

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

**WEDNESDAY, OCTOBER 29, 2008 AND  
THURSDAY, OCTOBER 30, 2008**

**CALL TO ORDER - 9:40 a.m.**

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

The meeting opened with *O Canada*.

25.2 **MOMENT OF SILENCE**

**October 29, 2008**

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

Bailey Brooke Zaveda

**October 30, 2008**

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

Eugene Meikle  
Rosaria Gulli

25.3 **CONFIRMATION OF MINUTES**

Councillor Ootes moved that the Council Minutes for the regular meeting held on September 24 and 25, 2008, be confirmed in the form supplied to the Members, which carried.

**25.4 ADMINISTRATIVE INQUIRIES AND ANSWERS****October 29, 2008**

Speaker Bussin in the Chair.

Council had before it the following Administrative Inquiries and Answers:

- IA25.1            Increased Powers of the Officer of the Mayor  
(October 16, 2008) Inquiry from Councillor Karen Stintz,  
Ward 16, Eglinton Lawrence
- IA25.1a            (October 27, 2008) Answer from Mayor David Miller
- IA25.2            Future of Union Station  
(October 16, 2008) Inquiry from Councillor Karen Stintz,  
Ward 16, Eglinton Lawrence
- IA25.2a            (October 27, 2008) Answer from Mayor David Miller
- IA25.3            Budget Shortfall – Land Transfer Tax  
(October 20, 2008) Inquiry from Councillor Michael Thompson  
Ward 37, Scarborough Centre
- IA25.3a            (October 27, 2008) Answer from Mayor David Miller

*Motions:*

1. Councillor Thompson moved that Administrative Inquiry IA25.3 and the Answer IA25.3a be referred to the Executive Committee.
2. Councillor Stintz moved that Administrative Inquiry IA25.1 and the Answer IA25.1a be referred to the Executive Committee.

*Votes:*

Motion 1 by Councillor Thompson and motion 2 by Councillor Stintz carried.

**City Council Decision****Increased Powers of the Office of the Mayor - IA25.1**

City Council referred the Administrative Inquiry (October 16, 2008) from Councillor Karen Stintz, Ward 16, Eglinton-Lawrence (IA25.1), entitled "Increased Powers of the Office of the Mayor", and the Answer (October 27, 2008) from Mayor David Miller (IA25.1a), to the Executive Committee.

### **Background**

Administrative Inquiry from Councillor Karen Stintz, Ward 16, Eglinton-Lawrence, and Answer from Mayor David Miller.

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/ia25.1.pdf>

### **Future of Union Station - IA25.2**

City Council received the Administrative Inquiry (October 16, 2008) from Councillor Karen Stintz, Ward 16, Eglinton -Lawrence (IA25.2), entitled "Future of Union Station", and the Answer (October 27, 2008) from Mayor David Miller (IA25.2a), for information.

### **Background**

Administrative Inquiry from Councillor Karen Stintz, Ward 16, Eglinton-Lawrence, and Answer from Mayor David Miller.

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/ia25.2.pdf>

### **Budget Shortfall - Land Transfer Tax - IA25.3**

City Council referred the Administrative Inquiry (October 20, 2008) from Councillor Michael Thompson, Ward 37, Scarborough Centre (IA25.3), entitled "Budget Shortfall - Land Transfer Tax", and the Answer (October 27, 2008) from Mayor David Miller (IA25.3a), to the Executive Committee.

### **Background**

Administrative Inquiry from Councillor Michael Thompson, Ward 37, Scarborough Centre, and Answer from Mayor David Miller.

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/ia25.3.pdf>

## **25.5 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:

DF25.1 - Government Management Committee Item GM16.1, headed "Opinion Regarding Council Member 'Read Only' Access to the Integrated Business Management System (IBMS) (Ward All)".

Deputy Mayor Pantalone presented the Report from Meeting 24 of the Executive Committee for consideration.

Councillor Davis presented the Report from Meeting 16 of the Civic Appointments Committee for consideration.

Councillor Davis presented the Report from Meeting 19 of the Community Development and Recreation Committee for consideration.

Councillor Lindsay Luby presented the Report from Meeting 18 of the Government Management Committee for consideration.

Councillor Moscoe presented the Report from Meeting 16 of the Licensing and Standards Committee for consideration.

Councillor Fletcher presented the Report from Meeting 19 of the Parks and Environment Committee for consideration.

Councillor Kelly presented the Report from Meeting 19 of the Planning and Growth Management Committee for consideration.

Councillor De Baeremaeker presented the Report from Meeting 19 of the Public Works and Infrastructure Committee for consideration.

Councillor Nunziata presented the Report from Meeting 20 of the Etobicoke York Community Council for consideration.

Councillor Minnan-Wong presented the Report from Meeting 19 of the North York Community Council for consideration.

Councillor Kelly presented the Report from Meeting 19 of the Scarborough Community Council for consideration.

Councillor Davis presented the Report from Meeting 19 of the Toronto and East York Community Council for consideration.

Councillor Del Grande 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.

## 25.6 DECLARATIONS OF INTEREST

Councillor Shiner declared an interest in Parks and Environment Committee Item PE19.3, headed “Additional Litter Pick-Up and Garbage Collection in City Parks on Long Weekends”, in that his son is a seasonal employee with the Parks, Forestry and Recreation division.

## 25.7 PETITIONS

### October 29, 2008

1. Councillor Ford submitted the following petitions:
  - a. (December 5, 2007) from Syed A. Qadri, forwarding the signatures of approximately 44 individuals from Madresatul Banaat school, requesting that a traffic light signal be installed at the intersection of Martingrove Road and Vulcan Street; and
  - b. (undated) from over 250 individuals with respect to the parking regulations in place for Denison Square, Denison Avenue and Wales Avenue.
2. Councillor Palacio submitted approximately 1,500 responses to an on-line petition with respect to Item EX24.3, headed “Declaring the Toronto Transit Commission an Essential Service in Toronto”.
3. Councillor Jenkins submitted approximately 1,000 responses to an on-line petition with respect to Item EX24.3, headed “Declaring the Toronto Transit Commission an Essential Service in Toronto”.
4. Councillor Thompson submitted approximately 1,060 responses to an on-line petition with respect to Item EX24.3, headed “Declaring the Toronto Transit Commission an Essential Service in Toronto”.

Council received the petitions for information.

### October 30, 2008

5. Councillor Palacio submitted approximately 250 more responses to an on-line petition with respect to Item EX24.3, headed “Declaring the Toronto Transit Commission an Essential Service in Toronto”.

Council received the petition for information.

**25.8 REVIEW OF THE ORDER PAPER****October 29, 2008**

Speaker Bussin in the Chair.

*Ruling by Speaker - Item EX24.27:*

Councillor Minnan-Wong rose on a point of order and asked the Speaker to rule on whether Item EX24.27, headed "Mayor's Budget Priorities, 2009" should have been reported to Council for action.

Speaker Bussin advised that she would look into the matter and report back to Council later in the meeting.

Speaker Bussin subsequently reviewed the matter and advised Council that the Clerk did not include the Item in the Committee's report because the communication did not contain recommendations for Committee action and therefore there were no recommendations for Council action. She advised that the Committee Chair had ruled that the Item was to be treated as an information item and the Committee treated the matter in accordance with the rules for information items.

Under section 146 of the Council Procedures, Committees only report a decision to receive an item when they receive a report or communication that contains recommendations for action.

The Speaker ruled that the matter was properly received at Committee.

*Ruling by Speaker - Item NY19.19:*

Councillor Moscoe requested the Speaker to rule on why Council approval is necessary for the proposed name "OMB Folly" recommended by the North York Community Council in Item NY19.19.

Speaker Bussin advised that under Council's Procedures, Community Councils are delegated final decision-making authority to approve street names that comply with City policy. The City Surveyor had advised her that the proposed name "OMB Folly" does not comply with that policy for the following reasons:

- the proposed name was not circulated for comment to the appropriate agencies, heritage groups, etc;
- the proposed name does not have the concurrence of all parties concerned; and

- the proposed name could be construed as being derogatory.

On that basis, the Speaker ruled that the matter was properly before Council for decision.

*Order Paper:*

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

- Executive Committee Item EX24.1, headed “New Model to Enhance Toronto’s Economic Competitiveness”, to be considered at 11:00 a.m. today; and
- Planning and Growth Management Committee Item PG19.1, headed “Community Improvement Plan to Provide Financial Incentives for Woodbine Live!”, to be considered following Item EX24.1.

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

- MM25.13, headed “Refusal of Application for Demolition of Structures on a Designated Heritage Property – 1325, 1351 and 1365 Bayview Avenue (Moved by Councillor Parker, seconded by Councillor Stintz)”, will be the first item of business today.

*Procedural Motion:*

1. Councillor Jenkins moved that Council consider Executive Committee Item EX24.3, headed “Declaring the Toronto Transit Commission an Essential Service in Toronto”, as an Urgent item at 10:00 a.m. on October 30, 2008.

*Votes:*

Adoption of motion 1 by Councillor Jenkins as it relates to making Item EX24.3 an Urgent item:

Yes - 25	
Councillors:	Ainslie, Ashton, Cho, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Holyday, Jenkins, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 17	
Councillors:	Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Mammoliti, McConnell, Moscoe, Pantalone, Perks, Perruzza, Rae

Carried by a majority of 8.

Adoption of motion 1 by Councillor Jenkins as it relates to considering Item EX24.3 at 10:00 a.m. on October 30, 2008:

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

Carried by a majority of 25.

*Procedural Motion:*

2. Councillor Walker moved that Council consider Executive Committee Item EX24.23, headed "Procurement Authorization Amendment – Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses", as an Urgent item and set a specific time for debate.

*Advice by Speaker:*

Speaker Bussin advised that Item EX24.23 had not been identified as an Urgent item.

*Votes:*

Council adopted the October 29, 2008 Order Paper, as amended, and all other Items not held on consent.

### **October 30, 2008**

Speaker Bussin in the Chair.

*Procedural Motion to Remove a Matter from Committee:*

Councillor Minnan-Wong moved that, in accordance with Section 27-60 of Council's Procedures, Council remove from the Executive Committee, Item EX24.27, headed "Mayor's Budget Priorities 2009", considered by the Committee on October 6 2008, and that the Item be brought forward to City Council for consideration at this meeting, the vote on which was taken as follows:



Yes - 11 Councillors:	Del Grande, Feldman, Jenkins, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Shiner, Thompson, Walker
No - 28 Mayor: Councillors:	Miller Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Perks, Rae, Saundercook, Vaughan

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

Speaker Bussin proposed that Council confirm the October 30, 2008 Order Paper.

*Vote:*

Council adopted the October 30, 2008 Order Paper, without amendment.

25.9 **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.

October 29, 2008

Held for consideration Minute 25.10	DF25.1	GM16.1 - Opinion Regarding Council Member “Read Only” Access to the Integrated Business Management System (IBMS) (Ward All)
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25.10 **GM16.1 - Opinion Regarding Council Member “Read Only” Access to the Integrated Business Management System (IBMS)**

DF25.1	ACTION	Amended		Ward: All
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motions:*

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

1. Council adopt the recommendations of the Government Management Committee including that which would provide read-only access to the IBMS database to Councillors on matters within their own ward for lawful uses in discharging their responsibilities as Members of Toronto Council.
2. Prior to the implementation of Recommendation 1 above, the City of Toronto apply to, and receive a favourable decision from, the Ontario Superior Court of Justice in a legal proceeding pursuant to the Rules of Civil Procedure and/or under the Judicial Review Procedure Act, for a determination that the recommendations approved by City Council or such other recommendations that counsel may advise or the Court may permit, comply with the provisions of the Municipal Freedom of Information and Protection of Privacy Act. (MFIPPA)
3. Such proceeding include a request of the Court that no employee or officer of the City of Toronto shall be in violation of MFIPPA by implementing these recommendations.
4. Notice of such proceedings be served on the Information and Privacy Commissioner for the Province of Ontario and the Ministry of the Attorney General.
5. The City Manager retain the law firm of Sandler, Gordon to commence and proceed with these recommendations.

Deputy Speaker Lindsay Luby in the Chair.

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

Speaker Bussin in the Chair.

*Votes:*

Adoption of motion 2 by Councillor Holyday:

Yes - 12	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Carroll, Cho, Davis, Giambrone, Heaps, Holyday, Ootes, Perks, Rae
No - 27	
Councillors:	Augimeri, Bussin, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser,

Moscoe, Nunziata, Palacio, Parker, Perruzza, Saundercook, Shiner, Stintz, Vaughan, Walker
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Lost by a majority of 15.

Adoption of motion 1 by Councillor Moscoe:

Yes - 27	
Councillors:	Augimeri, Bussin, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Parker, Perruzza, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 12	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Carroll, Cho, Davis, Giambrone, Heaps, Holyday, Ootes, Perks, Rae

Carried by a majority of 15.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

1. The staff recommendations in the report (April 8, 2008) from the City Solicitor, be received.
2. The City Clerk be directed to provide Councillors with read-only access to the IBMS database on matters within their own ward for lawful uses in discharging their responsibilities as Members of Toronto City Council, based on the expert legal opinion with respect to the Municipal Freedom of Information and Protection of privacy Act (MFIPPA) outlined in the communication (July 8, 2008) from Mr. Martin P. Zarnett, of Sandler, Gordon, Barristers and Solicitors (communication GM16.1.8).
3. The City Clerk be directed to provide education to Councillors and their respective constituency staff on the use of IBMS and the requirements of MFIPPA with respect to disclosure of personal information.
4. The Integrity Commissioner be requested to review the Code of Conduct for Members of Council and their staff to reconfirm that Members of Council and their staff must not disclose any information received as part of the exercise of function of head except under the provisions of MFIPPA.

5. The City Manager be requested to establish a training program for staff on what information can be given to Members of Council.
6. The City Manager and Deputy City Manager and Chief Financial Officer identify IT Capital projects that provide greater information to Members of Council and the public for prioritization in the 2009 budget process.
7. Prior to the implementation of Parts 2 to 6, above, the City of Toronto apply to, and receive, a favourable decision from the Ontario Superior Court of Justice in a legal proceeding pursuant to the Rules of Civil Procedure and/or under the Judicial Review Procedure Act, for a determination that the recommendations approved by City Council or such other recommendations that counsel may advise or the Court may permit, comply with the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
8. Such proceeding include a request of the Court that no employee or officer of the City of Toronto shall be in violation of MFIPPA by implementing these recommendations.
9. Notice of such proceedings be served on the Information and Privacy Commissioner for the Province of Ontario and the Ministry of the Attorney General.
10. The City Manager retain the law firm of Sandler, Gordon to commence and proceed with these recommendations.

### **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-16003.pdf>)

Attachment 1 - GM16-1

(<http://www.toronto.ca/legdocs/mmis/2008/df/bgrd/backgroundfile-16004.pdf>)

### **Background Information (City Council)**

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

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16338.pdf>)

### **Communications (Committee)**

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8608.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8611.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8607.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-8609.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-8610.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-8612.pdf>)  
(July 9, 2008) letter from City Clerk (DF.New.GM16.1.6)  
(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8615.pdf>)  
(June 27, 2008) letter from City Clerk (DF.New.GM16.1.6a)  
(<http://www.toronto.ca/legdocs/mmis/2008/df/comm/communicationfile-8616.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-8613.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-8614.pdf>)

### **Communications (City Council)**

(July 14, 2008) Letter from George H. Rust-D'Eye (CC.New.GM16.1.9)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/comm/communicationfile-11393.pdf>)  
(July 14, 2008) Letter from Ann Cavoukian, Information and Privacy Commissioner, Ontario (CC.New.GM16.1.10)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/comm/communicationfile-11394.pdf>)  
(September 25, 2008) E-mail from Brian Beamish, Assistant Commissioner (Access), Office of the Information and Privacy Commissioner/Ontario (CC.Main.GM16.1.11)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/comm/communicationfile-11395.pdf>)  
(October 28, 2008) Letter from Councillors Jenkins, Moscoe and Palacio (CC.Main.GM16.1.12)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/comm/communicationfile-11396.pdf>)

## **1a GM16.1a - Routine Disclosure Plans**

### **Background Information (Committee)**

Report - Routine Disclosure Plans

(<http://www.toronto.ca/legdocs/mmis/2008/df/bgrd/backgroundfile-16020.pdf>)

## **CONSIDERATION OF REPORTS**

### **25.11 EXECUTIVE COMMITTEE MEETING 24**

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.

October 29, 2008

Held for consideration Minute 25.12	EX24.1	New Model to Enhance Toronto's Economic Competitiveness (Ward All)
Held for consideration Minute 25.13	EX24.2	Green Fleet Plan for TTC, Police, Fire and EMS (Ward All)
Held for consideration Minute 25.14	EX24.3	Declaring the Toronto Transit Commission an Essential Service in Toronto (Ward All)
Held for consideration Minute 25.15	EX24.4	Sony Centre Redevelopment – Public Plaza Option (Ward 28)
Held for consideration Minute 25.16	EX24.5	Toronto Waterfront Revitalization Initiative Five-Year Business Plan / Ten-Year Forecast (2008-2017) (Ward All)
Adopted by consent	EX24.7	Adequacy of Employee Benefits Reserve Funds (Ward All)
Adopted by consent	EX24.9	Nomination of Replacement Toronto Trustee for the Move Ontario Trust (Ward All)
Held for consideration Minute 25.17	EX24.12	Financial Planning, Analysis and Reporting System (Ward All)
Adopted by consent	EX24.13	Operating Variance Report for the Six-month Period Ended June 30, 2008 (Ward All)
Adopted by consent	EX24.14	Capital Variance Report for the Six-month Period Ended June 30, 2008 (Ward All)
Adopted by consent	EX24.15	City Planning Division - 2008 Operating Budget Adjustments (Ward All)
Held for consideration Minute 25.18	EX24.16	Transportation Services - Mid-Construction 2008 Cash Flow Reallocations and Deferrals (Ward All)
Held for consideration Minute 25.19	EX24.17	Funding the Job Evaluation and Pay Equity Plan Settlement for Toronto Public Library (Ward All)
Adopted by consent	EX24.18	Request for In-Year Adjustment of Toronto EMS' 2008 Capital Budget (Ward All)

Adopted by consent	EX24.19	Reserves and Reserve Funds Variance Report – June 30, 2008 (Ward All)
Held for consideration Minute 25.20	EX24.20	Land Exchange with the Toronto District School Board for Lands at Edithvale Park (Ward 23)
Adopted by consent	EX24.21	Amendment for Special Request Services Labour Rates for Toronto Fire Services’ Personnel for Services after Normal Business Hours (Ward All)
Adopted by consent	EX24.22	Facilities and Real Estate - 2008 Capital Budget and 2009-2012 Capital Plan Adjustments (Ward All)
Held for consideration Minute 25.21	EX24.23	Procurement Authorization Amendment – Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses (Ward All)
Adopted by consent	EX24.24	Amendment to the Terms of Reference for the Agnes Macphail Community Selection Committee
Adopted by consent	EX24.26	Terms of Reference and Membership – Aboriginal Affairs Committee

**Consideration of Items - Executive Committee Meeting 24**

25.12 **New Model to Enhance Toronto’s Economic Competitiveness**

<b>EX24.1</b>	ACTION	Amended		Ward: All
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motions:*

1. Mayor Miller moved that the Item be amended in accordance with the following recommendations contained in the report (October 27, 2008) from the City Manager:

That:

1. Council amend the number of directors on the TEDCO Board of Directors to five members with the same composition as the interim Boards for Build Toronto and Invest Toronto effective November 14, 2008 and, effective the same day, appoint to the Board of Directors of TEDCO the same board

members as are appointed to the two interim boards following Council's adoption of Recommendation 2 of Item EX24.1 of the Executive Committee.

2. Contingent on adoption of Recommendation 1 above, Council delete Executive Committee Recommendation 10 (the establishment of a Transition Team) and Recommendation 19 (the approval of a unanimous shareholder declaration).
3. Council authorize the City Solicitor to take appropriate action prior to November 14, 2008 to amend the articles of incorporation, by-laws, shareholder direction, and any other corporate documents of TEDCO to be consistent with these Council decisions.
4. City staff and the interim Board of Directors of Build Toronto consider all of the project work to date completed by TEDCO in their work to develop and market the Properties referred to in Executive Committee Recommendations 13 and 14(a).
5. Recommendations 1 and 3 above be constituted as a shareholder declaration and a resolution of the City as shareholder of TEDCO and appropriate City Officials be authorized and directed to do all things that, in the opinion of the City Manager or the City Solicitor, are necessary or desirable to give effect to the foregoing recommendations.

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

City Council express its appreciation to Jeffrey D. Steiner, President and Chief Executive Officer of TEDCO, and all the staff at TEDCO, for their accomplishments and exemplary performance.

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

In drafting the Shareholder Direction for the two new Corporations, the City Manager be requested to include options for repayment of the seed money provided by City Council.

*Votes:*

Adoption of motion 1 by Mayor Miller:

Yes - 37	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis,



	De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan
No - 4	
Councillors:	Jenkins, Minnan-Wong, Ootes, Walker

Carried by a majority of 33.

Adoption of motion 2 by Councillor Shiner:

Yes - 42	
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, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 0	

Carried unanimously.

Adoption of motion 3 by Councillor Holyday:

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

Carried by a majority of 27.

Adoption of the Item, as amended:

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

Carried by a majority of 33.

### **City Council Decision**

City Council adopted the following motions:

1. To advance Toronto's broad economic competitiveness and unlock the value of the City's under-utilized real estate holdings, Council adopt the Business Case Study, Attachment 1 to this report, for the establishment of 2 new corporations referred to as Build Toronto and Invest Toronto.

#### Governance:

2. City Council authorize the City Solicitor to incorporate two new corporations pursuant to section 148 of the City of Toronto Act, 2006, and Ontario Regulation 609/06, the City Services Corporation Regulation and the Business Corporations Act (Ontario):
  - a. one with the operating name Build Toronto to unlock the value in under-utilized lands and use the available City and ABC land base to attract targeted industries, stimulate the creation of desirable employment and regenerate neighbourhoods; and
  - b. one with the operating name Invest Toronto to engage the private sector in marketing and promotion activities to increase business investment and create desirable jobs in Toronto;

and, as of the date of incorporation, appoint the City Manager, Deputy City Manager and Chief Financial Officer (CFO), City Chief Corporate Officer (CCO), Deputy Mayor, and Chair of the Economic Development Committee as initial interim directors of both boards until the new boards are appointed by Council, in

order to execute any documents or take other actions necessary to set up operations.

3. Effective on the date that City Council appoints the recruited citizen directors, the Board of Directors of Build Toronto be comprised of 11 members as follows:
  - a. the Mayor as Chair for the first 2 year term;
  - b. a citizen as Vice-Chair for the first 2 year term;
  - c. the Chair of the City's Economic Development Committee;
  - d. the City's General Manager of EDCT;
  - e. the City's Chief Corporate Officer; and
  - f. 6 residents of Toronto who are not elected officials or employees of the City or any of its ABCs or Corporations (ABCCs);

and that after the initial 2 year term, or as the Chair deems appropriate, the Vice-Chair become the Chair and the Mayor may continue as Vice-Chair or name a designate to be Vice-Chair of the Board.

4. Effective on the date that City Council appoints the recruited citizen directors, the Board of Directors of Invest Toronto be comprised of 15 members as follows:
  - a. the Mayor as Chair;
  - b. a citizen as Vice-Chair;
  - c. the Chair of the City's Economic Development Committee;
  - d. the City's General Manager of EDCT; and
  - e. 11 residents of Toronto who are not elected officials or employees of the City or any of its ABCCs.
5. The Public Appointments Policy corporations nominating process, currently used for other corporate boards, apply to Build Toronto and Invest Toronto and the City Manager be authorized to amend the Policy by adding the following specific qualifications for each board:
  - a. for Build Toronto – accomplished in real estate law, planning and development, capital financing, environmental remediation, and construction; and
  - b. for Invest Toronto – accomplished in international business, academics, marketing, government relations, labour, tourism or other marketing linkages.
6. The Mayor establish a Corporations Nominating Panel to recruit citizen members of the Board of Directors for the 2 new corporations and conduct a national search for the Chief Executive Officers for the 2 corporations.

7. The Remuneration Policy and the Expense Reimbursement Policy for City ABCCs apply to Invest Toronto and Build Toronto and the City Manager recommend remuneration for these boards for City Council approval at the same time as the citizen board members are appointed by Council.
8. The City Manager develop shareholder directions for the 2 new corporations for City Council approval at the same time as the citizen board members are appointed by City Council.
9.
  - a. Effective January 1, 2009, TEDCO's current incubator programs along with the associated funding and staffing be managed by and subsequently transferred to EDCT and included in the 2009 budget; and
  - b. the General Manager of EDCT, or a person acting in that capacity, be authorized to execute on behalf of the City any agreements necessary with TEDCO or others to provide for the transfer of the incubator programs and the funding for such programs.
10. Council amend the number of directors on the TEDCO Board of Directors to five members with the same composition as the interim Boards for Build Toronto and Invest Toronto effective November 14, 2008, and effective the same day, appoint to the Board of Directors of TEDCO the same board members as are appointed to the two interim boards following Council's adoption of Part 2, above.
11. Council authorize the City Solicitor to take appropriate action, prior to November 14, 2008, to amend the articles of incorporation, by-laws, shareholder direction and any other corporate documents of TEDCO to be consistent with these Council decisions.
12. Parts 10 and 11, above, be constituted as a shareholder declaration and a resolution of the City as shareholder of TEDCO and appropriate City officials be authorized and directed to do all things that, in the opinion of the City Manager or the City Solicitor, are necessary or desirable to give effect to Parts 10 and 11, above.
13. In drafting the Shareholder Direction for the two new Corporations, the City Manager be requested to include options for repayment of the seed money provided by City Council.

#### Real Estate Strategy and Authorities for Land Transfers and Turnovers

Note 1: A land transfer conveys title to Build Toronto; a land turnover gives Build Toronto effective control over the lands to manage, develop and market lands without transferring title. Transfers may be used when there are no City or ABC program interests in the lands

and a turnover may be used when there is one or more City or ABC program interests.

Note 2: “TEDCO’s lands” means TEDCO’s development projects and land holdings, together with the development projects and land holdings of TEDCO’s subsidiaries.

