

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

**WEDNESDAY, SEPTEMBER 24, 2008 AND
THURSDAY, SEPTEMBER 25, 2008**

CALL TO ORDER - 9:41 a.m.

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

The meeting opened with *O Canada*.

24.2 **MOMENT OF SILENCE**

September 24, 2008

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

District Fire Chief Bob Leek
Thomas John Bata
"Jack" John Lyon Christie
William Alexander (Bill) Dempsey
Leif Petterson

24.3 **CONFIRMATION OF MINUTES**

Councillor Heaps moved that the Council Minutes for the regular meeting held on July 15, 16 and 17, 2008 be confirmed in the form supplied to the Members, which carried.

24.4 **ADMINISTRATIVE INQUIRY AND ANSWER**

September 24, 2008

Speaker Bussin in the Chair.

Council had before it the following Administrative Inquiry and Answer:

IA24.1 regarding EX23.23/Member Motion, entitled City Council Endorsement of the One Cent Now Campaign (September 15, 2008) from Councillor Michael Walker

IA24.1a (September 22, 2008) Answer from Mayor Miller

Motion:

1. Councillor Walker moved that the Administrative Inquiry and Answer be referred to the Executive Committee.

Vote on Referral:

Adoption of motion 1 by Councillor Walker:

Yes - 21	Councillors: Ainslie, Ashton, Augimeri, Bussin, Del Grande, Feldman, Ford, Holyday, Jenkins, Kelly, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Walker
No - 17	Mayor: Miller Councillors: Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Lindsay Luby, Mihevc, Moeser, Pantalone, Perks, Rae, Thompson

Carried by a majority of 4.

City Council Decision

Council referred the Administrative Inquiry from Councillor Michael Walker (IA24.1), regarding EX23.23/Member Motion, entitled City Council Endorsement of the One Cent Now Campaign, and the Answer from Mayor David Miller (IA24.1a), to the Executive Committee.

Background

Administrative Inquiry (September 15, 2008) from Councillor Michael Walker and Answer (September 22, 2008) from Mayor David Miller

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/ia24.1.pdf>

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

Council had previously directed that the following matter be deferred for consideration at this meeting:

DF24.1 - Government Management Committee Item GM16.1, headed "Opinion Regarding Council Member 'Read Only' Access to the Integrated Business Management System (IBMS) (Ward All)".

Mayor Miller presented the Report from Meeting 23 of the Executive Committee for consideration.

Councillor Holyday presented the Report from Meeting 8 of the Audit Committee for consideration.

Councillor Davis presented the Report from Meeting 15 of the Civic Appointments Committee for consideration.

Councillor Mihevc presented the Report from Meeting 18 of the Community Development and Recreation Committee for consideration.

Councillor Rae presented the Report from Meeting 16 of the Economic Development Committee for consideration.

Councillor Lindsay Luby presented the Report from Meeting 17 of the Government Management Committee for consideration.

Councillor Kelly presented the Report from Meeting 18 of the Planning and Growth Management Committee for consideration.

Councillor De Baeremaeker presented the Report from Meeting 18 of the Public Works and Infrastructure Committee for consideration.

Deputy Mayor Pantalone presented the Report from Meeting 9 of the Striking Committee for consideration.

Councillor Nunziata presented the Report from Meeting 19 of the Etobicoke York Community Council for consideration.

Councillor Augimeri presented the Report from Meeting 18 of the North York Community Council for consideration.

Councillor Kelly presented the Report from Meeting 18 of the Scarborough Community Council for consideration.

Councillor Davis presented the Report from Meeting 18 of the Toronto and East York Community Council for consideration.

Councillor Perks presented the New Business from the Mayor and City Officials for consideration.

Vote:

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

24.6 **DECLARATIONS OF INTEREST**

Councillor Bussin declared an interest in the following Items, in that she has previously been the subject of a Compliance Audit:

- Executive Committee Item EX23.4, headed “Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application”; and
- Executive Committee Item EX23.5, headed “Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application”.

Councillor Heaps declared an interest in Executive Committee Item EX23.5, headed “Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application”, in that he is the subject of the Compliance Audit.

Councillor Moscoe declared an interest in Executive Committee Item EX23.13, headed “Strategic Human Resource Plan (the Toronto Public Service People Plan)”, only as it relates to the Children's Services Division, in that his daughter is a part-time child care worker employed by the City of Toronto.

Councillor Shiner declared his interest in the following Items, only as they relate to the Parks, Forestry and Recreation Division, in that his son is a seasonal employee with the division:

- Executive Committee Item EX23.13, headed “Strategic Human Resource Plan (the Toronto Public Service People Plan)”; and
- Executive Committee Item EX23.14, headed “Instruction on a Labour Relations Matter”.

24.7 **PETITIONS**

There were no petitions.

24.8 **REVIEW OF THE ORDER PAPER**

September 24, 2008

Speaker Bussin in the Chair.

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

- Executive Committee Item EX23.1, headed “Mayor's Tower Renewal”; and
- Executive Committee Item EX22.2, headed “Appointment of the City Manager”.

Once the Mayor’s Key Matters were completed, Council would consider the other Items in agenda order, with the following proposed change:

- Deferred Government Management Committee Item GM16.1, headed “Opinion Regarding Council Member ‘Read Only’ Access to the Integrated Business Management System (IBMS)”, will be the first item of business after the Notices of Motions on September 25, 2008.

Speaker Bussin advised that Council would meet in Closed Session at 6:00 p.m., with Item CC24.2, headed “Appointment of a Toronto Ombudsperson”, as the first item.

Procedural Motions:

1. Councillor Thompson moved that Council consider Community Development and Recreation Committee Item CD18.4, headed “Government of Canada Investment to Establish Youth Gang Prevention Project in Toronto”, immediately following Deferred Item GM16.1 on September 25, 2008.
2. Councillor Giambrone moved that Council consider Executive Committee Item EX23.6, headed “Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase”, immediately following the Mayor’s Key Matters.

Votes:

Motion 1 by Councillor Thompson carried.

Motion 2 by Councillor Giambrone carried.

Council adopted the September 24, 2008 Order Paper, as amended, and all other Items not held on consent.

September 25, 2008

Speaker Bussin in the Chair.

Speaker Bussin proposed that Council confirm the September 25, 2008 Order Paper.

Vote:

Council adopted the September 25, 2008 Order Paper, without amendment.

24.9 **CONSIDERATION OF DEFERRED ITEM**

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.

September 24, 2008

Held for consideration Minute 24.10	DF24.1	GM16.1 - Opinion Regarding Council Member "Read Only" Access to the Integrated Business Management System (IBMS) (Ward All)
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24.10 **GM16.1 - Opinion Regarding Council Member "Read Only" Access to the Integrated Business Management System (IBMS)**

DF24.1	ACTION	Deferred	Ward: All
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Moscoe moved that City Council defer consideration of the Item to its next regular meeting on October 29, 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 October 29,

2008.

City Council Decision Advice and Other Information

City Council on July 15, 16 and 17, 2008, 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/df/bgrd/backgroundfile-16000.pdf>)

Attachment 1 - GM16-1

(<http://www.toronto.ca/legdocs/mmis/2008/df/bgrd/backgroundfile-16001.pdf>)

Background Information (City Council)

(September 23, 2008) from the City Clerk (GM16.1b)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16002.pdf>)

Communications (Committee)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8598.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8601.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8597.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8599.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8600.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8602.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8605.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8606.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8603.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8604.pdf>)

Communications (City Council)

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

1a GM16.1a - Routine Disclosure Plans

(April 3, 2008) Report from City Clerk

Background Information (Committee)

Report - Routine Disclosure Plans

(<http://www.toronto.ca/legdocs/mmis/2008/df/bgrd/backgroundfile-16019.pdf>)

CONSIDERATION OF REPORTS

24.11 EXECUTIVE COMMITTEE MEETING 23

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.

September 24, 2008

Held for consideration Minute 24.12	EX23.1	Mayor's Tower Renewal (Ward All)
Held for consideration Minute 24.13	EX23.2	Appointment of the City Manager (Ward All)
Held for consideration Minute 24.14	EX23.4	Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application (Ward All)
Held for consideration Minute 24.15	EX23.5	Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application (Ward All)
Held for consideration Minute 24.16	EX23.6	Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase (Ward All)
Adopted by consent	EX23.7	Recipients – 2008 Access Equity and Human Rights Awards (Ward All)
Held for consideration Minute 24.17	EX23.8	2008 Annual Report - City of Toronto Accessibility Plan (Ward All)

Adopted by consent	EX23.9	City of Toronto Economic Development Corporation - Annual Report to Shareholder, 2007 Audited Annual Consolidated Financial Statements and Annual General Meeting (Ward All)
Adopted by consent	EX23.10	Commemoration of the 175th Anniversary of the Incorporation of the City of Toronto (Ward All)
Adopted by consent	EX23.12	2008 Recipients - Constance E. Hamilton Award
Held for consideration Minute 24.18	EX23.13	Strategic Human Resource Plan (the Toronto Public Service People Plan) (Ward All)
Held for consideration Minute 24.19	EX23.14	Instruction on a Labour Relations Matter (Ward All)
Held for consideration Minute 24.20	EX23.16	Update on the Engineering Review Addressing Basement Flooding (Ward All)
Held for consideration Minute 24.21	EX23.24	City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol
Adopted by consent	EX23.28	Request for Authorization to Negotiate and Enter into Funding Agreements with Metrolinx (Ward All)

Consideration of Items - Executive Committee Meeting 23

24.12 **Mayor's Tower Renewal**

EX23.1	ACTION	Amended		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Walker moved that the Item be referred to the City Manager, with a request that she convene community consultation meetings, with one to be held in each of the four Community Council districts, and submit a further report on this matter to the Executive Committee.

Vote on Referral:

Yes - 6	
Councillors:	Holyday, Jenkins, Minnan-Wong, Ootes, Shiner, Walker
No - 31	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Thompson, Vaughan

Lost by a majority of 25.

Motions:

2. Councillor Milczyn moved that the Item be amended by adding the following:
 1. City Council request the Federal and Provincial governments to provide financial assistance such as, but not limited to, interest free loans to assist with the costs of energy-use reduction proposals for multi-residential buildings.
 2. Deputy City Manager Richard Butts and the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Growth Management Committee at the conclusion of the pilot project, on any official plan, general zoning or planning policy changes that will be required to implement the Mayor's Tower Renewal.
3. Councillor Palacio moved that the Item be amended by adding the following:

Once the Mayor's Pilot Tower Renewal site strategy is developed at the four (4) locations listed under Parts 7a, 7b, 7c and 7d, Toronto Community Housing Corporation buildings, particularly those with significant property standards issues, be considered as a high priority for future phases.
4. Councillor Holyday moved that the Item be amended by adding the following:

The Mayor's Tower Renewal Program proceed on the condition that there be no increased cost to the City's budget as a result of this endeavour.
5. Councillor Nunziata moved that the Item be amended by adding the following:

Consideration be given to the 13 Priority Neighbourhoods as potential pilot sites for the second phase of the "Mayor's Tower Renewal" Project including the

Weston Road - Mount Dennis area.

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

City officials be requested to include the Ward Councillor in discussions concerning the various design issues of these projects, including, but not limited to, the cladding material and other design elements.

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

Consideration be given to the 13 Priority Neighbourhoods as potential pilot sites for the second phase of the “Mayor’s Tower Renewal” Project including the Malvern area.

Votes:

Adoption of motion 2 by Councillor Milczyn:

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

Carried unanimously.

Motion 3 by Councillor Palacio carried.

Adoption of motion 4 by Councillor Holyday:

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

Lost by a majority of 14.

Adoption of motion 5 by Councillor Nunziata:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Walker
No - 3	
Councillors:	Holyday, Thompson, Vaughan

Carried by a majority of 33.

Motion to Reconsider:

Councillor Carroll moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider the vote on motion 5 by Councillor Nunziata, which carried, two-thirds of Members present having voted in the affirmative.

Re-vote:

Adoption of motion 5 by Councillor Nunziata:

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

Carried by a majority of 37.

Adoption of motion 6 by Councillor Kelly:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

Adoption of motion 7 by Councillor Cho:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Walker
No - 3	
Councillors:	Augimeri, Palacio, Vaughan

Carried by a majority of 33.

Adoption of the Item, as amended:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan
No - 3	
Councillors:	Holyday, Minnan-Wong, Walker

Carried by a majority of 33.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the objectives, principles, approach and criteria presented in the Mayor's Tower Renewal Opportunities Book and that they be used to define the planning and implementation of the Mayor's Tower Renewal.
2. The City Manager be directed to take steps to establish the Mayor's Tower Renewal project office by November 2008.
3. The City Manager be directed to develop and implement a Mayor's Tower Renewal Pilot Site Strategy in each Community Council area, as outlined in the report on the Mayor's Tower Renewal Pilot Sites.
4. The Tower Renewal Office work with City divisions to develop the following elements of Tower Renewal for the pilot sites by March 2009:
 - a. community energy plans for each pilot site in consultation with the appropriate stakeholders, taking into account energy conservation and demand management, renewable energy, distributed generation, beneficial technologies, as well as the City of Toronto Green Development Standard and the tower renewal cost benefit analysis and best practice research underway at the University of Toronto;
 - b. a site-by-site review indicating how potential financing options, including private sector funding and possible City funding including the Sustainable Energy Funds, the Ontario Power Authority's 90 Megawatt Electricity Conservation incentives, etc., could provide financial support for the energy efficiency and renewable energy implementation related to the buildings and sites;
 - c. how to best address the planning issues associated with undertaking Mayor's Tower Renewal at the pilot sites, in a manner that maximizes the potential for achieving the goals of Mayor's Tower Renewal across the City of Toronto;
 - d. how to facilitate the permitting and approvals process at the pilot sites;
 - e. co-ordinated approaches to engage tenants at the pilot sites;
 - f. how Mayor's Tower Renewal will be integrated into the work of the

Neighbourhood Action Teams (in the case of pilot locations within a priority neighbourhood) and the Community Resources Unit;

- g. how on-site community use space, programming and recreational activities will be accommodated and improved at the pilot locations;
- h. the outcome of safety audits in collaboration with building tenants, land/building owner(s), community stakeholders, local Councillor, the Toronto Police Service and other pertinent City partners;
- i. how to improve access to, and maintenance of, adjacent parks, ravines and natural areas, where applicable;
- j. how the Live Green Toronto program and the Eco-roof program, including green roofs, will support the goals of Mayor's Tower Renewal at the pilot sites;
- k. opportunities to enhance the local tree canopy;
- l. opportunities to advance the objectives of the Green Economic Development Strategy by introducing local green technology in the pilot projects where possible, by promoting local green manufacturing, where possible, to supply the products required;
- m. opportunities to advance neighbourhood cultural initiatives, such as the inclusion of Mayor's Tower Renewal pilot sites in future Doors Open Toronto events and providing input into public art projects considered as site enhancements;
- n. approaches to help ensure that any rent increases or other negative impacts to tenants that may result from energy efficiency and site improvements are avoided or minimized;
- o. local employment strategies for each of the pilot locations with a focus on providing critical employment services and supports (e.g., pre-employment support, job skills training, apprenticeship opportunities, volunteer and paid work opportunities, job retention support, education referrals) to local residents at pilot locations and with employers involved in Mayor's Tower Renewal;
- p. opportunities to leverage partnership and sponsorship opportunities in support of Mayor's Tower Renewal activities;
- q. opportunities to improve the pedestrian and cycling infrastructure and other forms of sustainable transportation at the pilot sites;

- r. how the City of Toronto solid waste management policies and programs will be carried out at the pilot sites;
 - s. how the Water Efficiency Plan and the Wet Weather Flow Master Plan will be implemented at the pilot sites;
 - t. how greenhouse gas emissions will be monitored and reported at each site; and
 - u. any additional information resources, as required.
5. The City Manager be directed to collaborate with the Mayor's Tower Renewal Leaders on the development and implementation of the Mayor's Tower Renewal pilot site strategies to maximize the benefits of the contributions made by the Leaders and to avoid duplication of efforts.
6. The City Manager be directed to produce an inventory of lessons learned from activities at each pilot site and a detailed strategy outlining how Mayor's Tower Renewal will be implemented across all City of Toronto neighbourhoods.
7. A detailed Mayor's Tower Renewal site strategy be developed and implemented, according to the approach outlined in the August 19, 2008 Mayor's Tower Renewal report, at the following locations:
- a. 2677 + 2667 Kipling Avenue;
 - b. 175 Shaughnessy Boulevard;
 - c. 215 Markham Road; and
 - d. 200 Wellesley Street East + 275 Bleecker Street.
8. City Council request the Federal and Provincial governments to provide financial assistance such as, but not limited to, interest free loans to assist with the costs of energy-use reduction proposals for multi-residential buildings.
9. City officials be requested to include the Ward Councillor in discussions concerning the various design issues of these projects, including, but not limited to, the cladding material and other design elements.
10. Once the Mayor's Pilot Tower Renewal site strategy is developed at the four (4) locations listed under Parts 7a, 7b, 7c and 7d, Toronto Community Housing Corporation buildings, particularly those with significant property standards issues, be considered as a high priority for future phases.
11. Consideration be given to the 13 Priority Neighbourhoods as potential pilot sites for the second phase of the "Mayor's Tower Renewal" Project including the

following areas:

- Weston Road - Mount Dennis; and
 - Malvern.
12. Deputy City Manager Richard Butts and the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Growth Management Committee at the conclusion of the pilot project, on any official plan, general zoning or planning policy changes that will be required to implement the Mayor's Tower Renewal.
13. City Council authorize and direct appropriate City officials to take the necessary action to give effect thereto.

Background Information (Committee)

Mayor's Tower Renewal

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14989.pdf>

1a Mayor's Tower Renewal – Pilot Sites

Background Information (Committee)

Mayor's Tower Renewal - Pilot Sites

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15352.pdf>

1b Mayor's Tower Renewal Leaders

Background Information (Committee)

Mayor's Tower Renewal Leaders

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15351.pdf>

24.13 **Appointment of the City Manager**

EX23.2	ACTION	Adopted		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Walker moved that the Item be amended by deleting the

recommendations of the Executive Committee, and that Council adopt the following instead:

1. City Council approve an executive search for the position of City Manager of the City of Toronto to be conducted within Canada and the United States, and retain the services of a professional recruitment agency located in Toronto to conduct this executive search.
2. In the interim, the position of City Manager be rotated among the three existing Deputy City Managers until the successful candidate is approved by City Council.

Ruling by Speaker:

Councillor Shiner requested separate votes to be taken on Parts 1 and 2 of motion 1 by Councillor Walker. Speaker Bussin ruled that it was a single proposal and could not be split.

Votes:

Adoption of motion 1 by Councillor Walker:

Yes - 14 Councillors: Ashton, Del Grande, Feldman, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Walker
No - 24 Mayor: Miller Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Moeser, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 10.

Adoption of the Item, without amendment:

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

Carried by a majority of 32.

City Council Decision

City Council adopted the following motions:

1. City Council appoint Joseph P. Pennachetti as the City Manager for the City of Toronto effective October 6, 2008, subject to an agreement of employment terms prior to this date; with all the powers and duties imposed upon the City Manager by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and as Chief Administrative Officer under Section 140 of the City of Toronto Act, 2006.
2. City Council authorize the Mayor to negotiate the terms and conditions of employment for Joseph P. Pennachetti based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
3. City Council appoint Cameron S. Weldon as the Deputy City Manager and Chief Financial Officer in an acting capacity for the City of Toronto effective October 6, 2008, with all the powers conferred and duties imposed upon the Deputy City Manager and Chief Financial Officer by Article III of Chapter 169, City Officials, of the City of Toronto Municipal Code until a Deputy City Manager and Chief Financial Officer appointed by Council takes office.
4. City Council appoint Cameron S. Weldon as interim acting City Treasurer as required under section 138(1) of the City of Toronto Act, 2006, effective October 6, 2008, and until a City Treasurer appointed by Council takes office.
5. City Council repeal section 1 of By-law No. 881-2001, "To Appoint a Chief Administrative Officer".
6. City Council repeal section 1B. of By-law No. 318-2005, "To amend By-law No.881-2001 to change the title of the official from Chief Administrative Officer to City Manager".
7. City Council repeal section 1 of By-law No. 314-2005, "To Appoint Joseph P. Pennachetti as Deputy City Manager and Chief Financial Officer and as Treasurer under section 286(1) of the Municipal Act, 2001".

8. City Council authorize the City Solicitor to introduce the necessary bills to City Council to give effect to these recommendations.

Mayor Miller, on behalf of City Council, congratulated Joe Pennachetti on his appointment as City Manager.

Background Information (Committee)

Appointment of the City Manager

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14990.pdf>)

Communications (City Council)

(September 22, 2008) submission from Councillor Michael Walker, Ward 22, St. Paul's - Article published in the National Post (CC.Supp.EX23.2.1)

24.14 **Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application**

EX23.4	ACTION	Amended		Ward: All
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September 24, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motions:

1. Councillor Moscoe moved that the Item be amended by deleting from Recommendation 1 of the Executive Committee, the words “in principle” and replacing them with the words “such reimbursement to be in accordance with the report (September 22, 2008) from the City Solicitor”, so that Recommendation 1 now reads as follows:
 1. The payment of legal expenses incurred by Councillor Giorgio Mammoliti in relation to a Compliance Audit Application, be approved, such reimbursement to be in accordance with the report (September 22, 2008) from the City Solicitor.

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

The City Manager, in consultation with the City Clerk, report to the Executive Committee on a policy that covers all candidates who incur legal expenses as a result of compliance audits and the legal fees be covered as an interest-free loan.

Procedural Motion:

Councillor Moscoe, at 6:00 p.m., moved that Council vary the Order Paper in order to complete consideration of this Item before starting the Closed Session portion of the meeting, which carried, two-thirds of Members present having voted in the affirmative.

Votes:

Adoption of motion 1 by Councillor Moscoe:

Yes - 27	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Milczyn, Moeser, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan
No - 1	
Councillor:	Holyday

Carried by a majority of 26.

Motion 2 by Councillor Del Grande carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The payment of legal expenses incurred by Councillor Giorgio Mammoliti in relation to a Compliance Audit Application, be approved, such reimbursement to be in accordance with the report (September 22, 2008) from the City Solicitor (EX23.4a).
2. The City Manager, in consultation with the City Clerk, report to the Executive Committee on a policy that covers all candidates who incur legal expenses as a result of compliance audits and the legal fees be covered as an interest-free loan.

Background Information (Committee)

Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to a Compliance Audit Application
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15126.pdf>)

Background Information (City Council)

(September 22, 2008) supplementary report from the City Solicitor (EX23.4a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15888.pdf>

Communications (Committee)

(August 28, 2008) letter from Councillor Giorgio Mammoliti (EX.Supp.EX23.4.1)

<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-8211.pdf>

(September 2, 2008) submission from Councillor Mammoliti (Article appearing in The Toronto Star, entitled "Councillors' Legal Fees".) (EX.Main.EX23.4.2)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor Sandra Bussin - in that she has previously been the subject of a Compliance Audit.

24.15 Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application

EX23.5	ACTION	Amended		Ward: All
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September 24, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor De Baeremaeker moved that the Item be amended by deleting from Recommendation 1 of the Executive Committee, the words "eighty-five", and replacing them with the words "one hundred", so that Recommendation 1 now reads as follows:
 1. City Council advance an interim amount of one hundred percent of the legal expenses incurred by Councillor Heaps in relation to a Compliance Audit Application, on the condition that the Councillor agrees that if he is found to have contravened the legislation, the amount will be repaid to the City.

Votes:

Motion 1 by Councillor De Baeremaeker carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motion:

1. City Council advance an interim amount of one hundred percent of the legal expenses incurred by Councillor Heaps in relation to a Compliance Audit Application, on the condition that the Councillor agrees that if he is found to have contravened the legislation, the amount will be repaid to the City.

The confidential attachments to the communication (September 24, 2008) from the City Solicitor (EX23.5a), remain confidential in their entirety, in accordance with the provisions of the City of Toronto Act, 2006, as they contain information that is subject to solicitor-client privilege.

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

Background Information (Committee)

Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14535.pdf>)

Background Information (City Council)

(September 24, 2008) communication from the City Solicitor (EX23.5a)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15907.pdf>)

Communications (Committee)

(September 2, 2008) submission from Councillor Mammoliti [News article appearing in The Toronto Star, entitled "Councillors' Legal Fees" (Metro)] (EX.Main.EX23.5.1)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor Sandra Bussin - in that she has previously been the subject of a Compliance Audit.

Councillor A.A. Heaps - in that he is the subject of the Compliance Audit.

24.16 **Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase**

EX23.6	ACTION	Amended		Ward: All
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September 24, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

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

The City Manager be requested to report to Council, through the Executive Committee, on the activities of this organization and how the City's membership benefits the City.

Votes:

Motion 1 by Councillor Stintz carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. The City of Toronto continue its formal membership in the Association of Francophone Municipalities of Ontario.
2. The City Manager be requested to report to Council, through the Executive Committee, on the activities of this organization and how the City's membership benefits the City.

Background Information (Committee)

Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14999.pdf>)

24.17 **2008 Annual Report - City of Toronto Accessibility Plan**

EX23.8	ACTION	Amended		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Motion:

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

That Council adopt the following recommendation contained in the report (September 15, 2008) from the City Manager:
 1. this report on the "equity lens", be added to the 2008 Annual Report - the City of Toronto Accessibility Plan.

Votes:

Motion 1 by Councillor Mihevc carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. This Annual Report on the City's Accessibility Plan be submitted to the Ontario Accessibility Directorate and forwarded to the City's Disability Issues Committee for information.
2. The City Manager include in the submission to the Province, the City's initiative regarding the use of an "equity lens" in preparing her reports to Council.
3. The report (September 15, 2008) from the City Manager (EX23.8a), on the "equity lens", be added to the 2008 Annual Report - the City of Toronto Accessibility Plan.

Background Information (Committee)

2008 Annual Report - City of Toronto Accessibility Plan

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15057.pdf>

Appendix 1 - City of Toronto Divisional Accessibility Plans

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15058.pdf>

Background Information (City Council)

(September 15, 2008) supplementary report from the City Manager (EX23.8a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15724.pdf>

24.18 **Strategic Human Resource Plan (the Toronto Public Service People Plan)**

EX23.13	ACTION	Adopted		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Motion:

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

The recommendations of the Blue Ribbon Panel regarding the comprehensive Human Resources Strategy be referred to the City Manager for a report to the Executive Committee.

Ruling by Speaker:

Speaker Bussin ruled motion 1 by Councillor Stintz out of order as the recommendations of the Blue Ribbon Panel were considered by the City Manager as part of the Strategic Human Resources Plan.

Motion:

2. Councillor Hall moved that the Item be amended by including in the Toronto Public Service People Plan objective headed “Corporate-wide succession planning for senior management positions”, the position of City Manager.

Permission to Withdraw Motion:

Councillor Hall, with the permission of Council, withdrew her motion 2.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council receive the Toronto Public Service People Plan for information.
2. City Council approve the Toronto Public Service Learning Strategy in principle.
3. City Council refer the report (July 8, 2008) from the City Manager, to the Budget Committee for consideration with the 2009 Operating Budget process.

Background Information (Committee)

Strategic Human Resource Plan (the Toronto Public Service People Plan)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15068.pdf>)

Attachment 1: Toronto Public Service People Plan 2008-2011

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15069.pdf>)

Attachment 2: The Toronto Public Service Learning Strategy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15070.pdf>)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor Howard Moscoe - only as it relates to the Children's Services Division, in that his daughter is a part-time child care worker employed by the City of Toronto.

Councillor David Shiner - only as it relates to the Parks, Forestry and Recreation Division, in that his son is a seasonal employee with the division.

24.19 Instruction on a Labour Relations Matter

EX23.14	ACTION	Adopted		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Vote:

The Item was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Council adopt the confidential recommendations to staff contained in Confidential Attachment 1.
2. Council authorize only the release of the recommendations embodied in the confidential attachment following the notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998, and TPFPA, Local 3888) and COTAPSAI.

