

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

**MONDAY, OCTOBER 22, 2007 AND  
TUESDAY, OCTOBER 23, 2007**

**CALL TO ORDER - 9:42 a.m.**

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

The meeting opened with *O Canada*.

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

**October 22, 2007**

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

Richard O'Brien  
Eunice Grayson

**October 23, 2007**

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

Carole Barbara Riback  
Marjorie (Maggie) Demeter

- 13.3 **CONFIRMATION OF MINUTES**

Councillor Kelly moved that the Council Minutes for the regular meeting held on September 26 and 27, 2007 be confirmed in the form supplied to the Members, which carried.

**13.4 INTRODUCTION OF REPORTS BY COMMITTEE CHAIRS, AND  
INTRODUCTION OF NEW BUSINESS ITEMS AND BUSINESS PREVIOUSLY  
REQUESTED**

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

- EX10.1 - New Taxation Measures - City of Toronto Act, 2006
- EX10.2 - Enhancing Toronto's Business Climate - Update
- EX10.10 - Establishing the Toronto Ombudsperson
- EX10.44 - Service Increases to Respond to Unanticipated Ridership Growth
- EY4.41 - 148-156 Rowntree Mill Road – Zoning and Plan of Subdivision Applications (March 13, 2007)
- SC8.4 - 12 Lockie Avenue - Application to Remove Private Tree

Mayor Miller presented the Report from Meeting 12 of the Executive Committee for consideration.

Councillor Holyday presented the Report from Meeting 4 of the Audit Committee for consideration.

Councillor Filion presented the Report from Meeting 7 of the Board of Health for consideration.

Councillor Mihevc presented the Report from Meeting 9 of the Community Development and Recreation Committee for consideration.

Councillor Rae presented the Report from Meeting 8 of the Economic Development Committee for consideration.

Councillor Lindsay Luby presented the Report from Meeting 8 of the Government Management Committee for consideration.

Councillor Fletcher presented the Report from Meeting 9 of the Parks and Environment Committee for consideration.

Councillor Kelly presented the Report from Meeting 9 of the Planning and Growth Management Committee for consideration.

Councillor De Baeremaeker presented the Report from Meeting 9 of the Public Works and Infrastructure Committee for consideration.

Councillor Nunziata presented the Report from Meeting 10 of the Etobicoke York Community Council for consideration.

Councillor Moscoe presented the Report from Meeting 9 of the North York Community Council for consideration.

Councillor Kelly presented the Report from Meeting 9 of the Scarborough Community Council for consideration.

Councillor Davis presented the Report from Meeting 9 of the Toronto and East York Community Council for consideration.

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

*Vote:*

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

### 13.5 **DECLARATIONS OF INTEREST**

Councillor Feldman declared an interest in Scarborough Community Council Item SC9.15, headed “Brilliant Court, Sandhurst Circle, and White Heather Boulevard - Part Lot Control Application – Final Report”, in that his son-in-law is the builder and developer of the project.

Councillor Perruzza declared an interest in Etobicoke York Community Council Item EY4.41, headed “148-156 Rowntree Mill Road – Zoning and Plan of Subdivision Applications (March 13, 2007)”, in that his parents own a house on the subject street.

Councillor Shiner declared an interest in New Business Item CC13.1, headed “371-9 King Street West – King-Spadina”, in that his family owns property in the immediate area.

**13.6 PETITIONS****October 22, 2007**

Speaker Bussin in the Chair.

1. Councillor Mihevc submitted a petition consisting of form letters from 300 individuals, requesting that Council support the proposed new taxation measures.
2. Councillor Cho submitted a petition (undated) containing the signatures of approximately 888 individuals, in opposition to the widening of Steeles Avenue to more than four lanes, between 9th Line and Markham Road.
3. Councillor Thompson submitted the following:
  - i. a petition consisting of communications from 720 individuals, in support of the proposed new taxation measures;
  - ii. a petition consisting of communications from 1,800 individuals, opposed to the proposed new taxation measures; and
  - iii. a petition (August 15, 2007) containing the signatures of approximately 106 individuals, taken by a constituent of Ward 37, opposed to the proposed new taxation measures.

The above petitions were received for information.

**13.7 REVIEW OF THE ORDER PAPER****October 22, 2007**

Speaker Bussin in the Chair.

*Ruling by Speaker:*

Speaker Bussin advised Council that Executive Committee Item EX12.15, headed "Toronto's Blind-Low Vision Early Implementation Plan" must be withdrawn from the agenda. The Item was approved by Council at its meeting of July 16, 17, 18 and 19, 2007 and was resubmitted in error.

*Procedural Motions:*

1. Speaker Bussin proposed that Council consider Executive Committee Item EX12.9, headed "Operating Variance Report (for the Six month period ended June 30, 2007)", together with New Business Item CC13.3, headed "City

Manager's Authority to Implement Cost Containment Measures", as these Items are related. Council concurred in the proposal.

2. Mayor Miller moved that Council continue in session past the 9:00 p.m. recess time, in order to complete Executive Committee Item EX10.1, headed "New Taxation Measures - City of Toronto Act, 2006", the vote on which was taken as follows:

Yes - 37	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Thompson, Vaughan
No - 7	
Councillors:	Del Grande, Jenkins, Lee, Minnan-Wong, Shiner, Stintz, Walker

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

*Vote:*

Council adopted the October 22, 2007 Order Paper, as amended, and all other Items not held on consent.

**October 23, 2007**

Speaker Bussin in the Chair.

*Procedural Motion:*

Speaker Bussin proposed that Council confirm the October 23, 2007 Order Paper.

*Vote:*

Council adopted the October 23, 2007 Order Paper, without amendment.

### 13.8 **CONSIDERATION OF DEFERRED ITEMS**

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 22, 2007

Executive Committee Meeting 10

- |  |         |   |
|--|---------|---|
| Held for consideration<br>Minute 13.9  | EX10.1  | New Taxation Measures - City of Toronto Act,<br>2006 (Ward: All)  |
| Held for consideration<br>Minute 13.10 | EX10.2  | Enhancing Toronto's Business Climate - Update<br>(Ward: All)      |
| Adopted on consent                     | EX10.10 | Establishing the Toronto Ombudsperson (Ward: All)                 |
| Held for consideration<br>Minute 13.11 | EX10.44 | Service Increases to Respond to Unanticipated<br>Ridership Growth |

Etobicoke York Community Council Meeting 4

- |  |        |  |
|--|--------|--|
| Held for consideration<br>Minute 13.12 | EY4.41 | 148-156 Rowntree Mill Road – Zoning and Plan of<br>Subdivision Applications (March 13, 2007) (Ward: 7) |
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Scarborough Community Council Meeting 8

- |  |       |   |
|--|-------|---|
| Held for consideration<br>Minute 13.13 | SC8.4 | 12 Lockie Avenue - Application to Remove Private<br>Tree (Ward: 41) |
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13.9 **New Taxation Measures - City of Toronto Act, 2006**

EX10.1	AMENDED			Wards: All
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Mayor Miller moved that the Item be amended by:
  - A. adding the following:

Council approve a Municipal Land Transfer Tax rebate for all residential home buyers and all commercial property buyers who demonstrate, to the satisfaction of the City Solicitor, that the purchaser and vendor entered into an Agreement of Purchase and Sale for the property on or before December 31, 2007, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect thereto.