14. To immediately begin the process of unlocking the value of land holdings, the City’s CCO develop a City-wide real estate strategy that incorporates long term plans for all City and ABC programs and be authorized to conduct any real estate audits necessary; and all stakeholders be directed to participate in the process as set out in section C of this report in order to optimize the use of City and ABC land holdings, and to transfer or turn over to Build Toronto any City or ABC lands with potential for private development.
15. City Council authorize the Deputy City Manager responsible for waterfront revitalization to review and determine the appropriate disposition of all TEDCO’s lands within the waterfront planning area, with a view to expediting renewal of this large area, ensuring effective management of those lands that are likely to remain in industrial use, and ensuring that the use of other lands is optimized while awaiting renewal by Waterfront Toronto.
16. Those prior City Council authorities providing for the transfer of title of certain City-owned properties to TEDCO, as more particularly set out in Attachment 5, be rescinded.
17. Conditional upon a satisfactory review by the CFO of the financial and real estate issues and subject to the execution of an agreement with Build Toronto on terms and conditions satisfactory to the CFO and in a form satisfactory to the City Solicitor:
  - a. the properties that are the subject matter of the authorities rescinded by the adoption of Part 16, above, be transferred to Build Toronto;
  - b. all TEDCO's lands outside the waterfront planning area be transferred to Build Toronto for nominal consideration, with appropriate arrangements for supporting staff and other resources as deemed necessary; and
  - c. as a result of the review in Part 15, above, where the Deputy City Manager determines that lands should be transferred to Build Toronto, those lands be transferred to Build Toronto for nominal consideration, with appropriate arrangements for supporting staff and other resources as deemed necessary.
18. City staff and the interim Board of Directors of Build Toronto consider all of the project work to date completed by TEDCO in their work to develop and market the Properties referred to in Parts 16 and 17a, above.

19.
  - a. Authority be granted to enter into Turnover Agreement(s) with Build Toronto, on terms and conditions satisfactory to the City Manager (including, but not limited to, those terms set out in Attachment 2), in consultation with the City Solicitor, and including amending agreements from time to time, all in a form satisfactory to the City Solicitor;
  - b. conditional upon Build Toronto having entered into a Turnover Agreement, land which has been declared surplus with the intended manner of disposal to be by way of turnover to Build Toronto to manage, develop and market, be turned over to Build Toronto for such purposes; and
  - c. authority be granted to execute a Power-of-Attorney or other authority to empower signing officers of Build Toronto to sign documents on behalf of the City relating to City-owned lands turned over to Build Toronto, without further review or approval by City staff.
20. While Build Toronto will be entirely free to deal with the inventory of lands transferred in title to it (subject only to the terms of any Transfer Agreement), the terms of any proposed transfer of title of City or ABC land to Build Toronto, and of any proposed sale/disposal (including leases of 21 years or more) by Build Toronto of land subject to a Turnover Agreement, be reported through Committee and Council for consideration and determination.
21. The City Solicitor be authorized to complete the Turnover, future Transfer, and other, Agreements on behalf of the City, including paying any necessary expenses, amending the closing and other dates, and amending and waiving terms and conditions, on such terms as she considers appropriate.

#### Funding

22. City Council allocate the amount of \$10 million to the non-program expenditure budget to be funded from the Land Acquisition Reserve Fund, to be disbursed to Build Toronto and Invest Toronto, on terms satisfactory to the CFO, for the purpose of setting up and commencing business development operations including development of a business plan that identifies sustainable revenue sources.

#### Amendments/Review - Existing By-laws and Decisions

23. City of Toronto Municipal Code, Chapter 213, Sale of Real Property, be amended as set out in the draft Bill in Attachment 4.
24. The City Manager be requested to review the financial needs of Build Toronto together with the existing Policy entitled "...Proceeds from Sale of Surplus City

Owned Real Property” embodied in Clause No. 1 of Report No. 9 of the Policy and Finance Committee adopted as amended by Council on June 18, 19 and 20, 2002 and report back to City Council.

#### General Authorities

25. Authority be granted to enter into such additional or other agreements or documents and to do all things deemed appropriate as may, in the opinion of the City Manager or City Solicitor, be desirable to give effect hereto.
26. The appropriate City officials be authorized and directed to introduce in Council any Bills necessary to give effect to the foregoing.
27. City Council express its appreciation to Jeffrey D. Steiner, President and Chief Executive Officer of TEDCO, and all the staff at TEDCO, for their accomplishments and exemplary performance.

#### **Background Information (Committee)**

New Model to Enhance Toronto's Economic Competitiveness

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15926.pdf>)

The Randolph Group - NetGain Partners Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15957.pdf>)

#### **Background Information (City Council)**

Supplementary report (October 27, 2008) from the City Manager (EX24.1a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16575.pdf>)

#### **Communications (Committee)**

(October 3, 2008) e-mail from Carol Wilding, President and CEO, The Toronto Board of Trade (EX.New.EX24.1.1)

(October 5, 2008) e-mail from Dennis Findlay (EX.New.EX24.1.2)

(October 5, 2008) e-mail from Barb Shopland, President of the Toronto Food Business Incubator (EX.New.EX24.1.3)

#### **Communications (City Council)**

(October 14, 2008) letter from Leo DelZotto, President, Tridel, submitted by Mayor David Miller (CC.Main.EX24.1.4)

(October 21, 2008) letter from Terry Mundell, President, The Greater Toronto Hotel Association (CC.Main.EX24.1.5)

#### 25.13 **Green Fleet Plan for TTC, Police, Fire and EMS**

<b>EX24.2</b>	ACTION	Adopted		Ward: All
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**October 29, 2008**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. City Council adopt the 2008-2011 Green Fleet Plans for Toronto Fire Services and Emergency Medical Services, in accordance with Attachment 1.
2. City Council endorse the 2008-2011 Green Fleet Plans for the Toronto Transit Commission and the Toronto Police Service, in accordance with Attachment 1.
3. Staff (Public Health, Transportation Services and Fleet Services) be requested to review the City's Idling By-law with a view to deleting unnecessary exclusions for City and TTC vehicles and report thereon to the Government Management Committee for its meeting on January 14, 2009.
4. Staff report to the Government Management Committee no later than February 2009 on the feasibility and cost of installing a flashing light and/or buzzer on all non emergency City and TTC vehicles that will activate when the vehicle has exceeded the revised idling by-law limits.

**Background Information (Committee)**

Green Fleet Plan for TTC, Police, Fire and EMS

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15920.pdf>

Green Fleet Plan for TTC, Police, Fire & EMS 2008-2011 September 2008 - Presentation to City of Toronto Executive Committee

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15971.pdf>

**25.14 Declaring the Toronto Transit Commission an Essential Service in Toronto**

<b>EX24.3</b>	ACTION	Amended		Ward: All
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**October 30, 2008**

Speaker Bussin in the Chair.



*Ruling by Speaker:*

Speaker Bussin ruled that Councillor Del Grande's questions to City officials had been fully addressed and further questions of a similar nature would not be permitted.

Councillor Del Grande challenged the ruling of the Speaker.

*Vote to Uphold the Ruling of the Speaker:*

Yes - 22	
Councillors:	Ainslie, Bussin, Cho, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan
No - 13	
Councillors:	Del Grande, Di Giorgio, Feldman, Jenkins, Lee, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Thompson, Walker

Carried by a majority of 9.

*Ruling by Speaker:*

Speaker Bussin ruled that Councillor Palacio's questions were out of order because they relate to other recipients of essential service designations and were beyond the scope of the Item under consideration

Deputy Speaker Lindsay Luby in the Chair.

*Motions:*

1. Councillor Jenkins moved that the Item be amended by deleting the recommendation of the Executive Committee, and that Council adopt the following instead:
  1. Toronto City Council request the Government of Ontario to pass legislation designating the Toronto Transit Commission as an Essential Service without recourse to a strike, job action or lockout.
  2. Such legislation specify a protocol of negotiations that, in the event of a stalemate, provides for an arbitrated settlement of unresolved items based on final offer selection.

3. Such legislation include a provision obliging arbitrators to consider the requirements of a public transit system to be efficient, reliable and affordable for the City and the taxpayer.
2. Councillor Mammoliti moved that the Item be amended by adding the following:  
  
The Toronto Transit Commission be requested to conduct a full analysis of whether essential service legislation costs governments more through arbitration rulings than traditional forms of labour legislation, and submit it to the City of Toronto and the Province of Ontario.

Speaker Bussin in the Chair.

*Motions:*

3. Councillor Palacio moved that the Item be amended by adding the following:  
  
City Council communicate to the Province of Ontario its support for:
  - a. declaring the Toronto Transit Commission's Wheel-Trans Service an essential service; and
  - b. legislation mandating a minimum of 48-hours notice before any Toronto Transit Commission strike can legally take place.
4. Councillor Holyday moved that the Item be amended by adding the following:  
  
The Toronto Transit Commission be requested to:
  1. obtain more information from other jurisdictions (besides Montreal) on the Limited Strike (Designation) Model; and
  2. determine how a 72-hour notice period could be implemented, as is done in the Province of British Columbia,  
and submit its findings to the Executive Committee prior to December 2009.
5. Councillor Vaughan moved that the Item be amended by adding the following:
  1. City Council request that the Government of Ontario pass legislation designating the Wheel-Trans Service an essential service, and that this particular business unit of the TTC have no recourse to strike, job action or lockout that would reduce service in the event of a TTC wide strike.

2. Such legislation specify a protocol of negotiations that, in the event of a stalemate provides for an arbitrated settlement of unresolved items based on final offer selection.
3. In the interim, or in the event that the Provincial legislature refuses to act, Council request the Toronto Transit Commission and TTC staff to negotiate a wider strike protocol that protects and delivers all Wheel-Trans Service in the event of a strike, job action or a lockout.
6. Councillor Milczyn moved that the Item be amended by adding the following:

In the event the Province of Ontario considers an essential service designation for the Toronto Transit Commission, the City Manager, in consultation with the Commission, be requested to recommend changes to the Labour Relations Act, and a process for negotiating wage and non-wage issues between the TTC and its unionized employees.

*Ruling by Speaker:*

Speaker Bussin ruled the comments made by Councillor Walker out of order because they were beyond the scope of the Item under consideration.

Councillor Walker challenged the ruling of the Speaker.

*Vote to Uphold the Ruling of the Speaker:*

Yes - 19 Councillors:	Bussin, Carroll, Cho, Davis, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan
No - 14 Councillors:	Augimeri, Del Grande, Di Giorgio, Feldman, Holyday, Jenkins, McConnell, Minnan-Wong, Nunziata, Palacio, Saundercook, Stintz, Thompson, Walker

Carried by a majority of 5.

*Motions:*

7. Councillor McConnell moved that motion 5 by Councillor Vaughan be amended to now read as follows:

1. City Council request the Toronto Transit Commission and TTC staff to negotiate a wider strike protocol that protects and delivers all Wheel-Trans Service in the event of a strike, job action or a lockout.
  2. In the event that agreement with the Union cannot be reached, City Council request that the Government of Ontario pass legislation designating the Wheel-Trans Service an essential service, and that this particular business unit of the TTC have no recourse to strike, job action or lockout that would reduce service in the event of a TTC-wide strike.
  3. Such legislation specify a protocol of negotiations that, in the event of a stalemate provides for an arbitrated settlement of unresolved items based on final offer selection.
8. Councillor Giambrone moved that the motion 7 by Councillor McConnell be amended by deleting the following Part 3:

To be deleted:

3. Such legislation specify a protocol of negotiations that, in the event of a stalemate provides for an arbitrated settlement of unresolved items based on final offer selection.

*Permission to Withdraw Motions:*

Councillor Vaughan, with the permission of Council, withdrew his motion 5 in favour of the amendment moved by Councillor McConnell. Motion 7 by Councillor McConnell was then considered as a stand-alone amendment to the Item.

Councillor McConnell, with the permission of Council, withdrew Part 3 of her motion 7.

*Ruling by Speaker:*

Due to the withdrawal of Part 3 of motion 7 by Councillor McConnell, Speaker Bussin ruled motion 8 by Councillor Giambrone redundant.

*Votes:*

Adoption of motion 1 by Councillor Jenkins:

Yes - 22	
Councillors:	Ainslie, Ashton, Del Grande, Feldman, Filion, Ford, Grimes, Jenkins, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker,

Saundercook, Shiner, Stintz, Thompson, Walker	
No - 23	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 1.

*Ruling by Speaker:*

Mayor Miller requested Speaker Bussin to clarify whether Parts 1 and 2 of motion 7 by Councillor McConnell would still be put to a vote if motion 3A by Councillor Palacio carried.

Speaker Bussin advised Council that Councillor Palacio's motion 3A is an over-arching motion, while Councillor McConnell's motion provides more detailed steps. Council would be able to approve both motions if it so wishes.

Adoption of motion 3a by Councillor Palacio:

Yes - 24	
Mayor:	Miller
Councillors:	Ainslie, Ashton, De Baeremaeker, Del Grande, Feldman, Ford, Grimes, Jenkins, Lee, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 21	
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

Carried by a majority of 3.

Adoption of Parts 1 and 2 of motion 7 by Councillor McConnell:

Yes - 32	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion,

	Fletcher, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Thompson, Vaughan
No - 13 Councillors:	Bussin, Feldman, Ford, Grimes, Holyday, Minnan-Wong, Moeser, Nunziata, Ootes, Perruzza, Shiner, Stintz, Walker

Carried by a majority of 19.

*Permission to Withdraw Motion:*

Councillor Mammoliti, with the permission of Council, withdrew his motion 2.

Adoption of motion 3b by Councillor Palacio:

Yes - 35 Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 10 Councillors:	Augimeri, Filion, Fletcher, Holyday, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza

Carried by a majority of 25.

Adoption of motion 4 by Councillor Holyday:

Yes - 13 Mayor:	Miller
Councillors:	Augimeri, Cho, Di Giorgio, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Moeser, Moscoe, Parker, Vaughan
No - 32 Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Lee, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone,

Perks, Perruzza, Rae, Saundercook, Shiner, Stintz,  
Thompson, Walker

Lost by a majority of 19.

*Ruling by Speaker:*

Having regard that Council did not vote in favour of declaring the Toronto Transit Commission an essential service, Speaker Bussin ruled motion 6 by Councillor Milczyn redundant.

Adoption of the Item, as amended:

Yes - 27	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Mammoliti, McConnell, Milczyn, Minnan-Wong, Ootes, Parker, Perks, Saundercook, Shiner, Stintz, Vaughan
No - 18	
Councillors:	Ashton, Bussin, Del Grande, Fillion, Ford, Grimes, Holyday, Lindsay Luby, Mihevc, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perruzza, Rae, Thompson, Walker

Carried by a majority of 9.

### **City Council Decision**

City Council adopted the following motions:

1. City Council communicate to the Province of Ontario its support for:
  - a. declaring the Toronto Transit Commission's Wheel-Trans Service an essential service; and
  - b. legislation mandating a minimum of 48-hours notice before any Toronto Transit Commission strike can legally take place.
2. City Council request the Toronto Transit Commission and TTC staff to negotiate a wider strike protocol that protects and delivers all Wheel-Trans Service in the event of a strike, job action or a lockout.
3. In the event that agreement with the Union cannot be reached, City Council request

that the Government of Ontario pass legislation designating the Wheel-Trans Service an essential service, and that this particular business unit of the TTC have no recourse to strike, job action or lockout that would reduce service in the event of a TTC-wide strike.

4. City Council receive, for information, the report (September 22, 2008) from the City Manager, entitled “Declaring the Toronto Transit Commission an Essential Service in Toronto”.

### **Background Information (Committee)**

Declaring the Toronto Transit Commission an Essential Service in Toronto  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15956.pdf>)

### **Communications (Committee)**

- (September 12, 2008) letter from Jim S. Allan (EX.Main.EX24.3.1)
- (September 8, 2008) e-mail from Charlotte & Lewis Steinberg (EX.Main.EX24.3.2)
- (September 8, 2008) e-mail from Cheryl Traub (EX.Main.EX24.3.3)
- (September 8, 2008) e-mail from Rikki Meggeson (EX.Main.EX24.3.4)
- (September 8, 2008) e-mail from Jon Edgett, CFO, Group DKG Inc. (EX.Main.EX24.3.5)
- (September 8, 2008) e-mail from John and Stella Au (EX.Main.EX24.3.6)
- (September 9, 2008) e-mail from John Haapala (EX.Main.EX24.3.7)
- (September 9, 2008) e-mail from Dave Crombeen (EX.Main.EX24.3.8)
- (September 9, 2008) e-mail from John Warren (EX.Main.EX24.3.9)
- (September 9, 2008) e-mail from Earl Biderman (EX.Main.EX24.3.10)
- (September 9, 2008) e-mail from Trevor Jones (EX.Main.EX24.3.11)
- (September 10, 2008) e-mail from Cindy Cohanin (EX.Main.EX24.3.12)
- (September 11, 2008) e-mail from Stephanie Thorson (EX.Main.EX24.3.13)
- (September 12, 2008) e-mail from Frank Goodman (EX.Main.EX24.3.14)
- (September 13, 2008) e-mail from Frank KP Chow (EX.Main.EX24.3.15)
- (April 21, 2008) e-mail from Sylvia Main (EX.Main.EX24.3.16)
- (April 20, 2008) e-mail from D. Bacalla (EX.Main.EX24.3.17)
- (September 17, 2008) e-mail from Andrew Cryne (EX.Main.Ex24.3.18)
- (September 17, 2008) e-mail from Kevin Beattie, President, West Lansing Homeowners Association (EX.Main.EX24.3.19)
- (September 17, 2008) e-mail from J.L.A. Colhoun (EX.Main.EX24.3.20)
- (September 18, 2008) e-mail from Brian Story (EX.Main.EX24.3.21)
- (September 17, 2008) e-mail from Ralph Caswell (EX.Main.EX24.3.22)
- (October 1, 2008) e-mail from Frank KP Chow (EX.Main.EX24.3.23)
- (September 23, 2008) e-mail from Gwen Rattle (EX.Supp.EX24.3.24)
- (October 2, 2008) e-mail from Ruth Blair (EX.Main.EX24.3.25)
- (October 2, 2008) e-mail from Leonard H. Goodman (EX.Main.EX24.3.26)
- (October 2, 2008) e-mail from Lynne Moquin (EX.Main.EX24.3.27)
- (October 2, 2008) e-mail from Brian McConville (EX.Main.EX24.3.28)



- (October 2, 2008) e-mail from Debbie Benczkowski (EX.Main.EX24.3.29)
- (October 2, 2008) e-mail from Brenda Becker (EX.Main.EX24.3.30)
- (October 2, 2008) e-mail from Gayle Sutton-Hatfield (EX.Main.EX24.3.31)
- (October 2, 2008) e-mail from John Bonnar (EX.Main.EX24.3.32)
- (October 2, 2008) e-mail from Geeske Cruickshank (EX.Main.EX24.3.33)
- (October 2, 2008) e-mail from Sy Landau (EX.Main.EX24.3.34)
- (October 2, 2008) e-mail from Taras Bryk (EX.Main.EX24.3.35)
- (October 2, 2008) e-mail from John Haapala (EX.Main.EX24.3.36)
- (October 2, 2008) e-mail from Ron Dennis (EX.Main.EX24.3.37)
- (October 2, 2008) e-mail from Susan Rooke (EX.Main.EX24.3.38)
- (October 2, 2008) e-mail from Kathleen Leonard (EX.Main.EX24.3.39)
- (October 3, 2008) e-mail from Geoff Kettel (EX.Main.EX24.3.40)
- (October 3, 2008) e-mail from John and Stella Au (EX.Main.Ex24.3.41)
- (October 3, 2008) e-mail from Andrew Sclater (EX.Main.EX24.3.42)
- (October 3, 2008) e-mail from Myra Edgecombe (EX.Main.EX24.3.43)
- (October 3, 2008) e-mail from Patricia Starr (EX.Main.EX24.3.44)
- (October 3, 2008) e-mail from Patrick Bowman (EX.Main.EX24.3.45)
- (October 3, 2008) e-mail from Ben Dachis (EX.Main.EX24.3.46)
- (October 3, 2008) e-mail from Mikhail Sosedov (EX.Main.EX24.3.47)
- (October 3, 2008) e-mail from Peter & Beth Oakes (EX.Main.EX24.3.48)
- (October 3, 2008) e-mail from Dr. Alfred Wirth (EX.Main.EX24.3.49)
- (October 3, 2008) e-mail from Duncan Finlayson (EX.Main.EX24.3.50)
- (October 4, 2008) e-mail from Leonor and John Wleugel (EX.Main.EX24.3.51)
- (October 4, 2008) e-mail from Gwen Cole (EX.Main.EX24.3.52)
- (October 4, 2008) e-mail from Valerie Grant (EX.Main.EX24.3.53)
- (October 4, 2008) e-mail from Lawrence Yeung (EX.Main.EX24.3.54)
- (October 4, 2008) e-mail from Ellen and Mark Cohen (EX.Main.IEX24.3.55)
- (October 5, 2008) e-mail from Claude Bergeron (EX.Main.EX24.3.56)
- (October 5, 2008) e-mail from John F. Haberer (EX.Main.EX24.3.57)
- (October 5, 2008) e-mail from Barbara Harrison (EX.Main.EX24.3.58)
- (October 5, 2008) e-mail from Barb Shopland (EX.Main.EX24.3.59)
- (October 6, 2008) e-mail from R. Craig Porter (EX.Main.EX24.3.60)
- (September 30, 2008) e-mail from John Sardellitti, President, Hudco Electric Supply Ltd. (EX.Main.EX24.3.61)
- (September 30, 2008) e-mail from Ron Munro, General Manager, John E. Goudey Mfg. Ltd. (EX.Main.EX24.3.62)
- (September 30, 2008) e-mail from Robert Brown, Brown Book Company (BBC) Limited (EX.Main.EX24.3.63)
- (September 30, 2008) e-mail from Roger HB Davies, MDC Communications Inc. (EX.Main.EX24.3.64)
- (September 30, 2008) e-mail from Rudy Haberl (EX.Main.EX24.3.65)
- (September 30, 2008) e-mail from Don Gain, President, Harmony Printing Limited (EX.Main.EX24.3.66)
- (September 30, 2008) e-mail from Sylvia Verkley, Matthew Plexman

Photography (EX.Main.EX24.3.67)  
(September 30, 2008) e-mail from Heather Banks, Cellar Door  
Winery (EX.Main.EX24.3.68)  
(September 30, 2008) e-mail from David Plummer (EX.Main.EX24.3.69)  
(September 30, 2008) e-mail from David Morgan and Bev Allen (EX.Main.EX24.3.70)  
(September 30, 2008) e-mail from Glenn Evans (EX.Main.EX24.3.71)  
(October 6, 2008) e-mail from Jeff Gillan (EX.Main.EX24.3.72)  
(September 30, 2008) e-mail from Thomas Walder (EX.Main.EX24.3.73)  
(September 30, 2008) e-mail from Tony Costa (EX.Main.EX24.3.74)  
(September 30, 2008) e-mail from Rico DiGiovanni, Spider Marketing  
Solutions (EX.Main.EX24.3.75)  
(September 30, 2008) e-mail from Deeter Rieckermann, Secretary Treasurer, West York  
Chevrolet Inc. (EX.Main.EX24.3.76)  
(September 30, 2008) e-mail from M. F. Ing (EX.Main.EX24.3.77)  
(September 30, 2008) e-mail from Philip Clementino, Hallmark Housekeeping Services  
Inc. (EX.Main.EX24.3.78)  
(September 30, 2008) e-mail from Vita Panico, Galaxy Silk Screening  
Inc. (EX.Main.EX24.3.79)  
(September 30, 2008) e-mail from Curtis Singh, Visona International  
Inc. (EX.Main.EX24.3.80)  
(September 30, 2008) e-mail from Amber Richman, Cool Green &  
Shady (EX.Main.EX24.3.81)  
(September 30, 2008) e-mail from Bob Gore (EX.Main.EX24.3.82)  
(September 30, 2008) e-mail from Remi Ojo (EX.Main.Ex24.3.83)  
(September 30, 2008) e-mail from Anne Barnes (EX.Main.EX24.3.84)  
(September 30, 2008) e-mail from Mary Lou Link (EX.Main.EX24.3.85)  
(September 30, 2008) e-mail from Leonard Raslawski (EX.Main.EX24.3.86)  
(September 30, 2008) e-mail from Tony Gaskin, President, Ever  
Corporation (EX.Main.EX24.3.87)  
(September 30, 2008) e-mail from Peter Rosenbauer, President, Chemco  
Incorporated (EX.Main.EX24.3.88)  
(September 30, 2008) e-mail from Josef Ber Carpet Villa (EX.Main.EX24.3.89)  
(October 1, 2008) e-mail from Dr. M. Frankel (EX.Main.EX24.3.90)  
(October 1, 2008) e-mail from CFIB Member (EX.Main.EX24.3.91)  
(October 1, 2008) e-mail from Mark Louie (EX.Main.EX24.3.92)  
(October 1, 2008) e-mail from Peter Cotton, Sunburst Design Team (EX.Main.EX24.3.93)  
(October 1, 2008) e-mail from Martin Wiener, Wiener's Home  
Hardware (EX.Main.EX24.3.94)  
(September 30, 2008) e-mail from Neil Lucy (EX.Main.EX24.3.95)  
(October 1, 2008) e-mail from Wendy Campbell, Chameleon & Papillon  
Inc. (EX.Main.EX24.3.96)  
(October 1, 2008) e-mail from Janie Anderson, Chameleon & Papillon  
Inc. (EX.Main.EZ24.3.104)  
(October 1, 2008) e-mail from Szende Tunderligeti, Chameleon & Papillon

Inc. (EX.Main.EX24.3.98)  
(October 2, 2008) e-mail from V J Pamensky (EX.Main.EX24.3.99)  
(October 2, 2008) e-mail from Irving Shendroff, Canadian Mill Supply Co.  
Ltd. (EX.Main.EX24.3.100)  
(October 2, 2008) e-mail from John Cochrane, Cochrane  
Automotive (EX.Main.EX24.3.101)  
(October 3, 2008) e-mail from Gary Hodgins, President, Pharmax  
Limited (EX.Main.EX24.3.102)  
(October 6, 2008) e-mail from Leslie N. Pomer & Family (EX.Main.EX24.3.103)  
(October 6, 2008) e-mail from John Warren (EX.Main.EX24.3.104)  
(October 6, 2008) petition from Ms. Judith Andrew, VP, Ontario, Canadian Federation of  
Independent Business, and filed a petition containing the signatures of approximately 550  
individuals recommending that the TTC be declared an essential service  
(EX.New.EX24.3.105)

### **Communications (City Council)**

(October 30, 2008) submission from the City Clerk, advising that Councillors Jenkins,  
Palacio and Thompson have submitted approximately 3,810 responses to an on-line  
petition on this Item (CC.New.EX24.3.106)  
(October 30, 2008) submission from Councillor Cliff Jenkins, Ward 25, Don Valley West,  
and Councillor Cesar Palacio, Ward 17, Davenport - Special Report by Marilyn Churley  
on the Toronto Transit Commission (CC.New.EX24.3.107)  
(September 11, 2008) submission from Councillor Janet Davis, Ward 31, Beaches-East  
York, entitled "No Free Ride: The Cost of Essential Services Designation", prepared by  
the C.D. Howe Institute (CC.New.EX24.3.108)  
(October 30, 2008) submission from Councillor Cesar Palacio, Ward 17, Davenport,  
entitled "TTC Strike History" (CC.New.EX24.3.109)

### 25.15 **Sony Centre Redevelopment – Public Plaza Option**

<b>EX24.4</b>	ACTION	Amended		Ward: 28
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#### **October 29, 2008**

Speaker Bussin in the Chair.