Confidential Attachment 1 to the report (July 11, 2008) from the City Manager, addressed to the Employee and Labour Relations Committee, remains confidential at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to labour relations or employee negotiations. The recommendation contained in Confidential Attachment 1 will be made public following notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998, and TPFPA, Local 3888) and COTAPSAI.

Confidential Attachment - Labour relations or employee negotiations

Background Information (Committee)

Instruction on a Labour Relations Matter

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15071.pdf>

Background Information (City Council)

The public release date of the confidential recommendations is November 28, 2008.
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17631.pdf>)

Declared Interests (City Council)

The following member(s) declared an interest:

Councillor David Shiner - only as it relates to the Parks, Forestry and Recreation Division, in that his son is a seasonal employee with the division.

24.20 Update on the Engineering Review Addressing Basement Flooding

EX23.16	ACTION	Adopted		Ward: All
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Council considered this Item together with the following Items:

- Item NY18.53, headed “Local Measures to Reduce Basement Flooding in the North York Community Council Area” (see Minute 24.53); and
- MM24.24, headed “Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area” (see Minute 24.89).

September 24, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Moscoe moved that Item NY18.53 be amended by deleting the following Recommendation 3 of the North York Community Council:

Recommendation to be deleted:

3. City Council direct that Members of the Committee of Adjustment – North York District Panels, be invited to attend the Community Council meeting when this report is considered by the North York Community Council.

Procedural Motion:

Councillor Moscoe, at 7:54 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 these Items, the release of Member holds, and pass a confirming bill, which carried, two-thirds of Members present having voted in the affirmative.

Votes:

Motion 1 by Councillor Moscoe carried.

Adoption of Item EX23.16 without amendment, Item NY18.53 as amended, and MM24.24, without amendment:

Yes - 31	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan
No - 0	

Carried unanimously.

City Council Decision - EX23.16

City Council adopted the following motions:

1. Subject to the adoption of Part 2 and the conditions set out therein, the implementation of City sewer infrastructure improvement projects that result from the various Municipal Class Environmental Assessments (the “Environmental Assessments”) undertaken to address basement flooding in the 31 Basement Flooding Study Areas, as identified in the Basement Flooding Work Plan, be prioritized as follows:
 - a. City sanitary sewer improvement projects are to be given the highest priority for implementation;
 - b. City storm drainage system improvement projects are to be implemented in the following order of priority, based on a consideration of the total number of benefiting properties and the estimated cost of the work to the City apportioned to each property as determined by and in the sole discretion of the General Manager, Toronto Water:
 - i. improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be \$25,000.00 or less, and prioritized, from highest to lowest, based on the greater number of benefiting properties involved; and
 - ii. improvement projects where the cost of the work to the City

apportioned to each benefiting property is estimated to be greater than \$25,000.00, provided that given the significantly higher cost of these improvement projects, are to be implemented only as appropriate funding opportunities are available, as determined by the General Manager of Toronto Water, through other City infrastructure renewal programs such as Toronto Water's Sewer Rehabilitation and Reconstruction Program and Transportation Service's Road Reconstruction Program, or should third party funding which reduces materially the City's cost per benefiting property.

2. The General Manager, Toronto Water, include the works identified in Part 1 into the forthcoming Toronto Water 2009-2013 Capital Plan; and implement the works subject to satisfactory completion of the Municipal Class Environmental Assessments corresponding to the works, and Council's approval of Toronto Water's proposed 2009-2013 Capital Plan.
3. The General Manager, Toronto Water, in developing the annual multi-year Sewer Rehabilitation and Reconstruction Program:
 - a. re-assess the list of projects compiled, as Class Environmental Assessment Projects are completed in other Basement Flooding Study Areas, and prioritize the implementation of projects, across all Basement Flooding Study Areas combined, in accordance with the criteria contained in Part 1; and
 - b. identify emerging basement flooding prone areas and undertake Class Environmental Assessment Studies, as may be necessary, incorporating the level of protection, consistent with that applied for the current 31 Basement Flooding Study Areas, to help mitigate the impacts of basement flooding, in support of the City's Climate Change Adaptation Strategy, representing:
 - i. a storm event equivalent to the May 12, 2000 storm (i.e., equivalent to a storm event with a return frequency of between one in 25 to one in 50 years) for the sanitary sewer system design; and
 - ii. the 100-year storm event for the storm drainage system, where feasible, where a proper major (overland flow) drainage system does not exist.
4. The Municipal Code Chapter 681, Sewers, be amended such that:
 - a. the connection of downspouts to storm sewers in the Basement Flooding Study Areas, as identified on the map attached as Attachment 1 of this report, is prohibited;

- b. the amendment in Part 4a. shall come into force five years from the date of its enactment;
 - c. the connection of downspouts to storm sewers in any areas of the City, not previously prohibited under Municipal Code Chapter 681, Sewers, as at the effective date of this recommendation, is prohibited;
 - d. the amendment in Part 4c. shall come into force eight years from the date of its enactment;
 - e. the General Manager, Toronto Water, be authorized to exempt properties from the prohibition set out in Parts 4a. and 4c., where the General Manager, in the General Manager's sole discretion, determines that, in respect of the property, the disconnection of the downspout or downspouts would create a hazardous condition or is not technically feasible.
5. Authority be granted to the City Solicitor to submit any Bills required to enact the amendments to Municipal Code Chapter 681, Sewers, proposed in Part 4 of this report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and General Manager, Toronto Water.
6. Due to the forecasted length of time required for the City to process and implement all of the applications received under the former Voluntary Downspout Disconnection Program, the General Manager, Toronto Water, enhance the Voluntary Downspout Disconnection Program by allowing eligible property owners on the existing waiting list to opt out of the existing City-performed program and disconnect their downspout(s) themselves; and where an eligible property owner does so, the City will reimburse the property owner for the reasonable cost of labour and materials for completing the eligible work to an upset limit of \$500.00 per property, provided that:
- a. the property owner submits, to the City's Toronto Water, Business Operations Management office, a completed and compliant application form, together with all invoices and other supporting information substantiating the completion of the work and costs of same;
 - b. the completed application form and all required supporting documentation is received by Toronto Water, Business Operations Management office, within one year of the work being completed;
 - c. the property owner assumes all responsibility for the work, including installation, performance, maintenance, repair and use, and any other financial responsibility; and

- d. the City reserves the right to conduct an inspection of the completed work, should it be deemed necessary, to ensure compliance with City requirements.
7. The General Manager, Toronto Water, develop and employ an extensive communication and public education program to inform homeowners and contractors about:
 - a. climate change impacts, associated with intense storms, related to basement flooding;
 - b. the importance of downspout disconnection and “home isolation” consisting of the installation of sewer backwater valves and the capping off of storm sewer laterals with the installation of a sump pump to help prevent basement flooding;
 - c. the importance of other lot level controls (e.g., proper lot grading);
 - d. the City’s Basement Flooding Protection Subsidy Program;
 - e. the enhanced Voluntary Downspout Disconnection Program whereby residents can complete the work themselves and be reimbursed for labour and materials up to \$500.00; and
 - f. the importance of tree planting and maintenance on private property.
 8. The Basement Flooding Protection Subsidy Program be amended such that:
 - a. no subsidy will be provided for downspout disconnection; and
 - b. the maximum total, per property, subsidy available under the program remain at \$3,200.00 by increasing the subsidy provided for sewer backwater valves and sump pumps by \$250.00 each, to an upset limit of \$1,250.00 and \$1,750.00, respectively.
 9. The General Manager, Toronto Water, include an increase of five (5) permanent professional/technical staff to provide technical support for the design and construction of the improvement works associated with Parts 1 and 3, in Toronto Water’s Recommended 2009 Operating Budget.
 10. The Acting General Manager, Parks, Forestry and Recreation, include an increase of one permanent professional/technical staff to support the design and construction of the improvement works associated with Parts 1 and 3, in the forthcoming 2009 Parks, Forestry and Recreation Operating Budget.

11. The General Manager, Toronto Water, include an increase of 16 permanent technical and clerical staff to support servicing of the disconnection of downspouts for eligible properties included in the City's former Voluntary Downspout Disconnection Program; the expansion, City-wide, of the Mandatory Downspout Disconnection Program; and the promotion of and service in anticipation of increased public demand for the Basement Flooding Protection Subsidy Program.
12. The General Manager, Toronto Water, report to the Budget Committee on the cost estimate and schedule for the implementation of the capital works necessary to provide basement flooding relief across the 31 Basement Flooding Study Areas, with the submission of Toronto Water's proposed 2010-2014 Capital Budget.
13. The whole City be declared at risk of basement flooding in the event of unusually severe or extreme precipitation, and the Chief Building Official, in collaboration with the General Manager, Toronto Water, the Chief Planner and Executive Director, City Planning, the Executive Director of Municipal Licensing and Standards, and the City Solicitor, in accordance with the Ontario Building Code, require any applicant of a Plumbing Permit related to the sewer drain where there is a below-grade living area anywhere in the City of Toronto to install a backwater valve on their sanitary sewer lateral.
14. The Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, prepare zoning regulations, in his report on the new Zoning By-law, that prohibit the construction of any new reverse sloped and below grade driveways and, pending the Zoning Amendments, the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, inform and educate all Committee of Adjustment Panels as to the significant impact of approving variances that permit reverse slope driveways.
15. The Executive Director of Municipal Licensing and Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards By-law to create consistency with any proposed zoning by-law changes respecting reverse sloped driveways.
16. The Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, consider zoning regulations, in his report on the new Zoning By-law, that prohibit the construction of any new reverse sloped and below grade driveways and, in the interim, the General Manager, Toronto Water, and the Chief Planner and Executive Director, City Planning, be requested to submit a report to the November 13, 2008 meeting of the Planning and Growth Management Committee on possible other joint measures of the Toronto Water and Planning Divisions to

give equivalent effect to this recommendation in the period prior to consideration of the new Zoning By-law.

17. The Chief Building Official, in consultation with the Chief Planner and Executive Director, City Planning, and the General Manager, Toronto Water, develop internal procedures and policy amendments that make it easier for residents with reverse slope driveways to obtain permits to fill in those driveways.
18. The General Manager, Toronto Water:
 - I. include in study areas all non-structural methods of eliminating flooding through decreased water flow including:
 - i. opportunities for porous pavement and porous pipes;
 - ii. eliminating new front yard parking and replacing all impervious surfaces in existing legal pads; and
 - iii. French drains for residential as well as City Rights-of-way - and to look at positive experiences such as that of the progressive planning in Ucluelet; and
 - II. report back on:
 - i. further options to assist with downspout disconnection in the mandatory areas;
 - ii. the percentage of impervious surface that exists in the study areas; and
 - iii. in conjunction with TEO, the possibility of a Neighbourhood Catch Basin Clean Up program modelled after programs such as Neighbourhood Watch and the Block Parent.
19. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

City Council Decision Advice and Other Information

City Council considered this Item with NY18.53, headed "Local Measures to Reduce Basement Flooding in the North York Community Council Area (Ward 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)", and Member Motion MM24.24, headed "Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area".

Background Information (Committee)

Update on the Engineering Review Addressing Basement Flooding
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15074.pdf>)

Background Information (City Council)

(September 23, 2008) communication from the City Solicitor (EX23.16a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15890.pdf>)

(September 24, 2008) supplementary report from the General Manager, Toronto Water (EX23.16b)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15903.pdf>)

Communications (Committee)

(September 2, 2008) letter from Matilda Meneses, Alex & Beng Yongca, Lucia & Carlos Rodas (EX.Main.EX23.16.1)

24.21 **City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol**

EX23.24	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

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

Carried by a majority of 24.

City Council Decision

City Council adopted the following motion:

1. City Council urgently petition the McGuinty Liberal Provincial government to amend the Residential Tenancies Act to restore real rent control and eliminate vacancy decontrol.

Background Information (Committee)

City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15080.pdf>)

24.22 **AUDIT COMMITTEE MEETING 8**

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.

September 24, 2008

Adopted by consent	AU8.1	City of Toronto - 2007 Audited Consolidated Financial Statements (Ward All)
Adopted by consent	AU8.2	City of Toronto Audit Results - Year Ended December 31, 2007
Adopted by consent	AU8.3	Financial Statements for the Year Ended December 31, 2007 - Agencies, Boards and Commissions
Adopted by consent	AU8.5	City of Toronto Trust Funds - 2007 Consolidated Financial Statements (Ward All)
Adopted by consent	AU8.6	Status of the Financial Audits of the City's Agencies, Boards and Commissions for the Year Ended December 31, 2007 (Ward All)
Adopted by consent	AU8.8	Business Improvement Areas (BIAs) - 2007 Audited Financial Statements - Report No. 1 (Ward All)
Adopted by consent	AU8.10	Managing the Risk of Overpayments in the Administration of Social Assistance, Toronto Social Services (Ward All)
Adopted by consent	AU8.11	Auditor General's Status Report on Outstanding Audit Recommendations for City Divisions (Ward All)

- Adopted by consent AU8.12 Auditor General’s Status Report on Outstanding Audit Recommendations for City Agencies, Boards and Commissions (Ward All)
- Adopted by consent AU8.13 Arenas – 2007 Audited Financial Statements and Management Letters (Ward All)
- Adopted by consent AU8.14 Community Centres – 2007 Audited Financial Statements and Management Letters (Ward All)

24.23 CIVIC APPOINTMENTS 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.

September 24, 2008

- Held for consideration CA15.1 Appointment of the Members of the Sinking Fund and Investment Advisory Committees
Minute 24.24

Consideration of Item - Civic Appointments Committee Meeting 15

24.24 Appointment of the Members of the Sinking Fund and Investment Advisory Committees

CA15.1	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 40	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae,

Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1 Councillor: Ford

Carried by a majority of 39.

City Council Decision

City Council adopted the following motions:

1. City Council waive the term limit provisions of the Public Appointments Policy to permit the appointment to the Sinking Fund Committee of an incumbent who has served two terms.
2. City Council appoint the four candidates listed in Confidential Attachment 1 to the Sinking Fund and Investment Advisory Committees for a term of office ending November 30, 2010, and until their successors are appointed.
3. City Council authorize the City Clerk to make the appointees' names public once appointed by Council.
4. City Council identify the candidate listed in Confidential Attachment 2 as an alternate for the Civic Appointments Committee to consider for appointment, should a vacancy arise.
5. The alternate's name remain confidential until appointed as a member, under Council's Public Appointments Policy.

The following recommendation contained in Confidential Attachment 1 to the report (August 19, 2008) from the Deputy City Manager and Chief Financial Officer is now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about identifiable individuals being considered for appointment to the Sinking Fund and Investment Advisory Committees:

1. Ms. Leslie Thompson, Ms. Joni Alexander, Mr. Alexander Graham and Mr. Warren Rudick be appointed to the Sinking Fund and Investment Advisory Committees for the term of office until November 30, 2010, or until a successor or successors are appointed.

Confidential Attachment 2 which lists the alternate recommended for consideration should a vacancy arise, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains personal information about an identifiable individual, including municipal or local board employees being considered for

appointment to the Sinking Fund and Investment Advisory Committees. The name of the alternate will be made public should the individual be appointed as a member of the Sinking Fund and Investment Advisory Committees, under Council's Public Appointments Policy.

Confidential Attachment - Personal matters about identifiable individuals being considered for appointment to the Sinking Fund and Investment Advisory Committees

Background Information (Committee)

Report (August 19, 2008) from the Deputy City Manager and Chief Financial Officer - Appointment of the Members of the Sinking Fund and Investment Advisory Committees (<http://www.toronto.ca/legdocs/mmis/2008/ca/bgrrd/backgroundfile-15201.pdf>)

24.25 COMMUNITY DEVELOPMENT AND RECREATION 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.

September 24, 2008

- | | | |
|--|--------|--|
| Adopted by consent | CD18.2 | Official Mark Protection for Cardiac Safe City and Toronto EMS Safe City Program (Ward All) |
| Held for consideration
Minute 24.26 | CD18.4 | Government of Canada Investment to Establish Youth Gang Prevention Project in Toronto (Ward All) |
| Held for consideration
Minute 24.27 | CD18.5 | Identify 'N Impact (INI) Investment Program 2008 Allocations (Ward All) |

Consideration of Items - Community Development and Recreation Committee Meeting 18

24.26 Government of Canada Investment to Establish Youth Gang Prevention Project in Toronto

CD18.4	ACTION	Amended		Ward: All
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Thompson moved that the Item be amended by adding the following:
 1. Deputy City Manager Sue Corke be requested to report to the Community Development and Recreation Committee listing all of the community safety programs funded by the City of Toronto or programs funded by the Provincial/Federal government and administered by the City of Toronto, such report to include the following:
 - a. how much money has been spent on the combined City, Provincial and Federal programs to date;
 - b. how many people were served by each program;
 - c. a list of the number of non-government organizations that partnered or participated with the City to deliver the programs;
 - d. what programs were successful in reducing violence, gang violence and youth violence;
 - e. what gains and objectives were achieved to help reduce or positively impact violence, gang violence and youth violence in Toronto;
 - f. how many youth were diverted from gang involvement;
 - g. how many youth found jobs; and
 - h. how many youth were assisted in pursuing educational opportunities.
 2. The Acting Director, Social Development, Finance and Administration, be requested to report to the Community Development and Recreation Committee, no later than February 2009, with a proposed project model and implementation plan, and also be requested to report annually on project implementation, results and learning.

Votes:

Adoption of Part 1 of motion 1 by Councillor Thompson:

Yes - 25
Councillors: Ashton, Augimeri, Bussin, Cho, Davis, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins,

	Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Palacio, Pantalone, Perruzza, Saundercook, Thompson, Vaughan, Walker
No - 4 Councillors:	Ainslie, Carroll, Heaps, Perks

Carried by a majority of 21.

Adoption of Part 2 of motion 1 by Councillor Thompson:

Yes - 28 Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Palacio, Pantalone, Perks, Perruzza, Saundercook, Thompson, Vaughan, Walker
No - 1 Councillor:	Ainslie

Carried by a majority of 27.

Adoption of the Item, as amended:

Yes - 31 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

City Council Decision

City Council adopted the following motions:

1. The City of Toronto receive funds from the Government of Canada's Youth Gang Prevention Fund in the amount of up to \$4,932,954.00 to support a new youth gang prevention pilot project.
2. The 2008 Operating Budget of Social Development, Finance and Administration be increased by \$100,000.00 gross and \$100,000.00 revenues to reflect the initial

pilot project contribution and expenditure in 2008 from the Government of Canada's Youth Gang Prevention Fund, and that the balance of funds of up to \$4,832,954.00 be reported through the 2009 and subsequent Operating Budget process.

3. The Executive Director, Social Development, Finance and Administration, be delegated authority to negotiate and execute the agreement on behalf of the City with Public Safety Canada, including full responsibility and accountability of funds in 2008 and subsequent years.
4. Deputy City Manager Sue Corke be requested to report to the Community Development and Recreation Committee listing all of the community safety programs funded by the City of Toronto or programs funded by the Provincial/Federal government and administered by the City of Toronto, such report to include the following:
 - a. how much money has been spent on the combined City, Provincial and Federal programs to date;
 - b. how many people were served by each program;
 - c. a list of the number of non-government organizations that partnered or participated with the City to deliver the programs;
 - d. what programs were successful in reducing violence, gang violence and youth violence;
 - e. what gains and objectives were achieved to help reduce or positively impact violence, gang violence and youth violence in Toronto;
 - f. how many youth were diverted from gang involvement;
 - g. how many youth found jobs; and
 - h. how many youth were assisted in pursuing educational opportunities.
5. The Acting Director, Social Development, Finance and Administration, be requested to report to the Community Development and Recreation Committee, no later than February 2009, with a proposed project model and implementation plan, and also be requested to report annually on project implementation, results and learning.

Background Information (Committee)

cd18.4-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-15393.pdf>

Background Information (City Council)

(September 22, 2008) Briefing Note from the Acting Executive Director, Social Development, Finance and Administration (CD18.4a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15892.pdf>

Communications (City Council)

(September 25, 2008) submission from Councillor Michael Thompson, Ward 37, Scarborough-Centre, regarding the Marcia Stiles Summer Camp (CC.New.CD18.4.1)

24.27 **Identify 'N Impact (INI) Investment Program 2008 Allocations**

CD18.5	ACTION	Amended		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Motion:

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

That Council adopt the following recommendation contained in the report (September 23, 2008) from the Acting Executive Director, Social Development, Finance and Administration:

1. City Council approve the 2008 Identify 'N Impact Investment Program appeals fund allocations totalling \$16,000.00 to Black Creek Community Health Centre and Dorset Park Youth Committee, as recommended in Appendices 1 and 2 of this report.

Votes:

Motion 1 by Councillor Mihevc carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council approve the Identify 'N Impact allocations totalling \$149,000.00 to 16 applicants, as recommended in Appendices A and B, and an amount of \$16,000.00 be held for appeals.

2. City Council approve the 2008 Identify 'N Impact Investment Program appeals fund allocations totalling \$16,000.00 to Black Creek Community Health Centre and Dorset Park Youth Committee, as recommended in Appendices 1 and 2 of the report (September 23, 2008) from the Acting Executive Director, Social Development, Finance and Administration (CD18.5a).

Background Information (Committee)

cd18.5-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-15394.pdf>

cd18.5-Appendix A - 2008 Funding Recommendations

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-15395.pdf>

cd18.5-Appendix B - Detailed Summary Sheets

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-15396.pdf>

cd18.5-Appendix C - Descriptions of 2008 Recommended Projects

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-15397.pdf>

Background Information (City Council)

(September 23, 2008) supplementary report from the Acting Executive Director, Social Development, Finance and Administration (CD18.5a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15887.pdf>

Communications (City Council)

(September 22, 2008) letter from the Community Partnership and Investment Program Appeals Sub-Committee (CC.Supp.CD15.5.1)

24.28 ECONOMIC DEVELOPMENT 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.

September 24, 2008

Adopted by consent	ED16.3	Proposed Program for the City's Bicentennial Commemoration of the War of 1812 (Ward All)
Adopted by consent	ED16.4	Fort York Visitor Centre Design Competition (Ward All)
Held for consideration Minute 24.29	ED16.5	Major Cultural Organizations – The Toronto International Film Festival Group (Ward All)

Consideration of Item - Economic Development Committee Meeting 16

24.29 **Major Cultural Organizations – The Toronto International Film Festival Group**

ED16.5	ACTION	Adopted		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 26 Mayor: Miller Councillors: Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Stintz, Vaughan	
No - 4 Councillors: Ainslie, Holyday, Mihevc, Moscoe	

Carried by a majority of 22.

City Council Decision

City Council adopted the following motions:

1. The Toronto International Film Festival Group be deemed eligible for membership in the Major Cultural Organizations (Majors) funding category within the Community Partnerships and Investment Program (CPIP) based on the review of the eligibility criteria; and that funding responsibility for TIFFG in 2009 be transferred to the Majors category in CPIP from the Toronto Arts Council Grant Program and the Economic Sponsorships Initiatives Program.
2. This report be referred to Budget Committee, as part of the 2009 Operating Budget process, to provide information for the consideration of an appropriate level of funding for the TIFFG comparable to the funding of other major cultural organizations.

Background Information (Committee)

2008-09-16-ed16.5-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/ed/bgrd/backgroundfile-15474.pdf>)

24.30 **GOVERNMENT 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.

September 24, 2008

Adopted by consent	GM17.1	Guild Revitalization Next Steps (Ward 43)
Adopted by consent	GM17.3	Metropolitan Toronto Pension Plan – Interest on Minimum Pension Increase (Ward All)
Adopted by consent	GM17.4	Cancellation, Reduction or Refund of Property Taxes – September 2008 Hearing (Ward All - Statutory: City of Toronto Act, 2006)
Held for consideration Minute 24.31	GM17.5	Apportionment of Property Taxes – September 2008 Hearing (Ward All - Statutory: City of Toronto Act, 2006)
Held for consideration Minute 24.32	GM17.6	Tax Relief for Veteran's Memorial Homes Owned by the Canadian Legion (Toronto) Homes (Ward 23)
Adopted by consent	GM17.7	112 Elizabeth Street – Designation of a Portion of Premises as a Municipal Capital Facility (Ward 27)
Adopted by consent	GM17.9	Statutory Offer of Compensation - Expropriation of 5341 Dundas Street West Kipling Redevelopment Initiative (Ward 5)
Councillor Ford requested that his opposition to this Item be noted in the Minutes of the meeting.		
Adopted by consent	GM17.12	Lease Renewal of 321 Rexdale Blvd Unit # 3 for Approximately 4,256 Square Feet for EMS for Use as an Ambulance Station (Ward 2)
Adopted by consent	GM17.13	Lease Renewal at 255 Finch Avenue West For Approximately 21,770 Square Feet For Children's Services – Child Care Centre (Ward 23)

- Held for consideration Minute 24.33 GM17.14 Lease Agreement at 5151 Yonge Street (Ward 23)
- Adopted by consent GM17.16 Acquisition of Portion of 95 St. Clair Avenue West (Ward 22)
- Held for consideration Minute 24.34 GM17.17 Litigation Regarding Construction of 43 Division (Ward All)

Consideration of Items - Government Management Committee Meeting 17

24.31 Apportionment of Property Taxes – September 2008 Hearing

GM17.5	ACTION	Adopted		Ward: All
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September 25, 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 apportionment of property tax in the amounts identified in Appendix “A” and Appendix “B” under the columns entitled “Apportioned Tax” and “Apportioned Phase In/Capping”, excluding the following applications:

Page No.	Tax Year	Original Roll Number	Tax Roll No. for Apportioned Properties	Tax Apportionment	Ward No.
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Treasurer Initiated Applications – Appendix A:

6 of 8	2007	1919-01-1-120-01700	1919-01-1-120-1829 Range to 1919-01-1-120-01841	\$ 7,991.14	4
6 of 8	2007	1919-01-1-120-01800	1919-01-1-120-01800 Range to 1919-01-1-120-01874	\$ 6,942.15	4
			Total:	\$14,933.29	

Taxpayers Initiated Applications – Appendix B:

21 of 23	2008	1908-08-1-430-03100	1908-08-1-430-11801 Range to 1908-08-1-430-11802	\$10,682.80	25
			Total:	\$10,682.80	

2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Statutory - City of Toronto Act, 2006

Background Information (Committee)

Report - Apportionment of Property Taxes - September 2008 Hearing
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15411.pdf>)

Appendix A - GM17.5

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15412.pdf>)

Appendix B - GM17.5

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15413.pdf>)

Communications (Committee)

(September 15, 2008) memo from Giuliana Carbone, Director, Revenue Services (GM.New.GM17.5a)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-8398.pdf>)

24.32 **Tax Relief for Veteran's Memorial Homes Owned by the Canadian Legion (Toronto) Homes**

GM17.6	ACTION	Adopted		Ward: 23
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September 24, 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 amendments to Article IX, Tax Rebate Program for Veteran's Clubhouse and Legion Halls, of the City of Toronto Municipal Code, Chapter 767, Taxation, to:
 - a. define the term "memorial home" to mean "a facility that provides affordable housing or rental housing units at below average rents, as defined in the City of Toronto Municipal Housing Facilities By-law, By-law No. 282-2002 for veterans, or spouses thereof, of the naval, military or air forces of Canada, Great Britain or Her Majesty's allies"; and
 - b. require that if the applicant for rebate is a veteran's memorial home, it must provide documentation to confirm the number of housing units that are occupied by veterans for the period to which the application relates.
2. Authority be granted for the introduction of the necessary bills to give effect thereto.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background Information (Committee)

Report - Tax Relief for Veteran's Memorial Homes Owned by the Canadian Legion (Toronto) Homes
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15414.pdf>

24.33 **Lease Agreement at 5151 Yonge Street**

GM17.14	ACTION	Adopted		Ward: 23
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

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

That the Chief Planner and Executive Director, City Planning, (Heritage Preservation Services) be requested to prepare a history of this building as North York Township municipal offices, and report to the North York Community Council on the possibility of designating it as a historical property.

