

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

Motions:

1. Councillor Lindsay Luby moved that Motion MM23.21 be amended by adding the following additional recommendation:
 2. That Council determine that no further notice is required under Section 34(17) of the Planning Act in respect of the Zoning By-law.
2. Councillor Vaughan moved that Motion MM23.21 be amended by adding the following additional recommendation:
 3. That the plans and new design for the historic west garden, no longer required for the redevelopment, be subject to a full and comprehensive study and appraisal by Preservation Services, with a view to restoring the original design for the gardens and rehabilitating the western façade.

Votes:

Adoption of motion 1 by Councillor Lindsay Luby:

Yes - 24 Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Parker, Perks, Saundercook, Vaughan
No - 1 Councillor:	Ford

Carried by a majority of 23.

Motion 2 by Councillor Vaughan carried.

Motion MM23.21, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council authorize the enactment of the by-law to amend Zoning By-law 438-86 related to this site.
2. Council determine that no further notice is required under Section 34(17) of the Planning Act in respect of the Zoning By-law.
3. The plans and new design for the historic west garden, no longer required for the redevelopment, be subject to a full and comprehensive study and appraisal by Preservation Services, with a view to restoring the original design for the gardens and rehabilitating the western façade.

Background Information (City Council)

Member Motion MM23.21

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14747.pdf>

BILLS AND BY-LAWS

July 15, 2008 - 8:06 p.m.

Speaker Bussin in the Chair.

- 23.94 Councillor Lee 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:

Minutes of the Council of the City of Toronto
July 15, 16 and 17, 2008

Bill No. 851 By law No. 717 2008 To confirm the proceedings of the Council at its meeting held on the 15th day of July, 2008,

the vote on which was taken as follows:

Yes - 31	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2	
Councillors:	Ford, Parker

Carried by a majority of 29.

July 16, 2008 - 8:53 p.m.

Speaker Bussin in the Chair.

- 23.95 Councillor Kelly 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. 852 By law No. 718 2008 To confirm the proceedings of the Council at its meeting held on the 15th and 16th days of July, 2008,

the vote on which was taken as follows:

Yes - 33	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Hall, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 32.

July 17, 2008 - 3:23 p.m.

Speaker Bussin in the Chair.

- 23.96 Councillor Mammoliti 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. 710	By-law No. 719-2008	To amend City of Toronto Municipal Code Chapter 629, Property Standards, to make a technical amendment to § 629-19F, as enacted by By-law No. 349-2008.
Bill No. 711	By-law No. 720-2008	To dedicate certain land on the north side of Sheppard Avenue East, west of Hycrest Avenue, for public highway purposes to form part of the public highway Sheppard Avenue East.
Bill No. 712	By-law No. 721-2008	To dedicate certain land on the north side of Finch Avenue East, west of Longmore Street, for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 713	By-law No. 722-2008	To dedicate certain land on the east side of Royal York Road, on the north side of Eglinton Avenue West, for public highway purposes to form part of the public highway Royal York Road.
Bill No. 714	By-law No. 723-2008	To dedicate certain land on the west side of Hycrest Avenue, north of Sheppard Avenue East, for public highway purposes to form part of the public highway Hycrest Avenue East.
Bill No. 715	By-law No. 724-2008	To dedicate certain land on the north side of Eglinton Avenue West, on the east side of Royal York Road, for public highway purposes to form part of the public highway Eglinton Avenue West.

Bill No. 716	By-law No. 725-2008	To dedicate certain land on the south side of Kingston Road, west of Guildcrest Drive, for public highway purposes to form part of the public highway Kingston Road.
Bill No. 717	By-law No. 726-2008	To dedicate certain land at the intersection of Curity Avenue and O'Connor Drive for public highway purposes to form part of the public highway Curity Avenue.
Bill No. 718	By-law No. 727-2008	To dedicate certain for public lane purposes to form part of the public lane system in the block bounded by Lansdowne Avenue, College Street, St. Clarens Avenue and Dundas Street West.
Bill No. 719	By-law No. 728-2008	To dedicate certain land on the west side of Pape Avenue, north of Harcourt Avenue, for public highway purposes to form part of the public highway Pape Avenue.
Bill No. 720	By-law No. 729-2008	To dedicate certain land on the west side of Peckham Avenue, on the south side of Pleasant Avenue, for public highway purposes to form part of the public highway Peckham Avenue.
Bill No. 721	By-law No. 730-2008	To dedicate certain land for public lane purposes to form part of the public lane north of Queen Street East extending between Brookmount Road and Rainsford Road.
Bill No. 722	By-law No. 731-2008	To dedicate certain land on the south side of Sheppard Avenue West, east of Faywood Boulevard, for public highway purposes to form part of the public highway Sheppard Avenue West.