#### *Motion:*

1. Councillor Vaughan moved that the Item be amended by amending the third bullet in Appendix 'B', titled "Proposed Principles for Amendment of Umbrella Agreement", to read as follows:

Plaza design to be determined on a mutual basis by Castlepoint, the Sony Centre, and the Sony Centre working group, the Chief Planner and Executive

Director, City Planning, and further that the amended site plan be reviewed by Preservation staff, and that Preservation staff be requested to report as necessary to the Preservation Board on any changes that impact the heritage designation of the Sony Centre.

*Votes:*

Motion 1 by Councillor Vaughan carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

1. City Council authorize the Deputy City Manager and Chief Financial Officer and the Chief Executive Officer of the Sony Centre for the Performing Arts to implement amendments to the Umbrella Agreement based on the principles outlined in Appendix 'B', amended as noted below, that will result in the creation of a public plaza in the strata land originally intended either for the City Centre cultural project or for a commercial development:
  - a. the third bullet amended to now read as follows:

"Plaza design to be determined on a mutual basis by Castlepoint, the Sony Centre, and the Sony Centre working group, the Chief Planner and Executive Director, City Planning, and further that the amended site plan be reviewed by Preservation staff, and that Preservation staff be requested to report as necessary to the Preservation Board on any changes that impact the heritage designation of the Sony Centre."; and
  - b. the fifth bullet amended to now read as follows:

"New PATH entrance on the face of the tower to provide access from the plaza, if and when the path is approved."
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Background Information (Committee)**

Sony Centre Redevelopment - Public Plaza Option

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15921.pdf>

Drawings of Proposed Public Plaza Option - Appendix 'A'

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15922.pdf>

25.16 **Toronto Waterfront Revitalization Initiative Five-Year Business Plan/Ten-Year Forecast (2008 – 2017)**

EX24.5	ACTION	Adopted		Ward: All
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motions:*

1. Councillor Minnan-Wong moved that the Item be amended by adding the following:
  1. Waterfront Toronto be requested to amend its business plan to include working with the City to provide an alternative for Waterside Sports to relocate its facilities at the south side of Unwin Drive for a lease period acceptable to TEDCO or its successor.
  2. If the Unwin site is unavailable, Waterfront Toronto be requested to work with the City of Toronto to find alternative sites.
2. Deputy Mayor Pantalone moved that motion 1 by Councillor Minnan-Wong be referred to Mayor Miller for consideration.
3. Councillor Walker moved that motion 2 by Deputy Mayor Pantalone be amended to provide that the Mayor be requested to report on the findings and outcomes of his reconsideration of this issue to the next regular meeting of City Council on December 1, 2008.
4. Councillor Del Grande moved that motion 2 by Deputy Mayor Pantalone be amended to provide that the Mayor be requested to report on the matter at the January 27, 2009 meeting of City Council.

*Votes:*

Adoption of motion 4 by Councillor Del Grande:

Yes - 13 Councillors: Del Grande, Holyday, Jenkins, Kelly, Lee, Minnan-Wong, Ootes, Palacio, Parker, Perruzza, Rae, Saundercook, Walker
No - 23

Minutes of the Council of the City of Toronto  
October 29 and 30, 2008

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Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Perks, Vaughan
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Lost by a majority of 10.

Adoption of motion 3 by Councillor Walker:

Yes - 11	Councillors: Del Grande, Holyday, Jenkins, Kelly, Lee, Minnan-Wong, Ootes, Palacio, Parker, Saundercook, Walker
No - 25	Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 14.

Adoption of motion 2 by Deputy Mayor Pantalone, without amendment:

Yes - 12	Councillors: Carroll, Cho, Di Giorgio, Giambrone, Heaps, Kelly, Moeser, Pantalone, Perks, Perruzza, Saundercook, Walker
No - 25	Councillors: Ashton, Augimeri, Bussin, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Parker, Rae, Vaughan

Lost by a majority of 13.

Adoption of motion 1 by Councillor Minnan-Wong:

Yes - 13	Councillors: Augimeri, Del Grande, Holyday, Kelly, Lee, Minnan-Wong, Ootes, Palacio, Pantalone, Parker, Perruzza, Saundercook, Walker
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No - 24 Councillors: Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Perks, Rae, Vaughan
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Lost by a majority of 11.

Adoption of the Item, without amendment:

Yes - 34 Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
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No - 2 Councillors: Minnan-Wong, Palacio
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Carried by a majority of 32.

### City Council Decision

City Council adopted the following motions:

1. City Council approve the Five-Year Business Plan/Ten-Year Forecast (2008-2017) for the Waterfront Revitalization Initiative, subject to the City's annual budget process and approval by the Provincial and Federal Governments of the same Plan.
2. City Council authorize the revision of the City's 2008 – 2017 Capital Plan for the Waterfront Revitalization Initiative to reflect the following cash flows: \$42.164 million (gross)/\$41.805 million (net) in 2008, \$65.723 million (gross/net) in 2009, \$71.364 million (gross/net) in 2010, \$88.778 million (gross/net) in 2011, \$48.345 million (gross/net) in 2012, and \$72.324 million (gross/net) in 2013 to 2017.
3. City Council approve the following gross/net adjustments to sub-projects within the 2008 Capital Budget for the Waterfront Revitalization Initiative, resulting in a reduction of \$15.886 million (gross/net) for the year. This will bring the revised 2008 Capital Budget for Waterfront Revitalization to \$42.164 million (gross)/\$41.805 million (net), with no impact to the City's overall net commitment of \$500.00 million for the Waterfront Revitalization Initiative:

- i. an increase to Precinct Implementation (\$5.329 million); and
  - ii. reductions to Union Station (\$.035 million), Portlands Preparation (\$.519 million), Port Union (\$2.300 million), Mimico (\$1.760 million), Transportation Initiatives (\$.025 million), Naturalization of the Don River (\$2.337 million), Pier 4 Rehabilitation (\$0.200 million), Sports Fields, Facilities & Parks Development (\$6.318 million), Financial Securities (\$7.697 million), and Waterfront Secretariat (\$.024 million).
4. City Council authorize and direct appropriate City officials to take the necessary action to give effect thereto.

### Background Information (Committee)

Toronto Waterfront Revitalization Initiative Five-Year Business Plan / Ten-Year Forecast (2008 - 2017)

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15923.pdf>

## 25.17 Financial Planning, Analysis and Reporting System

EX24.12	ACTION	Adopted		Ward: All
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### October 29, 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 extend the existing sole source contract 47011359 to Damy Consulting Inc. to continue as the Project Manager for the Financial Planning, Analysis and Reporting System, in the amount of \$315,000.00 net of GST, for the period January 1, 2009 to September 30, 2010, revising the current contract value from \$498,765.00 to \$813,765.00 excluding GST.
2. City Council extend the existing sole source contract 6024197 to Droichead Atha Inc. to continue to provide expertise as the SAP Analytics/Integration Manager for the Financial Planning, Analysis and Reporting System, in the amount of \$927,000.00 net of GST, for the period October 1, 2008 to September 30, 2010,



revising the current contract value from \$489,600.00 to \$1,416,600.00.

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

### **Background Information (Committee)**

Financial Planning, Analysis and Reporting System

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15931.pdf>)

## 25.18 **Transportation Services - Mid-Construction 2008 Cash Flow Reallocations and Deferrals**

<b>EX24.16</b>	ACTION	Adopted		Ward: All
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**October 29, 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 deferred and accelerated cash flows in the amount of \$6,100,000 detailed in Table 1 attached to the report which will have no net impact on the approved 2008 approved debt.
2. The General Manager, Transportation Services Division, be requested to report back to the Budget Committee, as part of the 2009 Capital Budget process, on a revised ten year Capital plan.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Background Information (Committee)**

Transportation Services - Mid-Construction 2008 Cash Flow Reallocations and Deferrals

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15940.pdf>)

Table 1 Transportation Services Division - Capital Budget Deferrals and Reallocation  
Debt Funded Programs

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15941.pdf>)

**25.19 Funding the Job Evaluation and Pay Equity Plan Settlement for Toronto Public Library**

<b>EX24.17</b>	ACTION	Adopted		Ward: All
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**October 29, 2008**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. The retroactive payment of approximately \$6,384,930.00 (from March 1, 2004 to December 31, 2007) for the job evaluation and pay equity plan settlement be funded from the Employee Retiree Benefits Reserve Fund, resulting in an one-time increase to the Toronto Public Library's 2008 Operating Budget of \$6,384,930.00 gross and \$0 net.
2. Toronto Public Library make every effort possible to mitigate within the 2008 Approved Operating Budget, the 2008 financial impact resulting from the job evaluation and pay equity plan settlement.

**Background Information (Committee)**Funding the Job Evaluation and Pay Equity Plan Settlement for Toronto Public Library  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15942.pdf>)**25.20 Land Exchange with the Toronto District School Board for Lands at Edithvale Park**

<b>EX24.20</b>	ACTION	Adopted		Ward: 23
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**October 29, 2008**

Speaker Bussin in the Chair.

*Vote:*

Adoption of the Item, without amendment:

Yes - 40 Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, 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. The City enter into a Land Exchange Agreement with the TDSB for lands shown as Part 3 on Sketch No. PS-2008-107a (the “Sketch”) and described as being part of Lot 20, Concession 1 WYS, Township of York (“TDSB Lands”) in exchange for lands shown as Part 1 and Part 2 on the Sketch and described as being Lots 85, 86, 87, 88, 89, 90 and 91 on Plan 4976 (“City Lands”), and monetary consideration in the amount of \$2,830,000.00 (plus GST if applicable), substantially on the terms and conditions outlined in Appendix “A” to this report and such other terms as the Chief Corporate Officer and the City Solicitor deem advisable to protect the interests of the City.
2. The City enter into a new lease with the TDSB for that portion of the building and land shown as Part 4 and Part 5 on the Sketch to allow recreation programming to continue while construction of the new community centre takes place. The lease is to be for a term of two years commencing on the closing of the transaction, at a rental rate of \$87,000 per annum, substantially on the terms and conditions set out in the expired lease for the TDSB lands and such other terms as may be acceptable to the General Manager of Parks, Forestry and Recreation and the City Solicitor.
3. The City acquire a permanent easement over Part 12 as shown on the draft Reference Plan attached as Appendix “C” to this report, for the operation and maintenance of existing storm and sanitary sewers.
4. The 2008 Parks, Forestry and Recreation Capital Budget be amended by the addition of a new sub-project for the Land Acquisition and the Demolition of the Existing TDSB Building at 7 Edithvale Drive, with total project costs of \$3,111,625.00 and cash flow of \$2,911,625.00 in 2008 and \$200,000.00 in 2010,

to complete the parkland acquisition and demolition work for the construction of a new community centre, funded from the following four reserve funds:

Parkland Acquisition – North York Local Reserve Fund (XR2041) in the amount of \$59,000.00 or the balance of the fund

Parkland Acquisition – North York City-Wide Reserve Fund (XR2039) in the amount of \$249,000.00 or the balance of the fund

Parkland Acquisition – North District Local Land Fund (XR2206) in the amount of \$2,103,764.00 or the balance of the fund

Parkland Acquisition – City Wide Land Acquisition Fund (XR2210) in the amount of \$699,861.00 or the balance required to fund this transaction of \$3,111,625.00.

5. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.
6. Financial Planning Staff work with Parks, Forestry and Recreation Staff to ensure that the Parkland Acquisition Reserve Fund for the 2009-2018 Capital Plan is allocated in accordance with Council policies and priorities.

**Background Information (Committee)**

Land Exchange with the Toronto District School Board for Lands at Edithvale Park  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15946.pdf>

Appendix "A" - Terms and Conditions of Land Exchange between City of Toronto (the "City") and Toronto District School Board (the "TDSB")  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15947.pdf>

Appendix "B" - Site Map and Sketch  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15948.pdf>

Appendix "C"  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15949.pdf>

25.21 **Procurement Authorization Amendment – Option to Purchase  
 120 Forty-Foot Hybrid Low Floor City Buses**

<b>EX24.23</b>	ACTION	Amended		Ward: All
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**October 29, 2008**  
 Speaker Bussin in the Chair.

*Procedural Motion to Extend Time for Questions:*

Councillor Walker, with the permission of Council, moved that Council allow him an additional two minutes to question Toronto Transit Commission officials, the vote on which was taken as follows:

Yes - 23	
Councillors:	Ashton, Cho, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Parker, Perruzza, Walker
No - 7	
Councillors:	Bussin, Carroll, Davis, Giambrone, Rae, Saundercook, Vaughan

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

*Procedural Motion to Extend Speaking Time:*

Councillor Del Grande, with the permission of Council, moved that in accordance with the provisions of Chapter 27, Council Procedures, Council allow Councillor Walker to continue speaking for an additional two minutes, the vote on which was taken as follows:

Yes - 22	
Councillors:	Augimeri, Cho, De Baeremaeker, Del Grande, Fletcher, Ford, Giambrone, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Parker, Perks, Perruzza, Walker
No - 10	
Councillors:	Bussin, Carroll, Di Giorgio, Hall, McConnell, Mihevc, Pantalone, Rae, Saundercook, Vaughan

Carried by a majority of 12.

*Motion:*

1. Councillor Giambrone moved that the Item be amended by deleting the recommendation of the Executive Committee, and that Council adopt instead the following Recommendation 2 of the Toronto Transit Commission, as contained in the communication (October 24, 2008) from the General Secretary, TTC:
2. Authorize staff to exercise the contract option with Daimler Buses North America Ltd. (Daimler) in an amount of \$20,044,484.97 including all taxes for the purchase of a supplementary order of an additional 40 forty-foot low

floor clean diesel Orion VII NG buses also for delivery in 2010 with the option to be exercised no later than October 31, 2008.

*Procedural Motion:*

Councillor Carroll, at 7:53 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 this Item and pass the confirmatory bill, the vote on which was taken as follows:

Yes - 18 Councillors:	Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, McConnell, Mihevc, Parker, Perks, Rae, Saundercook, Vaughan
No - 16 Councillors:	Augimeri, Cho, Di Giorgio, Ford, Grimes, Jenkins, Kelly, Lee, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Pantalone, Perruzza, Walker

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

**October 30, 2008**

Speaker Bussin in the Chair.

*Permission to Withdraw Motion:*

Councillor Giambrone, with the permission of Council, withdrew his motion 1.

*Motion:*

2. Councillor Carroll moved that the Item be amended by deleting the recommendation of the Executive Committee, and that Council adopt the following instead:
  1. City Council endorse replacement of the proposed order of 120 forty-foot low floor hybrid buses with 120 forty-foot low floor clean diesel buses.
  2. City Council authorize a \$23.2 million reduction in the project cost of the bus project (CTT111) by \$10.9 million in 2010, and \$12.3 million in subsequent years, as a result of this change.
  3. City Council acknowledge that the amended bus requirements will be confirmed in the 2009-2013 Capital budget.

*Votes:*

Adoption of motion 2 by Councillor Carroll:

Yes - 34 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Vaughan, Walker
No - 1 Councillor:	Shiner

Carried by a majority of 33.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. City Council endorse replacement of the proposed order of 120 forty-foot low floor hybrid buses with 120 forty-foot low floor clean diesel buses.
2. City Council authorize a \$23.2 million reduction in the project cost of the bus project (CTT111) by \$10.9 million in 2010, and \$12.3 million in subsequent years, as a result of this change.
3. City Council acknowledge that the amended bus requirements will be confirmed in the 2009-2013 Capital budget.

**Background Information (Committee)**

Procurement Authorization Amendment - Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses - Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16329.pdf>

**Background Information (City Council)**

Supplementary report (October 24, 2008) from the General Secretary, Toronto Transit Commission (EX24.23b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16589.pdf>

Attachment to supplementary report (October 24, 2008) from the General Secretary, Toronto

Transit Commission

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16590.pdf>)

### **Communications (City Council)**

(October 20, 2008) letter from Councillor Michael Walker, Ward 22, St. Paul's  
(CC.Main.EX24.23.1)

### **23a Procurement Authorization Amendment – Option to Purchase 40 Forty-Foot Hybrid Low Floor City Buses**

#### **Background Information (Committee)**

Procurement Authorization Amendment - Option to Purchase 40 Forty-Foot Hybrid Low  
Floor City Buses

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16039.pdf>)

Attachment 1 - Procurement Authorization Amendment - Option to Purchase  
40 Forty-Foot Hybrid Low Floor City Buses

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16040.pdf>)

### **25.22 CIVIC APPOINTMENTS 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.

October 29, 2008

Adopted by consent      CA16.1    Appointment to Fill Vacancy on the Toronto  
Licensing Tribunal (Ward All)

### **25.23 COMMUNITY DEVELOPMENT AND RECREATION COMMITTEE 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.

October 29, 2008

Held for consideration      CD19.3    Exchange of Services Agreement Between the City of  
Minute 25.24                      Toronto and Toronto Catholic District School Board  
(Ward All)



**Consideration of Item - Community Development and Recreation Committee Meeting 19**

25.24 **Exchange of Services Agreement Between the City of Toronto and Toronto Catholic District School Board**

CD19.3	ACTION	Amended		Ward: All
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**October 30, 2008**

Speaker Bussin in the Chair.

*Motion:*

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

The General Manager, Parks, Forestry and Recreation, be requested to discuss, with the Toronto Catholic District School Board, expanding the Exchange of Services Agreement to permit Members of Council to use Toronto Catholic District School Board facilities for community meetings in exchange for extending the use of City facilities for Trustees for the same purpose.

*Votes:*

Motion 1 by Councillor Moscoe carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. Authority be granted to negotiate and enter into an Exchange of Services Agreement for a further three year term commencing October 1, 2008, with the Toronto Catholic District School Board to exchange daytime ice in City-operated ice rinks for school space for Parks, Forestry and Recreation programs and camps, in a form and content acceptable to the General Manager of Parks, Forestry and Recreation, and all in a form and content satisfactory to the City Solicitor.
2. The General Manager, Parks, Forestry and Recreation, be requested to discuss, with the Toronto Catholic District School Board, expanding the Exchange of Services Agreement to permit Members of Council to use Toronto Catholic District School Board facilities for community meetings in exchange for extending the use of City facilities for Trustees for the same purpose.

**Background Information (Committee)**

cd19.3-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/cd/bgrd/backgroundfile-16081.pdf>**25.25 GOVERNMENT 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.

October 29, 2008

Held for consideration Minute 25.26	GM18.4	Local Food Procurement Policy and Implementation Plan (Ward All)
Held for consideration Minute 25.27	GM18.8	23 Brydon Drive – Application by the Madresa Ashraful Uloom under the Madresa Ashraful Uloom Act, 2008 (Ward 2)
Held for consideration Minute 25.28	GM18.9	481 University Avenue – New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms (Ward 27)
Held for consideration Minute 25.29	GM18.10	Electricity Supply Arrangements (Ward All)
Adopted by consent	GM18.11	Renewal of Telecommunication License at First Canadian Place for Police and Emergency Services (Ward 28)
Adopted by consent	GM18.12	North York City Centre Service Road Acquisition (Ward 23)
Held for consideration Minute 25.30	GM18.13	Real Estate Acquisitions – TTC Sheppard East LRT Project - Grade Separation at Agincourt GO Station and Widening of Sheppard Avenue East Between Highland Creek and Midland Avenue (Ward 39, 41)
Adopted by consent	GM18.14	Release of City's Interest in the Most Easterly Portion of the Untravelled Cherry Street Road Allowance and the Adjoining Lane (Ward 44)

Adopted by consent      GM18.17      Amendment to Right of Way Agreement -  
Toronto Parking Authority Carpark #701  
(Ward 36)

**Consideration of Items - Government Management Committee Meeting 18**

25.26 **Local Food Procurement Policy and Implementation Plan**

GM18.4	ACTION	Amended		Ward: All
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Jenkins moved that the Item be amended by adding to Recommendation 5 of the Government Management Committee, the words “and the policy development work and action plan investigate the mechanism available and/or required to achieve a purchasing target of 50 percent local food as soon as possible, with annual measurements gauging progress”, so that Recommendation 5 now reads as follows:
  5. The Director of the Toronto Environment Office report on the ongoing policy development work and an action plan for City-wide implementation of the Local Food Procurement Policy prior to the 2010 budget process, and the policy development work and action plan investigate the mechanism available and/or required to achieve a purchasing target of 50 percent local food as soon as possible, with annual measurements gauging progress.

**October 30, 2008**

Mayor Miller in the Chair.

*Motion:*

2. Councillor Minnan-Wong moved that the Item be amended to provide that the initial implementation occur with the food services at Toronto City Hall.

*Ruling by Mayor:*

Mayor Miller ruled motion 2 by Councillor Minnan-Wong out of order because City Hall is already covered by existing food services contracts.

*Votes:*

Motion 1 by Councillor Jenkins carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

1. City Council receive, for information, the report presented to the Government Management Committee at its meeting of May 15, 2008, entitled, "Proposed Local and Sustainable Food Procurement Policy and Implementation Plan".
2. City Council adopt a Local Food Procurement Policy, in order to reduce greenhouse gas and smog causing emissions generated by the import of food from outside of Ontario. The Local Food Procurement Policy will establish:
  - i. that it is the policy of City Council to progressively increase the percentage of food being served at City-owned facilities or purchased for City operations from local sources;
  - ii. that "local" is defined as food that is grown in the Greater Toronto Area, the Greenbelt of Ontario and other regions of Ontario; and
  - iii. that a phased approach be used for the initial implementation of the Local Food Procurement Policy, with Phase I to be undertaken by Children's Services.
3. A new and enhanced budget request of \$15,000 be submitted by the General Manager of Children's Services, as part of the 2009 Operating Budget process, to pilot increasing the purchase of some locally produced foods in 2009.
4. The Director of the Toronto Environment Office and the General Manager of Children's Services report back to the Government Management Committee, prior to the 2010 budget process, on the outcome of the 2009 implementation phase, including an evaluation of the approach and the potential financial implications of applying this model to other divisions in the City of Toronto.
5. The Director of the Toronto Environment Office report on the ongoing policy development work and an action plan for City-wide implementation of the Local Food Procurement Policy prior to the 2010 budget process, and the policy development work and action plan investigate the mechanism available and/or required to achieve a purchasing target of 50 percent local food as soon as possible, with annual measurements gauging progress.

### **Background Information (Committee)**

Report - Local Food Procurement Policy and Implementation Plan  
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16137.pdf>)

### **Communications (Committee)**

(October 16, 2008) submission from Jamie Kirkpatrick, Campaigner, Toronto Environmental Alliance (GM.New.GM18-4.1)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9038.pdf>)

(October 21, 2008) submission from Elbert van Donkersgoed, Executive Director, Greater Toronto Area Agricultural Action Committee (GM.New.GM18-4.2)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9039.pdf>)

(October 21, 2008) submission from Jamie Reaume, Executive Director, Holland Marsh Growers' Association (GM.New.GM18-4.3)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9040.pdf>)

(October 21, 2008) submission from Andreea Ionescu, BetterDaycareFoodNetwork (GM.New.GM18-4.4)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9041.pdf>)

## **4a Proposed Local and Sustainable Food Procurement Policy and Implementation Plan**

### **Background Information (Committee)**

Report - Proposed Local and Sustainable Food Procurement Policy and Implementation Plan  
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16134.pdf>)

### **25.27 23 Brydon Drive – Application by the Madresa Ashraful Uloom under the Madresa Ashraful Uloom Act, 2008**

<b>GM18.8</b>	ACTION	Adopted		Ward: 2
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**October 29, 2008**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

### **City Council Decision**

City Council adopted the following motions:

1. City Council adopt the confidential instructions to staff contained in the

confidential communication (October 22, 2008) from the Government Management Committee.

2. The confidential instructions adopted by City Council be released at the discretion of the City Solicitor.

Confidential Attachment 1 to the report (September 30, 2008) from the Treasurer and 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.

The confidential communication (October 22, 2008) from the Government Management Committee 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, including matters before administrative tribunals, affecting the municipality or local board. The confidential instructions adopted by City Council will be made public at the discretion of the City Solicitor.

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

**Background Information (Committee)**

Report - 23 Brydon Drive - Application by the Madresa Ashraful Uloom under the Madresa Ashraful Uloom Act, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16141.pdf>)

Confidential Attachment 1 - GM18-8

**Communications (Committee)**

(October 20, 2008) submission from Phillip L. Sanford, McCarthy Tetrault LLP (GM.New.GM18-8.1)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9042.pdf>)

- 25.28 **481 University Avenue – New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms**

<b>GM18.9</b>	ACTION	Adopted		Ward: 27
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**October 29, 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 entering into a Lease Agreement with 481 University Avenue Inc. (the “Landlord”) to use and occupy approximately 17,000 square feet of rentable area on the ground floor of the building known as 481 University Avenue (the “Premises”) for the operation of City court services, commencing on May 1st, 2009 and expiring on April 30, 2019, substantially on the terms and conditions as set out in “Appendix A” and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form and content acceptable to the City Solicitor.
2. City Council authorize the City Solicitor to complete the lease, deliver any notices, pay expenses and amend the commencement and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.
3. 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 - 481 University Avenue - New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16286.pdf>

Appendix A - Major Terms and Conditions (GM18.9a)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16287.pdf>

Appendix B - Location Map (GM18.9a)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16288.pdf>

### **9a 481 University Avenue – New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms**

### **Background Information (Committee)**

Item - 481 University Avenue - New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16143.pdf>

## 25.29 Electricity Supply Arrangements

<b>GM18.10</b>	ACTION	Adopted	Ward: All
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**October 30, 2008**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

### **City Council Decision**

City Council adopted the following motions:

1. The Chief Corporate Officer or his designate be authorized to issue electricity pricing quotation requests and award hedging transaction contracts as described in this report in amounts representing financial commitments ranging up to \$50 million for forward terms not exceeding five years and for each year not exceeding the overall value of the City's annual electricity expenditures, from a roster of qualified counterparties, selected in consultation with the Director of Purchasing and Materials Management.
2. City Council grant authority to renew the current roster of qualified counterparties for another five years to December 31, 2014, and a roster of eligible counterparties be established every five years thereafter in accordance with City purchasing policies and procedures.
3. The Chief Corporate Officer be authorized to execute new or amending electricity master agreements with counterparties governing the terms and conditions of contracts for differences effecting electricity price hedges that are:
  - a. satisfactory to the Chief Corporate Officer;
  - b. in compliance with the Statement of Policies and Goals previously adopted by Council; and
  - c. in a form that is satisfactory to the City Solicitor.
4. The Chief Corporate Officer be authorized to execute new or amended agency agreements with the Toronto Community Housing Corporation and the City's participating agencies, boards, commissions and corporations, all as required, on terms and conditions satisfactory to the Chief Corporate Officer and in form



satisfactory to the City Solicitor; pursuant to these agreements all administrative costs, including any consulting costs, retailer consolidated billing fees and costs, and account enrolment costs be passed on proportionately to all City electricity end users participating in the program.