Ruling by Speaker:

Speaker Bussin ruled motion 1 by Councillor Moscoe out of order because it does not

pertain to the lease agreement and is therefore 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. City Council authorize the new lease agreement at 5151 Yonge Street with 1024005 Ontario Inc., carrying on business as Cosmetic World, for a five (5) year term with the option of renewal for an additional five (5) year term commencing on September 1, 2008, based on the terms and conditions as set out in the attached Appendix "A".
2. City Council authorize the Chief Corporate Officer to administer and manage the Lease Agreement, including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Background Information (Committee)

Report - Lease Agreement at 5151 Yonge Street

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15430.pdf>

Appendix A - GM17.14

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15431.pdf>

Appendix B - GM17.14

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15432.pdf>

24.34 **Litigation Regarding Construction of 43 Division**

GM17.17	ACTION	Adopted		Ward: All
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September 24, 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 direct that all steps taken to date by the City Solicitor be ratified, and that she be authorized to continue proceedings against NW, to settle or discontinue the action where it is concluded it is reasonable to do so and to execute any documents in furtherance thereof, and to appeal any court decision with respect thereto, if in the City Solicitor's opinion it is reasonable to do so.

Confidential Attachment 1 to the report (August 18, 2008) from the City Solicitor, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Confidential Attachment - 1 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Background Information (Committee)

Report - Litigation Regarding Construction of 43 Division
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-15438.pdf>)
Confidential Attachment 1 - GM17.17

24.35 PLANNING AND GROWTH MANAGEMENT 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.

September 24, 2008

Held for consideration Minute 24.36	PG18.1	Revised Official Plan Amendment to Authorize Section 37 Funding of Heritage Conservation District Studies as an Eligible Community Benefit (Ward All - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 24.37	PG18.2	Final Report - Amendment to the Official Plan Regarding Complete Applications (Ward All - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 24.38	PG18.4	Approval of 2008 Toronto Heritage Grant Awards (Ward All)

Consideration of Items - Planning and Growth Management Committee Meeting 1824.36 **Revised Official Plan Amendment to Authorize Section 37 Funding of Heritage Conservation District Studies as an Eligible Community Benefit**

PG18.1	ACTION	Amended		Ward: All
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September 25, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Vaughan moved that the Item be amended in accordance with the following staff recommendations contained in the report (September 24, 2008) from the Chief Planner and Executive Director, City Planning:
 1. The recommendations of the Planning and Growth Management Committee with respect to Item PG18.1 be struck and be replaced with the following:
 1. In accordance with the directions of City Council, the Official Plan be amended substantially in accordance with the draft Official Plan Amendment submitted as Appendix A to the report (August 20, 2008) from the Chief Planner and Executive Director, City Planning, subject to:
 - a. substituting the revised main body text of the draft amendment and Schedule A, as contained in Appendix A to the report (September 24, 2008) to Council from the Chief Planner and Executive Director, City Planning; and
 - b. substituting the revised Maps 5 and 6 attached to the supplementary report (August 21, 2008) from the Chief Planner and Executive Director, City Planning.
 2. Council advise Members of Council and City staff involved in negotiating Section 37/45 community benefits that, where funds for Heritage Conservation District (HCD) studies are being secured, and there is a possibility that not all such funds may ultimately be needed for HCD studies, alternative purposes for such funds be specified in the Section 37 agreements in accordance with the policies of the Official Plan.

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

City Council request the Chief Planner and Executive Director, City Planning, to correct the error in Schedule B relating to Heritage District No. 37 which refers to Glen Park as Glenwood.
 2. amending Schedule A to include Elia as a heritage district which would encompass an area that includes Black Creek Pioneer Village and the Parson's archaeological site.
3. Councillor Kelly moved that Part 2 of motion 2 by Councillor Moscoe be referred to the Chief Planner and Executive Director, City Planning, for a report to the Planning and Growth Management Committee.

Votes:

Motion 1 by Councillor Vaughan carried.

Motion 3 by Councillor Kelly carried.

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

Part 1 of motion 2 by Councillor Moscoe carried.

Adoption of the Item, as amended:

Yes - 33
Councillors: Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0

Carried unanimously.

City Council Decision

City Council adopted the following motions:

1. In accordance with the directions of City Council, the Official Plan be amended

substantially in accordance with the draft Official Plan Amendment submitted as Appendix A to the report (August 20, 2008) from the Chief Planner and Executive Director, City Planning, subject to:

- a. substituting the revised main body text of the draft amendment and Schedule A, as contained in Appendix A to the report (September 24, 2008) to Council from the Chief Planner and Executive Director, City Planning; and
 - b. substituting the revised Maps 5 and 6 attached to the supplementary report (August 21, 2008) from the Chief Planner and Executive Director, City Planning.
2. Council advise Members of Council and City staff involved in negotiating Section 37/45 community benefits that, where funds for Heritage Conservation District (HCD) studies are being secured, and there is a possibility that not all such funds may ultimately be needed for HCD studies, alternative purposes for such funds be specified in the Section 37 agreements in accordance with the policies of the Official Plan.
 3. City Council request the Chief Planner and Executive Director, City Planning, to correct the error in Schedule B relating to Heritage District No. 37 which refers to Glen Park as Glenwood.
 4. The following motion be referred to the Chief Planner and Executive Director, City Planning, for a report to the Planning and Growth Management Committee:

Moved by Councillor Moscoe:

That Schedule A be amended to include Elia as a heritage district which would encompass an area that includes Black Creek Pioneer Village and the Parson's archaeological site.

Statutory - Planning Act, RSO 1990

Background Information (Committee)

Section 37 Funding of Heritage Conservation District Studies

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-15304.pdf>

Background Information (City Council)

(September 24, 2008) supplementary report from the Chief Planner and Executive Director, City Planning (PG18.1b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15917.pdf>

Communications (City Council)

- (September 16, 2008) e-mail from George Belza, Partner, ANALOGICA (CC.Main.PG18.1.8)
- (September 22, 2008) e-mail from George Belza, Partner, ANALOGICA (CC.Supp.PG18.1.9)

1a Supplementary Report: Revised Official Plan Amendment to Authorize Section 37 Funding of Heritage Conservation District Studies

Background Information (Committee)

Supplementary Report Section 37 HCD
<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-15306.pdf>

Communications (Committee)

- (August 26, 2008) letter from Jane Beecroft, President, Community History Project (PG.Main.PG18.1.1)
- (September 5, 2008) letter from Paula J. Tenuta, Director, Municipal Government Relations, Building Industry and Land Development Association (PG.Supp.PG18.1.2)
- (September 3, 2008) letter from Dr. Myra Nan Rosenfeld Little (PG.Supp.pg18.1.3)
- (September 8, 2008) e-mail from George S. Belza, Partner, ANALOGICA (PG.Supp.PG18.1.4)
- (September 9, 2008) e-mail from Mary Louise Ashbourne, Chair, Etobicoke York Community Preservation Panel (PG.New.PG18.1.5)
- (September 9, 2008) e-mail from Susan Stock (PG.New.PG18.1.6)
- (September 10, 2008) e-mail from George Milbrandt and Peter Baker, Co-Chairs, FoNTRA (PG.New.PG18.1.7)

24.37 **Final Report - Amendment to the Official Plan Regarding Complete Applications**

PG18.2	ACTION	Amended		Ward: All
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Moscoe moved that the Item be amended:

1. by adding the following:

The following motions be referred to the Chief Planner and Executive Director, City Planning, for a report to the Planning and Growth Management Committee:

1. City Council become pro-active and once a completed planning application has been filed, staff estimate the time that will be required to process the application.
2. If it appears that the application will require a longer time to process, the Ontario Municipal Board and the applicant be notified, in a format similar to the following:

“Please be advised that Application _____ was filed with the City on _____. This is a complex application that, in accordance with the Complete Application Policy adopted by Council on September 24 and 25, 2008, will require a number of studies to be undertaken by the applicant including: _____. Provided that the applicant has filed all of these studies in a timely manner, it is estimated that this application will require _____ months to properly process and to undertake an appropriate public consultation process. The Applicant has been so notified.”

2. in accordance with the following recommendation contained in the report (September 22, 2008) from the Chief Planner and Executive Director, City Planning:
 1. In order to implement the September 10, 2008 Planning and Growth Management Committee’s direction, Recommendation 4 of the Planning and Growth Management Committee’s decision be deleted and replaced with the following:

Upon the coming into effect of the official plan amendment on Complete Applications, the Chief Planner will take the necessary steps to implement the revisions to the Development Approval Application Form as contained in Attachment 1.

Votes:

Motion 1 by Councillor Moscoe carried.

Adoption of the Item, as amended:

Yes - 29	
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Parker, Perks, Rae, Saundercook,

Stintz, Thompson, Vaughan, Walker

No - 0

Carried unanimously.

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 submitted as Attachment 1 to the report (July 30, 2008) from the Chief Planner and Executive Director, City Planning.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment as may be required.
3. City Council adopt the draft delegation by-law substantially in accordance with the attached by-law submitted as Attachment 2.
4. Upon the coming into effect of the official plan amendment on Complete Applications, the Chief Planner will take the necessary steps to implement the revisions to the Development Approval Application Form as contained in Attachment 1.
5. The following motion be referred to the Chief Planner and Executive Director, City Planning, for a report to the Planning and Growth Management Committee:

Moved by Councillor Moscoe:

1. City Council become pro-active and once a completed planning application has been filed, staff estimate the time that will be required to process the application.
2. If it appears that the application will require a longer time to process, the Ontario Municipal Board and the applicant be notified, in a format similar to the following:

“Please be advised that Application _____ was filed with the City on _____. This is a complex application that, in accordance with the Complete Application Policy adopted by Council on September 24 and 25, 2008, will require a number of studies to be undertaken by the applicant including: _____. Provided that the applicant has filed all of these studies in a timely manner, it is estimated that this application will require

_____ months to properly process and to undertake an appropriate public consultation process. The Applicant has been so notified.”

Statutory - Planning Act, RSO 1990

Background Information (Committee)

Final Report Complete Applications

(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-15303.pdf>)

Background Information (City Council)

(September 22, 2008) supplementary report from the Chief Planner and Executive Director, City Planning (PG18.2a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15889.pdf>)

Communications (Committee)

(July 11, 2008) e-mail from Stephen Upton, Vice President, Development TRIDEL (PG.Main.PG18.2.1)

(July 11, 2008) letter from Paula J. Tenuta (PG.Main.PG18.2.2)

(July 12, 2008) e-mail from George S. Belza, Partner, ANALOGICA (PG.Main.PG18.2.3)

(September 8, 2008) e-mail from George S. Belza, Partner, ANALOGICA (PG.Supp.PG18.2.4)

(September 8, 2008) letter from Paula J. Tenuta, Building Industry and Land Development Association (PG.Supp.PG18.2.5)

(September 10, 2008) e-mail from George Milbrandt and Peter Baker, Co-Chairs, FoNTRA (PG.New.PG18.2.6)

(September 9, 2008) e-mail from Nupur Malaviya, Davies Howe Partners (Submission by the Conservatory Group) (PG.New.PG18.2.7)

(September 9, 2008) e-mail from Nupur Malaviya, Davies Howe Partners (Submission by Oxford Properties Group) (PG.New.PF18.2.8)

(September 9, 2008) e-mail from Nupur Malaviya, Davies Howe Partners (Submission by Dorsay Development Corporation) (PG.New.PG18.2.9)

(September 9, 2008) e-mail from Nupur Malaviya, Davies Howe Partners (Submission by Aspen Ridge Homes) (PG.New.PG18.2.10)

(September 9, 2008) e-mail from Nupur Malaviya, Davies Howe Partners (Submission by Cadillac Fairview Corporation) (PG.New.PG18.2.11)

(September 9, 2008) fax from Dalton C. Shipway (PG.New.PG18.2.12)

Communications (City Council)

(September 10, 2008) letter from Nupur Malaviya, Davies Howe Partners (CC.Main.PG18.2.13)

(September 16, 2008) e-mail from George Belza, Partner, ANALOGICA (CC.Main.PG18.2.14)

(September 22, 2008) e-mail from George Belza, Partner,

ANALOGICA (CC.Supp.PG18.2.15)
(September 25, 2008) letter from William H. Roberts, Barrister and
Solicitor (CC.New.PG18.2.16)

24.38 **Approval of 2008 Toronto Heritage Grant Awards**

PG18.4	ACTION	Adopted		Ward: All
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September 24, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

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

Carried by a majority of 39.

City Council Decision

City Council adopted the following motions:

1. City Council approve awards for the 2008 Toronto Heritage Grant Program for the 23 heritage properties in the City of Toronto, as set out below, to assist in funding the scope of restoration work generally described in Attachment No. 1 of this report, in accordance with the Terms and Conditions of the Toronto Heritage Grant Program previously approved by City Council:
 - a. 7 Bin-Scarth Road, house, \$7,500;
 - b. 18 Boswell Avenue, house, \$10,000;
 - c. 270 Carlton Street, house, \$7,000;
 - d. 63 Delburn Drive, house, \$10,000;
 - e. 3 Draper Street, house, \$10,000;

- f. 5 Draper Street, house, \$10,000;
 - g. 11 Draper Street, house, \$10,000;
 - h. 16 Draper Street, house, \$10,000;
 - i. 10 Elm Avenue, John Blaikie/Hugh Ryan House, \$10,000;
 - j. 93 Gloucester Street, house, \$10,000;
 - k. 2577 Kennedy Road, Elmridge House, \$10,000;
 - l. 82 Lowther Avenue, house, \$10,000;
 - m. 512 Queen Street West, commercial building, \$28,950;
 - n. Richview Cemetery, \$5,000;
 - o. 55 Roxborough Drive, house, \$10,000;
 - p. 16 Ryerson Avenue, stables (now Theatre Passe Muraille), \$10,000;
 - q. 451 Sackville Street, house, \$10,000;
 - r. 453 Sackville Street, house, \$10,000;
 - s. 69 Spadina Road, Arthur R. Boswell House, \$10,000;
 - t. 26 Sword Street, house, \$10,000;
 - u. 56 Wellesley Street East, Paul Kane House, \$10,000;
 - v. 396 Wellesley Street East, house, \$3,600;
 - w. 76 Wychwood Avenue, Wychwood Car Barns, \$28,950.
2. Use of the grant awards outlined in Recommendation 1 of the report, be limited to only the proposed restoration work approved by the Chief Planner and Executive Director, City Planning Division, and that issuing of the grant award be subject to the grant recipient satisfying all conditions as set out in the Letter of Understanding between the City and the grant recipient.

Background Information (Committee)

Approval of 2008 Toronto Heritage Grant Awards

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-15308.pdf>

24.39 PUBLIC WORKS AND INFRASTRUCTURE 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.

September 24, 2008

Held for consideration Minute 24.40	PW18.4	2008 Bikeway Network Program - Phase 4 Installation of Bicycle Lanes (Ward 3, 5, 6, 13, 38, 44)
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Held for consideration Minute 24.41	PW18.5	Traffic Calming - Fairfield Road (Ward 22, 25)
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Adopted by consent PW18.7 Contract Awards - Requests for Quotation 6032-08-0222 and 6032-08-0223 Winter Maintenance on City of Toronto Roads, Spreading of Salt or Treated Sand on Local Roads, East and West Area for Oriole Depot, 2751 Old Leslie Street and Ingram Depot, 85 Ingram Drive within North York District (Ward All)

Consideration of Items - Public Works and Infrastructure Committee Meeting 18

24.40 **2008 Bikeway Network Program - Phase 4 Installation of Bicycle Lanes**

PW18.4	ACTION	Amended		Ward: 3, 5, 6, 13, 38, 44
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Holyday moved that the Item be amended by:
 1. deleting the following Recommendation 3 of the Public Works and Infrastructure Committee:

Recommendation 3 to be deleted:
 3. City Council approve the installation of bicycle lanes on the east side of Renforth Drive, from Bloor Street West to Rathburn Road, and on the west side of Renforth Drive, from Bloor Street West to West Wareside Road, as detailed in Appendix A of this report.
2. amending Recommendation 5 of the Public Works and Infrastructure Committee to read as follows:
 5. City Council approve the amendments to the traffic and parking regulations detailed in Appendix B of this report, with the exception of those traffic and parking regulations pertaining to:
 - a. Horner Avenue, from Browns Line to Judson Street; and
 - b. the east side of Renforth Drive, from Bloor Street West to Rathburn Road, and on the west side of Renforth Drive,

from Bloor Street West to West Wareside Road.

Procedural Motion:

Councillor Del Grande moved that Council waive the provisions of Chapter 27, Council Procedures, in order to allow Members to question City officials after the start of debate, the vote on which was taken as follows:

<p>Yes - 24 Councillors: Ainslie, Ashton, De Baeremaeker, Del Grande, Di Giorgio, Filion, Grimes, Hall, Holyday, Jenkins, Kelly, Lee, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Parker, Shiner, Stintz, Thompson, Vaughan, Walker</p>
<p>No - 7 Councillors: Bussin, Carroll, Cho, Davis, Fletcher, Heaps, Rae</p>

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

Motions:

2. Councillor Heaps moved that the Item be amended by:
 1. deleting the following Recommendation 1 of the Public Works and Infrastructure Committee:

Recommendation 1 to be deleted:

 1. City Council approve, in principle, the installation of bicycle lanes on both sides of Brimorton Drive, from Brimley Road to Scarborough Golf Club Road, as detailed in Appendix A of this report.
 2. adding the following recommendation:

Council adopt the following recommendation contained in the report (September 22, 2008) from the General Manager, Transportation Services:

 1. City Council approve the installation of bicycle lanes on both sides of Brimorton Drive, from Brimley Road to Scarborough Golf Club Road, as detailed in the report dated August 21, 2008, entitled "2008 Bikeway Network Program – Phase 4 Installation of Bicycle Lanes" (PW18.4).

3. Councillor Palacio moved that the Item be amended by adding the following:
 1. That City Council direct the appropriate City officials to report to the Public Works and Infrastructure Committee on the feasibility of the installation of a bicycle lane along small sections of the Hydro Corridor within Ward 17, starting from the ravine south of Keele Street and Lavender Road and connecting it with the Hydro Corridor extending across Ward 17 all the way to Ossington Avenue, including entering into any standard licensing or easement agreements with Hydro One or the Ontario Realty Corporation as necessary to complete this project.
 2. That funds to implement this bicycle and pedestrian path be provided within the Transportation Services Division 2009 Capital Budget in the Cycling Infrastructure.

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

The General Manager, Transportation Services, in consultation with staff from the Economic Development Division, be requested to report on the appropriateness of installing bike lanes on designated truck routes.

Ruling by Speaker:

Speaker Bussin ruled motion 4 by Councillor Grimes out of order because it proposes a policy change and is beyond the scope of the Item under consideration.

Motion:

5. Councillor Kelly moved that motion 3 by Councillor Palacio be referred to the Public Works and Infrastructure Committee for further study.

Ruling by Speaker:

Speaker Bussin ruled motion 5 by Councillor Kelly out of order and did not accept it as it was not placed at the beginning of his speaking time and a written copy had not been provided to the City Clerk.

Motion:

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

The General Manager, Transportation Services, be requested to report to the Public Works and Infrastructures Committee, on the feasibility of the installation of bicycle lanes in all Wards, as well as Hydro Corridors and Rail Corridors.

Ruling by Speaker:

Speaker Bussin ruled motion 6 by Councillor Perruzza out of order because it proposes a policy change and is beyond the scope of the Item under consideration.

Motion:

7. Councillor De Baeremaeker moved that motion 3 by Councillor Palacio be referred to the Public Works and Infrastructure Committee for further study.

Ruling by Speaker:

Speaker Bussin ruled motion 7 by Councillor De Baeremaeker out of order and did not accept it as it was not placed at the beginning of his speaking time.

Motion:

8. Councillor Hall moved that motion 3 by Councillor Palacio be referred to the Public Works and Infrastructure Committee for further study.

Votes:

Adoption of motion 1 by Councillor Holyday:

Yes - 8	Councillors: Del Grande, Holyday, Lindsay Luby, Nunziata, Perruzza, Saundercook, Shiner, Stintz
No - 22	Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Mihevc, Milczyn, Moscoe, Palacio, Perks, Rae, Vaughan, Walker

Lost by a majority of 14.

Adoption of motion 2 by Councillor Heaps:

Yes - 30	Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 1	

Councillor: Holyday

Carried by a majority of 29.

Adoption of motion 8 by Councillor Hall:

Yes - 29 Mayor: Miller Councillors: Ainslie, Ashton, Bussin, Cho, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan
No - 4 Councillors: Carroll, Parker, Perks, Walker

Carried by a majority of 25.

Due to the above decision of Council, motion 3 by Councillor Palacio was not put to a vote.

Adoption of the Item, as amended:

Yes - 29 Mayor: Miller Councillors: Ainslie, Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Palacio, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2 Councillors: Holyday, Parker

Carried by a majority of 27.

City Council Decision

City Council adopted the following motions:

1. City Council approve the installation of bicycle lanes on both sides of Brimorton Drive, from Brimley Road to Scarborough Golf Club Road, as detailed in the report dated August 21, 2008, entitled "2008 Bikeway Network Program – Phase 4 Installation of Bicycle Lanes" (PW18.4).

2. City Council approve the installation of bicycle lanes on both sides of Conlins Road, from Ellesmere Road to Sheppard Avenue East, as detailed in Appendix A of this report.
3. City Council approve the installation of bicycle lanes on the east side of Renforth Drive, from Bloor Street West to Rathburn Road, and on the west side of Renforth Drive, from Bloor Street West to West Wareside Road, as detailed in Appendix A of this report.
4. City Council approve the installation of bicycle lanes on both sides of The Queensway, from 250 metres east of High Street to Windermere Avenue, as detailed in Appendix A of this report.
5. City Council approve the amendments to the traffic and parking regulations detailed in Appendix B of this report, with the exception of those traffic and parking regulations pertaining to Horner Avenue from Browns Line to Judson Street.
6. 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.
7. The following motion be referred to the Public Works and Infrastructure Committee for further study:

Moved by Councillor Palacio:

1. That City Council direct the appropriate City officials to report to the Public Works and Infrastructure Committee on the feasibility of the installation of a bicycle lane along small sections of the Hydro Corridor within Ward 17, starting from the ravine south of Keele Street and Lavender Road and connecting it with the Hydro Corridor extending across Ward 17 all the way to Ossington Avenue, including entering into any standard licensing or easement agreements with Hydro One or the Ontario Realty Corporation as necessary to complete this project.
2. That funds to implement this bicycle and pedestrian path be provided within the Transportation Services Division 2009 Capital Budget in the Cycling Infrastructure.

Background Information (Committee)

2008-09-08-pw18.4-Staff Report and Appendices A and B

- <http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15312.pdf>
Drawing No. 421P0107
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15325.pdf>
Drawing No. 421P0108
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15326.pdf>
Drawing No. 421P0096
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15327.pdf>
Drawing No. 421P0097
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15328.pdf>
Drawing No. 421P0046
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15329.pdf>
Drawing No. 421P0047
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15330.pdf>
Drawing No. 421P0099
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15331.pdf>
Drawing No. 421P0100
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15332.pdf>
Drawing No. 421P0105
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15333.pdf>
Drawing No. 421P0106
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15334.pdf>

Background Information (City Council)

(September 22, 2008) supplementary report from the General Manager, Transportation Services (PW18.4a)
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15902.pdf>

Communications (Committee)

(September 8, 2008) e-mail from Marty Collier, Toronto Urban Renewal Network (TURN) (PW.New.PW18.4.1)

24.41 **Traffic Calming - Fairfield Road**

PW18.5	ACTION	Amended		Ward: 22, 25
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Walker moved that the Item be amended by deleting the recommendations of the Public Works and Infrastructure Committee, and that Council adopt the following instead:
 1. Transportation Services poll eligible householders on Fairfield Road,

between Rawlinson Avenue and Cardiff Road, to determine whether residents support the installation of speed humps, in accordance with the City of Toronto Traffic Calming Policy.

2. Subject to favourable results of the poll:
 - a. the City Solicitor prepare a by-law to alter sections of the roadway on Fairfield Road, between Rawlinson Avenue and Cardiff Road, for traffic calming purposes, generally as shown on the copy of Drawing No. 421F 9187, dated January 2008, that Transportation Services circulated to residents during the polling process; and
 - b. Transportation Services take the necessary action to reduce the speed limit from 40 kilometres per hour to 30 kilometres per hour on Fairfield Road, between Rawlinson Avenue and Cardiff Road, when the speed humps are installed.

Vote:

Adoption of motion 1 by Councillor Walker:

Yes - 17 Councillors: Ashton, Bussin, Cho, Davis, Filion, Grimes, Heaps, Jenkins, Mihevc, Moscoe, Palacio, Pantalone, Rae, Saundercook, Stintz, Vaughan, Walker
No - 14 Councillors: Augimeri, Carroll, Del Grande, Di Giorgio, Feldman, Fletcher, Hall, Holyday, Kelly, Lee, Lindsay Luby, Moeser, Perks, Perruzza

Carried by a majority of 3.

City Council Decision

City Council adopted the following motions:

1. Transportation Services poll eligible householders on Fairfield Road, between Rawlinson Avenue and Cardiff Road, to determine whether residents support the installation of speed humps, in accordance with the City of Toronto Traffic Calming Policy.
2. Subject to favourable results of the poll:
 - a. the City Solicitor prepare a by-law to alter sections of the roadway on Fairfield Road, between Rawlinson Avenue and Cardiff Road, for traffic

calming purposes, generally as shown on the copy of Drawing No. 421F 9187, dated January 2008, that Transportation Services circulated to residents during the polling process; and

- b. Transportation Services take the necessary action to reduce the speed limit from 40 kilometres per hour to 30 kilometres per hour on Fairfield Road, between Rawlinson Avenue and Cardiff Road, when the speed humps are installed.

Background Information (Committee)

2008-09-08-pw18.5-Staff Report
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15313.pdf>
 2008-09-08-pw18.5-Drawing 421F-9187
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15314.pdf>
 2008-09-08-pw18.5-Appendix A
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15315.pdf>
 2008-09-08-pw18.5-Appendix B
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15316.pdf>
 2008-09-08-pw18.5-Appendix C
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-15317.pdf>

24.42 STRIKING COMMITTEE MEETING 9

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.

September 24, 2008

- Held for consideration ST9.1 Appointment of Members of Council to the Council
 Minute 24.43 Reference Group for Animal Services (Ward All)
- Held for consideration ST9.2 Proposed 2009 Schedule of Meetings (Ward All)
 Minute 24.44

Consideration of Items - Striking Committee Meeting 9

24.43 Appointment of Members of Council to the Council Reference Group for Animal Services

ST9.1	ACTION	Amended		Ward: All
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September 25, 2008
 Speaker Bussin in the Chair.

Motion:

1. Councillor Fletcher moved that the Item be amended by amending the recommendation of the Striking Committee by adding the name K. Stintz to the list of appointees to the Council Reference Group for Animal Services.

Votes:

Motion 1 by Councillor Fletcher carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motion:

1. City Council appoint the following Members to the Council Reference Group for Animal Services:

G. De Baeremaeker
P. Fletcher
G. Lindsay Luby
K. Stintz

for the remainder of the Council term, ending November 30, 2010.

City Council Decision Advice and Other Information

City Council, by its adoption of Member Motion MM24.28, increased the composition of the Council Reference Group for Animal Services by one (1) additional Member of Council.

Background Information (Committee)

Interested Members - Council Reference Group for Animal Services
(<http://www.toronto.ca/legdocs/mmis/2008/st/bgrd/backgroundfile-15324.pdf>)

Interested Members - Council Reference Group for Animal Services - Revised
(<http://www.toronto.ca/legdocs/mmis/2008/st/bgrd/backgroundfile-15493.pdf>)

24.44 **Proposed 2009 Schedule of Meetings**

ST9.2	ACTION	Amended		Ward: All
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September 25, 2008

Speaker Bussin in the Chair.