Bill No. 723	By-law No. 732-2008	To dedicate certain land for public lane purposes to form part of the public lane north of Baldwin Street extending between McCaul Street and Henry Street.
Bill No. 724	By-law No. 733-2008	To dedicate certain land on the east side of Victoria Park Avenue, south of Altair Avenue, for public highway purposes to form part of the public highway Victoria Park Avenue.
Bill No. 725	By-law No. 734-2008	To dedicate certain land for public lane purposes to form part of the public lane west of Avenue Road extending northerly from McMaster Avenue.
Bill No. 726	By-law No. 735-2008	To dedicate certain land for public lane purposes to form part of the public lane system north of Danforth Avenue extending easterly from Carlaw Avenue then northerly.
Bill No. 727	By-law No. 736-2008	To dedicate certain land for public lane purposes to form part of the public lane west of Claremont Street extending southerly from Dundas Street West.
Bill No. 728	By-law No. 737-2008	To dedicate certain land on the south side of Evans Avenue, east of Garroch Place, for public highway purposes to form part of the public highway Evans Avenue.
Bill No. 729	By-law No. 738-2008	To dedicate certain land for public lane purposes to form part of the public lane south of Harriet Street extending westerly from Hastings Avenue, then southerly.
Bill No. 730	By-law No. 739-2008	To dedicate certain land on the west side of Kipling Avenue, south of North Queen Street, for public

		highway purposes to form part of the public highway Kipling Avenue.
Bill No. 731	By-law No. 740-2008	To dedicate certain land on the west side of McCowan Road, south of Ellesmere Road, for public highway purposes to form part of the public highway McCowan Road.
Bill No. 732	By-law No. 741-2008	To dedicate certain land on the west side of Milton Street, on the south side of Oxford Street, for public highway purposes to form part of the public highway Milton Street.
Bill No. 733	By-law No. 742-2008	To dedicate certain land for public lane purposes to form part of the public lane east of Portland Street extending southerly from Richmond Street West.
Bill No. 734	By-law No. 743-2008	To dedicate certain land on the east side of Bayview Avenue, on the south side of Valleyanna Drive for public highway purposes to form part of the public highway Bayview Avenue.
Bill No. 735	By-law No. 744-2008	To dedicate certain land on the west side of Markham Road, north of Passmore Avenue, for public highway purposes to form part of the public highway Markham Road.
Bill No. 736	By-law No. 745-2008	To dedicate certain land on the south side of Ellesmere Road, east of Meadowvale Road, for public highway purposes to form part of the public highway Ellesmere Road.
Bill No. 737	By-law No. 746-2008	To dedicate certain land for public lane purposes to form part of the public lane east of Bathurst Street extending northerly from Niagara Street.

Bill No. 738	By-law No. 747-2008	To dedicate certain land for public highway purposes to form part of the public highway Endell Street.
Bill No. 739	By-law No. 748-2008	To dedicate certain land for public highway purposes to form part of the public highway Ancona Street.
Bill No. 740	By-law No. 749-2008	To dedicate certain land on the south side of Finch Avenue East, east of Scottfield Drive, for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 741	By-law No. 750-2008	To dedicate certain land on the east side of Dufferin Street, north of Glen Belle Crescent, for public highway purposes to form part of the public highway Dufferin Street.
Bill No. 742	By-law No. 751-2008	To dedicate certain land south of Lawrence Avenue West, for public highway purposes to form part of the public highway Gibson Avenue.
Bill No. 743	By-law No. 752-2008	To dedicate certain land for public lane purposes to form part of the public lane west of Davenport Road, extending southerly from New Street.
Bill No. 744	By-law No. 753-2008	To dedicate certain land on the south side of Finch Avenue West, on the east side of Madeline Road, for public highway purposes to form part of the public highway Finch Avenue West.
Bill No. 745	By-law No. 754-2008	To dedicate certain land on the west side of Kennedy Road, south of Mewburn Avenue, for public highway purposes to form part of the public highway Kennedy Road.
Bill No. 746	By-law No. 755-2008	To dedicate certain land on the west side of Warden Avenue, north of Fairfax Crescent, for public highway purposes to form part of the public

		highway Warden Avenue.
Bill No. 747	By-law No. 756-2008	To dedicate certain land on the south side of Wedgewood Drive, on the east side of Willowdale Avenue, for public highway purposes to form part of the public highway Wedgewood Drive.
Bill No. 748	By-law No. 757-2008	To dedicate certain land on the north side of Sheppard Avenue East, west of Boydwood Lane, for public highway purposes to form part of the public highway Sheppard Avenue East.
Bill No. 749	By-law No. 758-2008	To dedicate certain land for public lane purposes to form part of the public lane north of Wellington Street West extending westerly from Tecumseth Street, then northerly.
Bill No. 750	By-law No. 759-2008	To dedicate certain land on the north side of Evans Avenue, on the west side of Cremorne Avenue, for public highway purposes to form part of the public highway Evans Avenue.
Bill No. 751	By-law No. 760-2008	To dedicate certain land on the west side of Dwight Avenue, south of Drummond Street, for public highway purposes to form part of the public highway Dwight Avenue.
Bill No. 752	By-law No. 761-2008	To dedicate certain land on the north side of Finch Avenue West, on the west side of Clarkhill Street, for public highway purposes to form part of the public highway Finch Avenue West.
Bill No. 753	By-law No. 762-2008	To dedicate certain land on the north side of Lawrence Avenue East, east of Morningside Avenue, for public highway purposes to form part of the