B. adding the following:

Council approve a Municipal Land Transfer Tax rebate for all first-time buyers of new and resale homes up to \$3,725.00 (i.e., a 100 percent rebate on homes valued up to \$400,000.00), similar to the current provincial rebate, with the exception that the rebate apply to both newly-constructed and existing homes, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect thereto.

C. deleting Recommendation 1 of the Executive Committee and replacing it with the following:

1. Council adopt a new Land Transfer Tax within the City of Toronto, as detailed further in this Item, at the following rates:
  - i. one-half of 1 percent of the value of the consideration for the conveyance, up to and including \$55,000.00;
  - ii. 1 percent of the value of the consideration which exceeds \$55,000.00, up to and including \$400,000.00;
  - iii. 1.5 percent of the value of the consideration which exceeds \$400,000.00, up to and including \$40 million;
  - iv. 1 percent of the value of the consideration which exceeds \$40 million; and
  - v. notwithstanding 1.iii. and 1.iv., 2 percent of the value of the consideration for the conveyance which exceeds \$400,000.00, if the conveyance is a conveyance of land that contains at least one and not more than two single family residences,

and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect thereto.

D. by adding the following:

The Deputy City Manager and Chief Financial Officer report back to City Council, through the Executive Committee, by September 2008, after consultation with industry stakeholders, on a rebate program or lower rate structure for large non-residential property (commercial) class developments that will further the City's economic development priorities, such as the retention of employment lands and brown field conversions.

E. by adding the following:

The Deputy City Manager and Chief Financial Officer be requested to report annually through the budget process on how the revenue from the new taxes is being utilized.

F. by adding the following:

City Council direct that, during this term of Council, a comprehensive review occur on the City's fiscal architecture, in the context of provincial uploading, with the objective of dedicating revenue from the new taxes exclusively to Capital and Operating costs of new municipal infrastructure.

*Ruling by Speaker:*

Councillor Jenkins requested an opportunity to ask questions of David Nowlan (Professor Emeritus, University of Toronto) on his findings, which are referred to in the City Manager's report on this matter. Speaker Bussin ruled that only City staff members are able to respond to questions.

Councillor Del Grande challenged the ruling of the Speaker.

*Vote to Uphold Ruling of Speaker:*

Yes - 22

Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae

No - 16

Councillors: Del Grande, Ford, Grimes, Holyday, Jenkins, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker

Carried by a majority of 6.

*Motion:*

2. Councillor Walker moved that the Item:

A. be deferred until a plebiscite has been conducted as soon as possible on the topic of whether a City of Toronto Land Transfer Tax and Vehicle Registration Tax is supported by the people of the City of Toronto.



- B. be received for information.
- C. be amended by adding the following:
- Council approve a full rebate for all first-time buyers of new and resale homes.
- D. be amended by adding the following:
- All environmentally friendly vehicles (i.e., hybrid vehicles, hydrogen fuel-cell vehicles, electric vehicles), mopeds and scooters, be exempted from the City of Toronto Personal Vehicle Ownership Tax.
- E. be amended by adding the following:
1. The implementation of any City of Toronto Land Transfer Tax and any City of Toronto Personal Vehicle Ownership Tax include a sunset provision of January 1, 2010.
  2. The implementation of any City of Toronto Land Transfer Tax and any City of Toronto Personal Vehicle Ownership Tax be evaluated and reported on to City Council, through the Executive Committee, on January 1, 2010, or the next Executive Committee after that date.
- F. be amended by adding the following:
- City Council freeze salaries for all City of Toronto elected officials effective November 1, 2007.
- G. be amended by amending Recommendation 1 of the Executive Committee to provide that the new Municipal Land Transfer Tax be capped at 1 percent of the value of the consideration for the conveyance.

*Ruling by Speaker:*

Speaker Bussin ruled motion 2F by Councillor Walker out of order as the issue of salaries is not before Council for consideration.

Councillor Walker challenged the ruling of the Speaker.

*Vote to Uphold Ruling of Speaker:*

Yes - 26 Mayor: Miller
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Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Hall, Heaps, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan
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No - 15	Councillors: Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Stintz, Thompson, Walker
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Carried by a majority of 11.

*Vote on Deferral:*

Adoption of motion 2A by Councillor Walker:

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

Lost by a majority of 13.

*Motions:*

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

If the new Municipal Land Transfer Tax and Personal Vehicle Ownership Tax are passed, the property tax increase for 2008 be no more than the rate of inflation.

*Ruling by Speaker:*

Speaker Bussin ruled motion 3 by Councillor Ootes out of order as the 2008 Budget is not before Council for consideration.

4. Councillor Hall moved that:

A. motion 1E by Mayor Miller be amended by adding to the end, the words

“the report to also provide, on a ward-by-ward basis, the impact of the Land Transfer Tax on the housing market”, so that motion 1E now reads as follows:

The Deputy City Manager and Chief Financial Officer be requested to report annually through the budget process on how the revenue from the new taxes is being utilized, the report to also provide, on a ward-by-ward basis, the impact of the Land Transfer Tax on the housing market.

B. the Item be amended by amending Recommendation 3 of the Executive Committee to now read as follows:

3. Council adopt a new Personal Vehicle Ownership Tax within the City of Toronto, as detailed further in this Item, with the implementation date deferred until an agreement is reached where the administration, collection and enforcement of this tax can be implemented in conjunction with the Provincial Government Vehicle Ownership Tax:

- i. \$60 per personal vehicle per year;
- ii. \$30 per personal motorcycle or moped per year;
- iii. \$0 for personal motorized snow vehicles and historical vehicles.

5. Councillor Jenkins moved that motion 1F by Mayor Miller be amended by deleting the words “capital and”, so that motion 1F now reads as follows:

City Council direct that, during this term of Council, a comprehensive review occur on the City’s fiscal architecture, in the context of provincial uploading, with the objective of dedicating revenue from the new taxes exclusively to Operating costs of new municipal infrastructure.

Councillor Lindsay Luby in the Chair.