5. The Chief Corporate Officer be authorized to negotiate and execute a new amending retailer consolidated billing services agreement with Toronto Hydro Energy Services Inc. (“THESI”) or to extend the provision of services for a further five years on a sole-source basis on terms and conditions satisfactory to the Chief Corporate Officer and at a cost that is commercially reasonable in the opinion of the Chief Corporate Officer and otherwise in a form satisfactory to the City Solicitor.
6. City Council authorize and direct the appropriate City officials to take any action necessary to give effect thereto.

### **Background Information (Committee)**

Report - Electricity Supply Arrangements

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16144.pdf>

### 25.30 **Real Estate Acquisitions – TTC Sheppard East LRT Project - Grade Separation at Agincourt GO Station and Widening of Sheppard Avenue East Between Highland Creek and Midland Avenue**

<b>GM18.13</b>	ACTION	Amended		Ward: 39, 41
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**October 30, 2008**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Del Grande moved that the Item be amended by adding the following:
  1. The Chief Corporate Officer be requested to take into account the following when negotiating the purchase of lands for this project:
    - to address safety concerns, the driveway for 4091 Sheppard Avenue East should not be located directly in front of the main lobby.
  2. The Toronto Transit Commission, Transportation Services, Facilities and Real Estate, along with the local Councillor and the residents of 4091 and 4101 Sheppard Avenue East, work to resolve the traffic and safety concerns identified to the Toronto Transit Commission in July 2008.

*Votes:*

Motion 1 by Councillor Del Grande carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. Subject to the Toronto Transit Commission (TTC) obtaining project cashflow and commitment funding in the TTC 2009-2013 Capital Program, City Council grant authority to negotiate to acquire and to initiate expropriation proceedings, if necessary, for the property requirements shown on the attached Appendix "A1" together with permanent easements required for maintenance (the "Required Property"), for the purposes of constructing the grade separation at the Agincourt GO Station and for the widening of Sheppard between Highland Creek and Midland Avenue in connection with the TTC Sheppard East LRT Project.
2. City Council grant authority to the Chief Corporate Officer to serve and publish Notices of Application for Approval to Expropriate the Required Property, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position and to report the Inquiry Officer's recommendations to City Council for its consideration.
3. City Council grant authority to terminate the leasehold interests on City-owned property shown on the attached Appendix "B1" in accordance with the terms of each lease.
4. Upon completion of the construction, the Chief Corporate Officer review the remaining lands to determine their future disposition.
5. The Chief Corporate Officer be requested to take into account the following when negotiating the purchase of lands for this project:
  - to address safety concerns, the driveway for 4091 Sheppard Avenue East should not be located directly in front of the main lobby.
6. The Toronto Transit Commission, Transportation Services, Facilities and Real Estate, along with the local Councillor and the residents of 4091 and 4101 Sheppard Avenue East, work to resolve the traffic and safety concerns identified to the Toronto Transit Commission in July 2008.

**Background Information (Committee)**

Report - Real Estate Acquisitions - TTC Sheppard East LRT Project - Grade Separation at Agincourt GO Station and Widening of Sheppard Avenue East Between Highland Creek and Midland Avenue

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16149.pdf>

Appendix A2 - Site Maps GM18-13

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16150.pdf>

Appendix B2 - Site Maps GM18-13

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16151.pdf>

Appendix C - GM18-13

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16152.pdf>

**25.31 LICENSING AND STANDARDS 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.

October 29, 2008

Held for consideration Minute 25.32	LS16.1	Right to Enter Adjoining Land to Make Repairs (Ward All - Statutory: City of Toronto Act, 2006)
Held for consideration Minute 25.33	LS16.2	Issuance of Temporary Special Event Licenses to Toronto-Based Livery Companies During Signature City Events (Ward All)
Adopted by consent	LS16.4	Amendments to Toronto Municipal Code Chapter 693, Article III, Temporary Signs, and Chapter 441, Fees and Charges (Ward All - Statutory: City of Toronto Act, 2006)
Adopted by consent	LS16.5	Taxicab and Limousine Airport Flat Rate Tariff Increase (Ward All - Statutory: City of Toronto Act, 2006)
Held for consideration Minute 25.34	LS16.6	Amendments to Toronto Municipal Code Chapter 629, Property Standards- Washrooms within Mercantile Occupancies (Ward All - Statutory: City of Toronto Act, 2006)

### Consideration of Items - Licensing and Standards Committee Meeting 16

#### 25.32 Right to Enter Adjoining Land to Make Repairs

<b>LS16.1</b>	ACTION	Amended		Ward: All
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Motion:*

1. Councillor Jenkins moved that the Item be amended in accordance with the following recommendations contained in the revised report (October 29, 2008) from the Executive Director, Municipal Licensing and Standards:

That City Council:

1. Amend Recommendation 1 of the Licensing and Standards Committee by replacing the proposed by-law amendments to Municipal Code Chapter 363 Building Construction and Demolition, and to Municipal Code Chapter 441, Fees and Charges with the proposed by-law amendments to Municipal Code Chapter 363, Building Construction and Demolition, Municipal Code Chapter 441, Fees and Charges, and Municipal Code Chapter 442, fees and Charges, Administration of, as set out in Appendix 2 of this report.
2. Delete Recommendations 2 and 5 of the Licensing and Standards Committee.
3. Amend Recommendation 4 of the Licensing and Standards Committee to provide for the holding of a security deposit for 12 months in the case of high-impact work and 60 days in the case of low-impact work.
4. Refer recommendations 6, 7 and 8 of the Licensing and Standards Committee to staff to report back to the Licensing and Standards Committee in conjunction with the report requested in Committee Recommendation 9.
5. City staff be authorized and directed to take any other action necessary to implement the proposed by-law amendments.

*Votes:*

Motion 1 by Councillor Jenkins carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

1. Council adopt the proposed amendments to Municipal Code Chapter 363 Building Construction and Demolition, and to Municipal Code Chapter 441, Fees and Charges, and Municipal Code Chapter 442, fees and Charges, Administration of, as set out in Appendix 2 of the report (October 29, 2008) from the Executive Director, Municipal Licensing and Standards (LS16.1a), subject to any necessary minor substantive or stylistic refinements as may be identified by the Executive Director, Municipal Licensing and Standards and the City Solicitor.
2. The by-law require that the person or persons undertaking the repairs provide evidence that there is sufficient insurance to cover any potential liability that might result from such entry.
3. The by-law incorporate a provision for a security deposit to be held for 12 months in the case of high-impact work and 60 days in the case of low-impact work, to account for "unseen damages" arising from the work covered by the permit that may become evident during this time frame.
4. The Executive Director, Municipal Licensing and Standards, prepare a public information package on the use of the proposed by-law and report back to the Licensing and Standards Committee on the use of the by-law and any refinements required to it in a year's time; and
5. The following recommendations of the Licensing and Standards Committee be referred to the Executive Director, Municipal Licensing and Standards, for a report back to the Licensing and Standards Committee in conjunction with the report requested in Part 4, above:
  - “- The Property Standards Appeal Committee be assigned the task of undertaking an adjudicative role if so required by either of the parties.
  - A hearing of the Property Standards Appeal Committee, if unable to effect a compromise, shall result in a written report suitable for providing information to the courts.
  - The Property Standards Appeal Committee shall be authorized to undertake a site visit prior to making a decision.”

6. City staff be authorized and directed to take any other action necessary to implement the proposed by-law amendments.

*Public Notice*

**Background Information (Committee)**

Staff Report from Executive Director, Municipal Licensing and Standards  
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-15653.pdf>)

**Background Information (City Council)**

Supplementary report (October 29, 2008) from the Executive Director, Municipal Licensing and Standards (LS16.1a)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16614.pdf>)

**Communications (Committee)**

- (October 31, 2007) e-mail from Barbara Wilkes (LS.Main.LS16.1.1)
- (October 31, 2007) e-mail from Fred Theysmeyer (LS.Main.LS16.1.2)
- (October 31, 2007) e-mail from Helaine Becker (LS.Main.LS16.1.3)
- (October 31, 2007) e-mail from Sy Landau (LS.Main.LS16.1.4)
- (November 1, 2007) e-mail from Councillor Cliff Jenkins, Ward 25 Don Valley (LS.Main.LS16.1.5)
- (November 1, 2007) e-mail from Mike McKelvey, Board Member, Lawrence Park Ratepayers Association (LS.Main.LS16.1.6)
- (November 1, 2007) e-mail from John Dellevoet (LS.Main.LS16.1.7)
- (November 2, 2007) e-mail from Gwen Rattle (LS.Main.LS16.1.8)
- (November 12, 2007) e-mail from Robin Riko (LS.Main.LS16.1.9)
- (November 20, 2007) e-mail from Robyn Knapp (LS.Main.LS16.1.10)
- (November 9, 2007) e-mail from Harold Smith, Partner Mesbur and Amith Architects (LS.Main.LS16.1.11)
- (November 11, 2007) e-mail from Nicholas Woodbridge (LS.Main.LS16.1.12)
- (November 1, 2007) e-mail from John Smith, President, Teddington Park Residents Association (LS.Main.LS16.1.13)
- (November 14, 2007) e-mail from Lambert Cheng (LS.Main.LS16.1.14)
- (November 22, 2007) e-mail from Robert Burton, Burton-Lesbury Holdings Limited/Cobob Holdings Limited (LS.Main.LS16.1.15)
- (November 26, 2007) letter from David E. Bawden, President, York Mills Ratepayers' Association (LS.Main.LS16.1.16)
- (November 27, 2007) e-mail from Nicholas Woodbridge (LS.Main.LS16.1.17)
- (November 2, 2007) e-mail from Eileen Denny (LS.Main.LS16.1.18)
- (November 30, 2007) e-mail from Patrick Daky (LS.Main.LS16.1.19)
- (November 28, 2007) letter from Cindy Weiner, President, At. Andrew's Ratepayers Association (LS.Main.LS16.1.20)
- (November 30, 2007) letter from Hilde Reis-Smart, Secretary, on behalf of John Smith,

President, Teddington Park Residents Association (LS.Main.LS16.1.21)  
 (October 14, 2008) e-mail from Helaine Becker (LS.New.LS16.1.22)

**1a Right to Enter Adjoining Land to Make Repairs**

**Background Information (Committee)**

Staff Report from Executive Director, Municipal Licensing and Standards  
<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-16049.pdf>

**25.33 Issuance of Temporary Special Event Licenses to Toronto-Based Livery Companies During Signature City Events**

<b>LS16.2</b>	ACTION	Received		Ward: All
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This Item was submitted without recommendation.

**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Motions:*

1. Councillor Moscoe moved that the Item be received for information.
2. Councillor Stintz moved that this Item be referred to the Executive Director, Municipal Licensing and Standards, with a request that he report to the Licensing and Standards Committee on the issuance of temporary special event licenses during signature events.

*Vote on Referral:*

Adoption of motion 2 by Councillor Stintz:

Yes - 12	
Councillors:	Di Giorgio, Feldman, Ford, Holyday, Jenkins, Kelly, Nunziata, Palacio, Parker, Rae, Saundercook, Stintz
No - 21	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Fillion, Giambrone, Hall, Heaps, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Perks, Perruzza, Thompson, Vaughan

Lost by a majority of 9.

*Vote on Receipt:*

Adoption of motion 1 by Councillor Moscoe:

Yes - 24	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Hall, Heaps, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Palacio, Pantalone, Perks, Perruzza, Rae, Thompson, Vaughan
No - 9	
Councillors:	Feldman, Ford, Holyday, Jenkins, Kelly, Nunziata, Parker, Saundercook, Stintz

Carried by a majority of 15.

### City Council Decision

City Council received this Item for information.

### Background Information (Committee)

Motion MM23.4 referred by City Council

<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-16046.pdf>

### Communications (Committee)

(October 10, 2008) letter from Louis M. Seta, President, Toronto Taxicab Industry Association (LS.New.LS16.2.1)

(October 9, 2008) letter from Louis M. Seta, President Toronto Taxicab Industry Association (LS.New.LS16.2.2)

(October 14, 2008) letter from Andy Reti, Exemption Committee (LS.New.LS16.2.3)

### 25.34 Amendments to Toronto Municipal Code Chapter 629, Property Standards- Washrooms within Mercantile Occupancies

LS16.6	ACTION	Referred		Ward: All
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.



*Motion:*

1. Councillor Stintz moved that the Item be referred to the General Manager, Economic Development, Culture and Tourism, for report to the Economic Development Committee on the economic impacts on businesses that would have to comply with the proposed by-law amendments.

*Vote on Referral:*

Adoption of motion 1 by Councillor Stintz:

Yes - 15	
Councillors:	Del Grande, Di Giorgio, Feldman, Ford, Hall, Holyday, Kelly, Lindsay Luby, Nunziata, Palacio, Parker, Perruzza, Stintz, Thompson, Vaughan
No - 12	
Councillors:	Ainslie, Augimeri, Davis, De Baeremaeker, Fillion, Giambrone, McConnell, Moeser, Moscoe, Pantalone, Perks, Rae

Carried by a majority of 3.

*Motion to Reconsider:*

Councillor Perruzza moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider this Item, only for the purpose of changing the Committee to which the report requested in motion 1 by Councillor Stintz is to be submitted, the vote on which was taken as follows:

Yes - 21	
Councillors:	Ainslie, Augimeri, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Giambrone, Heaps, Lindsay Luby, McConnell, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan
No - 7	
Councillors:	Del Grande, Ford, Hall, Holyday, Kelly, Moeser, Nunziata

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

*Motion:*

2. Councillor Perruzza moved that the Item be referred to the General Manager, Economic Development, Culture and Tourism, for report to the Licensing and

Standards Committee on the economic impacts on businesses that would have to comply with the proposed by-law amendments.

*Vote on Referral, as amended:*

Motion 2 by Councillor Perruzza carried.

### **City Council Decision**

City Council referred this Item to the General Manager, Economic Development, Culture and Tourism, for report to the Licensing and Standards Committee on the economic impacts on businesses that would have to comply with the proposed by-law amendments.

*Public Notice*

### **Background Information (Committee)**

Executive Director, Municipal Licensing and Standards  
(<http://www.toronto.ca/legdocs/mmis/2008/ls/bgrd/backgroundfile-16051.pdf>)

### **Communications (Committee)**

(July 16, 2008) e-mail from Lesa Bogle (LS.Main.LS16.6.1)  
(<http://www.toronto.ca/legdocs/mmis/2008/ls/comm/communicationfile-8637.pdf>)  
(October 15, 2008) submission from Canadian Council of Grocery Distributors (LS.New.LS16.6.2)

### **Communications (City Council)**

(October 29, 2008) submission from Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence - excerpt from the Building Code Act (CC.New.LS16.6.3)  
(July 16, 2008) letter from Lesa Bogle (CC.New.LS16.6.4)

## **25.35 PARKS AND ENVIRONMENT COMMITTEE 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.

October 29, 2008

Adopted by consent	PE19.2	Toronto Regional Centre for Education on Sustainable Development: Progress Report (Ward All)
Held for consideration Minute 25.36	PE19.3	Additional Litter Pick-Up and Garbage Collection in City Parks on Long Weekends (Ward All)

Adopted by consent      PE19.4      Delegated Authority for Agreements between Parks, Forestry and Recreation and the Canadian Food Inspection Agency Related to the Detection and Eradication of the Asian Long-Horned Beetle (Ward All)

**Consideration of Item - Parks and Environment Committee Meeting 19**

25.36 **Additional Litter Pick-Up and Garbage Collection in City Parks on Long Weekends**

PE19.3	ACTION	Adopted		Ward: All
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**October 30, 2008**

Speaker Bussin in the Chair.

*Motion:*

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

In operating this program, there be no deployment of staff between districts and each district operate as a self-contained entity.

*Permission to Withdraw Motion:*

Councillor Moscoe, with the permission of Council, withdrew his motion 1.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. The strategy for additional litter pick-up and garbage collection in City Parks on long weekends during the summer season be accomplished by rescheduling existing staff and resources to cover weekends and holidays as part of their planned shift.

**Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-15803.pdf>

### Declared Interests (City Council)

The following member(s) declared an interest:

Councillor David Shiner - in that his son is a seasonal employee with the Parks, Forestry and Recreation division.

### 25.37 PLANNING AND GROWTH MANAGEMENT COMMITTEE 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.

October 29, 2008

Held for consideration Minute 25.38	PG19.1	Community Improvement Plan to Provide Financial Incentives for Woodbine Live! (Ward 2 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 25.39	PG19.2	Zoning By-law Amendments to Restrict Shooting Ranges and Gun Manufacturers (Ward All - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 25.40	PG19.5	Maximum Floorplates in Older Commercial Areas (Ward All)
Held for consideration Minute 25.41	PG19.6	Conversion of Rental Housing to Co-ownership (Ward All)

### Consideration of Items - Planning and Growth Management Committee Meeting 19

### 25.38 Community Improvement Plan to Provide Financial Incentives for Woodbine Live!

PG19.1	ACTION	Amended	Ward: 2
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motions:*

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

That Council adopt the following recommendations contained in the report (October 22, 2008) from the Deputy City Manager, Cluster A:

1. City Council not establish local employment targets and related financial penalties and measures to collect personal income data relating to local employment targets.
  2. City Council direct City staff to further develop performance indicators for the Local Hiring and Training Program and to include such performance indicators as may be appropriate in the Financial Incentives Agreement to be executed with Woodbine Live!.
2. Councillor Vaughan moved that the Item be amended by adding the following:
    1. The previous year's local employment levels form the base for the next year and as such become a target; further that there be a financial penalty if the year-to-year target is not met, and that the penalty be invested in the onsite Training Centre.
    2. Average income levels be reported out annually for locally based employees, measured against the average for the total employment base.

*Votes:*

Adoption of motion 1 by Councillor Hall:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Giambrone, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Rae, Saundercook, Stintz
No - 5	
Councillors:	Ashton, Grimes, Jenkins, Vaughan, Walker

Carried by a majority of 24.

*Ruling by Speaker:*

Due to the above decision of Council, Speaker Bussin ruled motion 2 by Councillor Vaughan redundant.

Adoption of the Item, as amended:

Yes - 35	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perruzza, Rae, Saundercook, Stintz, Vaughan
No - 1	
Councillor:	Walker

Carried by a majority of 34.

**City Council Decision**

City Council adopted the following motions:

1. City Council adopt the Community Improvement Plan for the Woodbine Live! Transformative Project, submitted as Attachment 1 to the report, subject to:
  - a. inserting an additional sentence at the end of Section 8.8 of the Woodbine Community Improvement Plan, as follows:
 

“The Owner shall use reasonable commercial efforts to have its tenants participate in the Local Hiring and Employment Strategy.”; and
  - b. amending the third bullet point in Section 8.8, part (iii) entitled “Priority Hiring Process”, to read:
 

“Priority hiring of qualified candidates, as appropriate, referred through the Employment Centre and graduates of customized employment and training initiatives.”.
2. City Council authorize the City Solicitor to make such technical and stylistic changes to the draft community improvement plan by-law as may be required.
3. City Council authorize City staff to introduce the necessary bill to implement the

foregoing.

4. City Council authorize the General Manager of Economic Development Culture and Tourism to execute financial incentive agreements to implement the financial incentives program for the Woodbine Live! Transformative Project.
5. City Council not establish local employment targets and related financial penalties and measures to collect personal income data relating to local employment targets.
6. City Council direct City staff to further develop performance indicators for the Local Hiring and Training Program and to include such performance indicators as may be appropriate in the Financial Incentives Agreement to be executed with Woodbine Live!.

*Statutory - Planning Act, RSO 1990*

**Background Information (Committee)**

Community Improvement Plan to Provide Financial Incentives for Woodbine Live!  
(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16013.pdf>)

**Background Information (City Council)**

Supplementary report (October 22, 2008) from the Deputy City Manager, Cluster A (PG19.1a)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16576.pdf>)

**Communications (Committee)**

(October 8, 2008) e-mail from Steven Tufts (PG.New.PG19.1.1)

**Communications (City Council)**

(October 28, 2008) letter from Stephen Diamond, Diamond Corp. (CC.New.PG19.1.2)

25.39 **Zoning By-law Amendments to Restrict Shooting Ranges and Gun Manufacturers**

PG19.2	ACTION	Adopted		Ward: All
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**October 30, 2008**

Speaker Bussin in the Chair.

*Vote:*

Adoption of the Item, without amendment:

Yes - 27	
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, McConnell, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
No - 10	
Councillors:	Ashton, Feldman, Ford, Holyday, Milczyn, Minnan-Wong, Ootes, Shiner, Stintz, Thompson

Carried by a majority of 17.

### **City Council Decision**

City Council adopted the following motions:

1. City Council enact the Firing Range and Firearms Manufacturing Zoning By-law Amendment for the City of Toronto substantially in accordance with the draft zoning by-law identified as Attachment 1 of the report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.
3. City Council request the Chief Planner and Executive Director of the City Planning Division to incorporate these amendments into the new Zoning By-law and report at that time on any other recommendations necessary to achieve their intent.

*Statutory - Planning Act, RSO 1990*

### **Background Information (Committee)**

Zoning By-law Amendments to Restrict Shooting Ranges and Gun Manufacturers  
(<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-16006.pdf>)

### **Communications (Committee)**

(September 30, 2008) e-mail from G. M. Richardson (PG.Main.PG19.2.1)

(September 30, 2008) e-mail from Lothar Schindler (PG.Main.PG19.2.2)

(October 9, 2008) e-mail from Lou Marxer, Range Officer, West Toronto Revolver Association (PG.New.PG19.2.3)

(October 10, 2008) letter from William H. Roberts (PG.New.PG19.2.4)

(October 14, 2008) submission from Greg Farrant, Ontario Federation of Anglers and Hunters (PG.New.PG19.2.5)

(October 14, 2008) submission from Dr. Judith Ross, Director, Canadian Shooting Sports Association (PG.New.PG19.2.6)



25.40 **Maximum Floorplates in Older Commercial Areas**

PG19.5	ACTION	Adopted		Ward: All
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. City Council receive the report (September 23, 2008) from the Chief Planner and Executive Director of City Planning for information.

**Background Information (Committee)**

Maximum Floorplates in Older Commercial Areas

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-15996.pdf>

25.41 **Conversion of Rental Housing to Co-ownership**

PG19.6	ACTION	Adopted		Ward: All
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. City Council direct City staff to meet with Provincial staff to develop a protocol that would enable Provincial staff to:
  - a. not register applications that involve rental conversions under the Business Corporations Act for co-ownerships and under the Co-operative

Corporations Act for equity co-operatives or co-operatives with share capital, or

- b. defer the incorporation of co-ownerships and equity co-operatives until the City has issued a permit in favour of the conversion of the rental property under the authority of the City of Toronto Act, and
- c. ensure that any prospective registrant under the Business Corporations Act or the Co-operative Corporations Act are fully advised of the City's position regarding the establishment of co-ownerships or equity co-operatives through the conversion of residential rental properties, in advance of such corporations being registered, and
- d. provide the City, on a semi-annual basis, with a list of any corporations registered with the Province for the purpose of co-ownership of rental property in the City of Toronto so that the City might monitor activity and, if required, take appropriate legal action.

#### **Background Information (Committee)**

Conversion of Rental Housing to Co-ownership

<http://www.toronto.ca/legdocs/mmis/2008/pg/bgrd/backgroundfile-15994.pdf>

#### **Background Information (City Council)**

Supplementary report (October 28, 2008) from the City Solicitor (PG19.6a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16948.pdf>

### 25.42 **PUBLIC WORKS AND INFRASTRUCTURE COMMITTEE 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.

October 29, 2008

Held for consideration Minute 25.43	PW19.2	Laneway Collection - Ward 5 (Ward 5)
Adopted by consent	PW19.3	Sole Source Amendments for Various Contracts for Heavy Equipment Repair and with Geoware Inc. (Ward All)
Adopted by consent	PW19.4	Settlement of Claim - Prudential Consulting Inc.

(Ward All)

Adopted by consent	PW19.6	Purchase Order Amendment - Highland Creek Treatment Plant Effluent Waterline Upgrades (Ward 44)
Held for consideration Minute 25.44	PW19.7	Contract Award - Sole Source Purchase Order - Filter Rehabilitation Phase II - Island Water Treatment Plant (Ward 28)
Held for consideration Minute 25.45	PW19.8	2008 Bikeway Network Program - Annette Street: Jane Street To Runnymede Road (Ward 13)

### Consideration of Items - Public Works and Infrastructure Committee Meeting 19

#### 25.43 Laneway Collection - Ward 5

PW19.2	ACTION	Adopted		Ward: 5
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**October 29, 2008**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

#### **City Council Decision**

City Council adopted the following motion:

1. Commercial/residential waste collection be re-established, where feasible, in the rear laneways of Bloor Street West, Dundas Street West and The Queensway, in Ward 5 – Etobicoke/Lakeshore.

#### **Background Information (Committee)**

2008-10-10-PW19.2-Staff Report.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-16023.pdf>

25.44 **Contract Award - Sole Source Purchase Order - Filter Rehabilitation Phase II - Island Water Treatment Plant**

PW19.7	ACTION	Adopted		Ward: 28
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**October 30, 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 grant authority for the reallocation of funds in the amount of \$1,200,000.00 net of GST to CPW043-06 - Emergency Filter Media Replacement from CPW537-05 - Easement Acquisition, as outlined in the Financial Impact Statement. Funding is included in the approved 2008 Toronto Water Capital Budget. The cash flow and project cost is to be reallocated as follows: \$1,200,000.00 net of GST in 2008.
2. Subject to approval of Part 1, the General Manager of Toronto Water be authorized to retain on a sole source basis, Anthratech Western Inc. for the supply, delivery and installation of new filter underdrains, filter media, and associated piping and appurtenances for filters #2, #4 and #6 at the Island WTP in such a manner and on such terms and conditions as he considers appropriate in the circumstances, in an aggregate amount not to exceed \$3,455,361.80 net of GST and inclusive of contingency, and be further authorized to enter into and execute an agreement on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor.

**Background Information (Committee)**

2008-10-10-PW19.7-Staff Report.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-16028.pdf>25.45 **2008 Bikeway Network Program - Annette Street: Jane Street to Runnymede Road**

PW19.8	ACTION	Amended		Ward: 13
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Procedural Motion:*

Councillor Saundercook, at 8:02 p.m., moved that Council vary the Order Paper to now consider this Item, which carried two-thirds of Members having voted in the affirmative.