		public Lawrence Avenue East.
Bill No. 754	By-law No. 763-2008	To dedicate certain land on the east side of Morningside Avenue, north of Lawrence Avenue East, for public highway purposes to form part of the public highway Morningside Avenue.
Bill No. 755	By-law No. 764-2008	To dedicate certain land on the west side of Dufferin Street, on the south side of Roselawn Avenue, for public highway purposes to form part of the public highway Dufferin Street.
Bill No. 756	By-law No. 765-2008	To dedicate certain land on the west side of Aldercrest Road, on the north side of Horner Avenue, for public highway purposes to form part of the public highway Aldercrest Road.
Bill No. 757	By-law No. 766-2008	To dedicate certain land on the south side of Sheppard Avenue West, east of Hammell Street, for public highway purposes to form part of the public highway Sheppard Avenue West.
Bill No. 758	By-law No. 767-2008	To dedicate certain land on the north side of Finch Avenue East, west of Maxome Avenue, for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 759	By-law No. 768-2008	To dedicate certain land on the north side of New Toronto Street, west of Dwight Avenue, for public highway purposes to form part of the public highway New Toronto Street.
Bill No. 760	By-law No. 769-2008	To dedicate certain land on the north side of New Toronto Street, west of Dwight Avenue, for public highway purposes to form part of the public highway New Toronto Street.

Bill No. 761	By-law No. 770-2008	To dedicate certain land for public lane purposes to form part of the public lane north of Danforth Avenue extending westerly from Dawes Road.
Bill No. 762	By-law No. 771-2008	To authorize the alterations to the roadway alignment and intersections for the implementation of the York University Busway from Downsview Station to York University via William R. Allen Road, Finch Hydro Corridor and York University Campus lands.
Bill No. 763	By-law No. 772-2008	To amend Section 15 of By-law No. 438-86 of the former City of Toronto respecting the Index of Exceptions.
Bill No. 764	By-law No. 773-2008	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to make changes to the size of the Junction Gardens Business Improvement Area Board of Management.
Bill No. 765	By-law No. 774-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 99 Chandos Avenue.
Bill No. 766	By-law No. 775-2008	To exempt lands municipally known as 210-212 Finch Avenue West from Part Lot Control.
Bill No. 767	By-law No. 776-2008	To dedicate certain land for public highway purposes to form part of the public highway Glacier Crescent.
Bill No. 768	By-law No. 777-2008	To authorize the alteration of St. Clair Avenue West, between Caledonia Road/Caledonia Park Road and Vaughan Road, for the St. Clair

		Avenue West Transit Improvement Project.
Bill No. 769	By-law No. 778-2008	To dedicate certain land for public highway purposes to form part of the extension of the public highway Select Avenue easterly to Markham Road.
Bill No. 770	By-law No. 779-2008	To dedicate certain land on the south side of La Rose Avenue, on the east side of Royal York Road, for public highway purposes to form part of the public highway LaRose Avenue.
Bill No. 771	By-law No. 780-2008	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Stanley Avenue and Royal York Road.
Bill No. 772	By-law No. 781-2008	To exempt certain lands municipally known as 5 and 7 Pilkington Drive and 34, 36, 38 and 40 Goulden Crescent from Part Lot Control.
Bill No. 773	By-law No. 782-2008	To expropriate certain interests in land for or in connection with the Bus Rapid Transit - Spadina Subway to York University Project.
Bill No. 774	By-law No. 783-2008	To amend City of Toronto Municipal Code Chapter 925, Permit Parking, respecting Dunn Avenue and Tyndall Avenue.
Bill No. 775	By-law No. 784-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dufferin Street, Fleet Street, Springhurst Avenue and Tyndall Avenue.
Bill No. 776	By-law No. 785-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Fleet Street.

Bill No. 777	By-law No. 786-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 778	By-law No. 787-2008	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Coxwell Avenue, Mortimer Avenue and Sammon Avenue.
Bill No. 779	By-law No. 788-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting Coxwell Avenue, Mortimer Avenue and Sammon Avenue.
Bill No. 780	By-law No. 789-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Runnymede Road.
Bill No. 781	By-law No. 790-2008	To amend City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, respecting Runnymede Road.
Bill No. 782	By-law No. 791-2008	To authorize the alterations of Bay Street and Harbour Street to allow for curb realignments and the modification of the existing median.
Bill No. 783	By-law No. 792-2008	To authorize the alteration of Crescent Town Road by narrowing the roadway on the south side of Victoria Park Avenue and by installing a sidewalk.
Bill No. 784	By-law No. 793-2008	To amend City of Toronto Municipal Code Chapter 447, Fences, to increase the safety of pedestrians and vehicular traffic by ensuring that sight lines are not obstructed, to amend certain