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

- A. All employees of a City of Toronto division, agency, board or commission who reside outside the City of Toronto, and who use City facilities to park their vehicles, be subject to a Personal Vehicle Ownership Tax of \$60.00 a year.
- B. City Council approve an exemption from the Personal Vehicle Ownership Tax on all personal vehicles that are less than 3 years old, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect to this exemption.

- C. City Council approve an exemption from the Personal Vehicle Ownership Tax on all personal vehicles that are owned by Seniors who have permanent Handicapped Vehicle Permits, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect to this exemption.
- D. The Deputy City Manager and Chief Financial Officer develop a program similar to the Property Tax Increase Deferral and Property Tax Increase Cancellation for Seniors for the Personal Vehicle Ownership Tax.
- E. City Council approve an exemption from the Municipal Land Transfer Tax on the transfer of a home that is bequeathed in an estate to a family member, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect to this exemption.
- F. 1. The Municipal Land Transfer Tax and Personal Vehicle Ownership Tax rates approved by Council at this meeting be applicable until December 1, 2010.
2. Any proposed increase before December 1, 2010, be subject to a referendum requiring a majority of 50 percent plus one in support of the passage of a tax increase.
3. City Council request the Minister of Municipal Affairs and Housing to make an order pursuant to subsection 8(3) of the Municipal Elections Act, 1996, to place the following questions on the ballot for the November 2010 City of Toronto Municipal Election:
- Are you in favour of increasing the Municipal Land Transfer Tax from \$ \_\_\_\_ to \$ \_\_\_\_ ?
- Are you in favour of increasing the Personal Vehicle Ownership Tax from \$ \_\_\_\_ to \$ \_\_\_\_ ?
4. Any increases to the Municipal Land Transfer Tax and Personal Vehicle Ownership Tax within the City of Toronto not be implemented until the referendum is held.
- G. 1. Any additional revenue tools not be considered by City Council until December 1, 2010.
2. Any additional revenue tools proposed before December 1, 2010 be subject to a referendum requiring a majority of 50 percent plus one in support of the approval of the additional revenue tools.

3. City Council request the Minister of Municipal Affairs and Housing to make an order pursuant to subsection 8(3) of the Municipal Elections Act, 1996, to place the following question on the ballot for the November 2010 City of Toronto Municipal Election:

Are you in favour of the City of Toronto implementing the following new revenue tools?

[List of new revenue tools to be inserted]

4. Any new revenue tools not be implemented until the referendum is held.
- H. City Council approve a Vehicle Registration Tax of \$1,000.00 per passenger train coach per year, on all intercity rail cars, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect to this tax.
- I. City Council approve a Vehicle Registration Tax of \$500.00 per vehicle per year, on all intercity buses and motor coaches, and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect to this tax.

*Ruling by Deputy Speaker:*

Deputy Speaker Lindsay Luby ruled the following motions by Councillor Del Grande out of order:

- 6A as the City of Toronto is not able to impose a tax on residents of other cities, and this would be a parking tax, which is not before Council for consideration;
- 6E as it is redundant because this type of transfer is already exempt from Land Transfer Tax;
- 6H as railways are regulated by the federal government and not within the jurisdiction of the City of Toronto; and
- 6I as it is beyond the jurisdiction of the City of Toronto.

Councillor Del Grande challenged the ruling of the Deputy Speaker.

*Vote to Uphold Ruling of Deputy Speaker:*

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

Carried by a majority of 10.

*Motions:*

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

The City Manager be requested to report to the Executive Committee on:

1. a new 10 cent tax on each bottle of water imported from outside the province of Ontario, and a new 5 cent tax on each bottle of water produced inside Ontario, in order to address the environmental sustainability of these products; and
2. implementing a road pricing mechanism for all users of the Don Valley Parkway and the Gardiner Expressway.

*Ruling by Deputy Speaker:*

Deputy Speaker Lindsay Luby ruled motion 7 out of order as it is beyond the scope of the Item under consideration.

8. Councillor Parker moved that the Item be amended:

- A. by adding the following:

Vehicle Ownership Tax proceeds be dedicated for the purposes of funding transportation state-of-good-repair projects, and to reduce the backlog of roads capital needs by increasing capital-from-current funding (from operating) to meet service demands and minimize debt financing.

- B. to provide that the City not implement a Municipal Land Transfer Tax and instead enter into negotiations with the Province of Ontario with a view to having the provincial government remit to the City of Toronto, all Land Transfer Taxes collected on transfers of properties located within the City, with no net increase in Land Transfer Taxes charged to the Purchaser; and

that Recommendations 1 and 9 of the Executive Committee be deleted, and Recommendations 5 and 6 be amended as necessary.

9. Councillor Perks moved that motion 4B by Councillor Hall be amended by deleting all of the words after the words “in this Item”, and replacing them with the words “and the Deputy City Manager and Chief Financial Officer be requested to report to Council, through the Executive Committee, no less than three months prior to the implementation of the Personal Vehicle Ownership Tax, on how to implement this tax so that the administration, collection and enforcement is in conjunction with the Provincial Government Vehicle Ownership Tax.”, so that motion 4B now reads as follows:

Council adopt a new Personal Vehicle Ownership Tax within the City of Toronto, as detailed further in this Item, and the Deputy City Manager and Chief Financial Officer be requested to report to Council, through the Executive Committee, no less than three months prior to the implementation of the Personal Vehicle Ownership Tax, on how to implement this tax so that the administration, collection and enforcement is in conjunction with the Provincial Government Vehicle Ownership Tax.

Speaker Bussin in the Chair.

10. Councillor Filion moved that the Item be amended by adding the following:
- A. At such time as the Province has uploaded at least 50 percent of the current \$729 million in downloaded costs, \$50 million of the resulting savings be used to decrease the Land Transfer Tax.
  - B. If other orders of government grant a municipal sales tax of 1 cent or more, the Deputy City Manager and Chief Financial Officer be requested to report to City Council, through the Executive Committee, on the feasibility of reducing the Land Transfer Tax by an additional \$50 million.
11. Councillor Shiner moved that the Item be amended to provide that Council not approve a Personal Vehicle Ownership Tax within the City of Toronto, and that Recommendations 3 and 4 of the Executive Committee be deleted, and Recommendations 5 and 6 be amended as necessary.
12. Councillor Vaughan moved that the Item be amended by deleting Recommendation 3 of the Executive Committee, and that Council adopt the following instead:
- 3. The Personal Vehicle Ownership Tax be set at \$109.00, the same as a monthly Metropass, and that increases to this tax be linked to future

Metropass increases.