Motions:

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

The City Manager and the Acting Deputy City Manager/Chief Financial Officer be requested to provide an update to the next meeting of Council [pursuant to the decision of Council at its November 19 and 20, 2007 meeting (Motion M178) that the 2009 budget process include Standing Committee involvement in the service plan development] on the dates that Standing Committee meetings are scheduled to reflect their involvement in the 2010 service plan development.

2. Deputy Mayor Pantalone moved that motion 1 by Councillor Shiner be referred to the Executive Committee.

Ruling by Speaker:

Councillor Shiner requested the Speaker to rule on whether motion 2 by Deputy Mayor Pantalone was in order since the Schedule of Meetings is within the mandate of the Striking Committee, and would not properly be considered by the Executive Committee.

Speaker Bussin ruled that because motion 1 by Councillor Shiner pertains to the 2009 Budget process, a motion to refer it to the Executive Committee was in order.

Councillor Kelly requested the Speaker to rule on whether motion 1 by Councillor Shiner was in order given the Item under consideration only deals with the 2009 Schedule of Meetings.

Speaker Bussin ruled that motion 1 by Councillor Shiner and motion 2 by Deputy Mayor Pantalone were in order.

Votes:

Adoption of motion 2 by Deputy Mayor Pantalone:

Yes - 23	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, Di Giorgio, Fillion, Fletcher, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mihevc, Moeser, Pantalone, Perks, Perruzza, Rae, Vaughan
No - 16	
Councillors:	Ashton, Del Grande, Feldman, Holyday, Jenkins, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker

Carried by a majority of 7.

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

Adoption of the Item, as amended:

Yes - 26	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Pantalone, Perks, Perruzza, Rae
No - 14	
Councillors:	Ashton, Del Grande, Feldman, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker

Carried by a majority of 12.

City Council Decision

City Council adopted the following motions:

1. City Council approve the 2009 meeting schedule dates by adopting Attachment 1 to this report, amended as follows:

the February 13, 2009 Budget Committee (Operating Budget Public Hearings) meeting be moved to February 18, 2009;

and the published schedule serve as notice for these meetings.
2. The City Clerk distribute the approved schedule to the City's agencies and special purpose bodies, with a request that they:
 - a. avoid scheduling meetings, whenever possible, that conflict with the approved schedule; and
 - b. avoid scheduling public meetings, forums, public consultations and large-scale meetings on days of cultural or religious significance as noted in the approved schedule.
3. The following motion be referred to the Executive Committee:

Moved by Councillor Shiner:

That the City Manager and the Acting Deputy City Manager/Chief Financial Officer be requested to provide an update to the next meeting of Council [pursuant to the decision of Council at its November 19 and 20, 2007 meeting (Motion M178) that the 2009 budget process include Standing Committee involvement in the service plan development] on the dates that Standing Committee meetings are scheduled to reflect their involvement in the 2010 service plan development.

Background Information (Committee)

Report (August 28, 2008) from the City Clerk - Proposed 2009 Schedule of Meetings
(<http://www.toronto.ca/legdocs/mmis/2008/st/bgrd/backgroundfile-15372.pdf>)

Attachment 1 - Proposed 2009 Schedule of Meetings (as amended)

(<http://www.toronto.ca/legdocs/mmis/2008/st/bgrd/backgroundfile-15530.pdf>)

Attachment 1 - Proposed 2009 Schedule of Meetings

(<http://www.toronto.ca/legdocs/mmis/2008/st/bgrd/backgroundfile-15374.pdf>)

Background Information (City Council)

Approved 2009 Schedule of Meetings

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16005.pdf>)

Communications (Committee)

(June 19, 2008) memo from Councillor Suzan Hall (ST.Main.ST9.2.1)

(<http://www.toronto.ca/legdocs/mmis/2008/st/comm/communicationfile-8207.pdf>)

24.45 ETOBICOKE YORK COMMUNITY COUNCIL MEETING 19

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.

September 24, 2008

- | | | |
|--------------------|---------|---|
| Adopted by consent | EY19.1 | 'City-Initiated' Official Plan Amendment - Etobicoke Centre Secondary Plan (Ward 5 - Statutory: Planning Act, RSO 1990) |
| Adopted by consent | EY19.9 | Humber College Boulevard and Westmore Drive – Traffic Control Signals (Ward 1) |
| Adopted by consent | EY19.11 | Carlingview Drive and Worcester Road – Traffic Control Signals (Ward 2) |

Adopted by consent	EY19.13	Tandridge Crescent – U-Turn Prohibitions (Ward 2)
Adopted by consent	EY19.14	Willowridge Road and Richgrove Drive – All-Way Stop Control (Ward 4)
Adopted by consent	EY19.29	Symington Avenue – Removal of On-Street Parking Space for Persons with Disabilities (Ward 17)
Held for consideration Minute 24.46	EY19.34	25 Fontenay Court – Rezoning, Application – Final Report (Ward 4 - Statutory: Planning Act, RSO 1990)
Adopted by consent	EY19.36	Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decisions for 742 Scarlett Road (Ward 2)
Held for consideration Minute 24.47	EY19.41	3035 Weston Road - Instructions on an Ontario Municipal Board Hearing (Ward 7)

Consideration of Items - Etobicoke York Community Council Meeting 19

24.46 25 Fontenay Court – Rezoning, Application – Final Report

EY19.34	ACTION	Adopted	Ward: 4
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September 24, 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 Zoning By-law for the property at 25 Fontenay Court substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
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. City Council, before introducing the necessary Bills to City Council for enactment,

require the owner to enter into a Section 37 Agreement securing the identified benefits.

4. City Council, before introducing the necessary Bills to City Council for enactment, require the issuance of the Notice of Approval Conditions for the Site Plan Application.

Statutory - Planning Act, RSO 1990

Background Information (Committee)

August 6, 2008 report

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-15114.pdf>

Notice

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-15115.pdf>

Communications (Committee)

(August 25, 2008) e-mail from Joseph Cassar (EY.Main)

(September 3, 2008) letter from Chris L. Szydlowski (EY.Main)

(September 3, 2008) letter from J. Teresa Szydlowska (EY.Main)

(September 3, 2008) petition from Residents of Edenbridge Drive, Knoll Drive and Clay Court (EY.Main)

(September 3, 2008) petition from Residents of 10 Allanhurst Drive (EY.Main)

(September 3, 2008) petition from Residents of 22 Allanhurst Drive (EY.Main)

(September 3, 2008) petition from Residents of Krakus Apartments Ltd., 11 Fontenay Court (EY.Main)

(September 3, 2008) petition from Residents of 38 Fontenay Court (EY.Main)

(September 3, 2008) petition from Residents south of Eglinton Avenue West along Scarlett Road, north of Eglinton Avenue West along Scarlett Road, Community west of Scarlett Road to Royal York Road between La Rose Avenue (north) and Edenbridge Drive (south) (EY.Main)

(September 3, 2008) petition from Residents of Allanhurst Drive and Woodvalley Drive (EY.Main)

(September 8, 2008) petition from Residents of Quo Vadis Apartments Ltd., 30 Allanhurst Drive (EY.Main)

(September 6, 2008) e-mail from Daisy Kaschte (EY.Main)

(September 8, 2008) e-mail from Stephen Thiele (EY.Main)

(September 8, 2008) letter from Michael Blurton (EY.Main)

24.47 3035 Weston Road - Instructions on an Ontario Municipal Board Hearing

EY19.41	ACTION	Amended		Ward: 7
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This Item was considered during closed session.

(See Minute 24.100)

24.48 **NORTH 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.

September 24, 2008

Held for consideration Minute 24.49	NY18.11	Ground Sign Variance Request - 2300 Yonge Street (Ward 16)
Adopted by consent	NY18.26	Turn Restriction / Parking and Stopping Prohibitions / Lane Designations - Caledonia Road / Castlefield Avenue (Ward 15)
Adopted by consent	NY18.27	Commercial Loading Zone - Eglinton Avenue West and Times Road (Ward 15)
Adopted by consent	NY18.28	Lane Designation - Yorkdale Road at Highway 401 On-Ramp/Northbound W.R. Allen Road Off-Ramp and Yorkdale Mall Access (Ward 15)
Held for consideration Minute 24.50	NY18.32	All-Way Stop Control - Esther Shiner Boulevard at Old Leslie Street (Ward 24)
Adopted by consent	NY18.34	Installation of Traffic Control Signals - Sheppard Avenue East at Heron's Hill Way (Ward 33)
Adopted by consent	NY18.40	Designation of Fire Routes and amendment to Chapter 880 – Fire Routes (Ward 23)
Adopted by consent	NY18.41	Sale of Land at the rear of 2212 Eglinton Avenue West (Ward 15)
Adopted by consent	NY18.44	Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's attendance at the OMB B0021/08NY – 51 Montessor Drive (Ward 25)
Adopted by consent	NY18.48	Metro Place Public Art Plan - 1060 & 1070 Sheppard Ave. W. and 1 & 55 De Boers Dr. (Ward 8)
Adopted by consent	NY18.49	Final Report - Common Elements Condominium

		Application - 2924, 2926 and 2928 Bayview Avenue (Ward 23 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 24.51	NY18.50	Status Report and Request for Direction Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18-22 Norton Avenue (Ward 23)
Held for consideration Minute 24.52	NY18.51	Request for Direction Report - Rezoning and Site Plan Control Applications - 1-17 Anndale Drive, 31-35 Bales Avenue and 22-70 Glendora Avenue (Ward 23)
Adopted by consent	NY18.52	Liquor Licence Application - Meyhane Restaurant Bar - 865 Wilson Avenue (Ward 9)
Held for consideration Minute 24.53	NY18.53	Local Measures to Reduce Basement Flooding in the North York Community Council Area (Ward 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)

Consideration of Items - North York Community Council Meeting 18

24.49 **Ground Sign Variance Request - 2300 Yonge Street**

NY18.11	ACTION	Amended		Ward: 16
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September 25, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Moscoe moved that the Item be amended by deleting the recommendation of the North York Community Council, and that Council adopt instead the following recommendation contained in the report (August 19, 2008) from the Director of Building and Deputy Chief Building Official:
 1. the request for the variance be refused.
2. Councillor Holyday moved that the Item be amended by adding the following further condition 1d. to Recommendation 1 of the North York Community Council:
 - 1d. the sign displaying a fixed image only.

3. Councillor Lindsay Luby moved that the Item be amended by adding to Recommendation 1 of the North York Community Council, the words “only until the new City-wide sign by-law is adopted by Council”, so that Recommendation 1 now reads as follow:
1. City Council approve a request for a variance from the former City of Toronto Sign By-law No. 297, as amended, to alter the existing ground sign and to permit the erection of an animated copy display for third party advertising at 2300 Yonge Street, only until the new City-wide sign by-law is adopted by Council, subject to:
 - a. a 60/40 ratio of Commercial to Public Service Announcement advertising content over a 12-month period;
 - b. all public service announcements being charged on a cost recovery basis not to exceed \$1,500.00; and
 - c. an exemption from the minimum separation distance requirement of the by-law.

Votes:

Adoption of motion 1 by Councillor Moscoe:

Yes - 14	
Councillors:	Bussin, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Heaps, Jenkins, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Vaughan
No - 20	
Councillors:	Ashton, Carroll, Cho, Feldman, Ford, Hall, Holyday, Kelly, Lindsay Luby, Milczyn, Nunziata, Ootes, Palacio, Parker, Rae, Saundercook, Shiner, Stintz, Thompson, Walker

Lost by a majority of 6.

Adoption of motion 2 by Councillor Holyday:

Yes - 11	
Councillors:	Davis, Filion, Fletcher, Holyday, Jenkins, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Vaughan
No - 22	
Councillors:	Ashton, Bussin, Carroll, De Baeremaeker, Del Grande, Feldman, Ford, Hall, Heaps, Kelly, Lindsay Luby,

Milczyn, Nunziata, Ootes, Palacio, Parker, Rae, Saundercook, Shiner, Stintz, Thompson, Walker
--

Lost by a majority of 11.

Adoption of motion 3 by Councillor Lindsay Luby:

Yes - 31 Councillors: Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 3 Councillors: Ashton, Heaps, Perks

Carried by a majority of 28.

Adoption of the Item, as amended:

Yes - 24 Councillors: Bussin, Cho, De Baeremaeker, Del Grande, Feldman, Ford, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Parker, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Walker
No - 9 Councillors: Ashton, Davis, Filion, Fletcher, Jenkins, Mihevc, Moscoe, Perks, Vaughan

Carried by a majority of 15.

City Council Decision

City Council adopted the following motion:

1. City Council approve a request for a variance from the former City of Toronto Sign By-law No. 297, as amended, to alter the existing ground sign and to permit the erection of an animated copy display for third party advertising at 2300 Yonge Street, only until the new City-wide sign by-law is adopted by Council, subject to:
 - a. a 60/40 ratio of Commercial to Public Service Announcement advertising content over a 12-month period;

- b. all public service announcements being charged on a cost recovery basis not to exceed \$1,500.00; and
- c. an exemption from the minimum separation distance requirement of the by-law.

Background Information (Committee)

Staff Report - Ground Sign Variance Request - 2300 Yonge Street
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14947.pdf>)
Attachments 1-4 - Ground Sign Variance Request - 2300 Yonge Street
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15002.pdf>)

Communications (Committee)

(September 8, 2008) e-mail from Rami Tabetto, Coordinator,
IllegalSigns.ca (NY.New.NY18.11.1)

Communications (City Council)

(September 9, 2008) fax from Wild Media, submitted by Councillor Karen Stintz,
Ward 16, Eglinton-Lawrence (CC.New.NY18.11.2)

24.50 **All-Way Stop Control - Esther Shiner Boulevard at Old Leslie Street**

NY18.32	ACTION	Amended	Ward: 24
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

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

That City Council adopt the following motion:

The installation of all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street was approved at the September 9, 2008 meeting of North York Community Council.

Esther Shiner Boulevard is scheduled to open to traffic in early October 2008.

The Provincial traffic signal warrants are expected to be satisfied at the intersection of Esther Shiner Boulevard and Old Leslie Street prior to the end of 2008.

It is, therefore, recommended that traffic control signals be installed to replace the all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street prior to December 31, 2008; and the installation to be funded by the 2008 Transportation Capital Budget.

Votes:

Motion 1 by Councillor Shiner carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Esther Shiner Boulevard as a through street, from the west limit of Esther Shiner Boulevard to the west limit of Old Leslie Street.
2. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Esther Shiner Boulevard as a through street, from the east limit of Old Leslie Street to the west limit of Leslie Street.
3. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, by deleting Old Leslie Street as a through street, from the southerly limit of Old Leslie Street to the southerly limit of Sheppard Avenue East.
4. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, by deleting Old Leslie Street as a through street, from the southerly limit of Sheppard Avenue East to the southerly limit of Old Leslie Street.
5. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Old Leslie Street as a through street, from the north limit of Esther Shiner Boulevard to the south limit of Sheppard Avenue East.
6. City Council amend Schedule XVIII of By-law 31001, of the former City of North York, to designate Old Leslie Street as a through street, from the north limit of Sheppard Avenue East to north limit of Old Leslie Street.
7. City Council amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on all approaches to the intersection of Esther Shiner Boulevard and Old Leslie Street.
8. City Council adopt the following motion:

The installation of all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street was approved at the September 9, 2008 meeting of North York Community Council.

Esther Shiner Boulevard is scheduled to open to traffic in early October 2008.

The Provincial traffic signal warrants are expected to be satisfied at the intersection of Esther Shiner Boulevard and Old Leslie Street prior to the end of 2008.

It is, therefore, recommended that traffic control signals be installed to replace the all-way stop control at the intersection of Esther Shiner Boulevard and Old Leslie Street prior to December 31, 2008; and the installation to be funded by the 2008 Transportation Capital Budget.

Background Information (Committee)

Staff Report - All-Way Stop Control - Esther Shiner Blvd at Old Leslie St
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14863.pdf>)

Map - Attachment 1 - All-Way Stop Control - Esther Shiner Blvd at Old Leslie St.
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14864.pdf>)

24.51 **Status Report and Request for Direction Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18-22 Norton Avenue**

NY18.50	ACTION	Amended		Ward: 23
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Filion moved that the Item be amended by adding the following:
 1. The proposed development be revised in conformity with the North York Centre Secondary Plan, to the satisfaction of the Director, Community Planning, North District, and the General Manager of Parks, Forestry and Recreation, to provide for an on-site parkland dedication of 10 percent of the site, immediately adjacent to the City-owned land on the eastern edge of the property.
 2. The City Solicitor be instructed to attend at the Ontario Municipal Board hearing on October 2, 2008, to seek the modification to the development

proposal under appeal to achieve a 10 percent parkland dedication to the City in the location indicated in Part 1, above.

Votes:

Motion 1 by Councillor Filion carried.

The Item, as amended, carried.

Motion to Reconsider:

Councillor Filion moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider this Item only for the purpose of clarifying that City Council's decision to approve motion 1 by Councillor Filion has the effect of striking out the recommendations of the North York Community Council.

Votes:

The vote to reconsider this Item carried, two-thirds of Members present having voted in the affirmative.

The vote to adopt motion 1 by Councillor Filion, and therefore strike out the recommendations of the North York Community Council, carried.

City Council Decision

City Council adopted the following motions:

1. The proposed development be revised in conformity with the North York Centre Secondary Plan, to the satisfaction of the Director, Community Planning, North District, and the General Manager of Parks, Forestry and Recreation, to provide for an on-site parkland dedication of 10 percent of the site, immediately adjacent to the City-owned land on the eastern edge of the property.
2. The City Solicitor be instructed to attend at the Ontario Municipal Board hearing on October 2, 2008, to seek the modification to the development proposal under appeal to achieve a 10 percent parkland dedication to the City in the location indicated in Part 1, above.

Background Information (Committee)

Staff Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18-22 Norton Avenue

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-14834.pdf>

Communications (Committee)

(September 8, 2008) e-mail from Ronald M. Kanter, Macdonald Sager Manis LLP, on behalf of Baywood Homes (NY.New.NY18.50.1)

Communications (City Council)

(September 22, 2008) letter from Ronald M. Kanter, Macdonald Sager Manis LLP (CC.Supp.NY18.50.2)

(September 22, 2008) memo from Randy Jones, Acting Supervisor, Development Applications, addressed to Councillor John Filion, Ward 23, Willowdale, submitted by Councillor Filion (CC.New.NY18.50.3)

50a Request for Direction Report - Zoning and Site Plan Control Applications - 9 McKee Avenue and 18 & 22 Norton Avenue

Background Information (Committee)

Staff Report & Attachments 1-4 - Zoning & Site Plan Control Applications - 9 McKee Avenue and 18 & 22 Norton Avenue

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15322.pdf>

24.52 Request for Direction Report - Rezoning and Site Plan Control Applications - 1-17 Anndale Drive, 31-35 Bales Avenue and 22-70 Glendora Avenue

NY18.51	ACTION	Amended		Ward: 23
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Filion moved that the Item be amended by:
 1. deleting the following Recommendation 9 of the North York Community Council:

Recommendation to be deleted:

 9. City Council request the applicant to revise the application to provide for an on-site parkland dedication of 10% of the site or arrange to provide for an off-site parkland dedication equal to the value of the on-site dedication that would otherwise be required.
 2. adding the following:

That Council adopt the following recommendations contained in the report

(September 25, 2008) from the City Solicitor:

1. Council adopt the confidential instructions to staff in Attachment 1; and
2. Council's instructions to staff in respect of the Ontario Municipal Board hearing be authorized for public release at the conclusion of the Council meeting.

Votes:

Motion 1 by Councillor Filion carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council support the proposed Zoning By-law Amendment for a 22-storey residential building and three blocks of townhouse units on the subject site, with a total maximum gross floor area of approximately 33,132 m², substantially as outlined in the report (August 18, 2008) from the Director, Community Planning, North York District, for a maximum total gross floor area of approximately 77,270 m² for the entire block, including the existing development constructed in Phase 1 and Phase 2 on the western portion of the block, and not to exceed the maximum base density plus combined density incentives and transfers authorized by the North York Centre Secondary Plan.
2. City Council support the proposed Site Plan Control application substantially in accordance with the plans and conditions of approval as outlined in Attachment No. 6 to the report (August 18, 2008) from the Director, Community Planning, North York District, including the requirement that the Owner enter into an appropriate Site Plan Agreement to the satisfaction of the City Solicitor.
3. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board in support of the position outlined in report (August 18, 2008) from the Director, Community Planning, North York District.
4. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order with respect to the Zoning By-law Amendment until such time as:
 - a. a Zoning By-law Amendment is prepared to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate;

- b. the Owner has entered into a Section 37 Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate, to provide the facilities, services and/or matters as generally outlined below:
 - i. the provision of a minimum of 1.5 m² per unit of indoor recreational amenity area;
 - ii. the provision of a minimum of 0.1 bicycle parking spaces per unit, in an approximately 111 m² indoor, at-grade common bicycle storage room conveniently accessible to the outside; and
 - iii. a monetary contribution toward the City's cost of land acquisition for the North York Centre Service Road and associated road network and buffer areas, and/or toward the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre, for the proposed density incentive of approximately 4,517 m². The Owner shall provide the monetary contribution in the form of a certified cheque, no later than 10 days from the date of final approval of the site-specific Zoning By-law for the project. The amount of the monetary contribution shall be equal to the market value of density for the North York Centre, as recommended by the Director of Real Estate Services; and
 - c. the site is in compliance with all relevant City by-laws.
5. City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its Order with respect to the Site Plan Control application until such time as the applicant has satisfied all Site Plan Control pre-approval conditions listed in Attachment No. 6 to the report (August 18, 2008) from the Director, Community Planning, North York District, including entering into an appropriate Site Plan Agreement to the satisfaction of the City Solicitor, in consultation with the Chief Planner or his designate.
6. City Council amend Paragraph 1, under the heading "City Planning", in Attachment 6: Proposed Site Plan Control Approval Conditions, to the report (August 18, 2008) from the Director, Community Planning, North York District, to read as follows:
- "1. The Owner shall submit revised architectural plans to address the following detailed requirements, to the satisfaction of the Director, Community Planning, North York District and in consultation with the Local Councillor:".

7. City Council add a new Paragraph 2(e), under the heading “City Planning”, in Attachment 6: Proposed Site Plan Control Approval Conditions, to the report (August 18, 2008) from the Director, Community Planning, North York District, to read as follows:

“2(e) including an interim landscape plan for the site should construction not start within one year of site plan approval;”.
8. City Council require the applicant to notify all prospective purchasers that they should anticipate lengthy delays at intersections in the immediate vicinity during the morning and evening peak periods due to severe traffic congestion, as indicated in the applicant’s traffic impact study, and that the method of such disclosure be to the satisfaction of the City Solicitor.
9. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to the report (September 25, 2008) from the City Solicitor (NY18.51a).
10. City Council’s instructions to staff in respect of the Ontario Municipal Board hearing be authorized for public release at the conclusion of the Council meeting.

The following recommendations contained in Confidential Attachment 1 to the report (September 25, 2008) from the City Solicitor (NY18.51a), 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 related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions and advice that is subject to solicitor-client privilege:

1. Council accept the applicant’s offer to provide an off-site parkland dedication in the amount of 8 percent of the value of the site for the purpose of purchase of parkland in the vicinity of the North York City Centre, together with its undertaking that the entity filing this application will not appeal any forthcoming repeal or revision of North York Centre Secondary Plan parkland policy 6.5.
2. Council’s instructions be made public at the conclusion of this meeting of Council, however, the remainder of the Confidential Attachment shall remain confidential.

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Background Information (Committee)

Staff Report and Attachments 1-7 - Request for Direction - 1-17 Anndale, 31-35 Bales, 22-70 Glendora

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrrd/backgroundfile-14831.pdf>

Background Information (City Council)

(September 25, 2008) supplementary report from the City Solicitor (NY18.51a)
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15962.pdf>

24.53 **Local Measures to Reduce Basement Flooding in the North York Community Council Area**

NY18.53	ACTION	Amended		Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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Council considered this Item together with the following Items:

- Item EX23.16, headed “Update on the Engineering Review Addressing Basement Flooding” (see Minute 24.20); and
- MM24.24, headed “Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area” (see Minute 24.89).

September 24, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Moscoe moved that Item NY18.53 be amended by deleting the following Recommendation 3 of the North York Community Council:

Recommendation to be deleted:

3. City Council direct that Members of the Committee of Adjustment – North York District Panels, be invited to attend the Community Council meeting when this report is considered by the North York Community Council.

Votes:

Motion 1 by Councillor Moscoe carried.

Adoption of Item EX23.16 without amendment, Item NY18.53 as amended, and MM24.24, without amendment:

Yes - 31	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Hall,

Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan

No - 0

Carried unanimously.

City Council Decision - NY18.53

City Council adopted the following motions:

1. City Council direct the Chief Planner and Executive Director, City Planning Division, to report to the North York Community Council for its meeting on November 18, 2008, on possible amendments to the by-laws in the North District that will eliminate all, as-of-right, reverse sloped driveways in the North District.
2. City Council direct that this item be scheduled as a public hearing.

City Council Decision Advice and Other Information

City Council considered this Item with EX23.16, headed "Update on the Engineering Review Addressing Basement Flooding (Ward All)", and Member Motion M24.24, headed "Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area".

Background Information (Committee)

Member Motion - Basement Flooding

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15555.pdf>

Background Information (City Council)

(September 23, 2008) communication from the City Solicitor (NY18.53a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15891.pdf>

24.54 SCARBOROUGH 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.

September 24, 2008

Adopted by consent

SC18.2

Draft By-law - To Permanently Close Part of the
Public Highway, Neilson Road, Designated as

Parts 1, 2, 3, 4, 7, 8, 9 and 10 on Plan 66R-21412, City of Toronto (Ward 42 - Statutory: City of Toronto Act, 2006)

- Adopted by consent SC18.13 Proposed Traffic Control Signals – Steeles Avenue East at State Crown Boulevard/Shadlock Street (Ward 41)
- Adopted by consent SC18.15 Proposed Traffic Control Signals – McNicoll Avenue at Tapscott Road (Ward 42)
- Held for consideration SC18.16 Railway Whistling Cessation Study – Morningside Heights Area (Ward 42)
Minute 24.55
- Adopted by consent SC18.21 Parking and Stopping Regulation Housekeeping on Kingston Road (Ward 44)
- Held for consideration SC18.23 505 and 515 Centennial Road - OPA & Rezoning Applications - Refusal Report (Ward 44)
Minute 24.56
- Adopted by consent SC18.28 3717 Sheppard Avenue East - Rezoning Application – Final Report (Continuation of a Public Meeting on July 7, 2008) (Ward 40 - Statutory: Planning Act, RSO 1990)
- Held for consideration SC18.29 544 Birchmount Road – Rezoning Application – Final Report (Ward 35 - Statutory: Planning Act, RSO 1990)
Minute 24.57

Consideration of Items - Scarborough Community Council Meeting 18

24.55 **Railway Whistling Cessation Study – Morningside Heights Area**

SC18.16	ACTION	Adopted		Ward: 42
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September 25, 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 staff to arrange a railway whistling cessation study for the level crossings of the Canadian Pacific Railway at Tapscott Road, Neilson Road, Reesor Road and Beare Road in the City of Toronto, with Council's ultimate intention to pass a Resolution forbidding the use of train whistles at these level crossings where feasible.
2. City Council authorize staff to give the necessary Public Notice of this study in a Community Newspaper and on the Internet, and to also give notice of the study to the relevant organizations.

Background Information (Committee)

Railway Whistling Cessation Study

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-14818.pdf>

24.56 **505 and 515 Centennial Road - OPA & Rezoning Applications - Refusal Report**

SC18.23	ACTION	Adopted		Ward: 44
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September 24, 2008

Speaker Bussin in the Chair.