*Motions:*

1. Councillor Heaps moved that the Item be amended by:
  - a. deleting Recommendations 1 and 2 of the Public Works and Infrastructure Committee, and that Council adopt the following Recommendations 1 and 2 contained in the report (September 29, 2008) from the General Manager, Transportation Services:
    1. Approve the installation of bicycle lanes on both sides of Annette Street, from Jane Street to Runnymede Road, as detailed in Appendix A of this report.
    2. Approve the amendments to the traffic and parking regulations detailed in Appendix B of this report.
  - b. adding the following:

Council receive for information, the following Recommendation 1 contained in the report (October 24, 2008) from the General Manager, Transportation Services:

    1. Approve the amendments to the traffic and parking regulations required to implement a shared-lane bikeway on Annette Street, from Jane Street to Runnymede Road, as detailed in Appendix B of this report.
  - c. adding the following:

Council adopt the following Recommendations 2 and 3 contained in the report (October 24, 2008) from the General Manager, Transportation Services:

    2. Approve the installation of bicycle lanes on both sides of Annette Street, from Runnymede Road to a point 50 metres east thereof, as detailed in Appendix A of this report.

3. Authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of all necessary bills.
2. Councillor Parker moved that the Item be amended by:
    1. deleting from Recommendation 1 of the Public Works and Infrastructure Committee the words “report back in two years time on the success of the sharrows and any modifications required” and replace them with the words “be directed to install in two years’ time, bike lanes on this section of Annette Street”, so that Recommendation 1 now reads:
      1. City Council approve the installation of sharrows on both sides of Annette Street, from Jane Street to Runnymede Road, and that the General Manager, Transportation Services be directed to install in two years’ time, bike lanes on this section of Annette Street.
    2. adding the following:
 

That Council approve the following Recommendations 1 contained in the report (October 24, 2008) from the General Manager, Transportation Services:

      1. Approve the amendments to the traffic and parking regulations required to implement a shared-lane bikeway on Annette Street, from Jane Street to Runnymede Road, as detailed in Appendix B of this report.

*Votes:*

Adoption of motion 1a by Councillor Heaps:

Yes - 20	
Mayor:	Miller
Councillors:	Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Fillion, Giambrone, Heaps, Kelly, McConnell, Mihevc, Moeser, Moscoe, Palacio, Pantalone, Perks, Perruzza, Rae, Vaughan
No - 11	
Councillors:	Ainslie, Di Giorgio, Feldman, Ford, Hall, Holyday, Lindsay Luby, Nunziata, Parker, Saundercook, Stintz

Carried by a majority of 9.

*Ruling by Speaker:*

Due to the above decision of Council, Speaker Bussin ruled motion 2 by Councillor Parker redundant.

Motion 1b by Councillor Heaps carried.

Motion 1c by Councillor Heaps carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. City Council approve the installation of bicycle lanes on both sides of Annette Street, from Jane Street to Runnymede Road, as detailed in Appendix A of the report (September 29, 2008) from the General Manager, Transportation Services.
2. City Council approve the amendments to the traffic and parking regulations detailed in Appendix B of the report (September 29, 2008) from the General Manager, Transportation Services.
3. City Council approve the installation of bicycle lanes on both sides of Annette Street, from Runnymede Road to a point 50 metres east thereof, as detailed in Appendix A of the supplementary report (October 24, 2008) from the General Manager, Transportation Services (PW19.8a).
4. Council receive for information, the following Recommendation 1 contained in the report (October 24, 2008) from the General Manager, Transportation Services (PW19.8a):
  - “1. Approve the amendments to the traffic and parking regulations required to implement a shared-lane bikeway on Annette Street, from Jane Street to Runnymede Road, as detailed in Appendix B of this report.”.
5. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of all necessary bills.

**Background Information (Committee)**

2008-10-10-PW19.8-Staff Report and Appendices A and B.doc

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-16029.pdf>  
2008-10-10-PW19.8-Drawing 421P0111  
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-16031.pdf>  
2008-10-10-PW19.8-Drawing 421P0112  
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-16032.pdf>  
2008-10-10-PW19.8-Appendix C - Options Presented at Public Meeting.doc  
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-16030.pdf>

### **Background Information (City Council)**

Supplementary report (October 24, 2008) from the General Manager, Transportation Services (PW19.8a)  
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16613.pdf>

### **Communications (Committee)**

(October 6, 2008) e-mail from Ashlee Cooper (PW.New.PW19.8.1)  
(October 8, 2008) e-mail from Myriam Jarsky (PW.New.PW19.8.2)  
(October 6, 2008) e-mail from L. Dobosz (PW.New.PW19.8.3)  
(October 8, 2008) e-mail from John Leeson (PW.New.PW19.8.4)  
(October 7, 2008) e-mail from Heather Jordan (PW.New.PW19.8.5)  
(October 7, 2008) e-mail from Evelyn Sommers (PW.New.PW19.8.6)  
(October 7, 2008) e-mail from David Rasmusson (PW.New.PW19.8.7)  
(October 10, 2008) e-mail from Elizabeth Lines (PW.New.PW19.8.8)  
(September 22, 2008) e-mail from Kathleen McGrath and Emerson Waugh (PW.New.PW19.8.9)  
(September 22, 2008) e-mail from Susan and Anthony McGrath (PW.New.PW19.8.10)  
(September 11, 2008) e-mail from Juliet Palmer (PW.New.PW19.8.11)  
(October 9, 2008) e-mail from Lauren, David, Morgan and Gwendelyn Renzetti (PW.New.PW19.8.12)  
(October 10, 2008) submission from Helen Armstrong and Tony Rapoport (PW.New.PW19.8.13)  
(October 10, 2008) e-mail from George Harasymowycz, submitting comment forms signed by 32 individuals outlining their preferred options with respect to the Annette Street Bikeway (PW.New.PW19.8.14)  
(October 10, 2008) submission from Fred Sztabinski, Project Coordinator, Toronto Coalition for Active Transportation (TCAT) (PW.New.PW19.8.15)

### **Communications (City Council)**

(October 15, 2008) e-mail from Christopher Sumpton (CC.Main.PW19.8.16)  
(October 15, 2008) e-mail from Tim Cormick and Lisa Pelletier (CC.Main.PW19.8.17)  
(October 15, 2008) e-mail from Jun Nogami (CC.Main.PW19.8.18)  
(October 15, 2008) e-mail from Helen Armstrong and Tony Rapoport (CC.Main.PW19.8.19)  
(October 16, 2008) e-mail from Ian Hallett (CC.Main.PW19.8.20)  
(October 16, 2008) e-mail from Louise Carberry (CC.Main.PW19.8.21)



- (October 16, 2008) e-mail from Sheila Brazel (CC.Main.PW19.8.22)
- (October 16, 2008) e-mail from Gabriel Sirois (CC.Main.PW19.8.23)
- (October 16, 2008) e-mail from G. Elliott Whitby (CC.Main.PW19.8.24)
- (October 16, 2008) e-mail from Angela Bischoff (CC.Main.PW19.8.25)
- (October 16, 2008) e-mail from Arlene Anisman (CC.Main.PW19.8.26)
- (October 16, 2008) e-mail from Michael Canzi (CC.Main.PW19.8.27)
- (October 16, 2008) e-mail from Robyn Kalda (CC.Main.PW19.8.28)
- (October 17, 2008) e-mail from Karey Iron (CC.Main.PW19.8.29)
- (October 17, 2008) e-mail from Robert Wallis (CC.Main.PW19.8.30)
- (October 17, 2008) e-mail from Angel Alladina (CC.Main.PW19.8.31)
- (October 17, 2008) e-mail from Juliet Palmer (CC.Main.PW19.8.32)
- (October 17, 2008) e-mail from Andrea Smith (CC.Main.PW19.8.33)
- (October 17, 2008) e-mail from James Rolfe (CC.Main.PW19.8.34)
- (October 18, 2008) e-mail from Karen Yukich (CC.Main.PW19.8.35)
- (October 18, 2008) e-mail from Moira Hutchinson (CC.Main.PW19.8.36)
- (October 19, 2008) e-mail from Anthony M. Humphreys (CC.Main.PW19.8.37)
- (October 19, 2008) e-mail from John Leeson (CC.Main.PW19.8.38)
- (October 19, 2008) e-mail from Ian Graham (CC.Main.PW19.8.39)
- (October 19, 2008) e-mail from Emily Young Lee (CC.Main.PW19.8.40)
- (October 19, 2008) e-mail from Jodi Hoar, Caitlin Fisher and Melisa Jarvis (CC.Main.PW19.8.41)
- (October 19, 2008) e-mail from Pam Mountain (CC.Main.PW19.8.42)
- (October 19, 2008) e-mail from Sam Bootsma (CC.Main.PW19.8.43)
- (October 19, 2008) e-mail from Neale Hunt (CC.Main.PW19.8.44)
- (October 19, 2008) e-mail from Don Schmidt and Carol Trainer (CC.Main.PW19.8.45)
- (October 19, 2008) e-mail from Bernard Simon (CC.Main.PW19.8.46)
- (October 19, 2008) e-mail from Marc Smith (CC.Main.PW19.8.47)
- (October 20, 2008) e-mail from Melissa Hirabayashi (CC.Main.PW19.8.48)
- (October 20, 2008) e-mail from Laurie Brown (CC.Main.PW19.8.49)
- (October 20, 2008) e-mail from Sharon Zelinski (CC.Main.PW19.8.50)
- (October 20, 2008) e-mail from Myriam Jarsky (CC.Main.PW19.8.51)
- (October 20, 2008) e-mail from Birte and Peter Mania (CC.Main.PW19.8.52)
- (October 20, 2008) e-mail from Farzana Doctor (CC.Main.PW19.8.53)
- (October 20, 2008) e-mail from Steven LeMay (CC.Main.PW19.8.54)
- (October 20, 2008) e-mail from Roger Berube (CC.Main.PW19.8.55)
- (October 20, 2008) e-mail from Mary Alton (CC.Main.PW19.8.56)
- (October 20, 2008) e-mail from Tovi Heilbronn (CC.Main.PW19.8.57)
- (October 20, 2008) e-mail from Roland Rom Colthoff (CC.Main.PW19.8.58)
- (October 20, 2008) e-mail from Morgen Young (CC.Main.PW19.8.59)
- (October 20, 2008) e-mail from Elizabeth Lines (CC.Main.PW19.8.60)
- (October 20, 2008) e-mail from Lyn Adamson (CC.Main.PW19.8.61)
- (October 20, 2008) e-mail from Ron Fletcher, Past President, Toronto Bicycling Network (CC.Main.PW19.8.62)
- (October 20, 2008) e-mail from Mike Brcic, Executive Director, Bikes Without Borders

- (CC.Main.PW19.8.63)
- (October 20, 2008) e-mail from Mary Ellen Lynch (CC.Main.PW19.8.64)
- (October 20, 2008) e-mail from Ken Allen (CC.Main.PW19.8.65)
- (October 20, 2008) e-mail from David Moule (CC.Main.PW19.8.66)
- (October 20, 2008) e-mail from Janice Sandomirsky (CC.Main.PW19.8.67)
- (October 20, 2008) e-mail from Pat Harley (CC.Main.PW19.8.68)
- (October 20, 2008) e-mail from Adam Ahmed (CC.Main.PW19.8.69)
- (October 20, 2008) e-mail from Stephen Manna (CC.Main.PW19.8.70)
- (October 20, 2008) e-mail from Graham Fowler (CC.Main.PW19.8.71)
- (October 20, 2008) e-mail from Steven Comisso, Partner Lynch + Comisso Architects Inc. (CC.Main.PW19.8.72)
- (October 20, 2008) e-mail from Fraser Smith (CC.Main.PW19.8.73)
- (October 20, 2008) e-mail from Daniel B. Warren (CC.Main.PW19.8.74)
- (October 20, 2008) e-mail from David Snaith (CC.Main.PW19.8.75)
- (October 20, 2008) e-mail from Andrew Moody (CC.Main.PW19.8.76)
- (October 20, 2008) e-mail from Terri Rowan (CC.Main.PW19.8.77)
- (October 20, 2008) e-mail from Chris Luginbuhl (CC.Main.PW19.8.78)
- (October 20, 2008) e-mail from Sara Lipson (CC.Main.PW19.8.79)
- (October 20, 2008) e-mail from John Dent (CC.Main.PW19.8.80)
- (October 20, 2008) e-mail from Ira Rabinovitch and Melanie Robitaille (CC.Main.PW19.8.81)
- (October 20, 2008) e-mail from Oksana Kuryliw (CC.Main.PW19.8.82)
- (October 20, 2008) e-mail from P. Schmidt (CC.Main.PW19.8.83)
- (October 20, 2008) e-mail from JoAnn Heale (CC.Main.PW19.8.84)
- (October 20, 2008) e-mail from David McCallum (CC.Main.PW19.8.85)
- (October 20, 2008) e-mail from Thomas Saczkowski (CC.Main.PW19.8.86)
- (October 20, 2008) e-mail from Mark Sherman (CC.Main.PW19.8.87)
- (October 20, 2008) e-mail from Tim Grace and Judy Pfeifer (CC.Main.PW19.8.88)
- (October 20, 2008) e-mail from Tom Flaherty (CC.Main.PW19.8.89)
- (October 21, 2008) e-mail from Roy Patterson (CC.Main.PW19.8.90)
- (October 21, 2008) e-mail from Ron Tully (CC.Main.PW19.8.91)
- (October 21, 2008) e-mail from Tony Di Nino, Manager, Toronto Office, Envirochem Services Inc. and Gwyn McIntosh (CC.Main.PW19.8.92)
- (October 21, 2008) e-mail from Luba Kelebay (CC.Main.PW19.8.93)
- (October 21, 2008) e-mail from Mike Heale (CC.Main.PW19.8.94)
- (October 21, 2008) e-mail from Gregory Nickles (CC.Main.PW19.8.95)
- (October 20, 2008) e-mail from Rob Lines (CC.Main.PW19.8.96)
- (October 21, 2008) e-mail from Glenn Dunphy (CC.Main.PW19.8.97)
- (October 21, 2008) e-mail from Vandra and Volker Masemann (CC.Main.PW19.8.98)
- (October 21, 2008) e-mail from Arlene Clement (CC.Main.PW19.8.99)
- (October 21, 2008) e-mail from David Henderson (CC.Main.PW19.8.100)
- (October 21, 2008) e-mail from Geoff Kettel (CC.Main.PW19.8.101)
- (October 21, 2008) e-mail from Paul Wong (CC.Main.PW19.8.102)
- (October 21, 2008) e-mail from John Liss (CC.Main.PW19.8.103)

- (October 21, 2008) e-mail from Randy Colbert (CC.Main.PW19.8.104)
- (October 21, 2008) e-mail from Richard Blackwell (CC.Main.PW19.8.105)
- (October 21, 2008) e-mail from Albert Koke (CC.Main.PW19.8.106)
- (October 21, 2008) e-mail from Kristian Truelsen (CC.Main.PW19.8.107)
- (October 21, 2008) e-mail from Annabel Reinis (CC.Main.PW19.8.108)
- (October 21, 2008) e-mail from Ray Bielaskie (CC.Main.PW19.8.109)
- (October 21, 2008) e-mail from Kirk Dale (CC.Main.PW19.8.110)
- (October 22, 2008) e-mail from Doug Green (CC.Main.PW19.8.111)
- (October 22, 2008) e-mail from Heather Schibli (CC.Main.PW19.8.112)
- (October 22, 2008) e-mail from Graham Seaman (CC.Main.PW19.8.113)
- (October 22, 2008) e-mail from Mary-Anne Gualtieri (CC.Main.PW19.8.114)
- (October 22, 2008) e-mail from Shirley Fairley PW19.8.115 (CC.Main.PW19.8.115)
- (October 22, 2008) e-mail from Mick O'Meara (CC.Main.PW19.8.116)
- (October 22, 2008) e-mail from William Wong and Family (CC.Main.PW19.8.117)
- (October 22, 2008) e-mail from Heather McDonald (CC.Main.PW19.8.118)
- (October 22, 2008) e-mail from John Spragge (CC.Main.PW19.8.119)
- (October 22, 2008) e-mail from David Layton (CC.Main.PW19.8.120)
- (October 22, 2008) e-mail from Martin Koob (CC.Main.PW19.8.121)
- (October 22, 2008) e-mail from Paul Young, Health Promoter, South Riverdale Community Health Centre (CC.Main.PW19.8.122)
- (October 22, 2008) e-mail from David Ward (CC.Main.PW19.8.123)
- (October 22, 2008) e-mail from Diana Knegt (CC.Main.PW19.8.124)
- (October 22, 2008) e-mail from Guy Gualtieri (CC.Main.PW19.8.125)
- (October 22, 2008) e-mail from Debbie Sabadash (CC.Main.PW19.8.126)
- (October 22, 2008) e-mail from Krista Darin (CC.Main.PW19.8.127)
- (October 22, 2008) e-mail from Emerson Waugh (CC.Main.PW19.8.128)
- (October 22, 2008) e-mail from Adam Growe (CC.Main.PW19.8.129)
- (October 17, 2008) e-mail from Maggie Dodge (CC.Main.PW18.8.130)
- (October 23, 2008) e-mail from Chuck Taylor (CC.Supp.PW19.8.131)
- (October 23, 2008) e-mail from David Thom (CC.Supp.PW19.8.132)
- (October 23, 2008) e-mail from Athena Herrmann (CC.Supp.PW19.8.133)
- (October 23, 2008) e-mail from Luke Wintjes (CC.Supp.PW19.8.134)
- (October 23, 2008) e-mail from George Gardiner (CC.Supp.PW19.8.135)
- (October 23, 2008) e-mail from Jim Hazzard and Claire Hazzard (CC.Supp.PW19.8.136)
- (October 23, 2008) e-mail from Jamie Rosenthal (CC.Supp.PW19.8.137)
- (October 23, 2008) e-mail from Anthony and Susan McGrath (CC.Supp.PW19.8.138)
- (October 23, 2008) e-mail from Ryan Day (CC.Supp.PW19.8.139)
- (October 23, 2008) e-mail from Jill Marzetti (CC.Supp.PW19.8.140)
- (October 23, 2008) e-mail from Gillian Concannon (CC.Supp.PW19.8.141)
- (October 24, 2008) e-mail from Rod Mitchell (CC.Supp.PW19.8.142)
- (October 24, 2008) e-mail from Craig Jackson (CC.Supp.PW19.8.143)
- (October 24, 2008) e-mail from Leslie Maunder (CC.Supp.PW19.8.144)
- (October 24, 2008) e-mail from Alan Lawrence (CC.Supp.PW19.8.145)
- (October 24, 2008) e-mail from Heather Jordan (CC.Supp.PW19.8.146)

- (October 24, 2008) e-mail from Sarah Henstra, Assistant Professor, Department of English, Ryerson University (CC.Supp.PW19.8.147)
- (October 24, 2008) e-mail from Michelle Hilscher (CC.Supp.PW19.8.148)
- (October 24, 2008) e-mail from Arthur Gron (CC.Supp.PW19.8.149)
- (October 24, 2008) e-mail from Carlos Patricio (CC.Supp.PW19.8.150)
- (October 24, 2008) e-mail from Vince Tieri (CC.Supp.PW19.8.151)
- (October 24, 2008) e-mail from David Juliusson (CC.Supp.PW19.8.152)
- (October 24, 2008) e-mail from Carmen Victor (CC.Supp.PW19.8.153)
- (October 24, 2008) e-mail from Kevin C. Love (CC.Supp.PW19.8.154)
- (October 25, 2008) e-mail from Ryan O'Brien, Founder, Devil Strip Rollers Bicycle Club (CC.Supp.PW19.8.155)
- (October 25, 2008) e-mail from Angela Dickins (CC.Supp.PW19.8.156)
- (October 25, 2008) e-mail from Catherine Caron (CC.Supp.PW19.8.157)
- (October 25, 2008) e-mail from Ya-Yin Ko (CC.Supp.PW19.8.158)
- (October 25, 2008) e-mail from Douglas Orme (CC.Supp.PW19.8.159)
- (October 26, 2008) e-mail from Al Corlett (CC.Supp.PW19.8.160)
- (October 26, 2008) e-mail from Judy Heikell and Tom Trestain (CC.Supp.PW19.8.161)
- (October 26, 2008) e-mail from Boris M. Kokodyniak (CC.Supp.PW19.8.162)
- (October 26, 2008) e-mail from Gavin O'Hara (CC.Supp.PW19.8.163)
- (October 26, 2008) e-mail from Jaye R. Haworth (CC.Supp.PW19.8.164)
- (October 26, 2008) e-mail from Hernan Alberto Restrepo (CC.Supp.PW19.8.165)
- (October 26, 2008) e-mail from Allison MacDuffee (CC.Supp.PW19.8.166)
- (October 27, 2008) e-mail from Patricia Gaudet (CC.Supp.PW19.8.167)
- (October 27, 2008) e-mail from Mary and Brad Archer (CC.Supp.PW19.8.168)
- (October 27, 2008) e-mail from Barbi Lazarus (CC.Supp.PW19.8.169)
- (October 27, 2008) e-mail from Lisa Stanley (CC.Supp.PW19.8.170)
- (October 27, 2008) e-mail from Shan Janmohamed (CC.Supp.PW19.8.171)
- (October 27, 2008) e-mail from Cameron Barker (CC.Supp.PW19.8.172)
- (October 27, 2008) e-mail from Stepan Wood, Director, Moot Court Program, Osgoode Hall Law School of York University (CC.Supp.PW19.8.173)
- (October 27, 2008) e-mail from Joseph and Katharine Clarkson (CC.Supp.PW19.8.174)
- (October 27, 2008) e-mail from Tom and Gwen Hopkins (CC.Supp.PW19.8.175)
- (October 27, 2008) e-mail from Joel Magnan (CC.Supp.PW19.8.176)
- (October 27, 2008) e-mail from Rita Bijons (CC.Supp.PW19.8.177)
- (October 27, 2008) e-mail from Cheryl McNamara (CC.Supp.PW19.8.178)
- (October 27, 2008) e-mail from Brad Jolly (CC.Supp.PW19.8.179)
- (October 27, 2008) e-mail from Andrew Lewis and Sharon Whyte (CC.Supp.PW19.8.180)
- (October 27, 2008) e-mail from Kalyna Terelya (CC.Supp.PW19.8.181)
- (October 27, 2008) e-mail from Rený Ebacher (CC.Supp.PW19.8.182)
- (October 27, 2008) e-mail from Russell Pochmurski (CC.Supp.PW19.8.183)
- (October 27, 2008) e-mail from Dianne Bradley (CC.Supp.PW19.8.184)
- (October 27, 2008) e-mail from Islay and Mike McGlynn (CC.Supp.PW19.8.185)
- (October 27, 2008) e-mail from Ellen Rengers (CC.Supp.PW19.8.186)

(October 27, 2008) e-mail from Enrquie Soissa (CC.Supp.PW19.8.187)  
(October 27, 2008) e-mail from Laura Hawthorn (CC.Supp.PW19.8.188)  
(October 28, 2008) e-mail from James Ede (CC.Supp.PW19.8.189)  
(October 28, 2008) e-mail from Gregor Herman (CC.Supp.PW19.8.190)  
(October 28, 2008) e-mail from Lars Weiershýuser (CC.Supp.PW19.8.191)  
(October 28, 2008) e-mail from Nicole Hambleton (CC.New.PW19.8.192)  
(October 28, 2008) e-mail from Angelo Mascitelli (CC.New.PW19.8.193)  
(October 28, 2008) e-mail from Christine Brennan (CC.New.PW19.8.194)  
(October 28, 2008) e-mail from Annie Dupuis (CC.Supp.PW19.8.195)  
(October 28, 2008) e-mail from T.C. Gibbs (CC.Supp.PW19.8.196)  
(October 28, 2008) e-mail from Tonu Tosine (CC.New.PW19.8.197)  
(October 28, 2008) e-mail from Colleen Reynolds (CC.New.PW19.8.198)  
(October 28, 2008) e-mail from Rick Reed (CC.New.PW19.8.199)  
(October 29, 2008) e-mail from Roberto E. Zuech (CC.New.PW19.8.200)  
(October 29, 2008) e-mail from Christopher Holcroft (CC.New.PW19.8.201)  
(October 28, 2008) e-mail from Carol McCurdy (CC.New.PW19.8.202)  
(October 28, 2008) e-mail from Rochelle Zorzi (CC.New.PW19.8.203)  
(October 28, 2008) e-mail from Michael Davidson (CC.New.PW19.8.204)  
(October 28, 2008) e-mail from Sue Eason (CC.New.PW19.8.205)  
(October 29, 2008) e-mail from Guy Marjerrison (CC.New.PW19.8.206)  
(October 29, 2008) e-mail from Jeff Brown (CC.New.PW19.8.207)  
(October 29, 2008) e-mail from Andrea Leven-Marcon (CC.New.PW19.8.208)  
(October 29, 2008) e-mail from Phil Johnston (CC.New.PW19.8.209)  
(October 29, 2008) e-mail from Fereshteh Hashemi (CC.New.PW19.8.210)  
(October 29, 2008) e-mail from Linda O. Nagy (CC.New.PW19.8.211)  
(October 30, 2008) e-mail from Brian Stekelenburg (CC.New.PW19.8.212)

#### 25.46 **ETOBICOKE YORK COMMUNITY COUNCIL MEETING 20**

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.

October 29, 2008

Adopted by consent	EY20.10	Removal of On-Street Parking Spaces for Persons with Disabilities – Runnymede Road (Ward 13)
Held for consideration Minute 25.47	EY20.19	Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision on Consent Application for 4 Astoria Avenue, PL 1030 PT LT3 LT4 (Ward 11)

Adopted by consent      EY20.22      Sale of a Parcel of Land at the Northeast Corner of Long Branch Avenue and Muskoka Avenue (Ward 6)

**Consideration of Item - Etobicoke York Community Council Meeting 20**

25.47 **Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision on Consent Application for 4 Astoria Avenue, PL 1030 PT LT3 LT4**

EY20.19	ACTION	Adopted		Ward: 11
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**October 30, 2008**

Deputy Mayor Pantalone in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. City Council authorize the City Solicitor to retain an outside planning consultant and to attend the Ontario Municipal Board hearing to seek refusal of a consent application (B42/08EYK) if it is considered by the Board relating to 4 Astoria Avenue.

Confidential Attachment 1 to the supplementary report (October 29, 2008) from the City Solicitor (EY20.19a), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege.