13. Councillor Carroll moved that the Item be amended by adding the following:
- A. The Deputy City Manager and Chief Financial Officer be directed to provide appropriate notice to the public and related stakeholders on the implementation of Municipal Land Transfer Tax, which will come into effect on February 1, 2008.
  - B. Council approve an exemption from the Municipal Land Transfer Tax for City divisions, local boards as defined in the City of Toronto Act, 2006, and the following corporations:
    - Toronto Community Housing Corporation (TCHC); and
    - Toronto Economic Development Corporation (TEDCO),

and the City Solicitor be authorized and directed to introduce the necessary bill(s) in Council to give effect thereto.
  - C. Council approve an exemption from the Municipal Land Transfer Tax on property transfer transactions where the net tax revenue after transaction fees would result in revenue of less than \$2.00, and the City Solicitor be authorized and directed to introduce the necessary bills(s) in Council to give effect to this exemption.

*Procedural Motion:*

Mayor Miller, at 6:28 p.m., moved that Council remain in session past the 6:30 p.m. dinner recess, in order to complete the vote on this Item, which carried, two-thirds of Members present having voted in the affirmative.

*Permission to Withdraw Motion:*

Councillor Vaughan, with the permission of Council, withdrew his motion 12.

*Votes:*

Adoption of motion 2B by Councillor Walker:

Yes - 16 Councillors:	Ashton, Del Grande, Ford, Holyday, Jenkins, Lee, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Thompson, Walker
No - 29 Mayor:	Miller



Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
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Lost by a majority of 13.

Adoption of motion 1C by Mayor Miller:

Yes - 29	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 16	
Councillors:	Ainslie, Del Grande, Feldman, Ford, Holyday, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Shiner, Stintz, Thompson, Walker

Carried by a majority of 13.

Due to the above decision of Council, Speaker Bussin declared the following motions redundant:

- motion 2G by Councillor Walker; and
- motion 8B by Councillor Parker.

Adoption of motion 9 by Councillor Perks:

Yes - 29	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Perks, Rae, Saundercook, Stintz, Vaughan
No - 16	
Councillors:	Ainslie, Ashton, Del Grande, Ford, Holyday, Jenkins, Lee, Minnan-Wong, Moeser, Nunziata, Ootes, Parker, Perruzza, Shiner, Thompson, Walker

Carried by a majority of 13.

Adoption of motion 4B by Councillor Hall, as amended:

Yes - 23	
Mayor:	Miller
Councillors:	Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Rae, Stintz, Vaughan
No - 22	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Perruzza, Saundercook, Shiner, Thompson, Walker

Carried by a majority of 1.

Due to the above decision of Council, Speaker Bussin declared motion 11 by Councillor Shiner redundant.

Adoption of motion 6F by Councillor Del Grande:

Yes - 14	
Councillors:	Del Grande, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Stintz, Thompson, Walker
No - 31	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae, Shiner, Vaughan

Lost by a majority of 17.

Adoption of motion 1A by Mayor Miller:

Yes - 36	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly,

	Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 9 Councillors:	Ainslie, Feldman, Ford, Holyday, Jenkins, Lee, Moeser, Ootes, Walker

Carried by a majority of 27.

Adoption of motion 1B by Mayor Miller:

Yes - 38 Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 7 Councillors:	Ainslie, Ford, Holyday, Lee, Minnan-Wong, Ootes, Walker

Carried by a majority of 31.

Due to the above decision of Council, Speaker Bussin declared motion 2C by Councillor Walker redundant.

Adoption of motion 1D by Mayor Miller:

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, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 3 Councillors:	Ford, Lee, Walker

Carried by a majority of 39.

Adoption of motion 2D by Councillor Walker:

Yes - 20 Councillors:	Ainslie, Augimeri, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 25 Mayor: Councillors:	Miller Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 5.

Adoption of motion 6B by Councillor Del Grande:

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

Lost by a majority of 19.

Adoption of motion 6C by Councillor Del Grande:

Yes - 22 Councillors:	Ainslie, Augimeri, Cho, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Holyday, Jenkins, Lee, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
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No - 23	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Parker, Perks, Perruzza, Rae

Lost by a majority of 1.

Adoption of motion 6D by Councillor Del Grande:

Yes - 19	
Councillors:	Ainslie, Augimeri, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 26	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 7.

Adoption of motion 2E by Councillor Walker:

Yes - 19	
Councillors:	Ainslie, Ashton, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Thompson, Walker
No - 26	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Perks, Perruzza, Rae, Vaughan

Lost by a majority of 7.

Adoption of motion 4A by Councillor Hall:

Minutes of the Council of the City of Toronto  
October 22 and 23, 2007

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

Carried by a majority of 9.

Adoption of motion 1E by Mayor Miler, as amended:

Yes - 42	
Mayor:	Miller
Councillors:	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, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 3	
Councillors:	Ainslie, Ford, Ootes

Carried by a majority of 39.

Adoption of motion 6G by Councillor Del Grande:

Yes - 15	
Councillors:	Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Thompson, Walker
No - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Pantalone, Perks, Perruzza, Rae, Saundercook,

Vaughan

Lost by a majority of 15.

Adoption of motion 5 by Councillor Jenkins:

Yes - 12 Councillors:	Augimeri, Del Grande, Feldman, Holyday, Jenkins, Minnan-Wong, Nunziata, Palacio, Perruzza, Shiner, Stintz, Walker
No - 33 Mayor: Councillors:	Miller Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Parker, Perks, Rae, Saundercook, Thompson, Vaughan

Lost by a majority of 21.

Adoption of motion 1F by Mayor Miller, without amendment:

Yes - 37 Mayor: Councillors:	Miller Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 8 Councillors:	Ainslie, Ford, Holyday, Jenkins, Lee, Ootes, Parker, Walker

Carried by a majority of 29.

Adoption of motion 8A by Councillor Parker:

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

Lost by a majority of 9.

Adoption of motion 10 by Councillor Filion:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Shiner, Stintz, Thompson, Walker
No - 9	
Councillors:	Augimeri, Bussin, Ford, Giambrone, Mammoliti, Moeser, Ootes, Rae, Vaughan

Carried by a majority of 25.

Adoption of motion 13A by Councillor Carroll:

Yes - 40	
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, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 5	
Councillors:	Augimeri, Ford, Jenkins, Ootes, Walker



Carried by a majority of 35.

Adoption of motion 13B by Councillor Carroll:

Yes - 39	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Vaughan
No - 6	
Councillors:	Del Grande, Jenkins, Lee, Perruzza, Thompson, Walker

Carried by a majority of 33.

Adoption of motion 13C by Councillor Carroll:

Yes - 43	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 2	
Councillors:	Jenkins, Palacio

Carried by a majority of 41.

*Procedural Motion:*

Councillor Perruzza moved that Council take separate votes on the adoption of the Item as amended, as it pertains to the Land Transfer Tax and as it pertains to the Personal Vehicle Ownership Tax.