		definitions and to include new definitions.
Bill No. 785	By-law No. 794-2008	To exempt lands municipally known as 133 to 143 and 155 Homestead Road and 4275 Lawrence Avenue East from Part Lot Control.
Bill No. 786	By-law No. 795-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1155 Queen Street West.
Bill No. 787	By-law No. 796-2008	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the name change of Midtown Danforth Business Improvement Area to Danforth Mosaic Business Improvement Area.
Bill No. 788	By-law No. 797-2008	To amend City of Toronto By-law No. 884-2007 being a by-law “To exempt a portion of the lands municipally known as 115 Torbarrie Road (Lots 2 to 51 inclusive, Plan 66M-2436) from Part Lot Control.”
Bill No. 789	By-law No. 798-2008	To amend City of Toronto By-law No. 883-2007 being a by-law “To exempt a portion of lands municipally known as 115 Torbarrie Road (Block 151, Plan 66M-2436) from Part Lot Control.”
Bill No. 790	By-law No. 799-2008	To amend City of Toronto Municipal Code Chapter 227, Reserves and Reserve Funds to establish criteria for the establishment of reserve funds, to delegate certain authorities to the Treasurer, and to reorganize the Schedules to Municipal Code Chapter 227, Reserves and

		Reserve Funds.
Bill No. 791	By-law No. 800-2008	To establish a discretionary reserve fund account named the Toronto Community Housing Corporation State of Good Repair Reserve Funds in the State of Good Repair Discretionary Reserve Fund and to amend City of Toronto Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund.
Bill No. 792	By-law No. 801-2008	To authorize the entering into of an agreement for the provision of a municipal capital facility at 76 Wychwood Avenue.
Bill No. 793	By-law No. 802-2008	To establish a reserve group named the Telecommunications Group, to establish a reserve account named the Telecommunications Public Policy Benefits Reserve Account within the reserve group, to move an additional account to within the Telecommunications Group, and to amend City of Toronto Municipal Code Chapter 227, Reserves and Reserve Funds.
Bill No. 794	By-law No. 803-2008	To provide for the entering into of a heritage easement agreement or agreements for the conservation of the property located at 1 Front Street East (the Sony Centre) as being of cultural heritage value or interest.
Bill No. 795	By-law No. 804-2008	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Pharmacy Avenue.
Bill No. 796	By-law No. 805-2008	To amend further By-law No. 23504 of the former City of Scarborough, respecting the regulation of traffic on

		Birchmount Road.
Bill No. 797	By-law No. 806-2008	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Birchmount Road.
Bill No. 798	By-law No. 807-2008	To permanently close a portion of the public lane abutting 17 to 25 Gledhill Avenue.
Bill No. 799	By-law No. 808-2008	To adopt Amendment No. 381 to the Official Plan for the former City of Toronto with respect to lands municipally known as 1481, 1491, 1501 Yonge Street, 25, 27 and 29 Heath Street East and 30 Alvin Avenue.
Bill No. 800	By-law No. 809-2008	To adopt Amendment No. 53 to the Official Plan for the City of Toronto with respect to a portion of the lands in the block north of St. Clair Avenue and east of Yonge Street.
Bill No. 801	By-law No. 810-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1481, 1491, 1501 Yonge Street, 25, 27 and 29 Heath Street East and 30 Alvin Avenue.
Bill No. 802	By-law No. 811-2008	To amend the former City of Scarborough Steeles Community Zoning By-law No. 16762, as amended, with respect to lands municipally known as 3291, 3293 and 3295 Birchmount Road.
Bill No. 806	By-law No. 812-2008	To amend City of Toronto Municipal Code Chapter 415, Development of Land, to provide an alternative rate for the conveyance of land for parks purposes as a condition of residential

		development for certain sites in the former City of North York.
Bill No. 807	By-law No. 813-2008	To adopt Amendment No. 55 to the Official Plan for the City of Toronto with respect to lands municipally known as 21 Swanwick Avenue.
Bill No. 808	By-law No. 814-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Lawrence Avenue West.
Bill No. 809	By-law No. 815-2008	To amend further Metropolitan Toronto By-law No. 107-86, respecting parking meters on former Metropolitan Roads, regarding St. Clair Avenue West.
Bill No. 810	By-law No. 816-2008	To amend further Metropolitan Toronto By-law No. 132-93, respecting reserved lanes for designated classes of vehicles on certain former Metropolitan Toronto Roads, regarding St. Clair Avenue West.
Bill No. 811	By-law No. 817-2008	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, respecting bicycle lanes on Simcoe Street/Lower Simcoe Street.
Bill No. 812	By-law No. 818-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting St. Clair Avenue West.
Bill No. 813	By-law No. 819-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding William R. Allen Road, Highway 401 Off-Ramp, Yorkdale Road and