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

**Background Information (Committee)**

Motion

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-16015.pdf>

Notice of Decision

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-16016.pdf>

**Background Information (City Council)**

Supplementary report (October 29, 2008) from the City Solicitor (EY20.19a)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16607.pdf>)

**25.48 NORTH 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.

October 29, 2008

Adopted by consent	NY19.13	Payment In-Lieu of Parking - 229 Sheppard Avenue West (Ward 23)
Adopted by consent	NY19.17	Installation of Traffic Control Signals - Leslie Street at 1105 Leslie Street (Ward 25)
Held for consideration Minute 25.49	NY19.19	Naming of Proposed Private Lane at 2, 4, 6 Basswood Road, 61, 65, 69 and 71 Churchill Avenue (Ward 23)
Adopted by consent	NY19.23	Site Plan Application - 5350 Yonge Street - St. George's Church Yonge St. Streetscape (Ward 23)
Held for consideration Minute 25.50	NY19.24	Final Report - Official Plan Amendment - Oakwood Avenue Arts District (Ward 15 - Statutory: Planning Act, RSO 1990)
Adopted by consent	NY19.25	Final Report - Rezoning Application - 458 Oakwood Avenue (Ward 15 - Statutory: Planning Act, RSO 1990)
Adopted by consent	NY19.27	Appeal of Committee of Adjustment Decision and Request for Legal Staff and Outside Planning Consultant's attendance at the OMB - B0051/08NY; A0451/08NY; A0452/08NY - 18 Sherwood Avenue (Ward 25)
Adopted by consent	NY19.30	Ontario Municipal Board Hearing – 348 Joicey Boulevard (Ward 16)
Adopted by consent	NY19.32	Appeal of Committee of Adjustment Decision & Request for Legal Staff and Appropriate

City Staff to Attend the OMB Hearing -  
A0428/08NY - 96 Johnston Avenue (Ward 23)

Adopted by consent      NY19.33      Appeal of Committee of Adjustment  
Decision & Request for Legal Staff and Appropriate  
City Staff to Attend the OMB Hearing A0405/08NY  
- 148 Shelborne Avenue (Ward 15)

Adopted by consent      NY19.34      Appeal of Committee of Adjustment Decision and  
Staff Representation at the Ontario Municipal  
Board - 67 Florence Avenue (Ward 23)

**Consideration of Items - North York Community Council Meeting 19**

25.49 **Naming of Proposed Private Lane at 2, 4, 6 Basswood Road, 61, 65, 69 and 71 Churchill Avenue**

NY19.19	ACTION	Adopted		Ward: 23
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

Adoption of the Item, without amendment:

Yes - 14 Councillors:      Ainslie, Augimeri, Del Grande, Filion, Giambrone, Heaps, McConnell, Moeser, Moscoe, Nunziata, Palacio, Perruzza, Stintz, Vaughan
No - 13 Councillors:      Davis, Di Giorgio, Feldman, Ford, Hall, Holyday, Kelly, Lindsay Luby, Pantalone, Parker, Perks, Rae, Thompson

Carried by a majority of 1.

**City Council Decision**

City Council adopted the following motions:

1. City Council name the proposed private lane at 2, 4, 6 Basswood Road, 61, 65, 69 and 71 Churchill Avenue “OMB Folly”, in order to note the most historically significant event to occur on this site, namely the Ontario Municipal Board



decision to approve this development in contradiction of City Planning regulations, despite the strong objections of City Council, City Planning staff and the community.

2. City Council direct that Hallstone Group of Companies pay the costs, estimated to be in the amount of \$600.00, for the fabrication and installation of street name signs.
3. City Council direct that the owners of the proposed private lane or their successors shall maintain, at their own risk, the signage installed under Recommendation 2 of the report (September 18, 2008) from the City Surveyor.
4. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of a naming by-law.

### **Background Information (Committee)**

Staff Report & Attachment 1 - Naming of Proposed Private Lane at 2, 4, 6 Basswood Road, 61, 65, 69 and 71 Churchill Avenue

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15696.pdf>

### 25.50 **Final Report - Official Plan Amendment - Oakwood Avenue Arts District**

NY19.24	ACTION	Adopted		Ward: 15
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### **October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

The Item was adopted, without amendment.

### **City Council Decision**

City Council adopted the following motions:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 2 to the report (September 12, 2008) from the Director, Community Planning, North York District.
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 direct the Chief Planner to prepare a report bringing the Zoning By-laws for this area in conformity with the Official Plan, within one year.
4. City Council direct that a copy of the report (September 12, 2008) from the Director, Community Planning, North York District, be forwarded to Artscape and to Cultural Affairs with a request that they distribute it for information to the Toronto Arts Council and to other arts organizations.

*Statutory - Planning Act, RSO 1990*

### **Background Information (Committee)**

Staff Report & Attachments 1-2 - Final Report - Official Plan Amendment - Oakwood Avenue Arts District  
(<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrrd/backgroundfile-15569.pdf>)

## 25.51 **SCARBOROUGH 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.

October 29, 2008

Held for consideration Minute 25.52	SC19.2	20 Holswade Road - Application to Remove a Private Tree (Ward 35)
Held for consideration Minute 25.53	SC19.5	Proposed Traffic Control Signals – Lebovic Avenue 315 Metres South of Eglinton Avenue East (Private Driveway for 800 Warden Avenue) (Ward 35)
Adopted by consent	SC19.7	Request to Install Pedestrian Crossing Protection at 2220 Midland Avenue (Ward 37)
Adopted by consent	SC19.16	9, 11, 25-31, 45, 47, 65-99 and 103-113 Pilkington Drive (350 Danforth Road), Part Lot Control Application – Final Report (Ward 35)
Adopted by consent	SC19.17	Northwest of Gerrard Street East and Clonmore Drive - Rezoning and Site Plan Applications - Request for Direction Report (Ward 36)
Held for consideration	SC19.18	City Initiated 'Avenue' Study of Lawrence

Minute 25.54

Avenue East between Victoria Park Avenue to  
East of Birchmount Road – Final Report  
(Ward 37 - Statutory: Planning Act, RSO 1990)

**Consideration of Items - Scarborough Community Council Meeting 19**

25.52 **20 Holswade Road - Application to Remove a Private Tree**

SC19.2	ACTION	Adopted		Ward: 35
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**October 30, 2008**

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

Adoption of the Item, without amendment:

Yes - 23 Councillors: Ainslie, Augimeri, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Moeser, Moscoe, Palacio, Pantalone , Perks, Perruzza, Rae, Stintz, Thompson, Vaughan
No - 4 Councillors: Ford, Holyday, Nunziata, Parker

Carried by a majority of 19.

**City Council Decision**

City Council adopted the following motion:

1. City Council deny the request for a permit to remove one (1) privately-owned 48 centimetre diameter Colorado spruce tree at 20 Holswade Road.

**Background Information (Committee)**

Remove a Private Tree - 20 Holswade Road

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15606.pdf>

**25.53 Proposed Traffic Control Signals – Lebovic Avenue 315 Metres South of Eglinton Avenue East (Private Driveway for 800 Warden Avenue)**

<b>SC19.5</b>	ACTION	Adopted		Ward: 35
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**October 29, 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 installation of traffic control signals on Lebovic Avenue 315 metres south of Eglinton Avenue East (private driveway for 800 Warden Avenue).
2. City Council direct that the appropriate by-law(s) be amended accordingly.

**Background Information (Committee)**

Proposed Traffic Control Signals - Lebovic Avenue

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15661.pdf>

**25.54 City Initiated 'Avenue' Study of Lawrence Avenue East between Victoria Park Avenue to East of Birchmount Road – Final Report**

<b>SC19.18</b>	ACTION	Amended		Ward: 37
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Thompson moved that the Item be amended as follows:
  1. to correct a typographical error, Attachment No. 2, the draft Wexford Community Zoning By-law No. 9511, as amended, contained in the staff report dated September 12, 2008, from the Director, Policy and Research, and the Director, Community Planning, Scarborough District, be deleted

and replaced with the attached, corrected Wexford Community Zoning By-law No. 9511, as amended.

2. by adding the following:

City Council hereby determine, pursuant to Section 34(17) of the Planning Act, that no further notice is to be given with respect to the proposed zoning by-law.

*Votes:*

Adoption of motion 1 by Councillor Thompson:

Yes - 37	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 0	

Carried unanimously.

Adoption of the Item, as amended:

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

Carried unanimously.

### **City Council Decision**

City Council adopted the following motions:

1. City Council amend the Wexford Community Zoning By-law 9511, the Dorset Park Community Zoning By-law 9508 and the Employment Districts Zoning By-law – Wexford Employment District 24982, as amended, substantially in accordance with the draft zoning by-law amendments, attached to this report as Attachments 2, 3 and 4, and to correct a typographical error, Attachment No. 2, the draft Wexford Community Zoning By-law No. 9511, as amended, contained in the staff report dated September 12, 2008, from the Director, Policy and Research, and the Director, Community Planning, Scarborough District, be deleted and replaced with the attached, corrected Wexford Community Zoning By-law No. 9511, as amended.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendments as may be required.
3. City Council support, in principle, the streetscape improvements to the Lawrence Avenue right-of-way, shown conceptually in Attachment 5, page 60 on Figure 6.3 of the Consultants Final Report, and that the Chief Planner and Executive Director City Planning, in consultation with the General Managers of Transportation Services and Economic Development, Culture and Tourism, further develop streetscape improvements for the Study Area, and report to Scarborough Community Council in six months' time on the costs and work program to implement the streetscape improvements.
4. City Council adopt the Urban Design Guidelines shown in Attachment 5 on pages 63 through to 77 of the Consultants Final Report.
5. City Council direct Parks, Forestry and Recreation and Real Estate staff, in consultation with the Ward Councillor, to investigate park improvements and acquisitions within the Study Area, as identified in Attachment 5, page 72, Figure 7.7 of the Consultants Final Report, with a focus on developing parkland on the Hydro Corridor lands along the north side of Lawrence Avenue and report thereon to Scarborough Community Council in six months' time.
6. City Council direct City Planning, Transportation Services, and Parks, Forestry and Recreation staff, to work with local landowners and the Ward Councillor to secure publicly accessible open space, parkland and other landscaped open space in order to create linear connections within the Study Area as shown on the Concept Plan on Attachment 5, page 72, Figure 7.7 of the Consultants Final Report and report thereon to Scarborough Community Council in six months' time.
7. City Council direct Toronto Water staff to investigate the sewer capacity within the Study Area to determine the availability of capacity and identify any infrastructure improvements which may be necessary to support the proposed intensification of this area and report to Scarborough Community Council in six months' time on any

capacity issues.

8. City Council direct Transportation Services, the Co-ordinated Street Furniture Program to consider Lawrence Avenue East between Victoria Park Avenue and east of Birchmount Road as a priority area for the placement of street furniture in Ward 37.
9. City Council direct Transportation Services, in consultation with the Ward Councillor and City Planning, to examine the feasibility of reconfiguring the Lawrence Avenue East public right-of-way cross-section between Victoria Park Avenue to east of Birchmount Road to accommodate bicycle lanes and opportunities for median landscaping, while continuing to provide an appropriate level of service for through and turning traffic, and report thereon to Scarborough Community Council in six months' time.
10. City Council direct Transportation Services, Right-of-Way Management, in conjunction with Municipal Licensing and Standards, Investigations, to develop strategy to actively pursue removing private landowner encroachments on the public boulevard and report thereon to Scarborough Community Council in six months' time.
11. City Council direct Transportation Services, in consultation with the Ward Councillor, to examine the feasibility of adding a traffic control signal at the Lawrence Avenue/Wayne Avenue intersection and report thereon to Scarborough Community Council in six months' time.
12. City Council hereby determine, pursuant to Section 34(17) of the Planning Act, that no further notice is to be given with respect to the proposed zoning by-law.

*Statutory - Planning Act, RSO 1990*

**Background Information (Committee)**

Avenue Study - Lawrence East - Victoria Park to east Birchmount Road

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15720.pdf>)

Attachment 5 - Table of Contents to Page 5

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15807.pdf>)

Attachment 5 - Pages 6-18

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15808.pdf>)

Attachment 5 - Pages 19-29

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15809.pdf>)

Attachment 5 - Pages 30-33

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15810.pdf>)

Attachment 5 - Pages 34-38

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15811.pdf>)

Attachment 5 - Pages 39-43

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15812.pdf>

Attachment 5 - Pages 44-58

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15813.pdf>

Attachment 5 - Pages 59-63

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15814.pdf>

Attachment 5 - Pages 64-68

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15815.pdf>

Attachment 5 - Pages 69-78

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15816.pdf>

Attachment 5 - Pages 79-85

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15817.pdf>

Attachment 5 - Pages 86-88

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15819.pdf>

Attachment 5 - Pages 89-91

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15820.pdf>

Attachment 5 - Pages 92-98 (End of attachment 5)

<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-15821.pdf>

### **Background Information (City Council)**

corrected Wexford Community Zoning By-law No. 9511

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16801.pdf>

### **Communications (Committee)**

(October 6, 2008) letter from Randall Roth, MMM Group Limited (SC.New.19.18.1)

(October 6, 2008) e-mail from R. John Wadman, President, RJW

Incorporated (SC.New.19.18.2)

## **25.55 TORONTO AND EAST 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.

October 29, 2008

Adopted by consent	TE19.1	Permanent Closure of Public Lane at the Rear of 585 Queen Street West (Ward 20 - Statutory: City of Toronto Act, 2006)
Adopted by consent	TE19.3	Inclusion on Heritage Inventory - 1091 Eastern Avenue (Ward 32)
Adopted by consent	TE19.4	Demolition of a Structure Within the South Rosedale Heritage Conservation District and Approval of Replacement Structure - 45 Castle



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		Frank Road (Ward 27)
Adopted by consent	TE19.5	Alterations to a Designated Heritage Property - 3 Old George Place (Ward 27)
Adopted by consent	TE19.6	Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - 129 St. Clair Avenue West (Ward 22)
Adopted by consent	TE19.7	Final Report - Rezoning Application - 45 Charles Street East (Ward 27 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE19.8	Final Report - Rezoning Application - 1 and 23 Bloor Street East, 14 Hayden Street and 709 and 711 Yonge Street (Ward 27 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE19.9	Final Report - 181-225 Mill Street Rezoning Application (Ward 28 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 25.56	TE19.10	Final Report - Rezoning Application - 171 East Liberty Street (Ward 19 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 25.57	TE19.11	Final Report - Zoning By-law Amendment Application and Rental Housing Demolition Permit Application - 299 Roehampton Avenue (Ward 22 - Statutory: Planning Act, RSO 1990)
Held for consideration Minute 25.58	TE19.12	Supplementary Report - To amend the Final Report for 57 and 59 Elm Grove Avenue (Ward 14 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE19.13	Final Report - Rezoning Application - 200 Madison Avenue (Ward 22 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE19.14	Final Report - Rezoning Application - 1815 Yonge Street and 25 Merton Street (Ward 22 - Statutory: Planning Act, RSO 1990)
Adopted by consent	TE19.15	Rezoning Application and Site Plan Control Directions Report - 763-765 Woodbine Avenue

		& 1945-1955 Gerrard Street East (Ward 32)
Held for consideration Minute 25.59	TE19.16	Request for Direction Report - Rezoning and Site Plan Applications - 1638-1644 Bloor Street West (Ward 14)
Adopted by consent	TE19.41	Sign Variance - 40 Bay Street (Ward 28)
Adopted by consent	TE19.42	Final Report - Part Lot Control Application - 1400 Eglinton Avenue West (Ward 21)
Adopted by consent	TE19.45	Removal of On-Street Parking Space for Persons With Disabilities – Gerrard Street East (Ward 32)
Adopted by consent	TE19.47	Parking for Buses - Davenport Road, west of Bathurst Street (Ward 21)
Adopted by consent	TE19.55	Proposed Permanent Closure and Sale of a Portion of the Public Lane at the Rear of 427 Shaw Street (Ward 19)
Adopted by consent	TE19.56	Permanent Closure of the Public Lane Abutting the Rear of 118 Enderby Road (Ward 32)
Adopted by consent	TE19.57	Proposed Permanent Closure and Sale of a Portion of the Public Lane at the Rear of 3 Kimberley Avenue (Ward 32)
Adopted by consent	TE19.64	Endorsement of Events for Liquor Licensing Purposes (Ward All)
Adopted by consent	TE19.66	Committee of Adjustment Appeal - 1917 Queen Street East (Ward 32)
Adopted by consent	TE19.68	Committee of Adjustment Appeal - 12 Sully Crescent (Ward 19)
Adopted by consent	TE19.69	Committee of Adjustment Appeal - 410 Rosemary Road (Ward 21)

**Consideration of Items - Toronto and East York Community Council  
Meeting 19**

**25.56 Final Report - Rezoning Application - 171 East Liberty Street**

TE19.10	ACTION	Amended		Ward: 19
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motion:*

1. Deputy Mayor Pantalone moved that the Item be amended by:
  1. deleting from Recommendation 1b of the Toronto and East York Community Council, the words “dry cleaners” and “day care”, so that Recommendation 1b now reads as follows:
    1. The draft Zoning by-law amendment specify:
      - b. uses, such as dry-cleaners distribution station, auctioneer’s premises, laundry shop, pet grooming and pawn brokers are not permitted uses.
  2. deleting Recommendation 4 of the Toronto and East York Community Council and replacing it with the following:
    4. The applicant shall undertake in writing to the City to plant eight (8) trees, at the applicant’s sole expense, within the City’s right-of-way along the Hanna Avenue frontage in accordance with a landscape plan to be agreed to in consultation with the Ward Councillor, the Chief Planner and the City Forester, provided the applicant and the City agree upon terms for the acquisition by the applicant of that portion of the said right-of-way.
  3. adding the following:

City Council hereby determine, pursuant to Section 34(17) of the Planning Act, that no further notice is to be given with respect to the proposed zoning by-law.

*Votes:*

Motion 1 by Deputy Mayor Pantalone carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. The draft Zoning by-law amendment specify:
  - a. that no single unit can exceed 500 square metres with the exception of four single units within the building being permitted to have a total floor area of up to 750 square metres per unit;
  - b. uses, such as dry-cleaners distribution station, auctioneer's premises, laundry shop, pet grooming and pawn brokers are not permitted uses; and
  - c. retail stores and home furniture stores are included in the list of permitted uses.
2. City Council amend Zoning By-law 438-86 of the former City of Toronto to permit certain retail and service uses as described in the report (September 22, 2008) from the Director, Community Planning, Toronto and East York District and as set out in Part 1 above.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required and to submit the draft Zoning By-law Amendment to the Council meeting on October 29, 2008.
4. The applicant shall undertake in writing to the City to plant eight (8) trees, at the applicant's sole expense, within the City's right-of-way along the Hanna Avenue frontage in accordance with a landscape plan to be agreed to in consultation with the Ward Councillor, the Chief Planner and the City Forester, provided the applicant and the City agree upon terms for the acquisition by the applicant of that portion of the said right-of-way.
5. City Council hereby determine, pursuant to Section 34(17) of the Planning Act, that no further notice is to be given with respect to the proposed zoning by-law.

*Statutory - Planning Act, RSO 1990*

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15835.pdf>

### **25.57 Final Report - Zoning By-law Amendment Application and Rental Housing Demolition Permit Application - 299 Roehampton Avenue**

TE19.11	ACTION	Adopted		Ward: 22
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**October 29, 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 former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 of the report (September 15, 2008) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning, to make such stylistic, technical or other changes to the draft Zoning By-law Amendment as may be required to give effect to the intent of the recommendations contained in the report (September 15, 2008) from the Acting Director, Community Planning, Toronto and East York District.
3. City Council authorize the Chief Planner and Executive Director, City Planning, to issue approval to the application to demolish the rental housing units located at 42, 44, 46, 48, 50 Rawlinson Avenue and 325 and 327 Roehampton Avenue under Municipal Code Chapter 667.
4. Before introducing the necessary Bill(s) to City Council, authorize the appropriate City officials and require the owner to execute an Agreement pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor. The agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor, will secure the following facilities, services and matters:
  - i. \$500,000 for deposit to a dedicated fund for the construction of improvements to the Northern Secondary School playing field with such improvements to be determined by the Chief Planner in consultation with the Toronto District School Board. The use of these funds for the purpose of playing field improvements is contingent upon securing for the general public, reasonable access to the playing field for recreational purposes outside of school hours. In the event that reasonable public access cannot be secured, or in the event that playing field improvements have not commenced within 5 years of the by-law coming into force and effect, Council authorizes the use of these funds for alternative park acquisition or

- improvements in Ward 22. These funds are to be provided to the City upon the implementing zoning by-law for the development coming into full force and effect;
- ii. \$500,000 for deposit into the parkland acquisition and development fund that is established to purchase, design and construct a new park in the Yonge – Eglinton Centre. Such funds are to be provided to the City upon the issuance of the first above-grade building permit for the third apartment building on the site;
  - iii. the owner shall maintain the 431 existing rental dwelling units as rental housing for a minimum period of twenty (20) years commencing from the date this by-law comes into effect, and agrees that no application for a conversion to condominium will be made for these units during the twenty year period;
  - iv. prior to, or in conjunction with, the construction of a building within Area C, the owner shall construct a recreation centre for the exclusive use of the residents of the lot, located within Area D, which shall contain a minimum of 900 square metres of residential amenity space;
  - v. the owner shall develop and implement, to the satisfaction of the Chief Planner and Executive Director of the City Planning Division, an appropriate Construction Mitigation Plan and Resident Communication Strategy prior to the issuance of a demolition permit;
  - vi. the owner pay all costs associated with the installation of a southbound left-turn advance phase at the intersection of Eglinton Avenue East and Mount Pleasant Road, as assessed by iTRANS Consulting in their August 2007 report;
  - vii. the owner will incorporate in the construction of the building, exterior materials to be shown on 1:50 scale drawings of the Rawlinson Avenue building frontage that form part of the approved Site Plan for the development. This is to be included in the Section 37 agreement as a matter of legal convenience; and
  - viii. the cash amount identified in Part 4i., above, shall be indexed in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

5. The owner will enter into a Site Plan Agreement under Section 41 of the Planning Act, prior to the issuance of the first above grade building permit.
6. Before the introduction of the necessary Bills to City Council, the applicant shall have received permission for the protection, removal and replacement of trees on site pursuant to an application under Toronto Municipal Code Chapter 813, Article III, "Tree Protection" for the private trees that qualify for protection and are proposed to be removed as part of the proposal.
7. The owner will submit to the Executive Director of Technical Services for review and acceptance, prior to the issuance of any permit including excavation and shoring, a site servicing review to demonstrate how this site will be serviced and whether the existing municipal infrastructure is adequate.
8. The owner will provide for any improvements to the municipal infrastructure in connection with the functional servicing report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure are required to support this development.
9. City Council authorizes City officials to take all necessary steps, including the execution of agreements and documents, to give effect to the above-noted recommendations.

*Statutory - Planning Act, RSO 1990*

### **Background Information (Committee)**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15703.pdf>

### **Communications (Committee)**

(September 18, 2008) e-mail from Art McIlwain, Gleneden Property Service Corporation (TE.Main.TE19.11.1)

(September 17, 2008) e-mail from Deirdre Thompson (TE.Main.TE19.11.2)

(September 19, 2008) e-mail from Michael Szego (TE.Main.TE19.11.3)

(October 2, 2008) fax from J. MacKay (TE.New.TE19.11.4)

## **25.58 Supplementary Report - To amend the Final Report for 57 and 59 Elm Grove Avenue**

<b>TE19.12</b>	ACTION	Amended		Ward: 14
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**October 29, 2008**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Perks moved that the Item be amended by deleting Recommendation 1c of the Toronto and East York Community Council and replacing it with the following:
  - 1c. by replacing the Zoning By-law Amendment with the Revised Attachment A: Draft Zoning By-law Amendment.

*Votes:*

Motion 1 by Councillor Perks carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. City Council amend the authority granted by City Council on September 26 and 27, 2007 (Item TE8.2), as follows:
  - a. by deleting Recommendation 4(ii) and replacing it as follows:

“4(ii) Provide written confirmation from the owner to the Chief Planner and Executive Director, City Planning Division that 59 Elm Grove Avenue, containing a pair of semi-detached dwellings fronting on Elm Grove with a total of 2 dwelling units and 4 row houses to the rear, will be registered as one standard condominium corporation.”;
  - b. by replacing the Official Plan Amendment with Attachment 1 to the report (September 11, 2008) from the Acting Director, Community Planning, Toronto and East York District; and
  - c. by replacing the Zoning By-law Amendment with the Revised Attachment A: Draft Zoning By-law Amendment.
2. City Council make the determination that no further notice is to be given in respect of the proposed Zoning By-law for 57 and 59 Elm Grove Avenue.

*Statutory - Planning Act, RSO 1990*



### Background Information (Committee)

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15723.pdf>

Excerpt from City Council Minutes of September 26 and 27, 2007 Re: Item TE8.2

<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15919.pdf>

### Background Information (City Council)

Revised Attachment "A": Draft Zoning By-law Amendment

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16740.pdf>

### Communications (Committee)

(October 7, 2008) Member Motion from Councillor Perks (TE.New.TE19.12.1)

<http://www.toronto.ca/legdocs/mmis/2008/te/comm/communicationfile-8790.pdf>

(October 7, 2008) Member Motion from Member Motion (TE.New.TE19.12.1.attach a)

<http://www.toronto.ca/legdocs/mmis/2008/te/comm/communicationfile-8828.pdf>

## 25.59 Request for Direction Report - Rezoning and Site Plan Applications - 1638-1644 Bloor Street West

TE19.16	ACTION	Amended		Ward: 14
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### October 29, 2008

Speaker Bussin in the Chair.

#### *Motion:*

1. Councillor Perks moved that the Item be amended in accordance with the following recommendations contained in the report (October 28, 2009) from the City Solicitor:
  1. City Council not adopt the recommendations of Toronto and East York Community Council;
  2. City Council consider the Settlement Offer summarized in Attachment 1 and adopt the confidential recommendations in Confidential Attachment 1; and
  3. If adopted, the confidential instructions together with Appendix 1, be released at the end of the Council meeting.

#### *Votes:*

Motion 1 by Councillor Perks carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

1. City Council consider the Settlement Offer summarized in Confidential Attachment 1 to the supplementary report (October 28, 2008) from the City Solicitor, and adopt the confidential recommendations in Confidential Attachment 1.
2. If adopted, the confidential instructions together with Appendix 1, be released at the end of the Council meeting.

The following recommendations and Appendix 1 contained in Confidential Attachment 1 to the report (October 28, 2008) from the City Solicitor (TE19.16a), are now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. Council accept the Settlement Offer, attached as Appendix "1".
2. Appendix "1" to this report be publicly released, along with the confidential instructions, at the end of the Council meeting.