*Procedural Vote on Motion by Councillor Perruzza:*

Yes - 31	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Grimes, Hall, Heaps, Jenkins, Lee, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Parker, Perks, Perruzza, Saundercook, Stintz, Walker
No - 14	
Councillors:	Ainslie, Bussin, Giambrone, Holyday, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Rae, Shiner, Thompson, Vaughan

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

*Votes:*

Adoption of the Item, as amended, as it pertains to the Land Transfer Tax:

Yes - 26	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 19	
Councillors:	Ainslie, Ashton, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Thompson, Walker

Carried by a majority of 7.

Adoption of the Item, as amended, as it pertains to the Personal Vehicle Ownership Tax:

Yes - 25	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Perks, Rae, Saundercook, Vaughan
No - 20	
Councillors:	Ainslie, Ashton, Augimeri, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Perruzza, Shiner,

Stintz, Thompson, Walker

Carried by a majority of 5.

Adoption of the balance of the Item, as amended:

Yes - 26	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 19	
Councillors:	Ainslie, Ashton, Del Grande, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Thompson, Walker

Carried by a majority of 7.

### City Council Decision

City Council adopted the following motions:

1. Council adopt a new Land Transfer Tax within the City of Toronto, as detailed further in this Item, at the following rates:
  - i. one-half of 1 percent of the value of the consideration for the conveyance, up to and including \$55,000.00;
  - ii. 1 percent of the value of the consideration which exceeds \$55,000.00, up to and including \$400,000.00;
  - iii. 1.5 percent of the value of the consideration which exceeds \$400,000.00, up to and including \$40 million;
  - iv. 1 percent of the value of the consideration which exceeds \$40 million; and
  - v. notwithstanding 1.iii. and 1.iv., 2 percent of the value of the consideration for the conveyance which exceeds \$400,000.00, if the conveyance is a conveyance of land that contains at least one and not more than two single family residences.
2. The Deputy City Manager and Chief Financial Officer and City Solicitor be authorized to negotiate a land tax administration agreement with Teranet and the

- Province as necessary, and execute user licence agreements with Teranet and the Province as necessary in order to facilitate an administration agreement.
3. Council adopt a new Personal Vehicle Ownership Tax within the City of Toronto, as detailed further in this Item, and the Deputy City Manager and Chief Financial Officer be requested to report to Council, through the Executive Committee, no less than three months prior to the implementation of the Personal Vehicle Ownership Tax, on how to implement this tax so that the administration, collection and enforcement is in conjunction with the Provincial Government Vehicle Ownership Tax.
  4. The Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor, be directed and authorized to negotiate with the Province and other relevant parties regarding City Personal Vehicle Ownership Tax agreements for administration, collection, and enforcement.
  5. The Province of Ontario, in keeping with its commitments under the City of Toronto Act, to work co-operatively with the City and, in order to provide the most efficient and effective implementation and administration process, be requested to enter into a fair and equitable agreement with the City to collect and administer a City of Toronto Vehicle Ownership Tax, through its motor vehicle registration operations, and any necessary agreements to implement the City's Land Transfer Tax.
  6. The Deputy City Manager and Chief Financial Officer report back to the Executive Committee in the Fall 2007 in regard to Parts 1 – 5, above, on the appropriate exemptions, rebates, collection and administrative procedures, enforcement provisions, administration agreement and any other implementation issues including establishment of appropriate reserves for adoption into a tax by-law.
  7. The Deputy City Manager and Chief Financial Officer undertake further consultations in respect of alcohol tax on store sales to non-licensed consumers with Toronto based liquor, wine and beer retailers, and government taxing authorities, and report back to the Executive Committee in the fall 2007 on economic impacts and administrative options.
  8. In conjunction with the development of a new City sign by-law, Deputy City Manager Richard Butts be directed to consider and report back to the Executive Committee on the potential application of a billboard or public signage tax, specifically for the purposes of raising revenue to administer the by-law and raise revenues for City beautification, arts or cultural initiatives.
  9. The Province of Ontario be requested to vacate the Land Transfer Tax field.
  10. In any future reports, the discussion of "parking tax" be referred to as a "parking

lot tax”.

11. Council approve a Municipal Land Transfer Tax rebate for all residential home buyers and all commercial property buyers who demonstrate, to the satisfaction of the City Solicitor, that the purchaser and vendor entered into an Agreement of Purchase and Sale for the property on or before December 31, 2007.
12. Council approve a Municipal Land Transfer Tax rebate for all first-time buyers of new and resale homes up to \$3,725.00 (i.e., a 100 percent rebate on homes valued up to \$400,000.00), similar to the current provincial rebate, with the exception that the rebate apply to both newly-constructed and existing homes.
13. Council approve an exemption from the Municipal Land Transfer Tax for City divisions, local boards as defined in the City of Toronto Act, 2006, and the following corporations:
  - Toronto Community Housing Corporation (TCHC)
  - Toronto Economic Development Corporation (TEDCO).
14. Council approve an exemption from the Municipal Land Transfer Tax on property transfer transactions where the net tax revenue after transaction fees would result in revenue of less than \$2.00.
15. The Deputy City Manager and Chief Financial Officer report back to City Council, through the Executive Committee, by September 2008, after consultation with industry stakeholders, on a rebate program or lower rate structure for large non-residential property (commercial) class developments that will further the City’s economic development priorities, such as the retention of employment lands and brown field conversions.
16. The Deputy City Manager and Chief Financial Officer be requested to report annually through the budget process on how the revenue from the new taxes is being utilized, the report to also provide, on a ward-by-ward basis, the impact of the Land Transfer Tax on the housing market.
17. City Council direct that, during this term of Council, a comprehensive review occur on the City’s fiscal architecture, in the context of provincial uploading, with the objective of dedicating revenue from the new taxes exclusively to Capital and Operating costs of new municipal infrastructure.
18. At such time as the Province has uploaded at least 50 percent of the current \$729 million in downloaded costs, \$50 million of the resulting savings be used to decrease the Land Transfer Tax.
19. If other orders of government grant a municipal sales tax of 1 cent or more, the

Deputy City Manager and Chief Financial Officer be requested to report to City Council, through the Executive Committee, on the feasibility of reducing the Land Transfer Tax by an additional \$50 million.

20. The Deputy City Manager and Chief Financial Officer be directed to provide appropriate notice to the public and related stakeholders on the implementation of Municipal Land Transfer Tax, which will come into effect on February 1, 2008.
21. The appropriate officials be authorized and directed to take necessary actions to give effect thereto, including the introduction of any necessary bills in Council to give effect to Council's decision.