Vote:

Adoption of the Item, without amendment:

Yes - 28	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Davis, Del Grande, Fletcher, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby , Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Rae, Shiner, Thompson, Vaughan, Walker
No - 4	
Councillors:	De Baeremaeker, Di Giorgio, Feldman, Pantalone

Carried by a majority of 24.

City Council Decision

City Council adopted the following motions:

1. City Council refuse the applications for Official Plan and Zoning By-law

Amendments by FC515 Land Corp./Accentia Development Inc., for the lands at 505-515 Centennial Road because the proposal seeks to establish a new residential community in an isolated location that raises significant land use concerns, including compatibility and adverse impact on the ongoing viability of the commercial area in which it is located, and does not represent good planning.

2. City Council, in the event of an appeal, direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to represent the City's interests to oppose the applications.

Background Information (Committee)

Report.505 and 515 Centennial Road.OPA & Rezoning
(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-14934.pdf>)

24.57 **544 Birchmount Road – Rezoning Application – Final Report**

SC18.29	ACTION	Amended		Ward: 35
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September 25, 2008

Speaker Bussin in the Chair.

Motions:

1. Councillor Mihevc moved that the Item be amended by deleting the recommendation of the Scarborough Community Council, and that Council adopt the following instead:
 1. City Council adopt the following recommendations contained in the Final Report (August 21, 2008) from the Director, Community Planning, Scarborough District, subject to a negotiated Section 37 Agreement based on a per unit fee of \$1,000.00 (total \$153,000.00) to be earmarked for capital project improvement to local parks including Danforth Gardens, such monies to be paid at the time of the issuance of the building permit:
 1. City Council amend the zoning by-law for the Birchmount Park Community substantially in accordance with the draft zoning by-law amendment, attached as Attachment 10.
 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 the necessary Bill is introduced to City Council for

enactment, the Owner be required to enter into an agreement, pursuant to Section 37 of the Planning Act, to secure the provision of facilities, services and matters identified in the draft zoning by-law amendment, outlined in Attachment 10.

4. Before the necessary Bill is introduced to City Council for enactment, the Owner be required to enter into a site plan agreement under Section 41 of the Planning Act and Section 114 of the City of Toronto Act, 2006.
 5. Before the necessary Bill is introduced to City Council for enactment, the Owner must pay all costs associated with the improvements recommended in the accepted Traffic Impact Study, dated July 20, 2007, prepared by Lea Consulting Ltd. to the satisfaction of the Director of Transportation Services and submit a certified cheque payable to the City of Toronto in the total amount of \$15,000.00 to fund the signal timing optimization of the intersections of Birchmount Road at St. Clair Avenue, Newlands Avenue and Danforth Road, including the installation of a northbound left turn advance phase at the Birchmount Road and Danforth Road intersection.
2. Councillor Heaps moved that the Item be referred to the Chief Planner and Executive Director, City Planning, and the Director, Affordable Housing Office, with a request that they work with the local Councillor to find a suitable site in Ward 35, or other areas, which would accommodate this building.

Motion on Referral:

3. Councillor Moscoe moved that motion 2 by Councillor Heaps be amended by adding the words “or sufficiently alter the building to provide a reasonable quantity and quality of amenity space on this site”, so that motion 2 now reads as follows:

The Item be referred to the Chief Planner and Executive Director, City Planning, and the Director, Affordable Housing Office, with a request that they work with the local Councillor to find a suitable site in Ward 35, or other areas, which would accommodate this building, or sufficiently alter the building to provide a reasonable quantity and quality of amenity space on this site.

Ruling by Speaker:

Speaker Bussin ruled motion 3 by Councillor Moscoe out of order as it is contrary to the intent of motion 2 by Councillor Heaps.

Vote on Referral:

Adoption of motion 2 by Councillor Heaps, without amendment:

Yes - 10 Councillors: Ashton, Augimeri, Del Grande, Hall, Heaps, Holyday, Lee, Milczyn, Moeser, Palacio
No - 22 Councillors: Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Grimes, Jenkins, Kelly, Lindsay Luby, Mihevc, Moscoe, Nunziata, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Vaughan, Walker

Lost by a majority of 12.

Motion:

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

The Chief Planner and Executive Director, City Planning, be requested to meet with the applicant and the local Councillor to explore the possibility of increasing the amenity space on this site.

Votes:

Adoption of motion 1 by Councillor Mihevc:

Yes - 26 Councillors: Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Heaps, Kelly, Lee, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 11 Councillors: Ashton, Cho, Del Grande, Ford, Grimes, Hall, Holyday, Jenkins, Milczyn, Moeser, Parker

Carried by a majority of 15.

Adoption of motion 4 by Councillor Moscoe:

Yes - 23 Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn,
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	Moeser, Moscoe, Nunziata, Ootes, Palacio, Thompson, Vaughan
No - 14 Councillors:	Cho, Di Giorgio, Feldman, Ford, Mihevc, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Walker

Carried by a majority of 9.

Adoption of the Item, as amended:

Yes - 26 Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Heaps, Kelly, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 11 Councillors:	Ashton, Augimeri, Del Grande, Ford, Grimes, Hall, Holyday, Jenkins, Lee, Milczyn, Moeser

Carried by a majority of 15.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the following recommendations contained in the Final Report (August 21, 2008) from the Director, Community Planning, Scarborough District, subject to a negotiated Section 37 Agreement based on a per unit fee of \$1,000.00 (total \$153,000.00) to be earmarked for capital project improvement to local parks including Danforth Gardens, such monies to be paid at the time of the issuance of the building permit:
 1. City Council amend the zoning by-law for the Birchmount Park Community substantially in accordance with the draft zoning by-law amendment, attached as Attachment 10.
 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 the necessary Bill is introduced to City Council for enactment, the Owner be required to enter into an agreement, pursuant to Section 37 of the Planning Act, to secure the provision

of facilities, services and matters identified in the draft zoning by-law amendment, outlined in Attachment 10.

4. Before the necessary Bill is introduced to City Council for enactment, the Owner be required to enter into a site plan agreement under Section 41 of the Planning Act and Section 114 of the City of Toronto Act, 2006.
 5. Before the necessary Bill is introduced to City Council for enactment, the Owner must pay all costs associated with the improvements recommended in the accepted Traffic Impact Study, dated July 20, 2007, prepared by Lea Consulting Ltd. to the satisfaction of the Director of Transportation Services and submit a certified cheque payable to the City of Toronto in the total amount of \$15,000.00 to fund the signal timing optimization of the intersections of Birchmount Road at St. Clair Avenue, Newlands Avenue and Danforth Road, including the installation of a northbound left turn advance phase at the Birchmount Road and Danforth Road intersection.
2. The Chief Planner and Executive Director, City Planning, be requested to meet with the applicant and the local Councillor to explore the possibility of increasing the amenity space on this site.

Statutory - Planning Act, RSO 1990

Background Information (Committee)

Report.544 Birchmount Road.Rezoning

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-14936.pdf>)

Communications (Committee)

(August 29, 2008) e-mail from Patricia Welsh (SC.New.18.29.1)

(September 5, 2008) e-mail from Sandra and Frank Mugford (SC.New.18.29.2)

(September 8, 2008) e-mail from Stephen Da Cambra (SC.New.18.29.3)

Communications (City Council)

(September 23, 2008) letter from Councillor Giorgio Mammoliti, Ward 7, York West (CC.New.SC18.29.1)

24.58 **TORONTO AND EAST 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.

September 24, 2008

- | | | |
|--|---------|---|
| Adopted by consent | TE18.1 | Inclusion on Heritage Inventory - 120 First Avenue (Ward 30) |
| Adopted by consent | TE18.5 | Final Report - Rezoning Application - Removal of the Holding Symbol "H" - 65 Crossovers Street (Ward 32) |
| Adopted by consent | TE18.6 | Common Elements Condominium Application Final Report - Common Elements Condominium Application - 22 and 24 Birch Avenue (Ward 22 - Statutory: Planning Act, RSO 1990) |
| Held for consideration
Minute 24.59 | TE18.7 | Final Report - Official Plan Amendment and Rezoning Application - Part of 55 Mill Street - Gooderham and Worts (Ward 28 - Statutory: Planning Act, RSO 1990) |
| Held for consideration
Minute 24.60 | TE18.8 | Directions Report - Rezoning Application - 1145 Ossington Avenue (Ward 21) |
| Held for consideration
Minute 24.61 | TE18.9 | Request for Directions Report - Rezoning Application and Site Plan Control Application - 1201 Dundas Street East (Ward 30) |
| Adopted by consent | TE18.22 | Residential Demolition Application - 359-377 Roehampton Avenue (Ward 22) |
| Adopted by consent | TE18.23 | Refusal Report - Official Plan Amendment, Rezoning and Site Plan Applications - 2-4 Neville Park Boulevard and 438-440 Lakefront Lane (Ward 32) |
| Adopted by consent | TE18.61 | Final Report - Part Lot Control - 177-185 Boardwalk Drive (Ward 32) |
| Adopted by consent | TE18.68 | Installation of On-Street Parking Space for Persons with Disabilities - Symington Avenue (Ward 18) |
| Adopted by consent | TE18.69 | Proposed Passenger Loading Zone – Dundas Street West (Ward 20) |
| Adopted by consent | TE18.83 | Road Alterations - Yonge Street at Davenport Road/Church Street and Scollard Street (Ward 27) |

Adopted by consent	TE18.92	Parking Amendment - Danforth Avenue just west of Ellerbeck Street (Ward 29)
Adopted by consent	TE18.97	Public Art Plan - Burano - 832 Bay Street (Ward 27)
Adopted by consent	TE18.98	Public Art Plan - James Cooper Mansion - 582 Sherbourne Street (Ward 27)
Adopted by consent	TE18.100	Request to approve the removal of "pay n' display" parking meters on St. Clair West between Bathurst St and Raglan Ave (Ward 21)
Held for consideration Minute 24.62	TE18.102	Endorsement of Events for Liquor Licensing Purposes

Consideration of Items - Toronto and East York Community Council Meeting 18

24.59 **Final Report - Official Plan Amendment and Rezoning Application - Part of 55 Mill Street - Gooderham and Worts**

TE18.7	ACTION	Amended		Ward: 28
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

- Councillor Rae moved that the Item be amended in accordance with the confidential instructions to staff in respect of the Ontario Municipal Board Hearing [which had been circulated to Members of Council under confidential cover], and the instructions be authorized for public release at the conclusion of the Council meeting.

Votes:

Motion 1 by Councillor Rae carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the following confidential instructions to staff in respect of the Ontario Municipal Board Hearing, and authorize their public release at the conclusion of the Council meeting:

Confidential Instructions (now public in their entirety):

1. Council adopt the Proposed Revisions 1, 2e and 2f in the applicant's Settlement Letter attached to the report (September 25, 2008) from the City Solicitor.
2. Council adopt Proposed Revision 2a - Alterations to Certain Walls of the Designated Heritage Property contained in the applicant's Settlement Letter attached to the report (September 25, 2008) from the City Solicitor on condition that the Manager of Heritage Preservation Services report to Council at its meeting on October 29 and 30, 2008 referencing the recommendation of the Toronto Preservation Board, and the City Solicitor request the Ontario Municipal Board not to address the cultural heritage component of the hearing until after Council's meeting on October 29 and 30, 2008.
3. Council adopt Proposed Revisions 2b - Timing for the Heritage Conservation Plan, 2c - Public Art Contribution and 2d - Parkland Consideration contained in the applicant's Settlement Letter attached to the report (September 25, 2008) from the City Solicitor.

The motions adopted by City Council, as amended by the above instructions, now read as follows:

1. City Council authorize the City Solicitor and appropriate City staff to attend the Ontario Municipal Board hearing in support of the revised application for an Official Plan amendment and rezoning to permit the development of 40, 35 and four-storey buildings as set out on the drawings date stamped as received by the City Planning Division on June 23, 2008, subject to the conditions included in Parts 2, 3 and 4.
2. City Council authorize the City Solicitor to request the Ontario Municipal Board to amend:
 - i. the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 6; and
 - ii. Zoning By-law 1994-0396 and 438-86 as required substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 7.

3. City Council authorize the City Solicitor and Chief Planner and Executive Director, City Planning Division, to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required to implement the intent of this report.
4. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold its Final Order approving the Official Plan Amendment and Zoning By-law Amendment until it receives written confirmation from the City Solicitor that the following conditions, set out in i., ii. and iii. below, have been satisfied:
 - i. Flood Protection
 - a. the landform feature currently being constructed for the Province by the Ontario Realty Corporation is completed such that the measures relating to floodplain protection in a special policy area (“SPA”) in the applicable Official Plan are no longer necessary in relation to these lands, all to the satisfaction of the Toronto and Region Conservation Authority and the Provincial Ministries having jurisdiction over such matters;
 - b. the applicable Official Plan has been amended to remove the SPA designation for the western portion of the Lower Don Area. OR
 - c. in lieu of (a) and (b) above, the applicant has obtained the approval of the relevant Provincial Ministries under policy 3.1.3(a) of the Provincial Policy Statement, 2005 to the proposed change or modification to the site specific Official Plan policies applying to a Special Policy Area in order to permit the proposed residential uses and the applicant has established measures satisfactory to the City Solicitor that there shall be no occupancy of the residential component of the development proposal until the earliest of January 2011 or completion of the landform feature currently under construction just east of the site. The development proposal shall be subject to the 1:350 floodproofing requirement as described in policy 8 of subsection 15 of the King Parliament Secondary Plan if the lands are still in the floodplain at the time of the building permit; however, if the landform feature is completed and the lands are no longer located within the floodplain, the building permit can be amended to remove the 1:350 floodproofing requirement. The applicant shall provide its indemnity and insurance covenant to the satisfaction of the City and, if requested, to the Province.
 - ii. Servicing Matters

The applicant address the following servicing issues to the satisfaction of the Executive Director, Technical Services Division:

- a. provide a water demand analysis with recent hydrant testing to demonstrate that the existing municipal infrastructure can support this development;
 - b. provide detailed calculations for the sanitary sewer to demonstrate that the existing municipal infrastructure can support this development;
 - c. because the City's Wet Weather Flow Management Guidelines with respect to the 100-year level of protection for stormwater quantity has not been addressed, the applicant shall provide documentation from the Toronto and Region Conservation Authority that quantity control is not required. The applicant shall provide documentation showing compensation protection for storms above the two-year; and
 - d. provide all calculations with respect to stormwater quantity control.
- iii. Section 37 Agreement

The applicant enter into an agreement under Section 37 of the Planning Act to amend the existing Section 37 Agreement for Gooderham and Worts, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters:

Heritage & Archaeology:

- a. provision of a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager of Heritage Preservation Services, to include: documentation through photographs of the as-found condition of Rack Houses "G" and "J" including photographs of the interior roof structure and racking system, Building 63 (Paint Shop), and Building 74 (Case Goods Warehouse), all as pertaining to the Reasons for Identification; detailed descriptions/specification for all proposed heritage conservation work including measures to be taken to protect all heritage structures within an area adjacent to the development site during construction; an exterior lighting and signage plan; and an estimate of costs for the implementation of the Conservation Plan;

- b. provide a Letter of Credit in a form and an amount satisfactory to the Manager of Heritage Preservation Services, to secure the work identified in the Conservation Plan;
- c. provide a detailed landscape plan including all at and above-grade outdoor amenity space that is proposed as part of the development, to the satisfaction of the Manager of Heritage Preservation Services;
- d. provide building permit drawings to the satisfaction of the Manager of Heritage Preservation Services;
- e. prior to the release of the Letter of Credit, the applicant is to complete the heritage conservation work to the satisfaction of the Manager of Heritage Preservation Services;
- f. retain a consultant archaeologist, licensed by the Province's Ministry of Culture, to provide an update to the materials cited in the existing Section 37 Agreement for Gooderham and Worts, being Report No. 1 "Aboriginal and Early European Settlement" and Report No. 6 "Industrial Heritage Assessment of the Heritage Master Plan" which together constituted a Stage 1 Archaeological Assessment in accordance with the Archaeological Assessment Technical Guidelines, 1993, Ministry of Culture. This Stage 1 Archaeological Assessment update is to be in accordance with the Final Draft - Standards and Guidelines for Consulting Archaeologists, September 2006, Ministry of Culture such that:
 - i. the consultant archaeologist shall submit any recommendations for Stages 2 - 4 mitigation strategies, should the archaeological assessment proceed beyond a Stage 1 Assessment, to the City Planning Division (Heritage Preservation Services) to be approved prior to commencement of the site mitigation and any construction activities, including excavation, for the development;
 - ii. the consultant archaeologist shall submit a copy of the relevant assessment report(s) to City Planning Division (Heritage Preservation Services) in both hard copy format and as an Acrobat PDF file;
 - iii. prior to the issuing of any building permits including an excavation permit, the City Planning Division (Heritage Preservation Services) and the Ministry of Culture (Heritage Operations Unit), shall confirm in writing that all

archaeological licensing and technical review requirements have been satisfied; and

- iv. prior to the release of the Letter of Credit, the applicant shall incorporate into the development, through preservation and interpretation or through commemoration and exhibition development, any significant archaeological resources and findings on site to the satisfaction of the City Planning Division (Heritage Preservation Services).

Community Benefit:

- a. provide, prior to the issuance of the first above grade building permit, an indexed financial contribution to the City in the amount of \$1,000,000 (minimum) to be used for capital improvements for the Yonge Center for the Performing Arts, Toronto Artscape's facilities at Gooderham and Worts and neighbourhood streetscape beyond the site to the satisfaction of Chief Planner and Executive Director, City Planning Division.

Development Matters:

The following development matters shall be addressed during the site plan approval process for the development. These matters are not characterized as community benefits, but are secured using the legal mechanism provided under Section 37 of the Planning Act.

- a. a reserved area within the proposed "Ribbon" building at the terminus of Trinity Street for a future pedestrian connection that may be constructed to link Gooderham and Worts to the Lower Donlands and Lake Ontario, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- b. reasonable commercial efforts to obtain LEED certification of the development and provide documentation respecting the certification process for the development to the City;
- c. implementation of the submitted Green Development Standard Checklist date stamped as received by the City Planning Division on June 20, 2007, and prior to condominium registration provide documentation respecting its implementation to the City;
- d. exterior building materials to be used in the construction of the buildings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, acting reasonably;

- e. requirements to incorporate wind mitigation measures and noise mitigation measures, as required, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - f. railway mitigation measures including a crash wall/berm in accordance with GO Transit requirements;
 - g. improvements/upgrades to municipal infrastructure, if required, to service the development to the satisfaction of the Executive Director, Technical Services Division; and
 - h. direct that the local capital improvement portion of the cash-in-lieu of parkland payment (i.e. 25%) made pursuant to Section 42 of the Planning Act with respect to the development be directed to improvements to Parliament Square Park on the west side of Parliament Street at Mill Street.
5. City Council advise the applicant that it is required in accordance with Section 41 of the Planning Act or Section 114 of the City of Toronto Act, 2006, as applicable, to enter into a site plan approval process to resolve outstanding technical issues and provide supporting material including:
- a. a detailed wind study;
 - b. a detailed noise study;
 - c. a phasing and parking relocation schedule; and
 - d. GO Transit information regarding crash wall/berm, fencing, servicing review of proposed alterations to the existing drainage pattern.
6. City Council approve, in the event that a settlement can be reached on the appeal of the Official Plan and Zoning By-law Amendment application, the alterations to the heritage property at 55 Mill Street (Distillery District), substantially in accordance with the plans and drawings prepared by Architects Alliance, dated June 1, 2008 and date stamped received by the City Planning Division on June 23, 2008, and on file with the Manager, Heritage Preservation Services subject to the applicant:
- a. prior to the Ontario Municipal Board issuing its Order giving final approval to a settlement of the appeal of the Official Plan and Zoning By-law Amendment application:

providing a detailed Conservation Plan, prepared by a qualified heritage architect to the satisfaction of the Manager, Heritage Preservation Services that includes: documentation through photographs of the as-found

condition of Rack Houses G and J including photographs of the interior roof structure and racking system, Building 63 (Paint Shop), and Building 74 (Case Goods Warehouse), all as pertaining to the Reasons for Identification; detailed descriptions/specifications for all proposed heritage conservation work including measures to be taken to protect all heritage structures within and adjacent to the development site during construction; an exterior lighting and signage plan; and an estimate of costs for the implementation of the Conservation Plan;

- b. prior to the issuance of any building permit for the subject development, including a permit for 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 the work identified in the Conservation Plan;

providing a detailed landscape plan including all at and above-grade outdoor amenity space that is proposed as part of the subject development, as well as an exterior lighting plan and a signage plan all to the satisfaction of the Manager, Heritage Preservation Services;

providing building permit drawings to the satisfaction of the Manager, Heritage Preservation Services; and

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

completing the heritage conservation work, satisfactory to the Manager, Heritage Preservation Services.

- 7. Council approves the following resolutions which amend certain motions above on the condition that they constitute a settlement position, such that none of these matters remain in dispute (except possibly item (a) as set forth below):

- a. Notwithstanding the approval to alter a designated heritage property described in the Report dated June 25, 2008 from the Director, Policy and Research, City Planning Division, in the event that it has been demonstrated to the satisfaction of the Manager of Heritage Preservation Services, acting reasonably and after consultation with the Toronto Preservation Board at its meeting of October 23, 2008, that it is not feasible and practical to retain, in situ, the north (Tank House Lane) elevations of both Rack Houses and the Cherry Street elevation of Rack House J, these features may be removed and rebuilt during the construction process. The applicant's consultants will provide Heritage Preservation Services with a report on this issue no later than October 1, 2008. It is understood that if

the applicant and the City do not reach agreement on this one issue prior to the OMB hearing date of October 27, 2008, this issue may be contested at the hearing. This approval is on condition that the Manager of Heritage Preservation Services report to Council at its meeting on October 29 and 30, 2008 referencing the recommendation of the Toronto Preservation Board, and the City Solicitor request the Ontario Municipal Board not to address the cultural heritage component of the hearing until after Council's meeting on October 29 and 30, 2008.

- b. Notwithstanding the resolution arising from recommendation 1(a) of the Report dated June 25, 2008, from the Director, Policy and Research, City Planning Division, the required Conservation Plan in respect of cultural heritage matters shall be provided to the satisfaction of the Manager of Heritage Preservation Services prior to the approval of the site plan required for the proposed development.
 - c. The public art contribution required as a community benefit in connection with the proposed development shall be capped such that it can not exceed \$900,000.
 - d. The parkland contribution required in connection with the proposed development shall be capped at this time such that it can not exceed \$1,700,000 and recommendation 4 of the Toronto East York Community Council Item TE18.7 under the heading "Development Matters" clause (h) addressing the parkland payment shall be revised to indicate that improvements may also be directed toward "other local parks".
 - e. Recommendation 4 of the Toronto East York Community Council TE18.7 under the heading "Community Benefit" be revised to add: "provided that the manner in which the funds spent on the capital improvements is agreed to by the City, the owner and the tenant, each acting reasonably, and the funds spent on the street improvements are spent in the vicinity of the Gooderham and Worts site, after consultation with the owner and the community".
 - f. The Section 37 Agreement, the Secondary Plan and the Zoning By-law will be amended to permit the modifications to the Distillery District Site Interpretation Programme as outlined in the Distillery District Site Interpretation 10 Year Review report dated November 14, 2007 and prepared by E.R.A. Architects.
8. City Council direct that during the Site Plan process, the possibility of a railway vegetation corridor and the planting of trees to shade pedestrian accessible areas be explored.

9. City Council authorize City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above recommendations.

Confidential Attachment 1 to the report (September 25, 2008) from the City Solicitor (TE18.7c) remains confidential, with the exception of the following Proposed Revisions contained in the applicant's Settlement Letter which was attached to the City Solicitor's report, in accordance with the provision of the City of Toronto Act, 2006, as Confidential Attachment 1 contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions, and advice that is subject to solicitor-client privilege:

Proposed Revisions

1. Council replaces recommendation 4(i)(c) of the Toronto East York Community Council Item TE18.7 with the following:

“4(i)(c) in lieu of (a) and (b) above, the applicant has obtained the approval of the relevant Provincial Ministries under policy 3.1.3(a) of the Provincial Policy Statement, 2005 to the proposed change or modification to the site specific Official Plan policies applying to a Special Policy Area in order to permit the proposed residential uses and the applicant has established measures satisfactory to the City Solicitor that there shall be no occupancy of the residential component of the development proposal until the earliest of January 2011 or completion of the landform feature currently under construction just east of the site. The development proposal shall be subject to the 1:350 floodproofing requirement as described in policy 8 of subsection 15 of the King Parliament Secondary Plan if the lands are still in the floodplain at the time of the building permit; however, if the landform feature is completed and the lands are no longer located within the floodplain, the building permit can be amended to remove the 1:350 floodproofing requirement. The applicant shall provide its indemnity and insurance covenant to the satisfaction of the City and, if requested, to the Province.
2. Council approves the following resolutions on the condition that they constitute a settlement position, such that none of these matters remain in dispute (except possibly item (a) as set forth below):
 - a. Notwithstanding the approval to alter a designated heritage property described in the Report dated June 25, 2008 from the Director, Policy and Research, City Planning Division, in the event that it has been demonstrated to the satisfaction of the Manager of Heritage Preservation Services, acting reasonably and after consultation with the Toronto Preservation Board at its meeting of October 23, 2008, that it is not feasible

and practical to retain, in situ, the north (Tank House Lane) elevations of both Rack Houses and the Cherry Street elevation of Rack House J, these features may be removed and rebuilt during the construction process. The applicant's consultants will provide Heritage Preservation Services with a report on this issue no later than October 1, 2008. It is understood that if the applicant and the City do not reach agreement on this one issue prior to the OMB hearing date of October 27, 2008, this issue may be contested at the hearing.

- b. Notwithstanding the resolution arising from recommendation 1(a) of the Report dated June 25, 2008, from the Director, Policy and Research, City Planning Division, the required Conservation Plan in respect of cultural heritage matters shall be provided to the satisfaction of the Manager of Heritage Preservation Services prior to the approval of the site plan required for the proposed development.
- c. The public art contribution required as a community benefit in connection with the proposed development shall be capped such that it can not exceed \$900,000.
- d. The parkland contribution required in connection with the proposed development shall be capped at this time such that it can not exceed \$1,700,000 and recommendation 4 of the Toronto East York Community Council Item TE18.7 under the heading "Development Matters" clause (h) addressing the parkland payment shall be revised to indicate that improvements may also be directed toward "other local parks".
- e. Recommendation 4 of the Toronto East York Community Council TE18.7 under the heading "Community Benefit" be revised to add: "provided that the manner in which the funds spent on the capital improvements is agreed to by the City, the owner and the tenant, each acting reasonably, and the funds spent on the street improvements are spent in the vicinity of the Gooderham and Worts site, after consultation with the owner and the community".
- f. The Section 37 Agreement, the Secondary Plan and the Zoning By-law will be amended to permit the modifications to the Distillery District Site Interpretation Programme as outlined in the *Distillery District Site Interpretation 10 Year Review* report dated November 14, 2007 and prepared by E.R.A. Architects.

Statutory - Planning Act, RSO 1990

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15122.pdf>)

Background Information (City Council)

(September 25, 2008) supplementary report from the City Solicitor (TE18.7c)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15963.pdf>)

Communications (Committee)

(September 8, 2008) e-mail from Steven Talsky (TE.New.TE18.7.1)

(September 9, 2008) letter from Michael McClelland (TE.New.TE18.7.2)

7a Approval of Alterations to Designated Heritage Property - Part of 55 Mill Street (Distillery District)

Background Information (Committee)

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14843.pdf>)

Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14844.pdf>)

Attachment 2a

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14845.pdf>)

Attachment 2b

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14848.pdf>)

Attachment 2c

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14849.pdf>)

Attachment 2d

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14850.pdf>)

Attachment 2e

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14851.pdf>)

Attachment 2f

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14852.pdf>)

Attachment 3

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14846.pdf>)

Attachment 4a

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14847.pdf>)

Attachment 4b

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14853.pdf>)

Attachment 5

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14854.pdf>)

Attachment 6

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14855.pdf>)

Attachment 7

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14856.pdf>)

Attachment 8

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14857.pdf>)

Attachment 9 & 10

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14858.pdf>)

7b Approval of Alterations to Designated Heritage Property - Part of 55 Mill Street (Distillery District)

Background Information (Committee)

Letter

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14842.pdf>)

24.60 **Directions Report - Rezoning Application - 1145 Ossington Avenue**

TE18.8	ACTION	Amended		Ward: 21
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This Item was submitted without recommendation.