		Yorkdale Mall Access.
Bill No. 814	By-law No. 820-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Birchmount Road, Royal York Road, Simcoe Street/Lower Simcoe Street and Stanley Avenue.
Bill No. 815	By-law No. 821-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding College Street at Dufferin Street.
Bill No. 816	By-law No. 822-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Queen Street West.
Bill No. 817	By-law No. 823-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 818	By-law No. 824-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting College Street.
Bill No. 819	By-law No. 825-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Pharmacy Avenue.
Bill No. 820	By-law No. 826-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Birchmount Road at Danforth Avenue.
Bill No. 821	By-law No. 827-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands

		municipally known as 21 Swanwick Avenue.
Bill No. 822	By-law No. 828-2008	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, regarding bicycle lanes on Carlaw Avenue.
Bill No. 823	By-law No. 829-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Carlaw Avenue.
Bill No. 824	By-law No. 830-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Carlaw Avenue.
Bill No. 825	By-law No. 831-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Dufferin Street, St. Clair Avenue West and Vaughan Road.
Bill No. 826	By-law No. 832-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Logan Avenue.
Bill No. 827	By-law No. 833-2008	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, regarding bicycle lanes on Logan Avenue.
Bill No. 828	By-law No. 834-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Logan Avenue.
Bill No. 829	By-law No. 835-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting Wellesley Street West.

Bill No. 830	By-law No. 836-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Wellesley Street East and Wellesley Street West.
Bill No. 831	By-law No. 837-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wellesley Street East and Wellesley Street West.
Bill No. 832	By-law No. 838-2008	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, regarding bicycle lanes on Wellesley Street East and Wellesley Street West.
Bill No. 833	By-law No. 839-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Annette Street, Dupont Street, Dundas Street West and Old Weston Road.
Bill No. 834	By-law No. 840-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Annette Street and Dupont Street.
Bill No. 835	By-law No. 841-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Annette Street and Dupont Street.
Bill No. 836	By-law No. 842-2008	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, regarding bicycle lanes on Annette Street and Dupont

		Street.
Bill No. 837	By-law No. 843-2008	To amend City of Toronto Municipal Code Chapter 545, Licensing, areas where driving instruction prohibited.
Bill No. 838	By-law No. 844-2008	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, regarding bicycle lanes on Shaw Street.
Bill No. 839	By-law No. 845-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Shaw Street.
Bill No. 840	By-law No. 846-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Shaw Street.
Bill No. 841	By-law No. 847-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting St. Patrick Street.
Bill No. 842	By-law No. 848-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting St. Patrick Street.
Bill No. 843	By-law No. 849-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hanna Avenue.
Bill No. 844	By-law No. 850-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting Hanna Avenue.
Bill No. 845	By-law No. 851-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Roehampton Avenue.
Bill No. 846	By-law No. 852-2008	To amend City of Toronto Municipal Code Chapter 140, Lobbying, to

		simplify the registration requirements and make technical amendments.
Bill No. 847	By-law No. 853-2008	To provide for the entering into of a heritage easement agreement for the conservation of the property located at 21 Swanwick Avenue as being of cultural heritage value or interest.
Bill No. 848	By-law No. 854-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard, Lower Simcoe Street and Simcoe Street.
Bill No. 849	By-law No. 855-2008	To designate the property at 85 Laird Drive (Canadian Northern Railway Eastern Lines Locomotive Shop) as being of cultural heritage value or interest.
Bill No. 803	By-law No. 856-2008	To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.
Bill No. 804	By-law No. 857-2008	To amend further By-law No. 181-81 of the former Municipality of Metropolitan Toronto.
Bill No. 805	By-law No. 858-2008	To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits,

the vote on which was taken as follows:

Yes - 26
Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Parker, Perks, Rae, Saundercook, Stintz
No - 1

Councillor: Ford

Bill Nos. 710 to 802, inclusive, and Bill Nos. 806 to 849, inclusive, carried by a majority of 25, and Bill Nos. 803 to 805, inclusive, carried, two-thirds of Members present having voted in the affirmative.

July 17, 2008 - 3:24 p.m.

Speaker Bussin in the Chair.

- 23.97 Councillor Kelly 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. 853	By-law No. 859-2008	To confirm the proceedings of the Council at its meeting held on the 15th, 16th and 17th days of July, 2008,
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the vote on which was taken as follows:

Yes - 28	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Stintz
No - 1	
Councillor:	Ford

Carried by a majority of 27.

July 17, 2008 - 4:08 p.m.

Speaker Bussin in the Chair.

- 23.98 Councillor Lindsay Luby 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. 850	By law No. 860 2008	To amend the General Zoning By law No. 438 86 of the former City of Toronto with respect to lands municipally known as 1 Front Street East, and 5 and 7 The Esplanade,
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the vote on which was taken as follows:

Yes - 25 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Vaughan
No - 1 Councillors: Ford

Carried by a majority of 24.

July 17, 2008 - 4:09 p.m.
Speaker Bussin in the Chair.

23.99 Councillor Perks moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 854	By-law No. 861-2008	To confirm the proceedings of the Council at its meeting held on the 15th, 16th and 17th days of July, 2008,
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the vote on which was taken as follows:

Yes - 25 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Feldman, Fletcher, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Vaughan
No - 2 Councillors: Di Giorgio, Ford

Carried by a majority of 23.