### Background Information

New Taxation Measures - City of Toronto Act, 2006

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrrd/backgroundfile-5118.pdf>

### Additional Communications (City Council - October 22 and 23, 2007)

- Form letters about the proposed new taxation measures and City Services ([EX10.1.246 to EX10.1.2419](#) and [EX10.1.3151 to EX10.1.3153](#))
- Form letters about the proposed taxation measures and funding for HIV/AIDS-related services ([EX10.1.2420 to EX10.1.2558](#) and [EX10.1.3154 to EX10.1.3156](#))
- Communications about the proposed new taxation measures ([EX10.1.2559 to EX10.1.3150](#), and [EX10.1.3157 to EX10.1.3182](#))

### Petitions (City Council)

- Petition consisting of form letters from 300 individuals, requesting that Council support the proposed new taxation measures, submitted by Councillor Joe Mihevc, Ward 21, St. Paul's
- Petition consisting of communications from 720 individuals, in support of the proposed new taxation measures, submitted by Councillor Michael Thompson, Ward 37, Scarborough Centre
- Petition consisting of communications from 1,800 individuals, opposed to the proposed new taxation measures, submitted by Councillor Michael Thompson, Ward 37, Scarborough Centre
- Petition (August 15, 2007) containing the signatures of approximately 106 individuals, taken by a constituent of Ward 37, opposed to the proposed new taxation measures, submitted by Councillor Michael Thompson, Ward 37, Scarborough Centre

### 13.10 Enhancing Toronto's Business Climate – Update

EX10.2	AMENDED			Ward: All
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motions:*

1. Mayor Miller moved that the Item be amended by adding the following:

Following a firm commitment from the Province of Ontario to upload the cost of social service/social housing programs and provide funding for the operating costs of public transit, City Council commit to an acceleration of the reduction of tax rates for non-residential properties by 2015.

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

The Deputy City Manager and Chief Financial Officer establish a working group of Councillors and staff to review the small business category and make recommendations in respect of Recommendation 2 of the Executive Committee.

*Votes:*

Motion 1 by Mayor Miller carried.

Motion 2 by Councillor Moscoe carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. Recommendation (4) of the report “Enhancing Toronto’s Business Climate – It’s Everybody’s Business” adopted by Council on October 26, 27, 28 and 31, 2005, be deleted and replaced by the following:

(4) (i) Council approve a program, for the taxation years 2008 to 2015, to provide property tax relief for the residual commercial class (consisting of all commercial properties which are not in any other optional commercial property class), in accordance with the following:

- (a) Subject to the regulation requested by Recommendation (2) below being filed by the October, 2007 Council meeting, Council adopt the residual commercial class for the 2008 to 2015 taxation years;

- (b) If the regulation requested by Recommendation (2) below has not been filed by the October, 2007 Council meeting, Council adopt the Large Office Buildings property class, the Parking Lots property class, the Large Shopping Centres property class, and the Large Sports Facilities property class, resulting in the balance of commercial properties essentially being the residual commercial class;
- (ii) Council endorse two bands of assessment of property for the purposes of facilitating graduated tax rates for the residual commercial class;
- (iii) Council endorse an accelerated phase-in over a maximum 8-year period, commencing in 2008, to reduce the target tax ratio for the first band of assessed value in the residual commercial class to 2.5-times the municipal residential tax rate by 2015;
- (iv) The maximum tax ratios for the first band of assessment of the residual commercial class be as set out in Column II below, and the maximum tax ratio for the second band of assessment be as set out in Column III:

Column I	Column II	Column III
Tax Year	Maximum Tax Ratio – First Band of Assessment	Maximum Tax Ratio – Second Band of Assessment
2008	3.41	3.55
2009	3.28	3.46
2010	3.15	3.38
2015	2.5	3.0
2020	2.5	2.5

- (v) The assessed value threshold for the bands of assessment for the residual commercial class be initially established for the 2008 taxation year at \$1,000,000 assessed value, and that the Deputy City Manager and Chief Financial Officer be directed to report annually thereafter on the threshold for the bands of assessment as part of the annual tax levy report.
2. The Minister of Finance be requested to file a regulation to create the residual commercial class, as an optional class which municipalities may chose to adopt, and consisting of all commercial properties which are not in any other optional commercial property class.



3. Recommendation (6)(a) of the report “Enhancing Toronto’s Business Climate – It’s Everybody’s Business”, adopted by Council on October 26, 27, 28 and 31, 2005, be deleted and replaced by the following:
  - 6(a)(i) Conditional upon the Province implementing new classes for all new commercial and industrial development for 2008, a City program be approved, commencing in 2008, to provide for a lower municipal tax rate to apply for all new non-retail office and hotel development, and expansions of 50% or more in gross floor area related to non-retail office and hotel uses, with such a lower tax rate being based on a tax ratio of 3.0 times the residential rate, and determined from the time the Occupancy Permit is issued, and that this target ratio be reviewed in five years time (2012);
  - (a)(ii) The Province be again requested to grant the City the authority to establish lower tax rates for a limited time period for new or expanded non-retail office, hotel and industrial properties described above.
4. The Province of Ontario be requested to accelerate the business education tax rate reductions for the City of Toronto announced as part of the March 22, 2007 Provincial Budget, by basing the reduction on the difference between Toronto’s current commercial and industrial education tax rates and the target rate of 1.6% and by phasing in the reduction in equal instalments over seven years (2008-2014).
5. The Province of Ontario be again requested to grant the City the authority to exclude any commercial (including neighbourhood retail), industrial or multi-residential property from any capping or claw back of taxes once such a property reaches its full CVA level of taxation, regardless of any future reassessment.
6. The Province of Ontario be again requested to grant the City the authority provide a program to provide for the abatement of property taxes related to the vacant portion of new office construction during the initial lease-up period, for a period not to exceed two years on that portion that remains vacant from the time that the occupancy permit was issued.
7. Following a firm commitment from the Province of Ontario to upload the cost of social service/social housing programs and provide funding for the operating costs of public transit, City Council commit to an acceleration of the reduction of tax rates for non-residential properties by 2015.
8. The Deputy City Manager and Chief Financial Officer establish a working group of Councillors and staff to review the small business category and make recommendations in respect of Recommendation 2 of the Executive Committee.

**Background Information**

Enhancing Toronto's Business Climate - Update

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-5039.pdf>13.11 **Service Increases to Respond to Unanticipated Ridership Growth**

EX10.44	REFERRED			
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Carroll moved that the Item be referred to the Budget Committee for consideration during the 2008 Budget process.

*Vote on Referral:*

Motion 1 by Councillor Carroll carried.

**City Council Decision**

City Council referred this Item to the Budget Committee for consideration during the 2008 Budget process.