September 24, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Mihevc moved that Council adopt the following recommendations contained in the report (September 22, 2008) from the City Solicitor:
 1. Council adopt the confidential recommendations in Attachment 1.
 2. Council authorize the public release of the adopted recommendations at the end of the Council meeting.

Votes:

Motion 1 by Councillor Mihevc carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1 to the report (September 22, 2008) from the City Solicitor (TE18.8a).

2. City Council authorize the public release of the adopted recommendations at the end of the Council meeting.

The following recommendations contained in Confidential Attachment 1 to the report (September 22, 2008) from the City Solicitor (TE18.8a), 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 related to litigation or potential litigation and advice or communications that are subject to solicitor-client privilege:

1. Council not accept the settlement offer for a revised development proposal, shown in the Revised Plans.
2. Council instruct the City Solicitor and appropriate staff to seek through settlement negotiations, mediation before the OMB, or at a contested OMB hearing, as the case may be, agreement to or approval of a development that is in keeping with the City's Development Infrastructure Policy and Standards (DIPS) and provides the appropriate height transition towards the adjacent residential lots and/or refusal of the proposal in its current form.

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

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-14948.pdf>

Background Information (City Council)

(September 22, 200) supplementary report from the City Solicitor (TE18.8a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15908.pdf>

Communications (Committee)

(September 6, 2008) e-mail from Arlene and Niv Biran (TE.New.TE18.8.1)

Communications (City Council)

(September 9, 2008) e-mail from Angie Rossi and Pat Rossi (CC.Main.TE18.8.2)

24.61 **Request for Directions Report - Rezoning Application and Site Plan Control Application - 1201 Dundas Street East**

TE18.9	ACTION	Amended		Ward: 30
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This Item was submitted without recommendation.

September 24, 2008

Deputy Speaker Lindsay Luby in the Chair.

Motion:

1. Councillor Fletcher moved that Council adopt the following recommendations contained in the report (September 23, 2008) from the City Solicitor, subject to amending Recommendation 1 to now read as follows:
 1. Council adopt Recommendation 1 contained in the confidential Attachment 1.
 2. Council authorize the public release of the adopted recommendation at the end of the Council meeting.

Votes:

Motion 1 by Councillor Fletcher carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council adopt Recommendation 1 contained in Confidential Attachment 1 to the report (September 23, 2008) from the City Solicitor (TE18.9b).
2. City Council authorize the public release of the adopted recommendation at the end of the Council meeting.

The following Recommendation 1 contained in Confidential Attachment 1 to the report (September 23, 2008) from the City Solicitor (TE18.9b), 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 advice or communications that are subject to solicitor-client privilege:

1. Council accept the settlement offer, substantially in accordance with the Revised Plans, which include the following revisions:
 - a. removal of the penthouse residential unit and reconfiguration of the mechanical penthouse to include a 3 metre stepback along the south side of the proposed building;
 - b. consolidated loading/access to 1 access point along the Dundas Street East

frontage;

- c. a reconfigured access/loading design that permits front in and front out movement so as to accommodate City solid waste pick up;
- d. increased outdoor amenity space on the roof-top that meets the requirements of the underlying zoning by-law; and
- e. a total of five (5) street trees along the Dundas Street East frontage;

on condition that the applicant work with the City to provide a green roof and to secure appropriate building materials.

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

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15495.pdf>

Background Information (City Council)

(September 23, 2008) supplementary report from the City Solicitor (TE18.9b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15909.pdf>

9a Direction Report - Rezoning and Site Plan Applications - 1201 Dundas Street East

Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15139.pdf>

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

TE18.102	ACTION	Amended		
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September 25, 2008

Speaker Bussin in the Chair.

Motion:

1. Councillor Davis moved that the Item be amended by adding the following new Part g. to Recommendation 1 of the Toronto and East York Community Council:

- 1g. a special occasion permit for the Beaver Hall Gallery to permit the sale and service of alcohol until 1:00 a.m., in conjunction with the Scotiabank Nuit Blanche event.

Votes:

Motion 1 by Councillor Davis carried.

The Item, as amended, carried.

City Council Decision

City Council adopted the following motions:

1. City Council, for liquor licensing purposes advise the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests for:
 - a. liquor licence extensions of hours for the establishments listed in the letter (August 21, 2008) from Councillor Rae, to permit the sale and service of alcohol until 4:00 am, in conjunction Scotiabank Nuit Blanche event;
 - b. liquor licence extension of hours for the Rivoli, 332 Queen Street West, to permit the sale and service of alcohol until 4:00 am, in conjunction Scotiabank Nuit Blanche event;
 - c. liquor licence extensions of hours for the establishments listed in the letter (August 21, 2008) from Councillor Rae, to permit the sale and service of alcohol until 4:00 am, in conjunction Halloween on Church Street Event;
 - d. liquor licence extension for an outdoor beer garden in the Parkette at the north end of the Renaissance Toronto Hotel Downtown at 1 Blue Jays Way in the Rogers Centre for the NFL event taking place on Sunday, December 7, 2008 from 11:00 a.m. to 6:00 p.m.;
 - e. liquor licence extension for the Young Centre for the Performing Arts to encompass the performance spaces for the Canwest Cabaret Festival taking Place from October 2, 2008 to October 5, 2008;
 - f. liquor licence extension of hours for the Boiler House Restaurant, 55 Mill Street, Building 56, to permit the sale and service of alcohol until 7:00 am, in conjunction Scotiabank Nuit Blanche event; and
 - g. a special occasion permit for the Beaver Hall Gallery to permit the sale and service of alcohol until 1:00 a.m., in conjunction with the Scotiabank Nuit

Blanche event.

2. City Council endorse the action of the Community Council in having advised the Alcohol and Gaming Commission of Ontario that it has no objection to the following requests, as the events take place prior to Council's meeting:
 - a. permission for the operation of three beer gardens at Roncesvalles Avenue and Pearson Avenue, Roncesvalles Avenue and Fern Avenue (in front of the Polish Credit Union) and Roncesvalles Avenue and Westminster Avenue, on September 13 and 14, 2008, in conjunction with the Roncesvalles Polish Festival;
 - b. permission for the operation of a beer garden on September 20, 2008 on Blue Jays Way, in conjunction with The Score Street Party event;
 - c. permission for the sale and service of alcohol on September 26, 2008 on Yonge-Dundas Square, in conjunction with the Rum and Rhythm Event; and
 - d. permission for the following establishments to extend their boulevard patios for the sale and service of alcohol on September 28, 2008, from 12 noon to 7:00 p.m., in conjunction with Pedestrian Sunday in Kensington Sunday:

Augusta House, 152A Augusta Avenue
The Embassy, 223 Augusta Avenue
Graffiti's Bar and Grill, 170 Baldwin Street
Lola, 40 Kensington Avenue
La Palette, 256 Augusta Avenue.

Background Information (Committee)

Letter and attachment from Councillor Vaughan respecting The Score television "ParticipACTION" Event

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15289.pdf>

Letter from David Wootton, Church Wellesley Village BIA, respecting the Nuit Blanche Event

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15290.pdf>

Notice of Street Closure respecting Nuit Blanche

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15291.pdf>

Letter from David Wootton, Church Wellesley Village BIA, respecting the Halloween on Church Street Event

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15292.pdf>

Notice of Street Closure respecting Halloween on Church

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15293.pdf>

Communications (Committee)

- (August 13, 2008) letter from Keith Denning, Roncesvalles Village BIA, respecting the Roncesvalles Polish Festival to be held on September 13 and 14, 2008, on Roncesvalles Avenue at Pearson, Fern and Westminster Avenues (TE.Main.TE18.102.1)
- (July 23, 2008) e-mail from Councillor Vaughan respecting The Score television "ParticipACTION" event to be held on September 19-20, 2008 at various times and locations in the King Street West and Peter Street area (TE.Main.TE18.102.2)
- (August 11, 2008) fax from Lisa Ulrich, Caribbean Tourism Organization, respecting a food and rum tasting event to be held September 26, 2008 from 10:00 a.m. - 4:00 p.m. at Yonge and Dundas Square as part of Caribbean Week Toronto 2008 (TE.Main.TE18.102.3)
- (July 24, 2008) letter from Councillor Davis respecting the CNE and Horse Show taking place from July 22, 2008 to September 1, 2008 at Exhibition Place (TE.Main.TE18.102.4)
- (August 18, 2008) letter from Hak Hwan Koh, Korean Senior Citizens Society of Toronto, respecting the Annual Korean Thanksgiving event to be held at 11:00 a.m. on September 27, 2008 at Christie Pitts Park (TE.Main.TE18.102.5)
- (August 21, 2008) letter from Councillor Rae respecting the Nuit Blanche event to be held on October 4, 2008 between 7:00 p.m. to 7:00 a.m. on October 5, 2008 and for licensed establishments to extend their serving hours from 2:00 a.m. until 4:00 a.m. (TE.Main.TE18.102.6)
- (August 21, 2008) letter from Andre Rosenbaum, Rivoli Restaurant, respecting a temporary liquor license extension on October 4, 2008 to 4:00 a.m. on October 5, 2008 during the Nuit Blanche Event (TE.Main.TE18.102.7)
- (August 22, 2008) e-mail from Barbara Sullivan, Chief of Protocol, City Clerk's Office, respecting the Toronto Book Awards Gala to be held on October 17, 2008 from 5:30 to 8:00 p.m. at the Toronto Public Library, 789 Yonge Street (TE.Main.TE18.102.8)
- (August 21, 2008) letter from Councillor Rae respecting the Halloween on Church Street event to be held on October 31, 2008 and for licensed establishments to extend their serving hours from 2:00 a.m. until 4:00 a.m. (TE.Main.TE18.102.9)
- (September 2, 2008) e-mail from Stephen Froemmel, Renaissance Toronto Hotel Downtown, respecting a food showcase to be held at 1 Blue Jays Way on December 7, 2008 from 11:00 a.m. to 6:00 p.m. (TE.Main.TE18.102.10)
- (August 21, 2008) e-mail from Sara Meurling, Young Centre for the Performing Arts, respecting the Canwest Cabaret Festival to be held on October 2 to 5, 2008 at 55 Mill Street. (TE.Main.TE18.102.11)
- (September 5, 2008) letter from Kifle Lissanu, Four Seasons Hotel Toronto, respecting End of the Millennium New Year's Eve Celebration to be held on Wednesday, December 31, 2008 from 8:00 p.m. to 3:00 a.m. at The Lithuanian Hall, 1573 Bloor Street West (TE.New.TE18.102.12)
- (September 9, 2008) Member Motion from Councillor Rae respecting Pedestrian Sundays in Kensington Market to be held on September 28, 2008 and for participating establishments to extend their boulevard patios (TE.New.TE18.102.13)
- (August 27, 2008) letter from Alexandra Moorshead, respecting Word on the Street to be held on September 28, 2008 in Queen's Park from 11:00 a.m. to 7:00 p.m. (TE.New.TE18.102.14)
- (September 8, 2008) e-mail from Kim Miyama, The Distillery Restaurants Corp. respecting a liquor licence extension at the Boiler House Restaurant for the Nuit Blanche Festival taking place on October 4, 2008 from 9:00 p.m. - 7:00a.m. (TE.New.TE18.102.15)

Communications (City Council)

(September 15, 2008) e-mail from Gallery Committee, Beaver Hall Gallery (CC.Main.TE18.102.16)

24.63 NEW BUSINESS FROM THE MAYOR AND CITY OFFICIALS

September 24, 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. CC24.1 (September 8, 2008) from the Integrity Commissioner, Minute 24.64 headed "Report on Rejection of Complaint of Violation of the Code of Conduct"

Held for consideration. CC24.2 (September 17, 2008) from Mayor David Miller, headed Minute 24.65 "Appointment of a Toronto Ombudsperson"

24.64 Report on Rejection of Complaint of Violation of the Code of Conduct

CC24.1	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Vote:

Item CC24.1 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council receive the report (September 8, 2008) from the Integrity Commissioner, for information.

Background Information (City Council)

(September 8, 2008) from the Integrity Commissioner
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgnd/backgroundfile-15797.pdf>)

Communications (City Council)

(September 15, 2008) letter from John Lyras (CC.Main.CC24.1.1)

24.65 **Appointment of a Toronto Ombudsperson**

CC24.2	ACTION	Adopted		
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This Item was considered during closed session.

(See Minute 24.100)

NOTICES OF MOTION24.66 **Woodbine Slot Revenue Agreement**

Moved by Councillor Palacio, seconded by Councillor Moscoe

MM24.1	ACTION	Referred		
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September 25, 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 MM24.1 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.1 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.1, a Fiscal Impact Statement (September 23, 2008) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (Fiscal Impact Statement 1)

Procedural Vote to Consider Motion MM24.1 at this meeting:

Yes - 16

Councillors:	Ashton, Augimeri, De Baeremaeker, Del Grande, Feldman, Jenkins, Lee, Lindsay Luby, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Shiner, Stintz
No - 19	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Davis, Di Giorgio, Filion, Fletcher, Hall, Heaps, Holyday, Kelly, Mihevc, Minnan-Wong, Pantalone, Perks, Rae, Thompson, Vaughan, Walker

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

City Council Decision

City Council referred Motion MM24.1 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.1

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15773.pdf>

Fiscal Impact Statement 1 (September 23, 2008) from the Deputy City Manager and Chief Financial Officer

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15964.pdf>

24.67 Creation of a Disaster Relief Reserve Fund

Moved by Councillor Del Grande, seconded by Councillor Ford

MM24.2	ACTION	Referred		
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September 25, 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 MM24.2 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.2 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.2, a Fiscal Impact Statement (September 22, 2008) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (Fiscal Impact Statement 2)

Procedural Vote to Consider Motion MM24.2 at this meeting:

Yes - 12 Councillors:	Del Grande, Feldman, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Shiner, Stintz, Vaughan, Walker
No - 24 Mayor: Councillors:	Miller Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, 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 MM24.2 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.2

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15774.pdf>)

Fiscal Impact Statement 2 (September 22, 2008) from the Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15965.pdf>)

24.68 **Report on Emergency Preparedness**

Moved by Councillor Del Grande, seconded by Councillor Ford

MM24.3	ACTION	Referred		
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September 25, 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 MM24.3 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.3 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.3, 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 MM24.3 at this meeting:

Yes - 10	
Councillors:	Ashton, Del Grande, Feldman, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Palacio
No - 27	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Hall, Heaps, Kelly, Lindsay Luby, Mihevc, Moeser, Moscoe, Ootes, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker

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

City Council Decision

City Council referred Motion MM24.3 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.3

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15775.pdf>

24.69 Report on Follow-up Procedures After a Disaster - the Second Fire and Sunrise Propane Explosion

Moved by Councillor Del Grande, seconded by Councillor Ford

MM24.4	ACTION	Referred		
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September 25, 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 MM24.4 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.4

at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.4, 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 MM24.4 at this meeting:

Yes - 13 Councillors:	Ashton, Del Grande, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Perruzza, Vaughan, Walker
No - 24 Mayor: Councillors:	Miller Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Hall, Heaps, Kelly, Lindsay Luby, Mihevc, Moeser, Moscoe, Pantalone, Perks, Rae, Shiner, Stintz, Thompson

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

City Council Decision

City Council referred Motion MM24.4 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.4

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15776.pdf>)

- 24.70 **Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster**
Moved by Councillor Del Grande, seconded by Councillor Ford

MM24.5	ACTION	Referred		
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September 25, 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 MM24.5 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.5 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.5, 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 MM24.5 at this meeting:

Yes - 14	
Councillors:	Ashton, Del Grande, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Thompson, Vaughan, Walker
No - 23	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Hall, Heaps, Kelly, Lindsay Luby, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz

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

City Council Decision

City Council referred Motion MM24.5 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.5

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15777.pdf>

24.71 **Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion**

Moved by Councillor Del Grande, seconded by Councillor Ford

MM24.6	ACTION	Referred		
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September 25, 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 MM24.6 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.6 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.6, 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 MM24.6 at this meeting:

Yes - 9	
Councillors:	Augimeri, Del Grande, Di Giorgio, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Vaughan
No - 29	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Walker

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

City Council Decision

City Council referred Motion MM24.6 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.6

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15778.pdf>

24.72 **Review of Organizational Vacation Practices of the Mayor and Deputy Mayor**
Moved by Councillor Del Grande, seconded by Councillor Ford

MM24.7	ACTION	Referred		
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September 25, 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 MM24.7 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.7 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.7, 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 MM24.7 at this meeting:

Yes - 8	
Councillors:	Ashton, Del Grande, Feldman, Jenkins, Minnan-Wong, Ootes, Shiner, Stintz
No - 30	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Thompson, Vaughan, Walker

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

City Council Decision

City Council referred Motion MM24.7 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.7

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15779.pdf>

24.73 **Improve the Hazardous Waste Policy**

Moved by Councillor Del Grande, seconded by Councillor Parker

MM24.8	ACTION	Referred		
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September 25, 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 MM24.8 be referred to the Public Works and Infrastructure Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.8 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.8, 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 MM24.8 at this meeting:

Yes - 11	
Councillors:	Del Grande, Feldman, Hall, Jenkins, Minnan-Wong, Moeser, Nunziata, Palacio, Shiner, Stintz, Walker
No - 27	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Perks, Perruzza, Rae, Thompson, Vaughan

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

City Council Decision

City Council referred Motion MM24.8 to the Public Works and Infrastructure Committee.

Background Information (City Council)

Member Motion MM24.8

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15780.pdf>

24.74 **Requesting a Ban of Water Bottle Sales on City Property**
Moved by Councillor Del Grande, seconded by Councillor Di Giorgio

MM24.9	ACTION	Referred		
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September 25, 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 MM24.9 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.9 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.9, a Fiscal Impact Statement (September 25, 2008) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (Fiscal Impact Statement 3)

Procedural Vote to Consider Motion MM24.9 at this meeting:

Yes - 8	
Councillors:	Del Grande, Di Giorgio, Jenkins, Lee, Nunziata, Palacio, Vaughan, Walker
No - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Thompson

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

City Council Decision

City Council referred Motion MM24.9 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.9

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15782.pdf>)

Fiscal Impact Statement 3 (September 25, 2008) from the Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15966.pdf>)

24.75 **Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario's Municipalities**

Moved by Councillor Walker, seconded by Councillor Ootes

MM24.10	ACTION	Referred		
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September 25, 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 MM24.10 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.10 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.10, a Fiscal Impact Statement (September 23, 2008) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (Fiscal Impact Statement 4)

Procedural Vote to Consider Motion MM24.10 at this meeting:

Yes - 15	
Councillors:	Augimeri, Del Grande, Feldman, Jenkins, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 23	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Fillion, Fletcher, Grimes, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Perks, Perruzza

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

City Council Decision

City Council referred Motion MM24.10 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.10

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15783.pdf>)

Fiscal Impact Statement 4 (September 23, 2008) from the Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15967.pdf>)

24.76 **Request for City Representation at the Ontario Municipal Board – A0300/08NY – 233 St. Leonard’s Avenue – Ward 25**

Moved by Councillor Jenkins, seconded by Councillor Fillion

MM24.11	ACTION	Amended		
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September 25, 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 MM24.11 be referred to the North York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.11 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.11, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

Procedural Vote to Consider Motion MM24.11 at this meeting:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes,

Palacio, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0

Carried unanimously.

Motion:

1. Councillor Jenkins moved that Recommendation 1 in Motion MM24.11 be amended to read as follows:
 1. That City Council direct the City Solicitor to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment with appropriate City Planning staff, and the City Solicitor be authorized to retain outside planning consultants if necessary.

Votes:

Motion 1 by Councillor Jenkins carried.

Motion MM24.11, as amended, carried.

City Council Decision

City Council adopted the following motion:

1. City Council direct the City Solicitor to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment with appropriate City Planning staff, and the City Solicitor be authorized to retain outside planning consultants if necessary.

Background Information (City Council)

Member Motion MM24.11

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15784.pdf>

(June 4, 2008) Notice of Decision, Minor Variance/Permission, for 233 St. Leonards Avenue, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15704.pdf>

24.77 Offering Congratulations to Toronto's Olympians and Paralympians
Moved by Councillor Grimes, seconded by Mayor Miller

MM24.12	ACTION	Adopted	
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September 25, 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 MM24.12 be referred to the Community Development and Recreation Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.12 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.12, 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 MM24.12 at this meeting:

The vote to consider Motion MM24.12 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote to Adopt Motion M24.12, without amendment:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

City Council Decision

City Council adopted the following motion:

1. City Council extend congratulations to each competitor from Toronto for their participation in the 2008 Beijing Olympic Games and 2008 Paralympic Games.

Background Information (City Council)

Member Motion MM24.12

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15785.pdf>24.78 **Vigil 1914-1918 Canada-UK***Moved by Councillor Vaughan, seconded by Councillor McConnell*

MM24.13	ACTION	Adopted		
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September 25, 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 MM24.13 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.13 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.13, 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)

Procedural Vote to Consider Motion MM24.13 at this meeting:

The vote to consider Motion MM24.13 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.13 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council recognize the important personal contributions made by the 68,176 Canadians who lost their lives in WWI by hosting Vigil 1914-18 at Toronto City Hall in November 2008.

2. Staff of the Partnership Office, Cultural Services, the City Clerk's Office and Facilities and Real Estate Divisions be requested to work with the Vigil organizers to facilitate the presentation at Toronto City Hall in November 2008.

Background Information (City Council)

Member Motion MM24.13

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15786.pdf>

- 24.79 **484 Spadina Avenue - Ontario Municipal Board Hearing - Request for City Solicitor to Appear at the Ontario Municipal Board**
Moved by Councillor Vaughan, seconded by Councillor Mihevc

MM24.14	ACTION	Adopted		
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September 25, 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 MM24.14 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.14 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.14, 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)

Procedural Vote to Consider Motion MM24.14 at this meeting:

The vote to consider Motion MM24.14 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote to Adopt Motion MM24.14, without amendment:

Yes - 39
Mayor: Miller
Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman,

Fillion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0

Carried unanimously.

City Council Decision

City Council adopted the following motion:

1. City Council request the City Solicitor to appear at the Ontario Municipal Board with appropriate independent consultant(s), if necessary, in support of refusal.

Background Information (City Council)

Member Motion MM24.14

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15787.pdf>

(July 9, 2008) Notice of Decision, Minor Variance/Permission, for 484 Spadina Avenue, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15706.pdf>

24.80 **Ontario Municipal Board Hearing – Committee of Adjustment Application – 620 King Street West**

Moved by Councillor Vaughan, seconded by Councillor Perks

MM24.15	ACTION	Adopted	
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September 25, 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 MM24.15 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.15 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.15, a Fiscal Impact

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

Procedural Vote to Consider Motion MM24.15 at this meeting:

The vote to consider Motion MM24.15 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.15 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board Hearing to uphold the position of the City's Planning staff and support the appeal by the area resident.

Background Information (City Council)

Member Motion MM24.15

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15788.pdf>

(August 27, 2008) Notice of Decision, Minor Variance/Permission, for 620 King Street West, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15707.pdf>

24.81 **Donation of Sports Floor at John Innes Recreation Centre**

Moved by Councillor Rae, seconded by Councillor McConnell

MM24.16	ACTION	Adopted		
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September 25, 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 MM24.16 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.16 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.16, a Fiscal Impact Statement (September 23, 2008) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (Fiscal Impact Statement 5)

Procedural Vote to Consider Motion MM24.16 at this meeting:

The vote to consider Motion MM24.16 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.16 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council accept this donation of no more than \$75,000.00 from the Raptors Foundation with thanks, for the indoor sports floor at John Innes Recreation Centre.
2. The 2008 Parks, Forestry and Recreation Capital Budget be amended to include an additional project for \$75,000.00 gross, funded entirely from the donation from the Raptors Foundation, for the indoor sports floor at John Innes Recreation Centre.

Background Information (City Council)

Member Motion MM24.16

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15789.pdf>

Fiscal Impact Statement 5 (September 23, 2008) from the Deputy City Manager and Chief Financial Officer

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15968.pdf>

24.82 **Re-opening of Civic Appointments Committee Item CA12.3 – Appointment to the Toronto Zoo Board of Management**

Moved by Councillor De Baeremaeker, seconded by Councillor Bussin

MM24.17	ACTION	Referred		
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September 25, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that consideration of Motion MM24.17 requires a re-opening of Civic Appointments Committee Item CA12.3, headed "Appointment to the Toronto Zoo Board of Management" (City Council - May 26 and 27, 2008), as it relates to Recommendation 2 on the extension of the appointment of Peter Evans for three months, to fill one of the vacant high-profile/scientist member positions on the Zoo Board of Management. A two-thirds vote of the Council Members present is required to re-open this Item.

Vote to Re-Open Civic Appointments Committee Item CA12.3:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan, Walker
No - 3	
Councillors:	Carroll, Del Grande, Thompson

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.17, 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 Davis moved that the balance of Motion MM24.17 be referred to the Civic Appointments Committee.

Vote:

Motion 1 by Councillor Davis carried.

City Council Decision

City Council re-opened Civic Appointments Committee Item CA12.3, headed “Appointment to the Toronto Zoo Board of Management” (City Council - May 26 and 27, 2008) for further consideration, as it relates to Recommendation 2 on the extension of the appointment of Peter Evans for three months, to fill one of the vacant high-profile/scientist member positions on the Zoo Board of Management. City Council subsequently referred the balance of Motion MM24.17 to the Civic Appointments Committee.

Background Information (City Council)

Member Motion MM24.17

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15790.pdf>)

- 24.83 **4675 Steeles Avenue East - Authority to Accept Lands Outside of the Harmonized Peer Review Process at 3445 Kennedy Road**
Moved by Councillor De Baeremaeker, seconded by Councillor Palacio

MM24.18	ACTION	Adopted		
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September 25, 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 MM24.18 be referred to the Scarborough Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.18 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.18, 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)

Procedural Vote to Consider Motion MM24.18 at this meeting:

The vote to consider Motion MM24.18 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.18 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. The City accept the conveyance of the lands required for the extension of Redlea Avenue across the property at 3445 Kennedy Road, prior to their remediation and subject to the conditions outlined below.
2. Splendid China submit to the City's Peer Reviewer all Environmental Site Assessment Reports prepared for the lands to be conveyed to the City for review and concurrence at Splendid China's expense prior to the conveyance.
3. Splendid China provide to the City a Letter of Credit, satisfactory to the City Solicitor and the Executive Director of Technical Services, prior to the conveyance, in an amount sufficient to secure the remediation costs for the property.
4. Splendid China submit a Remediation Action Plan for the lands to be conveyed to the City to the City's Peer Reviewer for review and concurrence, at Splendid China's expense, prior to commencing the remediation.
5. Splendid China implement the Remediation Action Plan and provide certification that the Remediation Action Plan has been completed, to the City's Peer Reviewer for review and concurrence at no cost to the City.
6. City Council authorize execution of the appropriate agreements with Splendid China, satisfactory to the City Solicitor, to give effect thereto.