OFFICIAL RECOGNITIONS

23.100 **Presentations/Introductions/Announcements:**

July 15, 2008

Mayor Miller, during the morning session of the meeting, made a presentation to David Mullan, Integrity Commissioner, and Marilyn Abraham, Lobbyist Registrar, on the

occasion of their departure from the City of Toronto. Mayor Miller noted that Mr. Mullan was Toronto's first Integrity Commissioner, and that he had contributed greatly to the City's commitment to open and transparent government. As well, Ms. Abraham was the first person to take on the role of Lobbyist Registrar at a Canadian municipal government. She has met many challenges to ensure the ongoing success of the registry. On behalf of City Council, the Mayor expressed his appreciation for their service to the City of Toronto and presented them with a gift to mark the occasion.

Speaker Bussin, during the morning session of the meeting, introduced children from the Martin Luther Church Daycare, present at the meeting.

Councillor Milczyn, during the morning session of the meeting, advised Council that during the debate on the Bloor Street Transformation Project at the June 24, 2008 Council meeting, he had made an inappropriate reference to "middle eastern bazaars". He advised that his words had offended some people and he noted that had never been his intention. He apologized for his remarks.

Councillor Thompson, during the morning session of the meeting, with the permission of Council, expressed his appreciation to City staff for their assistance with two successful events which had recently taken place in Scarborough:

- the 5th Annual Taste of Lawrence; and
- a garbage clean-up undertaken by staff from the Municipal Licensing and Standards Division.

Speaker Bussin, during the morning session of the meeting, welcomed the following visitors, present at the meeting:

- Mariangela Scavo-Manno, from Columbus, Ohio;
- members of the Niemeyer family, from Stouffville; and
- members of the Janzen family, from Kitchener.

Mayor Miller, during the morning session of the meeting, introduced Joe Deal, from the Office of Mayor Richard Daley, City of Chicago, here to attend the Great Lakes and St. Lawrence Cities Initiative Conference, present at the meeting.

July 16, 2008

Mayor Miller, during the morning session of the meeting, advised Council that the City of Toronto had won the North American Award for Financial Reporting for the 2006 Annual Report. The award was received from the Government Finance Officers Association (GFOA) of Canada and the United States. Mayor Miller thanked the staff involved for their commitment and hard work which led to this award, and presented the plaque to Deputy City Manager and Chief Financial Officer Joe Pennachetti, Treasurer Cam

Weldon, Accounting Services Director Mo Lewis, and Manager of Corporate Financial Reporting Shairoz Murji.

Mayor Miller, during the morning session of the meeting, made a presentation to Brenda Librecz, General Manager, Parks, Forestry and Recreation, on the occasion of her departure from the City of Toronto. Mayor Miller highlighted some of the successes which were achieved under the leadership of Ms. Librecz, and thanked her, on behalf of Council, for her dedication and commitment. Councillors Paula Fletcher and Raymond Cho, Chair and Vice-Chair of the Parks and Environment Committee presented her with a gift. Ms. Librecz expressed her appreciation to Members of Council and her colleagues for their past support and friendship.

Speaker Bussin, during the morning session of the meeting, introduced the adult ESL students from Bathurst Heights Learning Centre, present at the meeting.

Speaker Bussin, during the afternoon session of the meeting, introduced students from the Lexis Canadian Language Academy, present at the meeting.

Councillor Cho, during the afternoon session of the meeting, with the permission of Council, introduced a delegation visiting Toronto from South Korea, present at the meeting.

July 17, 2008

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

Speaker Bussin, during the morning session of the meeting, introduced visitors from Nellie's Drop-in Centre, present at the meeting.

Speaker Bussin, during the afternoon session of the meeting, introduced children from the Scadding Court Daycamp, present at the meeting.

23.101 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

July 15, 2008

Speaker Bussin in the Chair.

Councillor Lindsay Luby, at 7:57 p.m., moved that Council vary the Order Paper to remain in session past the scheduled 8:00 p.m. recess in order to allow for the release of Member holds and to pass the confirming bill, which carried, two-thirds of Members having voted in the affirmative.

July 16, 2008

Speaker Bussin in the Chair.

Councillor Hall, at 7:31 p.m., moved that Council vary the Order Paper to remain in session past the scheduled 8:00 p.m. recess in order to complete the business remaining on the Order Paper, the vote on which was taken as follows:

Yes - 24	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Lee, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Palacio, Parker, Perks, Rae, Thompson, Vaughan
No - 15	
Councillors:	Ashton, Cho, Di Giorgio, Feldman, Grimes, Jenkins, Kelly, Milczyn, Ootes, Pantalone, Perruzza, Saundercook, Shiner, Stintz, Walker

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

Councillor Walker, at 7:35 p.m., moved that Council vary the Order Paper to remain in session until 9:00 p.m. in order to complete the business remaining on the Order Paper, the vote on which was taken as follows:

Yes - 24	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Holyday, Lee, Lindsay Luby, Mammoliti, Mihevc, Moeser, Moscoe, Palacio, Parker, Perks, Rae, Thompson, Vaughan, Walker
No - 15	
Councillors:	Ashton, Cho, Di Giorgio, Feldman, Ford, Grimes, Jenkins, Kelly, Milczyn, Ootes, Pantalone, Perruzza, Saundercook, Shiner, Stintz

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

Councillor Fletcher, at 7:52 p.m., moved that Council vary the Order Paper to remain in session past the scheduled 8:00 p.m. recess in order to complete Item EX22.7, headed "Councillor Expense Policy", the release of Member holds and the confirming bill, the vote on which was taken as follows:

Yes - 32	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Holyday, Lee, Lindsay Luby,

	Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 7	
Councillors:	Feldman, Ford, Grimes, Jenkins, Kelly, Pantalone, Stintz

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

Councillor Mihevc, at 8:52 p.m., moved that Council vary the Order Paper to remain in session until 9:59 p.m. in order to complete the business remaining on the Order Paper, the vote on which was taken as follows:

Yes - 18	
Councillors:	Ainslie, Augimeri, Carroll, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, Holyday, Lindsay Luby, Mihevc, Moeser, Moscoe, Ootes, Palacio, Perks, Rae, Vaughan
No - 18	
Councillors:	Ashton, Bussin, Cho, Di Giorgio, Feldman, Ford, Jenkins, Kelly, Lee, Milczyn, Pantalone, Parker, Perruzza, Saundercook, Shiner, Stintz, Thompson, Walker

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

July 17, 2008

Speaker Bussin in the Chair.

Councillor Heaps, at 11:54 a.m., moved that Council vary the Order Paper and recess for the lunch break between 12:30-1:00 p.m. only, the vote on which was taken as follows:

Yes - 6	
Councillors:	Heaps, Holyday, Parker, Perks, Perruzza, Shiner
No - 24	
Councillors:	Ainslie, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Rae, Stintz, Thompson, Walker

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

23.102 ATTENDANCE

Councillor Ootes moved that the absence of Councillor Del Grande and Councillor Minnan-Wong from the regular meeting of Council on July 15, 16 and 17, 2008, be excused, which carried.

July 15, 2008	9:41 a.m. to 12:30 p.m.*	2:10 p.m. to 8:07 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	-	-
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
McConnell	x	x

Minutes of the Council of the City of Toronto
July 15, 16 and 17, 2008

July 15, 2008	9:41 a.m. to 12:30 p.m.*	2:10 p.m. to 8:07 p.m.*
Mihevc	x	x
Milczyn	x	x
Minnan-Wong	-	-
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	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Stintz	x	x
Thompson	x	x
Vaughan	x	x
Walker	x	x
Total	43	43

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

July 16, 2008	9:43 a.m. to 12:35 p.m.*	2:12 p.m. to 6:02 p.m.*	6:05 p.m. to 8:54 pm*
Miller	x	x	-
Ainslie	x	x	x
Ashton	x	x	x
Augimeri	x	x	x
Bussin	x	x	x
Carroll	x	x	x

Minutes of the Council of the City of Toronto
July 15, 16 and 17, 2008

July 16, 2008	9:43 a.m. to 12:35 p.m.*	2:12 p.m. to 6:02 p.m.*	6:05 p.m. to 8:54 pm*
Cho	x	x	x
Davis	x	x	x
De Baeremaeker	x	x	x
Del Grande	-	-	-
Di Giorgio	x	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	x
Heaps	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	-	-	-
Mihevc	x	x	x
Milczyn	x	x	x
Minnan-Wong	-	-	-
Moeser	x	x	x
Moscoe	x	x	x
Nunziata	x	-	-
Ootes	x	x	x
Palacio	x	x	x
Pantalone	x	x	x
Parker	-	x	x

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July 15, 16 and 17, 2008

July 16, 2008	9:43 a.m. to 12:35 p.m.*	2:12 p.m. to 6:02 p.m.*	6:05 p.m. to 8:54 pm*
Perks	x	x	x
Perruzza	x	x	x
Rae	x	x	x
Saundercook	x	x	x
Shiner	x	x	x
Stintz	x	x	x
Thompson	x	x	x
Vaughan	x	x	x
Walker	x	x	x
Total	41	41	39

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

July 17, 2008	9:44 a.m. to 12:35 p.m.*	2:15 p.m. to 4:10 p.m.*	Roll Call 2:15 p.m.	Roll Call 3:30 p.m.
Miller	-	-	-	-
Ainslie	x	x	x	x
Ashton	x	x	x	x
Augimeri	-	-	-	-
Bussin	x	x	x	x
Carroll	x	x	x	x
Cho	x	x	-	x
Davis	x	x	x	-
De Baeremaeker	x	x	-	x
Del Grande	-	-	-	-
Di Giorgio	x	x	x	x
Feldman	x	x	x	x
Filion	-	-	-	-
Fletcher	x	x	x	-
Ford	x	x	x	x
Giambrone	x	x	x	-