**Background Information**

Service Increases to Respond to Unanticipated Ridership Growth

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-5235.pdf>13.12 **148-156 Rowntree Mill Road – Zoning and Plan of Subdivision Applications (March 13, 2007)**

EY4.41	AMENDED		Transactional	Ward: 7
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor De Baeremaeker moved that Council defer consideration of the Item to its November 19, 2007 meeting, and the General Manager of Parks, Forestry and Recreation, the Executive Director, Facilities and Real Estate, and the Chief

Planner and Executive Director, City Planning, be requested to report at that time on options for bringing 148-156 Rowntree Mill Road into public ownership, the report to also include a two-page chronological summary of the planning considerations.

*Vote on Deferral:*

Adoption of motion 1 by Councillor De Baeremaeker:

Yes - 3 Councillors:	De Baeremaeker, Di Giorgio, McConnell
No - 34 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, Del Grande, Feldman, Filion, Fletcher, Ford, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Palacio, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan

Lost by a majority of 31.

*Procedural Motion:*

Councillor Davis, at 8:55 p.m., moved that Council remain in session past the 9:00 p.m. recess time in order to complete consideration of this Item, which carried, two-thirds of Members present having voted in the affirmative.

*Motion:*

2. Councillor Moscoe moved that that the Item be amended by deleting the recommendation of the Etobicoke York Community Council, and that Council adopt instead the following recommendations contained in the report (March 13, 2007) from the Director, Community Planning, Etobicoke York District:
  1. City Council refuse the applications as presented in this report.
  2. City Council adopt the following:
    - i. the refusal recommendations in the Supplementary Report (Addendum) dated January 5, 2007, from the Director, Community Planning, Etobicoke York District;

- ii. the refusal recommendations contained in the Supplementary Report (December 21, 2006) from the Director, Community Planning, Etobicoke York District; and
  - iii. refusal Recommendation 1 contained in the Final Report (April 25, 2006) from the Director, Community Planning, Etobicoke York District.
3. In the event of an appeal to the Ontario Municipal Board or approval of the applications, City Council require that the statutory parkland dedication requirement be secured.

*Votes:*

Adoption of motion 2 by Councillor Moscoe:

Yes - 31 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 6 Councillors: Di Giorgio, Ford, Grimes, Mammoliti, Nunziata, Palacio

Carried by a majority of 25.

Adoption of the Item, as amended:

Yes - 31 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Parker, Perks, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 6 Councillors: Di Giorgio, Ford, Grimes, Mammoliti, Nunziata, Palacio

Carried by a majority of 25.

**City Council Decision**

City Council adopted the following motions:

1. City Council refuse the applications as presented in this report.
2. City Council adopt:
  - a. the following refusal recommendations contained in the Supplementary Report (Addendum) (January 5, 2007) from the Director, Community Planning, Etobicoke York District:
    - “1. City Council adopt the recommendations of the Supplementary Report from the Director, Community Planning, Etobicoke York District, dated December 21, 2006.
    2. City Council refuse the current revised proposal (submitted December 29, 2006) for the rezoning and subdivision of the lands at 148-156 Rowntree Mill Road.”;
  - b. the following refusal recommendations contained in the Supplementary Report (December 21, 2006) from the Director, Community Planning, Etobicoke York District:
    - “1. City Council adopt Recommendation 1 of the report from the Director, Community Planning, Etobicoke York District, dated April 25, 2006, to refuse the rezoning application and the Plan of Subdivision application as represented by the original proposal.
    2. City Council refuse the revised proposal discussed in the report from the Director, Community Planning, Etobicoke York District, dated May 31, 2006, and in this report.
    3. City Council direct the City Solicitor and appropriate City staff to attend, if necessary, the Ontario Municipal Board, to support City Council’s decision to refuse the rezoning and subdivision applications as represented in the original or revised proposals.”; and
  - c. the following refusal Recommendation 1 contained in the Final Report (April 25, 2006) from the Director, Community Planning, Etobicoke York District:
    - “1. City Council refuse the Rezoning application 04 203855 WET 07 OZ and Draft Plan of Subdivision application 04 203864 WET 07 SB for 144-156 Rowntree Mill Road.”

3. In the event of an appeal to the Ontario Municipal Board or approval of the applications, City Council require that the statutory parkland dedication requirement be secured.

### Background Information

March 13, 2007 report

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-2074.pdf>

### Declared Interest (City Council - October 22 and 23, 2007)

Councillor Perruzza - in that his parents own a house on the subject street.

### 13.13 12 Lockie Avenue - Application to Remove Private Tree

SC8.4	NO AMENDMENT			Ward: 41
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### October 23, 2007

Speaker Bussin in the Chair.

#### *Motion:*

1. Councillor Lee moved that the Item be amended by deleting the recommendation of the Scarborough Community Council, and that Council adopt the following instead:

Council permit the removal of the 41 centimetre in diameter Black Walnut tree at 12 Lockie Avenue, on the condition that the property owner sign an undertaking to plant and maintain 4 new 70 millimetre in diameter large growing native tree species, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

#### *Motion to End Debate:*

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

Yes - 28

Councillors: Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Parker, Perks, Rae, Saundercook, Stintz, Thompson, Vaughan

No - 12 Councillors: Ainslie, Ashton, Cho, Ford, Grimes, Holyday, Jenkins, Moeser, Nunziata, Ootes, Palacio, Walker
--

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

*Votes:*

Adoption of motion 1 by Councillor Lee:

Yes - 17 Councillors: Ainslie, Cho, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Holyday, Kelly, Lee, Moeser, Nunziata, Ootes, Parker, Stintz, Thompson, Walker
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No - 24 Mayor: Miller Councillors: Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Heaps, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Perks, Rae, Saundercook, Vaughan
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Lost by a majority of 7.

Adoption of the Item, without amendment:

Yes - 29 Mayor: Miller Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Pantalone, Perks, Rae, Saundercook, Vaughan, Walker
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No - 13 Councillors: Ainslie, Del Grande, Feldman, Ford, Grimes, Holyday, Kelly, Lee, Nunziata, Ootes, Parker, Stintz, Thompson
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Carried by a majority of 16.

### **City Council Decision**

City Council adopted the following motion:

1. City Council deny the request for a permit to remove two (2) privately-owned trees

at 12 Lockie Avenue.