Background Information (City Council)

Member Motion MM24.18

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgnd/backgroundfile-15791.pdf>

24.84 To Discontinue the Practice of Providing Confidential Information to Members of Council

Moved by Councillor Moscoe, seconded by Councillor Jenkins

MM24.19	ACTION	Referred		
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September 25, 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 MM24.19 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.19 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.19, a Fiscal Impact Statement (September 23, 2008) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (Fiscal Impact Statement 6)

Procedural Vote to Consider Motion MM24.19 at this meeting:

Yes - 16 Councillors:	Augimeri, Del Grande, Feldman, Grimes, Holyday, Kelly, Lee, Lindsay Luby, Minnan-Wong, Moeser, Palacio, Perruzza, Shiner, Stintz, Thompson, Walker
No - 23 Mayor: Councillors:	Miller Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Hall, Heaps, Jenkins, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Perks, Rae, Vaughan

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

City Council Decision

City Council referred Motion MM24.19 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.19

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15792.pdf>

Fiscal Impact Statement 6 (September 23, 2008) from the Deputy City Manager and Chief Financial Officer

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15969.pdf>

24.85 **Committee of Adjustment Notification**

Moved by Councillor Moscoe, seconded by Councillor Filion

MM24.20	ACTION	Adopted		
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September 25, 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 MM24.20 be referred to the Planning and Growth Management Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.20 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.20, 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)

Procedural Vote to Consider Motion MM24.20 at this meeting:

Yes - 30	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Perks, Perruzza, Stintz, Thompson, Vaughan, Walker
No - 9	
Councillors:	Ashton, Bussin, Di Giorgio, Feldman, Milczyn, Ootes, Pantalone, Rae, Shiner

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

Vote:

Motion MM24.20 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. The Chief Planner and Executive Director, City Planning, report to the Planning and Growth Management Committee, on the feasibility of establishing the

following policies:

- a. when a Committee of Adjustment public hearing is postponed at the request of the applicant after notice has been given, there be a requirement that a notice of postponement be forwarded to all residents who have received notification of the hearing, at the expense of the applicant; and
- b. notification be issued of the new date of the hearing at the expense of the applicant.

Background Information (City Council)

Member Motion MM24.20

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15793.pdf>

24.86 **Ontario Municipal Board Hearing – 40 Fairside Avenue**

Moved by Councillor Davis, seconded by Councillor Fletcher

MM24.21	ACTION	Adopted	
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September 25, 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 MM24.21 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.21 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.21, 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 MM24.21 at this meeting:

The vote to consider Motion MM24.21 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.21 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor and the appropriate City staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's refusal of the variances associated with application A0570/08TEY.

Background Information (City Council)

Member Motion MM24.21

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15794.pdf>

(June 25, 2008) Notice of Decision, Minor Variance/Permission, for 40 Fairside Avenue, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15710.pdf>

24.87 Donation of Materials (Concrete) for Ashbridges Bay Treatment Plant Skateboard Park Project – Ward 32

Moved by Councillor Bussin, seconded by Councillor Fletcher

MM24.22	ACTION	Adopted		
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September 25, 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 MM24.22 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.22 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.22, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

Procedural Vote to Consider Motion MM24.22 at this meeting:

The vote to consider Motion MM24.22 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.22 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council grant approval to receive the in-kind donation of materials for the Ashbridges Bay Treatment Plant Skateboard Project from St. Mary's Cement, in accordance with the "Policy on Donations to the City for Community Benefits".

Background Information (City Council)

Member Motion MM24.22

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15795.pdf>

24.88 **Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2 year Freeze**

Moved by Councillor Fletcher, seconded by Councillor Davis

MM24.23	ACTION	Referred	
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September 25, 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 MM24.23 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM24.23 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.23, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

Procedural Vote to Consider Motion MM24.23 at this meeting:

Yes - 16	
Mayor:	Miller
Councillors:	Bussin, Cho, Feldman, Fletcher, Grimes, Hall, Heaps, Jenkins, Lee, Minnan-Wong, Nunziata, Perruzza, Rae, Shiner, Vaughan
No - 24	
Councillors:	Ainslie, Ashton, Augimeri, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Holyday, Kelly, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Saundercook, Stintz, Thompson, Walker

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

City Council Decision

City Council referred Motion MM24.23 to the Executive Committee.

Background Information (City Council)

Member Motion MM24.23

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15796.pdf>

MOTIONS WITHOUT NOTICE

24.89 **Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area**

Moved by Councillor De Baeremaeker, seconded by Councillor Carroll

MM24.24	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Council considered this Item together with the following Items:

- Item EX23.16, headed "Update on the Engineering Review Addressing Basement Flooding (Ward All)" (see Minute 24.20); and
- Item NY18.53, headed "Local Measures to Reduce Basement Flooding in the North York Community Council Area" (see Minute 24.53).

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 MM24.24.

Procedural Vote to Waive Notice:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan
No - 3	
Councillors:	Giambrone, Holyday, Minnan-Wong

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

Advice by Speaker:

Speaker Bussin advised the Council that consideration of Motion MM24.24 requires a re-opening of Motion 1 of Public Works and Infrastructure Committee Item PW10.5 adopted, as amended, by City Council at its meeting on November 19 and 20, 2007, specifically as it relates to the date on which the amendments to Municipal Code Chapter 681, Sewers, come into force. A two-thirds vote of the Council Members present is required to re-open this Item.

Vote to Re-Open Motion 1 of Public Works and Infrastructure Committee Item PW10.5:

Yes - 31	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan
No - 2	
Councillors:	Holyday, Minnan-Wong

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.24, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

Vote to Adopt the Balance of Motion MM24.24, without amendment, Item EX23.16, without amendment, and Item NY18.53, as amended:

Yes - 31	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Vaughan
No - 0	

Carried unanimously.

City Council Decision

City Council re-opened Motion 1 of Public Works and Infrastructure Committee Item PW10.5 adopted, as amended, by City Council at its meeting on November 19 and 20, 2007, for further consideration, specifically as it relates to the date on which the amendments to Municipal Code Chapter 681, Sewers, come into force. City Council subsequently adopted the following motion:

1. Motion 1 of the Public Works and Infrastructure Committee Item PW10.5 adopted, as amended, by City Council at its meeting on November 19 and 20, 2007, be amended by deleting the reference in Motion 1.c. to three years, and replacing it with four years, so that the Motion now reads as follows:

"1. c. the amendments in Parts 1 and 2 shall come into force four years from the date of their enactment."

City Council Decision Advice and Other Information

City Council considered Motion MM24.24 with Item EX23.16, headed "Update on the Engineering Review Addressing Basement Flooding (Ward All)", and Item NY18.53, headed "Local Measures to Reduce Basement Flooding in the North York Community Council Area (Ward 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)".

Background Information (City Council)

Member Motion MM24.24

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15893.pdf>)

24.90 **Extension of Mimico Cruising Club Liquor Licence for Annual Oktoberfest Dinner**

Moved by Councillor Grimes, seconded by Councillor Milczyn

MM24.25	ACTION	Adopted		
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September 25, 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 MM24.25.

Procedural Vote to Waive Notice:

The vote to waive notice of Motion MM24.25 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 MM24.25 be referred to the Etobicoke York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.25 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.25, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

Procedural Vote to Consider Motion MM24.25 at this meeting:

The vote to consider Motion MM24.25 at this meeting carried, two-thirds of Members present having voted in the affirmative.

Vote:

Motion MM24.25 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council advise the Alcohol Gaming Commission of Ontario that it has no objection to the request for an extension of the licensed serving area to include a canopy structure, in conjunction with the Mimico Cruising Club's Annual Oktoberfest Event on October 4, 2008.

Background Information (City Council)

Member Motion MM24.25

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15894.pdf>

24.91 **400 Walmer Road - Authorization to send the City Solicitor to the Ontario Municipal Board**

Moved by Councillor Mihevc, seconded by Councillor Stintz

MM24.26	ACTION	Adopted		
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September 25, 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 MM24.26.

Procedural Vote to Waive Notice:

The vote to waive notice of Motion MM24.26 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 MM24.26 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM24.26 at this meeting.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.26, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

Procedural Vote to Consider Motion MM24.26 at this meeting:

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

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

Vote:

Motion MM24.26 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council authorize the City Solicitor and necessary City staff to attend at the Ontario Municipal Board to uphold the Committee of Adjustment decision to approve, on condition, the appeal variances.

Background Information (City Council)

Member Motion MM24.26

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15895.pdf>)

(June 25, 2008) Notice of Decision, Minor Variance/Permission, for 400 Walmer Road, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15896.pdf>)

- 24.92 **Yonge Dundas Redevelopment Project – Consent to Assignment by Penex Metropolis Ltd. – 10 Dundas Street East**
Moved by Councillor Rae, seconded by Mayor Miller

MM24.27	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.27 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Rae to seek leave of Council to add this Motion to the agenda. 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 MM24.27 to the agenda.

Procedural Vote to add Motion MM24.27 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.27 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

September 25, 2008

Speaker Bussin in the Chair

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.27, 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 MM24.27 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council grant its consent to the assignment of the City's agreements relating to the development at 10 Dundas Street East from Penex Metropolis Ltd. to Toronto YDPC GP Inc. as general partner of a limited partnership known as Toronto Yonge-Dundas Properties Canada Limited Partnership, provided that alternate security for the City's guarantee is received in a form that is satisfactory to the Deputy City Manager and Chief Financial Officer and the City Solicitor.

2. City staff be authorized and directed to take the necessary steps to give effect thereto.

Background Information (City Council)

Member Motion MM24.27

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15911.pdf>)

24.93 Amendment to Composition of Council Reference Group for Animal Services

Moved by Councillor Lindsay Luby, seconded by Councillor De Baeremaeker

MM24.28	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.28 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Lindsay Luby to seek leave of Council to add this Motion to the agenda. 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 MM24.28 to the agenda.

Procedural Vote to add Motion MM24.28 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.28 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

September 25, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that consideration of Motion MM24.28 requires a re-opening of Executive Committee Item EX22.14, headed "Council Reference Group for Animal Services" (City Council - July 15, 16 and 17, 2008), only as it relates to the composition of the Reference Group. A two-thirds vote of the Council Members present is required to re-open this Item.

Vote to Re-Open Executive Committee Item EX22.14:

The vote to re-open Executive Committee Item EX22.14, headed “Council Reference Group for Animal Services” (City Council - July 15, 16 and 17, 2008), only as it relates to the composition of the Reference Group, carried, two-thirds of Members present having voted in the affirmative.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.28, 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 MM24.28 was adopted, without amendment.

City Council Decision

City Council re-opened Executive Committee Item EX22.14, headed “Council Reference Group for Animal Services” (City Council - July 15, 16 and 17, 2008) for further consideration, only as it relates to the composition of the Reference Group. City Council subsequently adopted the following motion:

1. The composition of the Council Reference Group for Animal Services be increased by one additional Member of Council.

City Council Decision Advice and Other Information

See Item ST9.1 for City Council's decision on the appointment of Members of Council to the Council Reference Group for Animal Services. (See Minute 24.43)

Background Information (City Council)

Member Motion MM24.28

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15912.pdf>

24.94 **2737 Keele Street – Direction with Respect to Site Specific Appeal of By-law No. 1147-2007**

Moved by Councillor Augimeri, seconded by Deputy Mayor Pantalone

MM24.29	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.29 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Augimeri to seek leave of Council to add this Motion to the agenda. 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 MM24.29 to the agenda.

Procedural Vote to add Motion MM24.29 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.29 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

September 25, 2008

Speaker Bussin in the Chair

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.29, a confidential Fiscal Impact Statement (September 25, 2008) from the Deputy City Manager and Chief Financial Officer.

Vote:

Motion MM24.29 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1 to the report (September 22, 2008) from the City Solicitor.
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 and Appendix 1 contained in Confidential Attachment 1 to the report (September 22, 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 related to litigation or potential litigation and advice or communications that are subject to solicitor-client privilege:

1. City Council authorize the City Solicitor and other necessary City staff to attend the Ontario Municipal Board Hearing resuming on September 26, 2008, to support an amendment to By-law No. 1147-2007 to permit a maximum 10-storey, 166 dwelling unit apartment building incorporating the existing parking garage structure at the rear of 2737 Keele Street, as more particularly described in the excerpt from the draft Minutes of Settlement attached hereto as Appendix 1.
2. City Council direct and authorize the appropriate City officials to take the necessary action to give effect thereto, including the execution of Minutes of Settlement having content substantially as set out in Appendix 1.

Appendix 1

The Parties agree to the settlement of all matters relating to OMB Case Nos. PL071106 (File No. PL071106), PL060079 (File No. V060046) and PL071106 (File No. PL081134) on the following terms and conditions:

- (a) The Parties agree:
 - (i) to jointly request the OMB to adjourn the scheduled hearing in order to permit the Minutes herein to be subject to a Settlement Report by counsel of the City of Toronto to its Council on or before September 26, 2008; and
 - (ii) the Parties are to re-attend the adjourned proceeding on Friday, September 26, 2008 ("Settlement Hearing") to mutually support and defend the Minutes at the OMB, or as otherwise agreed upon in order to give effect to the Settlement;
- (b) The City shall support the rezoning of the Westmount Lands in order to permit a development comprised of the following regulatory elements as they relate to the new construction:
 - (i) Height (Maximum) 30 metres measured from a fixed point of 184 metres above sea level;
 - (ii) Storeys (Maximum) 10 storeys;
 - (iii) Gross Floor Area (Maximum) 27,000 m²;
 - (iv) Units (Maximum) 166 units;
 - (v) Angular Plane 45° measured from the rear lot line (Maximum)
 - (vi) Building Façade Setback Introduction of a one-storey lobby podium at

grade with the provision of a 4.0-metre building setback from the new public road connecting Keele Street and Wilson Avenue through the Westmount Lands (the “new public road”), save and except to the extent where the existing garage structure and any new vertical building extension thereof encroach within this 4.0 metre setback area;

(vii) Residential Tower Stepback provision of a minimum 2.0 metre front building façade setback for the residential tower commencing at the 5th floor level and above;

(viii) Parking

(A) A minimum of 590 parking spaces, including visitor parking spaces, shall be provided;

(B) Despite (A) above, all parking spaces shall be provided only at a minimum of:

(1) 1 parking space for each dwelling unit;

(2) 0.1 visitor parking spaces for each dwelling unit of which 25 may be provided in a shared arrangement with the required commercial parking supply requirements; and

(3) 1 parking space for each 29 m² of gross floor area devoted to all commercial uses other than an Apartment House Dwelling and accessory uses thereto, of which 25 parking spaces may be provided in a shared arrangement for the required residential visitor parking supply;

(C) All or part of the required parking

spaces may be provided within the existing garage structure, above and/or below Established Grade, that exists, in whole or in part, on the date of enactment of the proposed zoning by-law, attached as Appendix "A" to the OMB Order (Schedule "B" hereto); and

(D) Each parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

(ix) Section 37 \$200,000.00 contribution towards capital improvements/public art at Hanover Park.

(c) The following design principles, as generally reflected on the sketches, attached hereto as Schedule "A" and forming part of these Minutes, shall be further explored and incorporated as part of the detailed site plan review and consideration:

(i) provision of an architectural treatment for the 9th and 10th floors to visually lighten the bulk of the building;

(ii) provision of an architectural treatment and massing at the north-west corner of the building as it is the terminating façade viewed from Wilson Avenue;

(iii) provision of an improved façade for the existing garage structure, including upgraded architectural finishes for existing walls and openings (screen/louvers etc.), while maintaining a minimum of 50% open air condition, and possible creation of an "animated room" with clear glazing at the north-west terminus of the existing garage structure that is most visible from the Wilson Avenue road access;

(iv) all terraces/balconies to have planters with a minimum width of 1.0 metre on the east and south edges to mitigate any potential overlook condition; and

(v) the servicing bay shall be located adjacent to the north wall and at the west end of the existing garage structure screened from neighbouring properties and public roads by a masonry/concrete wall. Westmount shall ensure a flag person is available to facilitate truck egress movement (backing out onto the new public road). As part of the final site plan approval/agreement, the Parties will explore the possibility of a driveway

connection with 1055 Wilson Avenue to facilitate forward truck movements only.

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

Background Information (City Council)

Member Motion MM24.29 with attached Confidential Fiscal Impact Statement (September 25, 2008) from Deputy City Manager and Chief Financial Officer (<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15913.pdf>) (September 22, 2008) from the City Solicitor (<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15914.pdf>)

24.95 **257 Rusholme Road - Ontario Municipal Board Hearing - Request for City Solicitor to Appear at the OMB**

Moved by Councillor Giambrone, seconded by Councillor Augimeri

MM24.30	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.30 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Giambrone to seek leave of Council to add this Motion to the agenda. 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 MM24.30 to the agenda.

Procedural Vote to add Motion MM24.30 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.30 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

September 25, 2008

Speaker Bussin in the Chair

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.30, 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 MM24.30 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. City Council direct the City Solicitor to appear at the Ontario Municipal Board and retain outside consultant(s), if necessary, in support of the Committee of Adjustment's refusal of application A0230/08TEY on May 28, 2008.

Background Information (City Council)

Member Motion MM24.30 with attached Notice of Decision (May 28, 2008), for 257 Rusholme Road, from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel, which is on file in the City Clerk's Office (<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15915.pdf>)

- 24.96 **Appointment of Interim Integrity Commissioner**
Moved by Mayor Miller, seconded by Councillor Davis

MM24.31	ACTION	Adopted		
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September 24, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.31 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Mayor Miller to seek leave of Council to add this Motion to the agenda. 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 MM24.31 to the agenda.

Procedural Vote to add Motion MM24.31 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.31 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

September 25, 2008

Speaker Bussin in the Chair

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.31, 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 MM24.31 was adopted, without amendment.

City Council Decision

City Council adopted the following motions:

1. Council appoint the person identified in Confidential Attachment 1 as the City's Integrity Commissioner on an interim basis commencing on October 1, 2008, and ending when an Integrity Commissioner appointed by Council takes office.
2. Council authorize the City Manager to finalize an interim agreement with the appointee.
3. The name and qualifications of the person appointed by City Council be made public at the conclusion of this Council meeting.

The following name and qualifications of the person appointed by City Council contained in Confidential Attachment 1 to Motion MM24.31 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 personal information about an identifiable individual, including municipal or local board employees:

Name of recommended appointee:

Lorne Sossin

Qualifications:

Professor Sossin is a Professor at the Faculty of Law, University of Toronto and former Associate Dean (2004-2007). His teaching interests span administrative law, public administration, professional regulation, civil litigation, ethics & professionalism and legal process.

Professor Sossin holds doctorates in Law from Columbia University and in Political Science from the University of Toronto. Prior to joining U. of T. in 2002, he was a faculty member at Osgoode Hall Law School, York University and was an Associate-in-Law at Columbia Law School. He is also a former litigation lawyer with Borden & Elliot (now Borden Ladner Gervais) and a former law clerk to the Chief Justice of the Supreme Court of Canada.

Professor Sossin is the author of over 50 articles and books including *Boundaries of Judicial Review: The Law of Justiciability in Canada* (Toronto: Carswell, 1999), *Public Law* (Toronto: Carswell, 2002) (with Michael J. Bryant), *Access to Care, Access to Justice: The Legal Debate on Private Health Insurance in Canada* (Colleen Flood, Kent Roach & Lorne Sossin, eds.) (Toronto: University of Toronto Press, 2005); and *Dilemmas of Solidarity: Rethinking Redistribution in the Canadian Federation* (Sujit Choudhry, Jean-Francois Gaudreault-Desbrien & Lorne Sossin eds.) (Toronto: University of Toronto Press, 2006).

Professor Sossin is a frequent advisor to government and has been commissioned to write papers for the Gomery Inquiry, the Ipperwash Inquiry, the Panel on the Role of Government and the Expert Commission on Pensions, in addition to the Inquiry into Pediatric Forensic Pathology headed by Justice Stephen Goudge. He is a part-time member of the Health Professions Appeal and Review Board, and serves on the Boards of the Law Foundation of Ontario, Pro Bono Law Ontario, and the Ontario Justice Education Network.

In January 2008, Professor Sossin became the Director of the Faculty of Law's new Centre for Professionalism, Ethics and Public Service.

Confidential Attachment - Personal matters about an identifiable individual, including municipal or local board employees

Background Information (City Council)

Member Motion MM24.31

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15916.pdf>

24.97 **146-160 Wellesley Street East – Reduction of Letter of Credit**
Moved by Councillor Rae, seconded by Councillor Carroll

MM24.32	ACTION	Adopted		
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September 25, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.32 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Rae to seek leave of Council to add this Motion to the agenda. 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 MM24.32 to the agenda.

Procedural Vote to add Motion MM24.32 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.32 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.32, 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 MM24.32 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. Authority be granted for a revision to the Section 37 agreement respecting 146-160 Wellesley Street East to provide for a reduction in the amount of the letter of credit to secure construction of the on-site park in an amount to be determined by the General Manager, Parks, Forestry and Recreation, in consultation with the Director, Community Planning, Toronto and East York District, and the City Solicitor.

Background Information (City Council)

Member Motion MM24.32

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrrd/backgroundfile-15928.pdf>

- 24.98 **Approval of the Removal of a Heritage Property (Don Train Station) from Todmorden Mills to Roundhouse Park**
Moved by Councillor Ootes, seconded by Councillor Vaughan

MM24.33	ACTION	Adopted		
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September 25, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.33 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Ootes to seek leave of Council to add this Motion to the agenda. 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 MM24.33 to the agenda.

Procedural Vote to add Motion MM24.33 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.33 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion MM24.33, 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 MM24.33 was adopted, without amendment.

Motion to Reconsider:

Councillor Davis moved that Council reconsider Motion MM24.33.

Vote to Reconsider Motion MM24.33:

Yes - 27	
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Perks, Perruzza, Thompson, Vaughan
No - 1	

Councillor: Walker

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

Vote:

Motion MM24.33 was adopted, without amendment.

City Council Decision

City Council adopted the following motion:

1. Under Section 34 of the Ontario Heritage Act, City Council consent to the removal of the historic Don Station from its current location at 67 Pottery Road (Todmorden Mills) and relocation to the Roundhouse complex (255 Bremner Boulevard), subject to the following terms and conditions:
 - a. prior to the removal of the building, a Removal Plan and a Conservation Strategy be submitted and approved to the satisfaction of the Manager, Heritage Preservation Services; and
 - b. a Restoration Plan be submitted and approved to the satisfaction of the Manager, Heritage Preservation Services.

Background Information (City Council)

Member Motion MM24.33

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15930.pdf>

- 24.99 **Re-opening of Street Naming for Hakimi Avenue - Technical Amendment**
Moved by Councillor Thompson, seconded by Councillor De Baeremaeker

MM24.34	ACTION	Adopted	
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September 25, 2008

Speaker Bussin in the Chair

Advice by Speaker:

Speaker Bussin advised the Council that Motion MM24.34 had been submitted after the deadline for the submission of Motions Without Notice. Speaker Bussin further advised that she had granted her consent to Councillor Thompson to seek leave of Council to add this Motion to the agenda. 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 MM24.34 to the agenda.

Procedural Vote to add Motion MM24.34 to the Agenda for Consideration at this Meeting:

The vote to add Motion MM24.34 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

Advice by Speaker:

Speaker Bussin advised the Council that consideration of Motion MM24.34 requires a re-opening of Scarborough Community Council Item SC17.2, headed “Naming of Proposed Public Street West of Warden Avenue, Between Eglinton Avenue East and Ashtonbee Road” (City Council - July 15, 16 and 17, 2008), only for the purpose of correcting the typographical error in the name. A two-thirds vote of the Council Members present is required to re-open this Item.

Vote to Re-Open Scarborough Community Council Item SC17.2:

The vote to re-open Scarborough Community Council Item SC17.2, headed “Naming of Proposed Public Street West of Warden Avenue, Between Eglinton Avenue East and Ashtonbee Road” (City Council - July 15, 16 and 17, 2008), only for the purpose of correcting the typographical error in the name, carried, two-thirds of Members present having voted in the affirmative.

Vote:

The balance of Motion MM24.34 was adopted, without amendment.

City Council Decision

City Council re-opened Scarborough Community Council Item SC17.2, headed “Naming of Proposed Public Street West of Warden Avenue, Between Eglinton Avenue East and Ashtonbee Road” (City Council - July 15, 16 and 17, 2008), for further consideration, only for the purpose of correcting the typographical error in the name. Council subsequently adopted the following motion:

1. Part 1a. of Scarborough Community Council Item SC17.2 be amended by deleting the name “Hakim Avenue”, and inserting instead the name “Hakimi Avenue”.

Background Information (City Council)

Member Motion MM24.34

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrrd/backgroundfile-15961.pdf>

24.100 CLOSED MEETING SESSION OF THE COMMITTEE OF THE WHOLE**September 24, 2008 - Closed Session 1**

Speaker Bussin in the Chair.

Procedural Motion:

Councillor Moscoe, at 6:12 p.m., moved that Council recess its public session to meet as Committee of the Whole in Closed Session to consider confidential information relating to the following matters on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006:

- CC24.2 Reason for Confidential Information: *Personal matters about an identifiable individual being considered for appointment as the Toronto Ombudsperson and labour relations or employee negotiations, as it relates to the Appointment of a Toronto Ombudsperson*
- EY19.41 Reason for Confidential Information: *Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, as it relates to 3035 Weston Road - Instructions on an Ontario Municipal Board Hearing*
- TE18.8 Reason for Confidential Information: *Solicitor-client privilege, as it relates to the Directions Report - Rezoning Application - 1145 Ossington Avenue*

Vote:

The motion by Councillor Moscoe carried.

Council recessed its public session at 6:13 p.m. to meet as Committee of the Whole in the Council Chamber to consider the above matters, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 6:36 p.m., and met in public session in the Council Chamber.

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

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

- CC24.2 Appointment of a Toronto Ombudsperson
- EY19.41 3035 Weston Road - Instructions on an Ontario Municipal Board Hearing

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

TE18.8 Directions Report - Rezoning Application - 1145 Ossington Avenue

24.101 **Appointment of a Toronto Ombudsperson**

CC24.2	ACTION	Adopted		
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September 24, 2008 - Public Session

Speaker Bussin in the Chair.

Report of the Committee of the Whole:

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

Vote:

Adoption of the Item, without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan
No - 0	

Carried unanimously.

City Council Decision

City Council adopted the following motions:

1. City Council approve the appointment of the Ombudsperson as recommended in Confidential Attachment 1, effective November 17, 2008, subject to an agreement of employment terms prior to that date.

2. The City Manager be authorized to negotiate the terms and conditions of employment with the recommended candidate, based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
3. City Council grant authority for the introduction of any necessary bills required to give effect to these recommendations.
4. City Council authorize the public release of the name and summary profile of the new Ombudsperson contained in Confidential Attachment 1, upon approval of the appointment of the Ombudsperson and at the conclusion of the September 24, 2008 Council meeting.

The following recommendation and summary profile contained in Confidential Attachment 1 to the report (September 17, 2008) from the Chair, Ombudsperson Selection Panel, 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 personal information about an identifiable individual and information related to labour relations or employee negotiations:

1. Council approve the appointment of Fiona Crean to the position of Ombudsperson.

Summary Profile for Fiona Crean

Fiona Crean is a multilingual agent of change who has spent her professional life engaged in good governance, fair process, human rights and social justice. She is a leader in promoting access and equity and has a strong record in building capacity, equitable service delivery and conflict resolution with significant experience in accountability relationships and public sector reform. Fiona has led numerous initiatives entailing complex organizational change in order to create modern inclusive workplaces.

In her most recent post as Assistant Deputy Minister in the Ontario Ministry of Community Safety and Correctional Services, Fiona led efforts to address systemic racism and sexism, while managing significant organizational and culture change.

Fiona was the first Ombudsperson and Director of Human Rights at York University. Prior to that, she ran her own consulting business offering services in human rights, ombuds and organizational development to non-profit and governmental organizations within Canada and internationally.

As the Executive Director of the Ontario Ombudsman's Office, Fiona was responsible for investigating and resolving some 30,000 complaints annually, regarding the administration of government. She also served as the interim Ombudsman for Ontario.

At the City of Toronto in the 1980s, Fiona developed the first Employment Equity

program and worked for a number of years at the Ontario Human Rights Commission.

Fiona has been involved in significant international development work for governments and community organizations in Central and South America, Eastern Europe and southern Africa, and has worked extensively in First Nations and Inuit communities in Canada.