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July 17, 2008	9:44 a.m. to 12:35 p.m.*	2:15 p.m. to 4:10 p.m.*	Roll Call 2:15 p.m.	Roll Call 3:30 p.m.
Grimes	x	x	x	x
Hall	x	x	-	x
Heaps	x	x	-	x
Holyday	x	x	x	x
Jenkins	x	x	x	x
Kelly	x	x	-	x
Lee	x	-	-	-
Lindsay Luby	x	x	x	x
Mammoliti	x	x	-	x
McConnell	-	-	-	-
Mihevc	x	x	x	x
Milczyn	x	x	x	x
Minnan-Wong	-	-	-	-
Moeser	-	-	-	-
Moscoe	x	x	x	x
Nunziata	-	-	-	-
Ootes	x	x	x	x
Palacio	x	x	-	x
Pantalone	x	x	x	-
Parker	x	x	x	x
Perks	x	x	x	x
Perruzza	x	x	-	-
Rae	x	x	x	x
Saundercook	x	x	x	x
Shiner	x	-	-	-
Stintz	x	x	-	x
Thompson	x	-	-	-
Vaughan	x	x	x	-

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July 17, 2008	9:44 a.m. to 12:35 p.m.*	2:15 p.m. to 4:10 p.m.*	Roll Call 2:15 p.m.	Roll Call 3:30 p.m.
Walker	x	-	-	-
Total	37	33	24	27

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

Council adjourned on July 17, 2008, at 4:10 p.m.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

FISCAL IMPACT STATEMENT SUMMARY
Notices of Motions and Motions Without Notice
Submitted by the Deputy City Manager and Chief Financial Officer
Council Meeting – July 15, 16 and 17, 2008

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM23.1	Dr. Sheela Basrur Occupational Health and Safety Award	\$0	\$0	Any funding required to establish the award would be included in Human Resources 2009 Operating Budget Submission. Refer to Executive Committee.
MM23.2	Canadian Red Cross Society Auxiliary Role Project	\$0	\$0	Refer to Executive Committee.
MM23.3	Implementation of the Fiscal Review Panel's Recommendation Regarding the Systematic Review of the City's Capital Assets	\$0	\$0	Refer to Executive Committee.
MM23.4	Issuance of Temporary Special Event Licenses to Toronto-Based Livery Companies During Signature City Events	\$0	\$0	Refer to Licensing and Standards Committee.
MM23.5	City Council Request the Province of Ontario to Abolish the Ontario Municipal Board	\$0	\$0	Refer to Executive Committee.
MM23.6	City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol	\$0	\$0	Refer to Executive Committee.
MM23.7	199 Forest Hill Road – Appeal to Ontario Municipal Board of Committee of Adjustment's Refusal Decision	\$0	\$0	Consider.
MM23.8	Offer Congratulations to Swimming Olympian – Alexa Komarnycky from Etobicoke	\$0	\$0	Consider.
MM23.9	Professional Development Days for City Staff	\$0	\$0	Refer to Executive Committee.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM23.10	Minimum Park Size for the Creation of New Off-leash Areas in City Parks	\$0	\$0	Refer to Parks and Environment Committee.
MM23.11	130 Bloor Street West – Cash Payment-in-Lieu of Providing Parking	\$0	\$0	Refer to Public Works and Infrastructure Committee.
MM23.12	Bill Hancox Proposed Temporary Gravel Parking Lot	\$0	\$0	Funds allocated in the Capital Budget to build a parking lot in Bill Hancox Park will now be utilized to build the proposed temporary gravel parking lot on the adjacent TDSB property. Consider.
MM23.13	Appeal of Committee of Adjustment Decision – 165 Parkhurst Boulevard	\$0	\$0	Consider.
MM23.14	Appeal of Committee of Adjustment Decision Application A0086/08NY; 453 Sutherland Drive	\$0	\$0	Consider.
MM23.15	3018-3020 Yonge Street – Review of Ontario Municipal Board Decision dated July 3, 2008	\$0	\$0	Consider.
MM23.16	25 Queens Quay East- Directions Report Regarding Appeal of Minor Variance Application No. A0349/07TEY to the Ontario Municipal Board and Requested Amendments to Section 37 Agreement and Three Party Agreement	\$0	\$0	Consider.

Minutes of the Council of the City of Toronto
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Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM23.17	Re-establishment of Laneway Commercial Collections on Bloor Street West, The Queensway, and Dundas Street West in Ward 5, Etobicoke Lakeshore	\$0	\$0	Financial impact cannot be determined at this time as it would require re-negotiation of the existing contract. While further study is required to determine detailed financial impacts, it could be potentially significant to re-open and negotiate new contract terms. Refer to Public Works and Infrastructure Committee
MM23.18	18 Lower Jarvis Street – Direction With Respect to Section 37 Benefits	\$0	\$0	Consider.
MM23.19	Gardiner/Lake Shore Corridor West of Exhibition Place	\$0	\$0	Consider.
MM23.20	City-wide Strategy to Retain and Create Cultural Space through the Development Approval Process	\$0	\$0	Consider.