### **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-16054.pdf>

#### **Background Information (City Council)**

Supplementary report (October 28, 2008) from the City Solicitor (TE19.16a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16610.pdf>

Settlement Offer Appendix "1" (Public release of confidential information)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16766.pdf>

#### **Communications (Committee)**

(October 7, 2008) letter from The West Bend Community Association (TE.New.TE19.16.1)

### **16a Rezoning and Site Plan Applications Request for Direction Report - 1638 - 1644 Bloor Street West**

**Background Information (Committee)**

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/te/bgrd/backgroundfile-15832.pdf>)

**25.60 NEW BUSINESS FROM THE MAYOR AND CITY OFFICIALS**

**October 29, 2008**

Speaker Bussin in the Chair

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

Adopted by consent.      CC25.1 (October 20, 2008) from the City Solicitor, headed “820-822 Gerrard Street East – Settlement Offer”  
*(Confidential Attachment – solicitor-client privilege)*

Adopted by consent.      CC25.2 (October 20, 2008) from the City Solicitor, headed “173 Chesterton Shores - Request for Further Direction, Ontario Municipal Board Appeal re Minor Variance Application A259/05SC”  
*(Confidential Attachment - litigation or potential litigation that affects the City or one of its agencies, boards and commissions)*

Held for consideration.      CC25.3 (October 16, 2008) from Mayor David Miller, Minute 25.61  
 headed “Appointment of Citizens to the Board of Directors of Toronto Hydro Corporation”  
*(Confidential Attachment - personal matters about identifiable individuals being considered for appointment to the Board of Directors of Toronto Hydro Corporation, including municipal or local board employees)*

**25.61 Appointment of Citizens to the Board of Directors of Toronto Hydro Corporation**

CC25.3	ACTION	Amended		
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**October 30, 2008**

Speaker Bussin in the Chair

*Motion:*

1. Councillor Shiner moved that Item CC25.3 be amended by adding the following:

"City Council extend its thanks and appreciation to the outgoing members of the Board of Directors, Toronto Hydro Corporation, for their dedication and hard work."

*Votes:*

Motion 1 by Councillor Shiner carried.

Item CC25.3, as amended, carried.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council, with regard to one individual, waive Section 3.2 of the Public Appointments Policy.
2. City Council appoint the eight persons, including the recommended Chair and Chair-Designate, listed in Confidential Attachment 2 to this report, to serve at the pleasure of Council as members of the Board of Directors of Toronto Hydro Corporation effective December 1, 2008, for a term ending November 30, 2010, with a renewal term of two years, or until a successor is appointed.
3. City Council appoint the recommended Chair effective December 1, 2008, until November 30, 2010, and the Chair-Designate be appointed Chair effective from December 1, 2010, until November 30, 2012.
4. Confidential Attachments 1 and 2 be made public following City Council's approval.
5. City Council extend its thanks and appreciation to the outgoing members of the Board of Directors, Toronto Hydro Corporation, for their dedication and hard work.

Confidential Attachment 1 to the report (October 22, 2008) from the Chair, Corporations Nominating Panel, is now public in its entirety and contains the following:

The current Chair has served three terms on the Toronto Hydro Corporation Board of Directors beyond the limit of two consecutive terms in Council's Public Appointments Policy. The Panel recommends that the current Chair be re-appointed to that position for two years to mentor the Chair-Designate into that role as part of succession planning, after which the Chair-Designate would become Chair and the current Chair would become a Member of the Board.

Confidential Attachment 2 to the report (October 22, 2008) from the Chair, Corporations Nominating Panel, is now public in its entirety and contains the following:

**Recommended Citizen Appointments to the  
Toronto Hydro Corporation Board of Directors**

Mr. Clare Copeland (Incumbent Chair and Recommended Chair)  
Chief Executive Officer, Falls Management Company  
Former Chair and CEO, OSF Inc.  
Former President and CEO, Peoples Jewellers Corporation  
Former Chair, Sun Media Corporation  
Former Chair, Ontario Place

Patricia Callon (Incumbent Board Member and Recommended Chair-Designate)  
Former Vice-President and Associate General Counsel, Canadian Imperial Bank of Commerce  
Former Senior Counsel, Seaboard Life Insurance Company  
Former Counsel, Sun Life Assurance Company of Canada

Mr. Brian Chu (Incumbent Board Member)  
Partner, Bogart, Robertson and Chu  
Director, Laidlaw Foundation  
Director, Apparel Industry Development Council  
Former Chair, Ontario College of Art and Design  
Former Vice-Chair, Centennial College of Applied Arts and Technology  
Former Vice-Chair, Chinese Cultural Centre of Greater Toronto

Derek Cowbourne  
Former Vice-President and Chief Operating Officer, Independent Electricity System Operator  
Member, Institute of Corporate Directors

Paulette Kennedy  
Commissioner, Ontario Securities Commission  
Former Senior Vice-President and Chief Financial Officer, AEGON Canada Inc.  
Former Senior Vice-President and Chief Auditor, Sobey's Inc.  
Former Vice-President, Finance and Actuarial, Sun Life Assurance Company of Canada

Shoba Khetrpal  
 Vice-Chair, St. Joseph's Health Centre  
 Director, Cancer Care Ontario  
 Member, Canada Pension Plan Review Tribunal  
 Former Vice-President and Chief Financial Officer, Weekenders International  
 Former Vice-President and Treasurer, Moore Corporation Ltd.

Mike Richmond  
 Partner and Co-Chair, Energy Law Group, McMillan LLP  
 Director, Tribute Resources Inc.  
 Former Senior Policy Advisor, Ontario Minister of Energy  
 Former Director, Ontario Energy Association

William Rupert  
 Managing Director, Regulatory Policy Development, Ontario Energy Board (until  
 November 4, 2008)  
 Former Partner, Ernst and Young LLP  
 Practice Fellow, Financial Accounting Standards Board  
 Member, Board of Management, Ontario Centre of Excellence for Energy  
 Former Member, Commodity Futures Advisory Board, Ontario Securities Commission  
 Former Director, Casey House Hospice

**Confidential Attachment - Personal matters about identifiable individuals being  
 considered for appointment to the Board of Directors of Toronto Hydro  
 Corporation, including municipal or local board employees**

#### **Background Information (City Council)**

Letter (October 16, 2008) from Mayor David Miller  
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16512.pdf>  
 Report (October 22, 2008) from the Chair, Corporations Nominating Panel  
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16513.pdf>

#### **NOTICES OF MOTION**

- 25.62 **CN Rail Design and Construction – Impact on Installation of Traffic Signals  
 at Strachan Avenue and East Liberty Street**  
*Moved by Deputy Mayor Pantalone, seconded by Councillor Perks*

MM25.1	ACTION	Adopted		
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**October 30, 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 MM25.1 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.1 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.1, a Fiscal Impact Statement (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 1)

*Procedural Vote to Consider Motion MM25.1 at this meeting:*

Yes - 27	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, De Baeremaeker, Di Giorgio, Fillion, Grimes, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Palacio, Pantalone, Perks, Rae, Saundercook, Shiner, Vaughan
No - 5	
Councillors:	Del Grande, Feldman, Lee, Thompson, Walker

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

*Vote:*

Motion MM25.1 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. Given the safety issues outlined in the Motion, in the vicinity of the intersection of East Liberty Street and Strachan Avenue, and the long timeframe that has already elapsed:
  - a. CN Rail be requested to expedite the design and construction of all required rail track work to permit the prompt installation of traffic control

signals at this intersection; and

- b. CN Rail be requested to submit an application to Transport Canada for funding of 80 percent of the costs as provided under Section 12 of the Railway Crossing Act, "Grade Crossing Improvement Program".

### **Background Information (City Council)**

Member Motion MM25.1

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16531.pdf>)

Fiscal Impact Statement 1 (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16923.pdf>)

### 25.63 **Donation of Dasher Boards at High Park Artificial Ice Rink** *Moved by Councillor Saundercook, seconded by Councillor Grimes*

<b>MM25.2</b>	ACTION	Adopted		
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#### **October 30, 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 MM25.2 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.2 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.2, a Fiscal Impact Statement (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 2)

*Procedural Vote to Consider Motion MM25.2 at this meeting:*

The vote to consider Motion MM25.2 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.2 was adopted, without amendment.



### City Council Decision

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council accept a donation of \$150,000.00 from Maple Leaf Sports and Entertainment with thanks, for the replacement of the dasher board system at High Park Artificial Ice Rink.
2. The 2008 Parks, Forestry and Recreation Capital Budget be amended to include an additional net zero project of \$150,000.00 for the replacement of the dasherboard system funded by a \$150,000.00 donation from Maple Leaf Sports and Entertainment.
3. The General Manager of Parks, Forestry and Recreation be authorized to enter into a contractual agreement with Maple Leaf Sports and Entertainment for the purpose of accepting the donation.

### Background Information (City Council)

Member Motion MM25.2

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16532.pdf>

Fiscal Impact Statement 2 (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16924.pdf>

### 25.64 Authority to Sign on Behalf of the City - Development Applications Related to the Proposed Development at St. Magnus Drive

*Moved by Councillor Moeser, seconded by Councillor De Baeremaeker*

MM25.3	ACTION	Adopted		
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### October 30, 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 MM25.3 be referred to the Scarborough Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.3 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.3, a Fiscal Impact Statement from the Acting 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 MM25.3 at this meeting:*

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

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

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

Motion MM25.3 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. Subject to Part 2:
  - a. the City consent to the inclusion of Part 5 in the Development Applications, including authorization to Chiavatti to act as agent of the City to sign applicable Development Applications, on terms satisfactory to the City Solicitor;
  - b. the City enter into any property owner's agreement necessary under Chiavatti's Development Applications to include Part 5 therein, on terms satisfactory to the City Solicitor;

- c. the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to sign on behalf of the City any Development Applications and related documents in connection with Part 5; and
  - d. the appropriate City officials be authorized to take the necessary steps to give effect to the foregoing.
2. All actions authorized in Part 1 be subject to the following restrictions and limitations:
- a. such actions shall be taken by or on behalf of the City in its capacity as owner of Part 5 and not in its capacity as a planning authority under the Planning Act, the City of Toronto Act, 2006, or otherwise; and
  - b. such actions are not intended to and do not fetter City Council's right and ability to pass land use by-laws under the Planning Act or the City of Toronto Act, 2006.

**Background Information (City Council)**

Member Motion MM25.3

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16533.pdf>

Appendix "A" - Location Map of Subject Property

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16534.pdf>

25.65 **Elimination of Blue Jay Ticket Purchases for Councillors**

*Moved by Councillor Heaps, seconded by Councillor De Baeremaeker*

MM25.4	ACTION	Adopted		
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**October 30, 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 MM25.4 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.4 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.4, a Fiscal Impact Statement from the Acting 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 MM25.4 at this meeting:*

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

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

Deputy Speaker Lindsay Luby in the Chair.

*Motion:*

1. Councillor Stintz moved that Motion MM25.4 be referred to the City Clerk with a request that she canvass members to determine which community groups used the boxes and would be adversely affected by the adoption of Motion MM25.4 and report to the Budget Committee.

*Vote on Referral:*

Adoption of motion 1 by Councillor Stintz:

Yes - 10	
Councillors:	Di Giorgio, Feldman, Kelly, McConnell, Palacio, Pantalone, Parker, Perruzza, Rae, Stintz
No - 17	
Councillors:	Ainslie, Davis, De Baeremaeker, Del Grande, Filion, Ford, Giambrone, Hall, Heaps, Holyday, Lindsay Luby, Moeser, Moscoe, Nunziata, Perks, Thompson, Vaughan

Lost by a majority of 7.

*Vote to adopt Motion MM25.4, without amendment:*

Yes - 17 Councillors:	Ainslie, De Baeremaeker, Del Grande, Filion, Ford, Giambrone, Hall, Heaps, Holyday, Lindsay Luby, Moeser, Moscoe, Nunziata, Parker, Perks, Thompson, Vaughan
No - 10 Councillors:	Davis, Di Giorgio, Feldman, Kelly, McConnell, Palacio, Pantalone, Perruzza, Rae, Stintz

Carried by a majority of 7.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council direct the City Clerk's Office, effective December 1, 2008, to advise Rogers Centre and the Toronto Blue Jays Baseball Club that the City of Toronto will not be purchasing the Blue Jays home game tickets for Suite 311 for the 2009 baseball season.

**Background Information (City Council)**

Member Motion MM25.4

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16535.pdf>)

25.66 **15 Delavan Avenue – Ontario Municipal Board Appeal**

*Moved by Councillor Mihevc, seconded by Councillor De Baeremaeker*

<b>MM25.5</b>	ACTION	Adopted		Ward: 21
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**October 30, 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 MM25.5 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.5 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.5, a Fiscal Impact

Statement from the Acting 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 MM25.5 at this meeting:*

Yes - 40	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0	

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

*Vote:*

Motion MM25.5 was adopted, without amendment.

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. The City Solicitor and Planning staff be instructed to attend the Ontario Municipal Board hearing in support of the refusal of the variances relating to Committee of Adjustment application A0629/08TEY.

### **Background Information (City Council)**

Member Motion MM25.5

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16536.pdf>)

Revised Notice of Decision, Minor Variance/Permission (July 30, 2008) for 15 Delavan 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-16537.pdf>)

- 25.67 **Part Lot Control Exemption - 567 Shuter Street**  
*Moved by Councillor McConnell, seconded by Councillor Rae*

MM25.6	ACTION	Adopted		Ward: 28
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**October 30, 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 MM25.6 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.6 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.6, a Fiscal Impact Statement from the Acting 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 MM25.6 at this meeting:*

The vote to consider Motion MM25.6 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.6 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council enact a Part Lot Control Exemption By-law, with respect to the subject lands, to be prepared to the satisfaction of the City Solicitor.
2. City Council authorize the City Solicitor to introduce the necessary Bill in Council for a Part Lot Control Exemption By-law to expire six (6) months from the date of enactment.
3. City Council require the owner to provide proof of payment to the satisfaction of the City Solicitor for all current property taxes for the subject site prior to registration of the Part Lot Control Exemption By-law.
4. City Council authorize and direct the appropriate City officials to register the

by-law on title.

5. City Council authorize the City Solicitor to make such stylistic and technical changes to the Part Lot Control Exemption By-law as may be required.

### Background Information (City Council)

Member Motion MM25.6

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16538.pdf>)

Report (October 15, 2008) from the Chief Planner and Executive Director, City Planning

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16539.pdf>)

### 25.68 Holiday Shopping Provisions in The Eaton Centre and The Hudson Bay Company Queen Street Store

*Moved by Councillor Rae, seconded by Councillor McConnell*

MM25.7	ACTION	Adopted		
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### October 30, 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 MM25.7 be referred to the Economic Development Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.7 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.7, a Fiscal Impact Statement from the Acting 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 MM25.7 at this meeting:*

Yes - 33	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Ootes, Palacio,



	Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Vaughan, Walker
No - 7	
Councillors:	Davis, Del Grande, Kelly, Minnan-Wong, Moscoe, Perruzza, Thompson

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

*Vote:*

Motion MM25.7 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council amend By-law No. 153-95 to add Good Friday and Easter Sunday to the days that the Eaton Centre and the Hudson Bay Company Store at Yonge and Queen are permitted to open, thereby extending the same holiday shopping provisions to these entities as currently exist in the rest of the Downtown Yonge Street Business Improvement Area, and the City Solicitor prepare the necessary Bills to give effect to this amendment.

**Background Information (City Council)**

Member Motion MM25.7

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16540.pdf>)

- 25.69 **Request for City Representation at the Ontario Municipal Board to Support Committee of Adjustment's Refusal – 347 Manor Road East (A0666/08TEY)**  
*Moved by Councillor Walker, seconded by Councillor Stintz*

<b>MM25.8</b>	ACTION	Adopted		Ward: 22
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**October 30, 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 MM25.8 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.8 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.8, a Fiscal Impact Statement from the Acting 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 MM25.8 at this meeting:*

The vote to consider Motion MM25.8 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.8 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council direct the City Solicitor and the appropriate staff to appear at the Ontario Municipal Board to support the Toronto and East York Committee of Adjustment's refusal of the application for variances for 347 Manor Road East.

**Background Information (City Council)**

Member Motion MM25.8

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16541.pdf>)

Notice of Decision, Minor Variance/Permission (July 9, 2008) for 347 Manor Road East, 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-16542.pdf>)

**25.70 Authorize City Solicitor to enter into an agreement to extend the 90-day limit on the demolition application at 106 Wychwood Park under the Ontario Heritage Act**

*Moved by Councillor Mihevc, seconded by Councillor De Baeremaeker*

MM25.9	ACTION	Adopted		Ward: 21
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**October 30, 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 MM25.9 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.9 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.9, a Fiscal Impact Statement from the Acting 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 MM25.9 at this meeting:*

The vote to consider Motion MM25.9 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.9 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council authorize the City Solicitor enter into an agreement with the owner of 106 Wychwood Park to extend the 90-day limit under the Ontario Heritage Act to continue negotiations prior to an Ontario Municipal Board Hearing.

**Background Information (City Council)**

Member Motion MM25.9

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16543.pdf>)

Notice of Decision, Consent (February 27, 2008) for 106 Wychwood Park, 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-16544.pdf>)

Notice of Decision, Minor Variance/Permission (February 27, 2008) for 106A Wychwood Park, 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-16545.pdf>)

Notice of Decision, Minor Variance/Permission (February 27, 2008) for 106B Wychwood Park, 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-16546.pdf>

25.71 **Authorization to enter into Site Plan Undertaking with Aldgate Construction (774751 Limited) for 2030 - 2060 Ellesmere Road**

*Moved by Councillor De Baeremaeker, seconded by Councillor Mihevc*

MM25.10	ACTION	Adopted		Ward: 38
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**October 30, 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 MM25.10 be referred to the Scarborough Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.10 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.10, a Fiscal Impact Statement (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 3)

*Procedural Vote to Consider Motion MM25.10 at this meeting:*

The vote to consider Motion MM25.10 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.10 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. The Director of Community Planning, Scarborough District, be requested to amend the Notice of Approval Conditions dated July 7, 2008, to require the lessee of 2030 - 2060 Ellesmere Road to enter into a Site Plan Undertaking with the City, rather than requiring the owner to enter into a Site Plan Agreement with the City.

2. Staff be directed to give effect hereto.

**Background Information (City Council)**

Member Motion MM25.10

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16547.pdf>)

Fiscal Impact Statement 3 (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16925.pdf>)

**25.72 The Suspension of Non-Emergency City Construction Work on Significant Religious Holy Days**

*Moved by Councillor Stintz, seconded by Councillor Feldman*

<b>MM25.11</b>	ACTION	Referred		
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**October 30, 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 MM25.11 be referred to the Public Works and Infrastructure Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.11 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.11, a Fiscal Impact Statement from the Acting 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 MM25.11 at this meeting:*

Yes - 25	
Councillors:	Ainslie, Ashton, Augimeri, Carroll, De Baeremaeker, Feldman, Grimes, Holyday, Jenkins, Kelly, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 16	
Mayor:	Miller

Councillors:	Bussin, Davis, Del Grande, Di Giorgio, Filion, Fletcher, Hall, Heaps, Lee, Lindsay Luby, McConnell, Pantalone, Perks, Perruzza, Rae
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Lost, less than two-thirds of Members present having voted in the affirmative.

### City Council Decision

City Council on October 29 and 30, 2008, referred Motion MM25.11 to the Public Works and Infrastructure Committee.

### Background Information (City Council)

Member Motion MM25.11

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16548.pdf>

### 25.73 Implementation of the Fiscal Review Panel's Recommendation Regarding the Setting of Fiscal Targets

*Moved by Councillor Stintz, seconded by Councillor Jenkins*

MM25.12	ACTION	Referred		
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### October 30, 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 MM25.12 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.12 at this meeting.

#### *Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.12, a Fiscal Impact Statement from the Acting 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 MM25.12 at this meeting:*

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

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

### City Council Decision

City Council on October 29 and 30, 2008, referred Motion MM25.12 to the Executive Committee.

### Background Information (City Council)

Member Motion MM25.12

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16549.pdf>)

- 25.74 **Refusal of Application for Demolition of Structures on a Designated Heritage Property – 1325, 1351 and 1365 Bayview Avenue**  
*Moved by Councillor Parker, seconded by Councillor Stintz*

MM25.13	ACTION	Adopted		Ward: 26
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### October 29, 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 MM25.13 be referred to the North York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.13 at this meeting.

*Procedural Vote to Consider Motion MM25.13 at this meeting:*

The vote to consider Motion MM25.13 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote to Adopt Motion MM25.13, without amendment:*

Yes - 30	
Councillors:	Augimeri, Bussin, Carroll, Cho, Del Grande, Di Giorgio, Filion, Ford, Giambrone, Hall, Heaps, Jenkins, Lee, Lindsay Luby, Mammoliti, McConnell, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2	
Councillors:	Holyday, Perruzza

Carried by a majority of 28.

### **City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council refuse the application for the demolition of the properties at 1325, 1351 and 1365 Bayview Avenue.
2. Should the owner appeal the refusal, City Council authorize the City Solicitor and necessary City staff to attend at the Ontario Municipal Board hearing in opposition of the appeal.
3. City Council authorize the City Solicitor and necessary staff to take such necessary steps to implement the foregoing.

Confidential Attachment 1 to the report (October 27, 2008) from the Director, Planning and Administrative Tribunal Law (MM25.13b), 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 that affects the City or one of its agencies, boards and commissions, and advice that is subject to solicitor-client privilege.

**Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and solicitor-client privilege**

### **Background Information (City Council)**

Member Motion MM25.13

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16550.pdf>)

Report (October 24, 2008) from the Toronto Preservation Board (MM25.13a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16584.pdf>)

Attachment 1 to the report (October 24, 2008) from the Toronto Preservation Board



<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16585.pdf>

Attachment 2 to the report (October 24, 2008) from the Toronto Preservation Board

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16586.pdf>

Supplementary report (October 27, 2008) from the Director, Planning and Administrative Tribunal Law (MM25.13b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16588.pdf>

### **Communications (City Council)**

(October 28, 2008) letter from Ian J. Lord, WeirFoulds LLP (CC.Supp.MM25.13.1)

(October 28, 2008) fax from Edith Geduld, Chair, North York Community Preservation Panel (CC.New.MM25.13.2)

### **25.75 Yonge Subway Extension - Transit Project Assessment Process (TPAP)**

*Moved by Councillor Giambrone, seconded by Councillor Filion*

<b>MM25.14</b>	ACTION	Adopted		
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### **October 30, 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 MM25.14 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.14 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.14, a Fiscal Impact Statement from the Acting 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 MM25.14 at this meeting:*

The vote to consider Motion MM25.14 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.14 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council confirm the City of Toronto as a co-proponent of the Yonge Subway northerly extension project.
2. City Council confirm City of Toronto staff, along with TTC staff, participating in the necessary public consultation process for the project and staff report back on public concerns about the project as required.
3. City Council refer the request for \$0.3 Million in funding (to allow the project to continue until April 2009) through the 2009 – 2013 Capital Program budget process.

**Background Information (City Council)**

Member Motion MM25.14

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16551.pdf>

Letter (October 24, 2008) from the General Secretary, Toronto Transit Commission (MM25.14a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16591.pdf>

Report No. 18 (October 23, 2008) from the Chief General Manager, Toronto Transit Commission, addressed to the Toronto Transit Commission

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16592.pdf>

**MOTIONS WITHOUT NOTICE**

- 25.76 **Appeal of Committee of Adjustment Decision and Request for Planning and Legal Staff attendance at the OMB - A0359/08NY – 146 Dawlish Avenue**  
*Moved by Councillor Jenkins, seconded by Councillor Filion*

MM25.15	ACTION	Adopted		Ward: 25
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**October 30, 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 MM25.15.

*Procedural Vote to Waive Notice:*

The vote to waive notice of Motion MM25.15 carried, two-thirds of Members present having voted in the affirmative.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion MM25.15 be referred to the North York Community Council. A two-thirds vote of the Council Members present is required to consider Motion MM25.15 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.15, a Fiscal Impact Statement from the Acting 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 MM25.15 at this meeting:*

The vote to consider Motion MM25.15 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion MM25.15 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council authorize City Planning and Legal staff to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.

**Background Information (City Council)**

Member Motion MM25.15

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16763.pdf>)

Notice of Decision, Minor Variance/Permission (July 2, 2008) for 146 Dawlish Avenue from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, North York Panel

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16802.pdf>)

25.77 **Appointment of Giuliana Carbone as Acting Deputy Treasurer under Section 138 of the City of Toronto Act, 2006, and Clarifying Signing Authority**

*Moved by Councillor Lindsay Luby, seconded by Councillor Jenkins*

MM25.16	ACTION	Adopted		
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**October 30, 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 MM25.16.

*Procedural Vote to Waive Notice:*

The vote to waive notice of Motion MM25.16 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 MM25.16 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.16 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.16, a Fiscal Impact Statement from the Acting 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 MM25.16 at this meeting:*

The vote to consider Motion MM25.16 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote to Adopt Motion MM25.16, without amendment:*

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

Carried unanimously.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. Giuliana Carbone be appointed Acting Deputy Treasurer for the purposes of section 138 of the City of Toronto Act, 2006.
2. Section 257-8.1 of the City of Toronto Municipal Code be amended:
  - a. by adding the words "or persons acting in the capacity of such officials" after the words "The following officials"; and
  - b. by deleting the words "to carry out the duties assigned by the Chief Financial Officer".
3. Section 257-2 of the Toronto Municipal Code be amended by deleting the words "if assigned to do so by the Chief Financial Officer".

**Background Information (City Council)**

Member Motion MM25.16

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16764.pdf>

25.78 **Student Day of Action**

*Moved by Councillor Perruzza, seconded by Councillor Fletcher*

MM25.17	ACTION	Referred		
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**October 30, 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 MM25.17.

*Procedural Vote to Waive Notice:*

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

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 MM25.17 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.17 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.17, a Fiscal Impact Statement from the Acting 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 MM25.17 at this meeting:*

Yes - 24	
Councillors:	Ashton, Augimeri, Bussin, Carroll, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Heaps, Lee, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 18	
Councillors:	Ainslie, Cho, Davis, Del Grande, Feldman, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Palacio, Shiner, Stintz, Thompson, Walker

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

**City Council Decision**

City Council on October 29 and 30, 2008, referred Motion MM25.17 to the Executive Committee.

**Background Information (City Council)**

Member Motion MM25.17

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16765.pdf>)

- 25.79 **Personnel Matter Respecting the Integrity Commissioner**  
*Moved by Mayor Miller, seconded by Deputy Mayor Pantalone*

MM25.18	ACTION	Amended		
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This Motion was considered during closed session.

(See Minute 25.83)

- 25.80 **Ontario Municipal Board Appeal – 124 Glen Albert Drive**  
*Moved by Councillor Davis, seconded by Councillor Perks*

MM25.19	ACTION	Adopted		Ward: 31
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**October 29, 2008**

Speaker Bussin in the Chair

*Advice by Speaker:*

Speaker Bussin advised the Council that Motion MM25.19 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 Davis 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 MM25.19 to the agenda.