At the community level, Fiona has long been an active volunteer and served on a number of not-for-profit Boards.

She began her professional career working with special needs youth and subsequently combined her community development experience with teaching in First Nations communities.

Confidential Attachment - Personal matters about an identifiable individual being considered for appointment as the Toronto Ombudsperson and labour relations or employee negotiations

Background Information (City Council)

(September 17, 2008) transmittal letter from Mayor David Miller
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15798.pdf>)

(September 17, 2008) report from the Chair, Ombudsperson Selection Panel
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15799.pdf>)

24.102 **3035 Weston Road - Instructions on an Ontario Municipal Board Hearing**

EY19.41	ACTION	Amended		Ward: 7
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This Item was submitted without recommendation.

September 24, 2008 - Public Session

Speaker Bussin in the Chair.

Report of the Committee of the Whole:

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

Motion moved in Public Session:

1. Councillor Moscoe moved that Council adopt the following recommendations contained in the report (September 18, 2008) from the City Solicitor:

1. Council consider the offer to settle summarized in Attachment 1 of this report and adopt the confidential recommendation in Attachment 1.
2. The confidential instructions adopted by City Council shall be released at the discretion of the City Solicitor.

Vote:

Motion 1 by Councillor Moscoe carried.

City Council Decision

City Council adopted the following motions:

1. City Council consider the offer to settle summarized in Confidential Attachment 1 to the report (September 18, 2008) from the City Solicitor (EY19.41a), and adopt the confidential recommendation in Confidential Attachment 1.
2. The confidential instructions adopted by City Council shall be released at the discretion of the City Solicitor.

Confidential Attachment 1 to the report (September 18, 2008) from the City Solicitor, remains confidential, at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions, and advice that is subject to solicitor-client privilege. The confidential instructions adopted by Council will be made public at the discretion of the City Solicitor.

The confidential communication (September 23, 2008) from Councillor Giorgio Mammoliti, Ward 7, York West (EY19.41.1), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; the receiving of advice that is subject to solicitor-client privilege.

Background Information (City Council)

(September 18, 2008) supplementary report from the City Solicitor (EY19.41a)
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15886.pdf>)

Communications (City Council)

(September 23, 2008) letter from Councillor Giorgio Mammoliti, York West, Ward 7
(Confidential) (CC.New.EY19.41.1)

BILLS AND BY-LAWS

September 24, 2008 - 6:59 p.m.

Speaker Bussin in the Chair

24.103 Mayor Miller 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. 1029	By-law No. 948-2008	To confirm the proceedings of the Council at its meeting held on the 24th day of September, 2008,
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the vote on which was taken as follows:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan
No - 0	

Carried unanimously.

September 24, 2008 - 8:03 p.m.

Speaker Bussin in the Chair

24.104 Councillor Holyday 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. 1030	By-law No. 949-2008	To confirm the proceedings of the Council at its meeting held on the 24th day of September, 2008,
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the vote on which was taken as follows:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Stintz, Vaughan
No - 2	
Councillors:	Ford, Minnan-Wong

Carried by a majority of 27.

September 25, 2008 - 7:50 p.m.

Speaker Bussin in the Chair

24.105 Councillor Parker 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. 936	By-law No. 950-2008	To designate the property at 582 Sherbourne Street (James Cooper House) as being of cultural heritage value or interest.
Bill No. 937	By-law No. 951-2008	To designate the Riverdale Phase 1 Heritage Conservation District.
Bill No. 938	By-law No. 952-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 939	By-law No. 953-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting Queen Street West.
Bill No. 940	By-law No. 954-2008	To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 129 Fenmar Drive.

Bill No. 941	By-law No. 955-2008	To dedicate certain land for public lane purposes to form a new public lane in the block bounded by Lippincott Street East, Weston Road and Clouston Avenue.
Bill No. 942	By-law No. 956-2008	To rename part of the public highway Duncan Street between King Street West and Pearl Street as “Ed Mirvish Way”.
Bill No. 943	By-law No. 957-2008	To dedicate certain lands at the intersection of Rean Drive and Sheppard Avenue East for public highway purposes to form part of the public highway Rean Drive.
Bill No. 944	By-law No. 958-2008	To dedicate certain land on the south side of Sheppard Avenue West, on the east side of Gorman Park Road, for public highway purposes to form part of the public highway Sheppard Avenue West.
Bill No. 945	By-law No. 959-2008	To dedicate certain land on the south side of Samson Crescent, east of Susan Street, for public highway purposes to form part of the public highway Samson Crescent.
Bill No. 946	By-law No. 960-2008	To dedicate certain land for public lane purposes to form part of the public lane at the rear of premises 247A and 247B McIntosh Street.
Bill No. 947	By-law No. 961-2008	To dedicate certain land for public lane purposes to form part of the public lane east of Yonge Street extending southerly from Roslin Avenue to Bowood Avenue.
Bill No. 948	By-law No. 962-2008	To dedicate certain land for public highway purposes to form part of the public highway Cardell Avenue.

Bill No. 949	By-law No. 963-2008	To dedicate certain land for public lane purposes to form part of the public lane west of Clinton Street and north of College Street.
Bill No. 950	By-law No. 964-2008	To dedicate certain land on the south side of Norton Avenue, on the east side of Longmore Street, for public highway purposes to form part of the public highway Norton Avenue.
Bill No. 951	By-law No. 965-2008	To dedicate certain land on the north side of Sheppard Avenue West, west of Wilmington Avenue, for public highway purposes to form part of the public highway Sheppard Avenue West.
Bill No. 952	By-law No. 966-2008	To dedicate certain land on the west side of Wynford Drive, north of Eglinton Avenue East, for public highway purposes to form part of the public highway Wynford Drive.
Bill No. 953	By-law No. 967-2008	To dedicate certain land on the east side of Dwight Avenue, on the south side of Albani Street, for public highway purposes to form part of the public highway Dwight Avenue.
Bill No. 954	By-law No. 968-2008	To dedicate certain land on the north side of Finch Avenue West, west of Altamont Road, for public highway purposes to form part of the public highway Finch Avenue West.
Bill No. 955	By-law No. 969-2008	To dedicate certain land for public highway purposes to form part of the public highway Hobson Avenue.

Bill No. 956	By-law No. 970-2008	To dedicate certain land on the north side of Horner Avenue, on the east side of Lunness Road, for public highway purposes to form part of the public highway Horner Avenue.
Bill No. 957	By-law No. 971-2008	To dedicate certain land for public lane purposes to form part of the public lane east of Maybank Avenue extending southerly from Northland Avenue.
Bill No. 958	By-law No. 972-2008	To dedicate certain land on the south side of Sheppard Avenue West, west of Wilson Heights Boulevard, for public highway purposes to form part of the public highway Sheppard Avenue West.
Bill No. 959	By-law No. 973-2008	To dedicate certain land east of Brentcliffe Road for public highway purposes to form part of the public highway Vanderhoof Avenue.
Bill No. 960	By-law No. 974-2008	To permanently close part of the public highway Neilson Road.
Bill No. 961	By-law No. 975-2008	To amend Zoning By-law No. 775-2008, with respect to lands municipally known as 210-212 Finch Avenue West.
Bill No. 962	By-law No. 976-2008	To exempt certain lands municipally known as 156 and 160 Evans Avenue and 829, 833 and 839 Oxford Street from Part Lot Control.
Bill No. 963	By-law No. 977-2008	To exempt lands municipally known as 198 and 202 Finch Avenue East from Part Lot Control.
Bill No. 964	By-law No. 978-2008	To exempt lands municipally known as portions of 82 Daniels Street from Part Lot Control.

Bill No. 965	By-law No. 979-2008	To amend City of Toronto Municipal Code Chapter 415, Development of Land, Article III, Conveyance of Land for Parks Purposes as a Condition of Development, to include the area bounded by Murray Ross Parkway to the north, Black Creek Ravine to the west, Finch Avenue to the south and Keele Street to the east as a parkland acquisition priority area.
Bill No. 966	By-law No. 980-2008	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Willowridge Road and Richgrove Drive.
Bill No. 967	By-law No. 981-2008	To amend By-law No. 31001, of the former City of North York, respecting the regulation of traffic on North York roads, regarding Duval Drive.
Bill No. 968	By-law No. 982-2008	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic – Chapter 240, Article I, regarding Tandridge Crescent.
Bill No. 969	By-law No. 983-2008	To amend City of Toronto Municipal Code Chapter 629, Property Standards, to make technical amendments to § 629-19C, D and F, as enacted by By-law No. 349-2008.
Bill No. 970	By-law No. 984-2008	To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land municipally known as 76 Wychwood Avenue.

Bill No. 971	By-law No. 985-2008	To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land municipally known as 717 Broadview Avenue.
Bill No. 972	By-law No. 986-2008	To authorize the entering into of an agreement for the provision of a municipal capital facility by Toronto Community Housing Corporation at 717 Broadview Avenue.
Bill No. 973	By-law No. 987-2008	To dedicate certain land for public highway purposes to form part of the public highway Hummingbird Drive.
Bill No. 974	By-law No. 988-2008	To dedicate certain land west of Sentinel Road for public highway purposes to form part of the public highway The Pond Road.
Bill No. 975	By-law No. 989-2008	To dedicate certain land east of Murray Ross Parkway for public highway purposes to form part of the public highway Shoreham Drive.
Bill No. 976	By-law No. 990-2008	To dedicate and name certain land west of Warden Avenue, between Eglinton Avenue East and Ashtonbee Road, for public highway purposes.
Bill No. 977	By-law No. 991-2008	To amend City of Toronto Municipal Code Chapter 880, Fire Routes.
Bill No. 978	By-law No. 992-2008	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Esther Shiner Boulevard and Old Leslie Street.

Bill No. 979	By-law No. 993-2008	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Esther Shiner Boulevard and Old Leslie Street.
Bill No. 980	By-law No. 994-2008	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Caledonia Road and Castlefield Avenue.
Bill No. 981	By-law No. 995-2008	To amend By-law No. 2958-94 of the former City of York, being a by law "To regulate traffic on City of York Roads", regarding Caledonia Road and Castlefield Avenue.
Bill No. 982	By-law No. 996-2008	To designate the property at 194 Dowling Avenue (Parkdale Mansions) as being of cultural heritage value or interest.
Bill No. 983	By-law No. 997-2008	To designate the property at 1501 Queen Street West (Parkdale Mansions) as being of cultural heritage value or interest.
Bill No. 984	By-law No. 998-2008	To designate the property at 2822 Keele Street (Downsview United Church) as being of cultural heritage value or interest.
Bill No. 985	By-law No. 999-2008	To designate the property at 670 Broadview Avenue (John Treloar House) as being of cultural heritage value or interest.
Bill No. 986	By-law No. 1000-2008	To designate the property at 672 Broadview Avenue (Frederick Booz House) as being of cultural heritage value or interest.
Bill No. 987	By-law No. 1001-2008	To designate the property at 674 Broadview Avenue (Robert Fair

		House) as being of cultural heritage value or interest.
Bill No. 988	By-law No. 1002-2008	To repeal By-law No. 823-2008, being a by-law “To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street”.
Bill No. 989	By-law No. 1003-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gerrard Street East.
Bill No. 990	By-law No. 1004-2008	To amend City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, respecting Bloor Street West.
Bill No. 991	By-law No. 1005-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Symington Avenue.
Bill No. 992	By-law No. 1006-2008	To amend City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, respecting Symington Avenue.
Bill No. 993	By-law No. 1007-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Symington Avenue.
Bill No. 994	By-law No. 1008-2008	To amend City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, respecting Symington Avenue.
Bill No. 995	By-law No. 1009-2008	To amend City of Toronto Municipal Code Chapter 925, Permit Parking.
Bill No. 996	By-law No. 1010-2008	To adopt Official Plan Amendment No. 57 to the City of Toronto Official Plan with respect to Sheppard Avenue

		East, between McCowan Road and Meadowvale Road.
Bill No. 997	By-law No. 1011-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Danforth Avenue.
Bill No. 998	By-law No. 1012-2008	To exempt lands municipally known as 177 to 185 Boardwalk Drive from Part Lot Control.
Bill No. 999	By-law No. 1013-2008	To amend City of Toronto Municipal Code Chapter 767, Taxation, Property Tax, to add a definition of memorial homes to the Tax Rebate Program for Veteran's Clubhouses and Legion Halls.
Bill No. 1000	By-law No. 1014-2008	To exempt lands municipally known as 30 Massie Street from Part Lot Control.
Bill No. 1001	By-law No. 1015-2008	To amend the former City of Scarborough Tam O'Shanter Community Zoning By-law No. 12360, as amended, with respect to lands municipally known as 3717 Sheppard Avenue East.
Bill No. 1003	By-law No. 1016-2008	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. 1004	By-law No. 1017-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Highway No. 2 and Kingston Road.

Bill No. 1005	By-law No. 1018-2008	To amend City of Toronto Municipal Code Chapter 169, Officials, City, Article XIII, Ombudsperson, to clarify the Ombudsperson's investigative function.
Bill No. 1006	By-law No. 1019-2008	To amend further Metropolitan Toronto By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, regarding Highway No. 2.
Bill No. 1007	By-law No. 1020-2008	To authorize the entering into of an agreement for the provision of a municipal capital facility at 112 Elizabeth Street.
Bill No. 1008	By-law No. 1021-2008	To amend By-law No. 191 2001(OMB), by lifting the Holding Symbol (H) with respect to lands municipally known as 65 Crossovers Street.
Bill No. 1009	By-law No. 1022-2008	To adopt Amendment No. 45 to the Official Plan of the City of Toronto with respect to lands forming part of lands municipally known as 50 St. Joseph Street.
Bill No. 1010	By-law No. 1023-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands forming part of lands municipally known as 50 St. Joseph Street.
Bill No. 1012	By-law No. 1024-2008	To amend further By-law No. 10649 of the former Corporation of the City of Toronto respecting the Toronto Fire Department Superannuation and Benefit Fund.
Bill No. 1014	By-law No. 1025-2008	To amend further By-law No. 380-74 of the former Corporation of the City of Toronto respecting civic

		employees' pensions and other benefits.
Bill No. 1015	By-law No. 1026-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting Conlins Road.
Bill No. 1016	By-law No. 1027-2008	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Conlins Road.
Bill No. 1017	By-law No. 1028-2008	To amend further By-law No. 380-74 of the former Corporation of the City of Toronto respecting civic employees' pensions and other benefits.
Bill No. 1018	By-law No. 1029-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting Renforth Drive.
Bill No. 1019	By-law No. 1030-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting The Queensway.
Bill No. 1020	By-law No. 1031-2008	To amend further former Metropolitan Toronto By-law No. 62-91, respecting reserved lanes for bicycles on certain former Metropolitan Roads, regarding The Queensway.
Bill No. 1021	By-law No. 1032-2008	To appoint Joseph P. Pennachetti as City Manager.
Bill No. 1022	By-law No. 1033-2008	To appoint an interim Deputy City Manager and Chief Financial Officer and Treasurer.

Bill No. 1023	By-law No. 1034-2008	To appoint Fiona Crean as Ombudsperson.
Bill No. 1024	By-law No. 1035-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yorkdale Road.
Bill No. 1025	By-law No. 1036-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Dundas Street West.
Bill No. 1026	By-law No. 1037-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting Dundas Street West.
Bill No. 1027	By-law No. 1038-2008	To adopt Amendment No. 21 to the Official Plan for the City of Toronto respecting all lands in the City of Toronto.
Bill No. 1028	By-law No. 1039-2008	To amend City of Toronto Municipal Code Chapter 415, Development of Land, to delegate authority to appointed officers regarding the determination of the completeness of planning applications and to provide for consultation with Ward Councillors,

the vote on which was taken as follows:

Yes - 33 Councillors: Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1

Councillor: Ford

Carried by a majority of 32.

September 25, 2008 - 7:51 p.m.

Speaker Bussin in the Chair

24.106 Councillor Hall 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. 1031	By-law No. 1040-2008	To confirm the proceedings of the Council at its meeting held on the 24th and 25th days of September, 2008,
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the vote on which was taken as follows:

Yes - 32	
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Feldman, Fillion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2	
Councillors:	Ford, Parker

Carried by a majority of 30.

September 25, 2008 - 7:52 p.m.

Speaker Bussin in the Chair

24.107 Councillor Parker moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried, two-thirds of Members present having voted in the affirmative:

Bill No. 1011	By-law No. 1041-2008	To amend further By-law No. 3349-96 of the former City of York respecting pensions and other benefits and privileges.
Bill No. 1013	By-law No. 1042-2008	To amend further By-law No. 15-92 of the former Municipality of

Metropolitan Toronto respecting
pensions and other benefits.

September 25, 2008 - 7:53 p.m.

Speaker Bussin in the Chair

24.108 Councillor Nunziata 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, which carried:

Bill No. 1032	By-law No. 1043-2008	To confirm the proceedings of the Council at its meeting held on the 24th and 25th days of September, 2008.
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The following duplicate Bill was withdrawn:

Bill No. 1002	To exempt certain lands municipally known as 156 and 160 Evans Avenue and 829, 833 and 839 Oxford Street from Part Lot Control.
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OFFICIAL RECOGNITIONS

24.109 **Presentations/Introductions/Announcements:**

September 24, 2008

Mayor Miller, during the morning session of the meeting, made a presentation to Shirley Hoy, City Manager, on the occasion of her departure from the City of Toronto. Mayor Miller highlighted some of Ms. Hoy's achievements during her 30 year career, with the last seven spent as the head of the Toronto Public Service. On behalf of the residents of Toronto and City Council, he thanked her for her many years of outstanding service. Shirley Hoy addressed Council and expressed her deep appreciation for the privilege of working along side City staff, the senior management team, Members of Council and the Mayor. She noted it was her honour to serve the City and extended her best wishes.

Councillor Vaughan, during the morning session of the meeting, addressed Council with respect to the Mayor's XI Cricket Team. The Team had toured England during the summer and was undefeated among youth in their age group. Councillor Vaughan acknowledged the substantial support the Team had received from various businesses, including Tom's Place in Kensington Market, the Royal Bank, Bell Canada, Air Transat, and CIMA (the Chartered Institute of Management Accountants). He presented Darius D'Souza, the Team's captain, with a scroll from Mayor Miller to honour the occasion.

Councillor Shiner, during the morning session of the meeting, advised that he had previously requested the Integrity Commissioner to comment on the appropriateness of invitations sent to Members of Council for an event sponsored by Pattison Outdoor Advertising. The Integrity Commissioner had provided him with an answer and Councillor Shiner requested that it be circulated to all Members of Council.

Speaker Bussin, during the morning session of the meeting, introduced students from The York School, present at the meeting.

Councillor Rae, during the morning session of the meeting, invited Members of Council to attend the kick-off event being held during the lunch hour for the Scotiabank 2008 Toronto Waterfront Marathon.

September 25, 2008

Speaker Bussin in the Chair.

Mayor Miller, during the morning session of the meeting, called on Councillor Fletcher, Chair of the Parks and Environment Committee, to make a presentation in recognition of the Toronto Tree Advocacy Sponsors. Councillor Fletcher advised Council that the Trees Across Toronto program seeks to raise awareness of the needs and benefits of a healthy urban forest. She thanked Deputy Mayor Pantalone, the City's Tree Advocate, and the program sponsors for their support, and invited them to the Members' Lounge for photos.

Speaker Bussin, during the morning session of the meeting, introduced students from Woodgreen Immigrant Services, present at the meeting.

Ruling by Speaker:

Councillor Vaughan, during the morning session of the meeting, rose on a point of privilege to address a media report. He advised that a Member of Council had made allegations to the media that Councillor Vaughan had a conflict of interest related to the appointment of a citizen member to the Sinking Fund and Investment Advisory Committees. Councillor Vaughan advised that the comments were unfounded and false and that he intended to file a complaint with the Integrity Commissioner.

Councillor Ford, on a point of privilege, confirmed that he was the Member of Council who had made the comments during a radio interview.

Councillor Shiner requested the Speaker to ask Councillor Ford to apologize for his remarks.

Speaker Bussin ruled that since Councillor Vaughan had stated his intent to file a formal request with the Integrity Commissioner for an investigation into this matter, Council must await the findings of the Integrity Commissioner before taking any action.

24.110 ATTENDANCE

Councillor Perks moved that the absence of Councillors Mammoliti and McConnell from the regular meeting of Council on September 24 and 25, 2008, be excused, which carried.

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-09-24	Morning	9:41 AM	12:30 PM	Public
2008-09-24	Afternoon	2:10 PM	6:13 PM	Public
2008-09-24	Evening	6:16 PM	6:31 PM	Closed
2008-09-24	Evening	6:36 PM	8:05 PM	Public
2008-09-25	Morning	9:40 AM	12:30 PM	Public
2008-09-25	Afternoon	2:10 PM	7:53 PM	Public

Attendance

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

Date and Time	Quorum	Members
2008-09-24 9:41 AM - 12:30 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker <i>Not Present:</i> Mammoliti, McConnell
2008-09-24 2:10 PM - 6:13 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Thompson, Vaughan, Walker <i>Not Present:</i> Ford, Mammoliti, McConnell, Saundercook, Stintz
2008-09-24 3:30 PM - Roll Call	Present	<i>Present:</i> Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee,

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		Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Rae, Vaughan, Walker <i>Not Present:</i> Augimeri, Feldman, Filion, Ford, Mammoliti, McConnell, Ootes, Parker, Perruzza, Saundercook, Shiner, Stintz, Thompson
2008-09-24 6:16 PM - 6:31 PM (Closed Session)	Present	<i>Present:</i> Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan <i>Not Present:</i> Augimeri, Grimes, Mammoliti, McConnell, Saundercook, Thompson, Walker
2008-09-24 6:36 PM - 8:05 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Vaughan <i>Not Present:</i> Augimeri, Grimes, Mammoliti, McConnell, Saundercook, Thompson, Walker
2008-09-25 9:40 AM - 12:30 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker <i>Not Present:</i> Mammoliti, McConnell
2008-09-25 2:10 PM - 7:53 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker <i>Not Present:</i> Ford, Giambrone, Mammoliti, McConnell
2008-09-25 3:25 PM - Roll Call	Present	<i>Present:</i> Ainslie, Bussin, Cho, Del Grande, Di Giorgio, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee,

		<p>Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan</p> <p><i>Not Present:</i> Ashton, Augimeri, Carroll, Davis, De Baeremaeker, Feldman, Filion, Ford, Giambrone, Lindsay Luby, Mammoliti, McConnell, Miller, Ootes, Parker, Saundercook, Shiner, Walker</p>
<p>2008-09-25 5:05 PM - Roll Call</p>	<p>Present</p>	<p><i>Present:</i> Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker</p> <p><i>Not Present:</i> Ainslie, Augimeri, Davis, Del Grande, Ford, Giambrone, Grimes, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Perruzza</p>

Council adjourned on September 25, 2008, at 7:53 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**

Confidential Attachment: Minutes of Closed Session.

FISCAL IMPACT STATEMENT SUMMARY
Notices of Motions and Motions Without Notice
Submitted by the Deputy City Manager and Chief Financial Officer
Council Meeting – September 24 and 25, 2008

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM24.1	Woodbine Slot Revenue Agreement	Current Year: \$0 Future Years: additional \$45 million per year (revenue)	\$0	The City is currently receiving \$15 million from OLG per year. If the City's share of the slot revenues increases to 10%, the revenue would go up to \$60 million with an additional revenue of approximately \$45 million per year.
MM24.2	Creation of a Disaster Relief Reserve Fund	Current Year: \$0 Future Year: \$1,300,000 (revenue)	\$0	Revenue of approximately \$1.3 million would be raised on approximately 650,000 billings twice a year.
MM24.3	Report on Emergency Preparedness	\$0	\$0	
MM24.4	Report on Follow-up Procedures After a Disaster - the Secord Fire and Sunrise Propane Explosion	\$0	\$0	
MM24.5	Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster	\$0	\$0	
MM24.6	Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion	\$0	\$0	
MM24.7	Review of Organizational Vacation Practices of the Mayor and Deputy Mayor	\$0	\$0	
MM24.8	Improve the Hazardous Waste Policy	\$0	\$0	

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM24.9	Requesting a Ban of Water Bottle Sales on City Property	TBD (depending on Program, PF&R is forecasting \$50,000 and up in following years)	TBD	Financial implications cannot be determined at this time. Programs that have contracts for bottled water may need to consider the capital and operating costs associated with providing more drinking fountains where appropriate. PF&R has a contract for exclusive provision of cold beverages which relies on including water to meet healthy choice requirements; volume of sales would be affected resulting in reduced revenue roughly estimated at over \$50,000. A legal opinion would be required on the contract.
MM24.10	Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario's Municipalities	Current Year: \$0 Future Years: \$450 million (revenue)	\$0	If the Province of Ontario agrees to transfer the equivalent of 1% of the 8% PST, the City would collect \$450 million in revenue annually based on the assumption that City of Toronto account for 20% of PST collected by the Province.
MM24.11	Request for City Representation at the Ontario Municipal Board – A0300/08NY – 233 St. Leonard's Avenue – Ward 25	\$0	\$0	
MM24.12	Offering Congratulations to Toronto's Olympians and Paralympians	\$0	\$0	
MM24.13	Vigil 1914-1918 Canada-UK	\$0	\$0\$0	There is no additional cost. In kind resources will be provided by F&RE.
MM24.14	484 Spadina Avenue - Ontario Municipal Board Hearing - Request for City Solicitor to Appear at the Ontario Municipal Board	\$0	\$0	

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Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM24.15	Ontario Municipal Board Hearing – Committee of Adjustment Application – 620 King Street West	\$0	\$0	
MM24.16	Donation of Sports Floor at John Innes Recreation Centre	\$0	\$75,000 gross, \$0 debt	2008 Parks, Forestry and Recreation Capital Budget should be amended to include an additional \$75,000 project gross, \$0 debt.
MM24.17	Re-opening of Civic Appointments Committee Item CA12.3 – Appointment to the Toronto Zoo Board of Management	\$0	\$0	
MM24.18	4675 Steeles Avenue East - Authority to Accept Lands Outside of the Harmonized Peer Review Process at 3445 Kennedy Road	\$0	\$0	
MM24.19	To Discontinue the Practice of Providing Confidential Information to Members of Council	\$4,000 to \$9,000 (savings)	\$0	If the recommendation is adopted, it would result in savings of \$4,000 - \$9,000 a year in photocopying costs.
MM24.20	Committee of Adjustment Notification	\$0	\$0	
MM24.21	Ontario Municipal Board Hearing – 40 Fairside Avenue	\$0	\$0	
MM24.22	Donation of Materials (Concrete) for Ashbridges Bay Treatment Plant Skateboard Park Project – Ward 32	\$0	\$0	
MM24.23	Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2-year Freeze	\$0	\$0	
MM24.24	Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area	\$0	\$0	

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
MM24.25	Extension of Mimico Cruising Club Liquor Licence for Annual Oktoberfest Dinner	\$0	\$0	
MM24.26	400 Walmer Road – Authorization to send the City Solicitor to the Ontario Municipal Board	\$0	\$0	
MM24.27	Yonge Dundas Redevelopment Project – Consent to Assignment by Penex Metropolis Ltd. – 10 Dundas Street East	\$0	\$0	
MM24.28	Amendment to Composition of Council Reference Group for Animal Services	\$0	\$0	
MM24.29	2737 Keele Street – Direction with Respect to Site Specific Appeal of By-law No. 1147-2007	\$0	\$0	Confidential FIS.
MM24.30	257 Rusholme Road - Ontario Municipal Board Hearing - Request for City Solicitor to Appear at the OMB	\$0	\$0	
MM24.31	Appointment of Interim Integrity Commissioner	\$0	\$0	
MM24.32	146-160 Wellesley Street East – Reduction of Letter of Credit			
MM24.33	Approval of the removal of a heritage property (Don Train Station) from Todmorden Mills to Roundhouse Park			