*Procedural Vote to add Motion MM25.19 to the Agenda for Consideration at this Meeting:*

The vote to add Motion MM25.19 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

**October 30, 2008**

Speaker Bussin in the Chair

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.19, a Fiscal Impact Statement from the Acting 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 MM25.19 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motions:

1. City Council authorize the City Solicitor to appeal the decisions of the Committee of Adjustment related to 124 Glen Albert Drive, including the Consent to sever (File No. B0118/08TEY) and the Minor Variances (File No. A0819/08TEY), to the Ontario Municipal Board.
2. City Council authorize the City Solicitor and the appropriate City staff to appear at the Ontario Municipal Board to support the position of the Planning Department that the Consent and Minor Variances be refused.

**Background Information (City Council)**

Member Motion MM25.19

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16760.pdf>

Report (October 8, 2008) addressed to the Chair and Members of the Committee of Adjustment, Toronto and East York District, from the Director, Community Planning, Toronto and East York District

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16769.pdf>

Notice of Decision, Minor Variance/Permission (October 22, 2008) for 124 Glen Albert Drive, 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-16770.pdf>

Notice of Decision, Consent (October 22, 2008) for 124 Glen Albert Drive, 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-16771.pdf>



25.81 **121-125 Rusholme Road - Request for City Solicitor to Appear at the Ontario Municipal Board**

*Moved by Councillor Giambrone, seconded by Councillor Thompson*

MM25.20	ACTION	Adopted		Ward: 18
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**October 30, 2008**

Speaker Bussin in the Chair

*Advice by Speaker:*

Speaker Bussin advised the Council that Motion MM25.20 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 MM25.20 to the agenda.

*Procedural Vote to add Motion MM25.20 to the Agenda for Consideration at this Meeting:*

The vote to add Motion MM25.20 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

Motion MM25.20 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council direct the City Solicitor to appear at the Ontario Municipal Board with appropriate independent consultant(s), if necessary, in support of the Committee of Adjustment's refusal of Application A0110/04T on July 9, 2008.

**Background Information (City Council)**

Member Motion MM25.20

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrrd/backgroundfile-16910.pdf>

Notice of Decision, Minor Variance/Permission (July 9, 2008) for 121-125 Rusholme 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-16911.pdf>)

- 25.82 **Request for Direction - Ontario Municipal Board Appeal of 180-188 University Avenue Site Plan Approval Application**  
*Moved by Councillor Vaughan, seconded by Councillor Jenkins*

MM25.21	ACTION	Adopted		Ward: 21
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**October 30, 2008**

Speaker Bussin in the Chair

*Advice by Speaker:*

Speaker Bussin advised the Council that Motion MM25.21 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 Vaughan 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 MM25.21 to the agenda.

*Procedural Vote to add Motion MM25.21 to the Agenda for Consideration at this Meeting:*

The vote to add Motion MM25.21 to the agenda for consideration at this meeting carried, at least 30 Members of Council present having voted in the affirmative.

Deputy Speaker Lindsay Luby in the Chair.

*Vote:*

Motion MM25.21 was adopted, without amendment.

**City Council Decision**

City Council on October 29 and 30, 2008, adopted the following motion:

1. City Council authorize the City Solicitor and such staff as are appropriate, together with an outside consultant as may be required, to appear at the Ontario Municipal Board currently scheduled to commence on November 5, 2008, in support of the application for Site Plan Approval for 180-188 University Avenue. Support is subject to addressing and, if necessary, rectifying air quality issues related to emissions from the Pearl Street Steam Plant that may affect the development at 180-188 University Avenue, to the satisfaction of the Chief Planner and Executive

Director.

**Background Information (City Council)**

Member Motion MM25.21

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16913.pdf>)

Report (October 29, 2008) from the Chief Planner and Executive Director, City Planning Division

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16914.pdf>)

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

**October 29, 2008**

Speaker Bussin in the Chair.

*Procedural Motion:*

Councillor Moscoe, at 6:00 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:

EY20.19 Reason for Confidential Information: *The receiving of advice that is subject to solicitor-client privilege*, as it relates to Request for Attendance at an Ontario Municipal Board Hearing - Appeal of Committee of Adjustment Decision on Consent Application for 4 Astoria Avenue, PL 1030 PT LT3 LT4 (Ward 11)

CC25.3 Reason for Confidential Information: *Personal matters about identifiable individuals being considered for appointment to the Board of Directors of Toronto Hydro Corporation, including municipal or local board employees*, as it relates to Appointment of Citizens to the Board of Directors of Toronto Hydro Corporation

*Permission to Withdraw Motion:*

Councillor Moscoe, with the permission of Council, withdrew his procedural motion.

**October 30, 2008 - Closed Session 1**

Speaker Bussin in the Chair.

*Procedural Motion:*

Councillor Moscoe, at 5:55 p.m., moved that Council recess its public session to meet as Committee of the Whole in Closed Session to consider confidential information relating to the following matter on the Order Paper, in accordance with the provisions of the City of Toronto Act, 2006:

MM25.18 Reason for Confidential Information: *Personal matters about an identifiable individual, including municipal or local board employees and solicitor-client privilege*, as it relates to  
Personnel Matter Respecting the Integrity Commissioner  
(Moved by Mayor Miller, seconded by Deputy Mayor Pantalone)

*Vote:*

The motion by Councillor Moscoe carried.

Council recessed its public session at 5:55 p.m. to meet as Committee of the Whole in the Council Chamber to consider the above matter, in accordance with the provisions of the City of Toronto Act, 2006.

Committee of the Whole rose, reconvened as Council at 7:30 p.m., and met in public session in the Council Chamber.

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

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

MM25.18 Personnel Matter Respecting the Integrity Commissioner

25.84 **Personnel Matter Respecting the Integrity Commissioner (Moved by Mayor Miller, seconded by Deputy Mayor Pantalone)**

MM25.18	ACTION	Amended	
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**October 30, 2008 - Public Session**  
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 MM25.18.

*Procedural Vote to Waive Notice:*

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

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

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion MM25.18 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion MM25.18 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion MM25.18, a Confidential Fiscal Impact Statement (October 29, 2008) from the Deputy City Manager and Chief Financial Officer.

*Procedural Vote to Consider Motion MM25.18 at this meeting:*

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

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

Deputy Speaker Lindsay Luby in the Chair.

*Report of the Committee of the Whole:*

Deputy Speaker Lindsay Luby, in accordance with the provisions of the City of Toronto Act, 2006, and Chapter 27, Council Procedures, reported that Committee of the Whole had recommended confidential instructions to staff.

*Motion moved in Public Session:*

1. Councillor Del Grande moved that MM25.18 be amended by deleting Recommendation 1, and that Council adopt instead the following:
  1. Council adopt the confidential instructions to staff as recommended by Committee of the Whole.
  2. The confidential instructions adopted by City Council be released at the discretion of the City Solicitor.

*Vote:*

Adoption of MM25.18, as amended by motion 1 by Councillor Del Grande:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan
No - 0	

Carried unanimously.

### **City Council Decision**

City Council issued confidential instructions to staff that are to remain confidential at this time, in accordance with the provisions of the City of Toronto Act, 2006, as they contain personal information about an identifiable individual and advice that is subject to solicitor-client privilege. The confidential instructions adopted by City Council will be

released at the discretion of the City Solicitor.

Confidential Attachment 1 to the report (October 28, 2008) from the City Manager and City Solicitor, 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 and advice that is subject to solicitor-client privilege.

**Confidential Attachment - Personal matters about an identifiable individual, including municipal or local board employees and solicitor-client privilege**

**Background Information (City Council)**

Member Motion MM25.18

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16767.pdf>)

Report (October 28, 2008) from the City Manager and the City Solicitor

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-16768.pdf>)

Confidential Fiscal Impact Statement (October 29, 2008) from the Acting Deputy City Manager and Chief Financial Officer

**BILLS AND BY-LAWS**

**October 29, 2008 - 11:14 a.m.**

Speaker Bussin in the Chair

- 25.85 Councillor Parker moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1162	By-law No. 1109-2008	To confirm the proceedings of the Council at its meeting held on the 29th day of October, 2008,
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the vote on which was taken as follows:

Yes - 33	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 32.

**October 29, 2008 - 7:55 p.m.**

Speaker Bussin in the Chair

- 25.86 Councillor Perks moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1163	By-law No. 1110-2008	To confirm the proceedings of the Council at its meeting held on the 29th day of October, 2008,
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the vote on which was taken as follows:

Yes - 32	Councillors: Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
No - 2	Councillors: Ford, Minnan-Wong

Carried by a majority of 30.

**October 30, 2008 - 9:16 p.m.**

Deputy Speaker Lindsay Luby in the Chair

- 25.87 Councillor Stintz 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:

Bill No. 1099	By-law No. 1111-2008	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue West.
Bill No. 1100	By-law No. 1112-2008	To authorize the alterations on the southeast corner of Yonge Street and Church Street, Davenport Road west of Yonge Street, and Scollard Street



		west of Yonge Street, for an exclusive eastbound left-turn lane on Davenport Road at Yonge Street.
Bill No. 1101	By-law No. 1113-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting St. Clair Avenue West.
Bill No. 1102	By-law No. 1114-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting Brimorton Drive.
Bill No. 1103	By-law No. 1115-2008	To amend City of Toronto Municipal Code Chapter 925, Permit Parking, regarding Rogers Road.
Bill No. 1104	By-law No. 1116-2008	To permanently close the public lane at the rear of 585 Queen Street West.
Bill No. 1105	By-law No. 1117-2008	To amend former City of Toronto Zoning By-law No. 1996-0245, as amended, with respect to the lands municipally known as 90 Sloping Sky Mews being Block 3A in the Fort York Neighbourhood.
Bill No. 1106	By-law No. 1118-2008	To adopt Amendment No. 38 to the Official Plan for the City of Toronto with respect to authorizing funding of Heritage Conservation District studies as eligible community benefits under Section 37 of the Planning Act, in specific areas of the City.
Bill No. 1107	By-law No. 1119-2008	To amend former City of Scarborough Wexford Community Zoning By-law No. 9511, as amended, with respect to all lands along Lawrence Avenue East between Victoria Park Avenue, to east of Birchmount Road (including 2157 Lawrence Avenue, 2180 Lawrence Avenue,

1236 Birchmount Road, 131 Wayne Avenue, 8 Tower Drive, 1795 and 1805 Victoria Park Avenue, 1108 Pharmacy Avenue, 136 Crockford Boulevard and 2 and 5 Elinor Avenue) as outlined on Schedules 1 through 5.

Bill No. 1108	By-law No. 1120-2008	To amend the former City of Scarborough Zoning By-law No. 24982, (Wexford Employment District), as amended, with respect to all lands on the north and south sides of Lawrence Avenue East from just west of Crockford Boulevard to Birchmount Road (including 2105, 2106, 2110, 2115, 2116, 2119, 2130, 2131, 2135, 2139, 2150 and 2154 Lawrence Avenue East and a small portion of land on the south side of Lawrence Avenue East formerly part of the C.P.R. rail line) and 136 Crockford Boulevard, as outlined on Schedule 1.
Bill No. 1109	By-law No. 1121-2008	To amend the former City of Scarborough Zoning By-law No. 9508 (Dorset Park Community), as amended, with respect to 2157 Lawrence Avenue East and 2180 Lawrence Avenue East as outlined on Schedule 1.
Bill No. 1110	By-law No. 1122-2008	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 Rogers Road.
Bill No. 1111	By-law No. 1123-2008	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 Rogers Road.

Bill No. 1112	By-law No. 1124-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Runnymede Road.
Bill No. 1113	By-law No. 1125-2008	To amend City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, respecting Runnymede Road.
Bill No. 1114	By-law No. 1126-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gerrard Street East.
Bill No. 1115	By-law No. 1127-2008	To amend City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, respecting Gerrard Street East.
Bill No. 1116	By-law No. 1128-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Davenport Road.
Bill No. 1117	By-law No. 1129-2008	To amend City of Toronto Municipal Code Chapter 140, Lobbying, to simplify certain registration requirements and make technical amendments.
Bill No. 1118	By-law No. 1130-2008	To dedicate certain land for public highway purposes to form part of the public highway Yorkdale Road.
Bill No. 1119	By-law No. 1131-2008	To dedicate certain land on the west side of Markham Road, on the south side of Steeles Avenue East, for public highway purposes to form part of the public highway Markham Road.
Bill No. 1120	By-law No. 1132-2008	To dedicate certain land on the south side of Steeles Avenue East, west of Markham Road, for public highway

		purposes to form part of the public highway Steeles Avenue East.
Bill No. 1121	By-law No. 1133-2008	To dedicate certain land for public lane purposes to form part of the public lane north of Gerrard Street East extending easterly from Hiawatha Road.
Bill No. 1122	By-law No. 1134-2008	To dedicate certain lands on the east side of Dufferin Street, north of Raneer Avenue, for public highway purposes to form part of the public highway Dufferin Street.
Bill No. 1123	By-law No. 1135-2008	To dedicate certain land for public highway purposes to form part of the public highway Arnold Avenue.
Bill No. 1124	By-law No. 1136-2008	To dedicate certain land on the north side of Painted Post Drive, on the west side of Markham Road, for public highway purposes to form part of the public highway Painted Post Drive.
Bill No. 1125	By-law No. 1137-2008	To dedicate certain land on the south side of Walsh Avenue, east of Weston Road, for public highway purposes to form part of the public highway Walsh Avenue.
Bill No. 1126	By-law No. 1138-2008	To dedicate certain land on the west side of Kipling Avenue, north of Goswell Road, for public highway purposes to form part of the public highway Kipling Avenue.
Bill No. 1127	By-law No. 1139-2008	To dedicate certain land for public lane purposes to form part of the public lane west of Yonge Street extending northerly from Grosvenor Street.

Bill No. 1128	By-law No. 1140-2008	To dedicate certain land on the north side of Evans Avenue, west of Sherway Gate for public highway purposes to form part of the public highway Evans Avenue.
Bill No. 1129	By-law No. 1141-2008	To dedicate certain land for public highway purposes to form part of the public highway Sherway Gate.
Bill No. 1130	By-law No. 1142-2008	To dedicate certain land on the east side of The West Mall, north of Evans Avenue, for public highway purposes to form part of the public highway The West Mall.
Bill No. 1131	By-law No. 1143-2008	To partially repeal and amend former City of Toronto By-law No. 1996-0385 being a By-law “To designate the property at 222 Bremner Boulevard (CPR John Street Roundhouse, Turntable, Sand and Coal Loader and Water Tower) as being of architectural and historic interest”.
Bill No. 1132	By-law No. 1144-2008	To amend City of Toronto Municipal Code Chapter 103, Heritage, Article III, Preservation Board; Community Preservation Panels, to implement the City Planning Division’s policy and processes governing the Toronto Preservation Board and the Community Preservation Panels and to make technical amendments.
Bill No. 1133	By-law No. 1145-2008	To amend City of Toronto Municipal Code Chapter 213, Real Property, Sale of.
Bill No. 1134	By-law No. 1146-2008	To amend City of Toronto Municipal Code Chapter 844, Waste Collection, Residential Properties, with respect to the implementation of the garbage bag

		tag program and to make a minor consequential technical amendment to Chapter 849, Water and Sewage Services and Utility Bill.
Bill No. 1135	By-law No. 1147-2008	To exempt lands municipally known as 567 Shuter Street from Part Lot Control.
Bill No. 1136	By-law No. 1148-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 200 Madison Avenue.
Bill No. 1137	By-law No. 1149-2008	To exempt certain lands municipally known as 9, 11, 25, 27, 29, 31, 45, 47, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 103, 105, 107, 109, 111 and 113 Pilkington Drive from Part Lot Control.
Bill No. 1138	By-law No. 1150-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 165 East Liberty Street and 171 East Liberty Street.
Bill No. 1139	By-law No. 1151-2008	To regulate permission for the manufacturing of firearms and uses where the discharging of firearms is permitted.
Bill No. 1140	By-law No. 1152-2008	To exempt lands municipally known as 9 and 11 Clairtrell Road from Part Lot Control.
Bill No. 1141	By-law No. 1153-2008	To amend City of Toronto Municipal Code Chapter 545, Licensing, Respecting Owners and Drivers of Limousines, Limousine Service Companies, Owners and Drivers of Taxicabs and Taxicab Brokers.

Bill No. 1143	By-law No. 1154-2008	To amend Municipal Code Chapter 363, Building Construction and Demolition, to provide a right to enter adjoining land to make repairs and alterations and to repeal the right-of-entry by-laws of the former area municipalities.
Bill No. 1144	By-law No. 1155-2008	To designate the property at 1 Clarendon Avenue (Claridge Apartments) as being of cultural heritage value or interest.
Bill No. 1145	By-law No. 1156-2008	To designate the property at 1 Front Street East (O'Keefe Centre) as being of cultural heritage value or interest.
Bill No. 1146	By-law No. 1157-2008	To designate the property at 120 Howland Avenue (St. Alban's Chapel) as being of cultural heritage value or interest.
Bill No. 1147	By-law No. 1158-2008	To designate the property at 302 Yonge Street (Bank of Nova Scotia Branch) as being of cultural heritage value or interest.
Bill No. 1148	By-law No. 1159-2008	To adopt the Woodbine Community Improvement Plan for the Development of a Transformative Project with respect to the lands south of Rexdale Boulevard, east of Highway #427, municipally known as 555 Rexdale Boulevard.
Bill No. 1149	By-law No. 1160-2008	To amend By-law No. 383-2008, being a by-law "To provide for the levy and collection of special charges for the year 2008 in respect of certain business improvement areas", so as to correct the assessment and special charge rate for the Downtown Yonge Street Business Improvement Area.

Bill No. 1150	By-law No. 1161-2008	To exempt lands municipally known as 1400 Eglinton Avenue West from Part Lot Control.
Bill No. 1151	By-law No. 1162-2008	To amend City of Toronto Municipal Code Chapter 441, Fees and Charges, and Chapter 693, Signs, respecting temporary signs.
Bill No. 1154	By-law No. 1163-2008	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Scollard Street.
Bill No. 1155	By-law No. 1164-2008	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding Scollard Street.
Bill No. 1156	By-law No. 1165-2008	To amend City of Toronto Municipal Code Chapter 925, Permit Parking, regarding Scollard Street.
Bill No. 1157	By-law No. 1166-2008	To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting bicycle lanes on Sentinel Road and The Pond Road.
Bill No. 1159	By-law No. 1167-2008	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1 Bloor Street East, 23 Bloor Street East, 14 Hayden Street, Roy's Square, 709 Yonge Street and 711 Yonge Street.
Bill No. 1160	By-law No. 1168-2008	To amend By-law No. 153-95 of the former Municipality of Metropolitan Toronto to add Good Friday and Easter Sunday to the days that the Eaton Centre and the Hudson's Bay Company Store are permitted to remain open.



Bill No. 1161                      By-law No. 1169-2008                      To amend City of Toronto Municipal Code Chapter 257, Signing Authority, to clarify signing authorities.

**October 30, 2008 - 9:18 p.m.**

Deputy Speaker Lindsay Luby in the Chair

25.88 Councillor Di Giorgio moved that leave be granted to introduce the following Bill:

Bill No. 1164                      To confirm the proceedings of the Council at its meeting held on the 29th and 30th days of October, 2008,

the vote on which was taken as follows:

Yes - 25 Councillors:     Ainslie, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Hall, Heaps, Holyday, Kelly, Lindsay Luby, McConnell, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan
No - 2 Councillors:     Ford, Parker

Carried by a majority of 23.

**October 30, 2008 - 9:20 p.m.**

Deputy Speaker Lindsay Luby in the Chair

25.89 Councillor Di Giorgio moved that Bill No. 1164, prepared for this meeting of Council, be passed and hereby declared as By-law No. 1170-2008, as follows:

Bill No. 1164                      By-law No. 1170-2008                      To confirm the proceedings of the Council at its meeting held on the 29th and 30th days of October, 2008,

the vote on which was taken as follows:

Yes - 25 Councillors:     Ainslie, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Hall, Heaps, Holyday, Kelly, Lindsay Luby, McConnell, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza,
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Rae, Stintz, Vaughan
No - 2 Councillors: Ford, Thompson

Carried by a majority of 23.

The following Bills were withdrawn:

- Bill No. 1142      To amend City of Toronto Municipal Code Chapter 629, Property Standards, regarding washroom facilities in mercantile occupancies.
- Bill No. 1152      To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, regarding bicycle lanes on Annette Street.
- Bill No. 1153      To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Annette Street.
- Bill No. 1158      To amend City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths and Bicycle Lanes, respecting Annette Street.

## OFFICIAL RECOGNITIONS

### 25.90 Presentations/Introductions/Announcements:

#### October 29, 2008

Speaker Bussin, during the morning session of the meeting, introduced students from Oakridges Junior Middle School, present at the meeting.

Speaker Bussin, during the morning session of the meeting, introduced The Honourable Doctor Jean Augustine, Fairness Commissioner of Ontario, present at the meeting.

Deputy Speaker Pantalone, during the morning session of the meeting, introduced a delegation visiting from Catanzaro, Italy, present at the meeting.

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

Speaker Bussin, during the afternoon session of the meeting, introduced students from A.Y. Jackson Secondary School, present at the meeting.

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

**October 30, 2008**

Deputy Mayor Pantalone, during the morning session of the meeting, introduced a delegation visiting from southern Italy, present at the meeting.

Councillor Del Grande, during the morning session of the meeting, introduced students from Lamoreaux College, present at the meeting.

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

**October 30, 2008**

Speaker Bussin in the Chair.

Councillor Nunziata, at 7:35 p.m., moved that Council vary the Order Paper to remain in session past the scheduled 8:00 p.m. adjournment, in order to complete the business remaining on the Order Paper, the vote on which was taken as follows:

Yes - 26	Councillors: Ainslie, Augimeri, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Giambrone, Hall, Heaps, Holyday, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Rae, Thompson, Vaughan
No - 9	Councillors: Ashton, Cho, Jenkins, Kelly, Milczyn, Minnan-Wong, Perruzza, Saundercook, Stintz

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

**25.92 ATTENDANCE**

Date and Time	Quorum	Members
2008-10-29 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, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker

Minutes of the Council of the City of Toronto  
October 29 and 30, 2008

		<i>Not Present:</i> Mihevc
2008-10-29 2:10 PM - 7:55 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, McConnell, 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, Mammoliti
2008-10-29 4:51 PM - Roll Call	Present	<i>Present:</i> Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Feldman, Holyday, Jenkins, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Vaughan <i>Not Present:</i> Ashton, De Baeremaeker, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Kelly, Mammoliti, Miller, Perruzza, Thompson, Walker
2008-10-30 9:40 AM - 12:30 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, 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> Augimeri, Ford
2008-10-30 2:10 PM - 5:55 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, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
2008-10-30 5:44 PM - Roll Call	Present	<i>Present:</i> Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Ford, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, McConnell, Milczyn, Moeser, Nunziata, Palacio, Pantalone, Parker, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan <i>Not Present:</i> Ashton, Feldman, Filion, Fletcher, Holyday, Lee, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Perks, Perruzza, Walker
2008-10-30 6:05 PM - 7:25 PM (Closed Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker <i>Not Present:</i> Carroll, Fletcher, Lee, Mammoliti, Ootes

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2008-10-30 7:30 PM - 9:20 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan <i>Not Present:</i> Bussin, Carroll, Fletcher, Grimes, Lee, Mammoliti, Ootes, Shiner, Walker
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\* Members were present for some or all of the time period indicated.

**Council adjourned on October 30, 2008, at 9:21 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 Acting Deputy City Manager and Chief Financial Officer**  
**Council Meeting – October 29 and 30, 2008**

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
MM25.1	CN Rail Design and Construction – Impact on Installation of Traffic Signals at Strachan Avenue and East Liberty Street	\$0.200 million or \$1.0 million	\$0	If funding is granted by Transport Canada then costs of \$0.200 million would be accommodated in the Transportation Budget. However, if the 80% funding is denied by Transport Canada then the costs could potentially be \$1 million at which time Transportation would report back for direction.
MM25.2	Donation of Dasher Boards at High Park Artificial Ice Rink	\$0.045 million	\$0	Parks, Forestry and Recreation will contribute \$45,000 towards the joint project to repair the surrounding fencing at High Park Artificial Ice Rink. The funding can be accommodated in the Parks, Forestry and Recreation 2008 Operating Budget.
MM25.3	Authority to sign on behalf of the City - Development Applications related to the Proposed Development at St. Magnus Drive	\$0	\$0	
MM25.4	Elimination of Blue Jay Ticket Purchases for Councillors	\$0	\$0	The budget was reduced during the 2008 budget process for the purchase of Blue Jay tickets and has not been reinstated. Approval of this Motion will have no financial impact.
MM25.5	15 Delavan Avenue – Ontario Municipal Board Appeal	\$0	\$0	
MM25.6	Part Lot Control Exemption - 567 Shuter Street	\$0	\$0	

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
MM25.7	Holiday Shopping Provisions in The Eaton Centre and The Hudson Bay Company Queen Street Store	\$0	\$0	
MM25.8	Request for City Representation at the Ontario Municipal Board to Support Committee of Adjustment's Refusal – 347 Manor Road East (A0666/08TEY)	\$0	\$0	
MM25.9	Authorize City Solicitor to enter into an agreement to extend the 90-day limit on the demolition application at 106 Wychwood Park under the Ontario Heritage Act	\$0	\$0	
MM25.10	Authorization to enter into Site Plan Agreement with Aldgate Construction and 77451 Limited for 2030 - 2060 Ellesmere Road	Current Year: \$0 Future Year: \$(0.400 million) net revenue	\$0	Additional space will provide the City with an estimated additional \$0.400 million in property taxes.
MM25.11	The Suspension of Non-Emergency City Construction Work on Significant Religious Holy Days	\$0	\$0	
MM25.12	Implementation of the Fiscal Review Panel's Recommendation Regarding the Setting of Fiscal Targets	\$0	\$0	
MM25.13	Refusal of Application for Demolition of Structures on a Designated Heritage Property – 1325, 1351 and 1365 Bayview Avenue	TBD	\$0	

Minutes of the Council of the City of Toronto  
October 29 and 30, 2008

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
MM25.14	Yonge Subway Extension - Transit Project Assessment Process (TPAP)	\$0	\$0	If included in TTC budget during BC review phase adds \$0.300 million to debt over debt target. The request is not included in the Recommended Capital Budget. However, it is expected that Provincial funding will be available.
MM25.15	Appeal of Committee of Adjustment Decision and Request for Planning and Legal Staff attendance at the OMB - A0359/08NY – 146 Dawlish Avenue	\$0	\$0	
MM25.16	Appointment of Giuliana Carbone as Acting Deputy Treasurer under section 138 of the City of Toronto Act, 2006, and Clarifying Signing Authority	\$0	\$0	
MM25.17	Student Day of Action	\$0	\$0	
MM25.18	Personnel Matter Respecting the Integrity Commissioner	TBD	\$0	<i>Confidential. See confidential report attached.</i>
MM25.19	Ontario Municipal Board Appeal – 124 Glen Albert Drive	\$0	\$0	