### **Background Information**

Report

(<http://www.toronto.ca/legdocs/mmis/2007/sc/bgrd/backgroundfile-5875.pdf>)

### **CONSIDERATION OF REPORTS**

#### **13.14 EXECUTIVE COMMITTEE MEETING 12**

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

October 22, 2007

Adopted by consent	EX12.1	Regent Park Social Development Plan - Approval (Ward: 28)
Held for consideration Minute 13.15	EX12.2	Update on the Development of a Community Service Hub in the Crescent Town Priority Neighbourhood and Negotiations with the Toronto Catholic District School Board for the Reuse of a Surplus School (Ward: 31)
Held for consideration Minute 13.16	EX12.3	Amendments to Shareholder Direction to Toronto Hydro Corporation (Ward: All)
Adopted by consent	EX12.5	Administrative Amendments to Reserve Fund Accounts No. 2 (Ward: All)
Held for consideration Minute 13.17	EX12.6	Toronto Caribbean Carnival Festival Line of Credit Guarantee (Ward: All)
Adopted by consent	EX12.8	Terms of Reference – Disability Issues Committee for the term 2007-2010
Held for consideration Minute 13.18	EX12.9	Operating Variance Report (for the Six-month period ended June 30, 2007) (Ward: All)
Adopted by consent	EX12.10	Capital Variance Report (for the Six-month period ended June 30, 2007) (Ward: All)
Adopted by consent	EX12.11	Arena Boards of Management 2006 Operating Surpluses/(Deficits) Settlement (Wards: 11, 16, 18, 20, 26, 27, 32)



Adopted by consent	EX12.12	Adjustments to the FY2007 Parks, Forestry and Recreation Division's Capital Budget
Adopted by consent	EX12.13	Transportation Services – Mid-Construction 2007 Cashflow Reallocations and Deferrals (Wards: All)
Held for consideration Minute 13.19	EX12.14	City Planning Division – 2007 Operating Budget Adjustments (Ward: All)
Withdrawn Minute 13.20	EX12.15	Toronto's Blind-Low Vision Early Implementation Plan (Ward: All)
Adopted by consent	EX12.16	Human Papillomavirus (HPV) Vaccination Program for Grade Eight Females – 2007/08 (Ward: All)
Held for consideration Minute 13.21	EX12.17	Toronto Public Health 2007 Operating Budget Adjustments (Ward: All)

**Consideration of Items - Executive Committee Meeting 12**

**13.15 Update on the Development of a Community Service Hub in the Crescent Town Priority Neighbourhood and Negotiations with the Toronto Catholic District School Board for the Reuse of a Surplus School**

<b>EX12.2</b>	NO AMENDMENT			Ward: 31
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

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

*Votes:*

Adoption of motion 1 by Councillor Ford:

Yes - 4 Councillors:	Ainslie, Del Grande, Ford, Holyday
No - 37 Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn,

<p>Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker</p>
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Lost by a majority of 33.

Adoption of the Item, without amendment:

<p>Yes - 38 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker</p>
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<p>No - 3 Councillors: Del Grande, Ford, Holyday</p>
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Carried by a majority of 35.

### **City Council Decision**

City Council adopted the following motions:

1. Staff be authorized to negotiate a lease agreement with the Toronto Catholic District School Board for St. Bernadette Catholic School, provided there is no net cost to the City of Toronto and in a form acceptable to the Chief Corporate Officer and City Solicitor.
2. The Executive Director of Social Development, Finance and Administration be directed to report to the Community Development and Recreation Committee on the recommended community-based board of management governance model, in consultation with local residents and tenant agencies, pending successful lease negotiations.
3. The Director of Community Resources be directed to work with the local Councillor and the community to develop a neighbourhood liaison committee to formalize input into the development of the community service hub project.
4. The appropriate City staff be requested to undertake an assessment of the impacts to the neighbourhood of the community hub, including parking, traffic, noise and other concerns raised by neighbourhood residents.
5. The Local Board of Management be requested to consider alternative names for

the neighbourhood, in consultation with the Neighbourhood Liaison Committee.

6. Staff be requested to report back to the Executive Committee on criteria that could be used to measure the success of this and similar initiatives.

### Background Information

Update on the Development of a Community Service Hub in the Crescent Town Priority Neighbourhood and Negotiations with the Toronto Catholic District School Board for the Reuse of a Surplus School

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7061.pdf>)

(July 24, 2007) letter from Toronto and East York Community Council

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3563.pdf>)

(June 25, 2007) memo from Councillor Janet Davis

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3566.pdf>)

### 13.16 Amendments to Shareholder Direction to Toronto Hydro Corporation

EX12.3	AMENDED			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Procedural Motion:*

Councillor Minnan-Wong moved that Members of Council be permitted an opportunity to ask questions of officials from Toronto Hydro Corporation, which carried, two-thirds of Members present having voted in the affirmative.

*Motions:*

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

City Council request Toronto Hydro to regularly hold an open public forum for members of the public to address Toronto Hydro directly, similar to the old Hydro Commission meetings before Bill 35 became law.

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

That Council adopt the recommendations contained in the report (October 15, 2007) from the City Manager, subject to deleting the words “strive to”, in Recommendation 1a, and deleting the words “where appropriate”, in Recommendation 1b, so that the recommendations, as amended, now read as follows:

1. the City's Shareholder Direction to Toronto Hydro Corporation be further amended as follows:
  - a. add as subsection 2.3(k) "that Toronto Hydro will keep its property and facilities clean and well maintained", and renumber the remaining subsection; and
  - b. add a requirement that Toronto Hydro provide an annual report to the City that includes performance data that demonstrates its progress toward accomplishing the principles set out by the City.
  
2. City Council authorize the City Manager to execute the amendments to the Shareholder Direction in accordance with recommendations approved by Council.
  
3. Councillor Minnan-Wong moved that motion 2 by Councillor Moscoe be amended by adding to Recommendation 1a, the words "and free from graffiti", so that Recommendation 1a now reads as follows:
  - 1a. add as subsection 2.3(k) "that Toronto Hydro will keep its property and facilities clean and well maintained and free from graffiti", and renumber the remaining subsection.
  
4. Councillor Mihevc moved that the Item be amended by adding the following:
 

The Board of Directors of Toronto Hydro be requested to develop a process for input, consultation and feedback from the public and from elected local officials who do not sit on the Board and, further, the Board be requested to report to City Council, through the City Manager, on any new public processes that it develops.
  
5. Councillor Kelly moved that motion 4 by Councillor Mihevc be referred to the Executive Committee for consideration.

*Votes:*

Motion 3 by Councillor Minnan-Wong carried.

Adoption of motion 2 by Councillor Moscoe, as amended:

Yes - 34 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Ford, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Milczyn, Minnan-Wong,
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Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Rae, Saundercook, Shiner, Thompson, Vaughan, Walker
No - 0

Carried, without dissent.

Motion 1 by Councillor Walker carried.

Adoption of motion 5 by Councillor Kelly:

Yes - 9 Councillors: Di Giorgio, Grimes, Holyday, Kelly, McConnell, Milczyn, Minnan-Wong, Parker, Rae
No - 26 Councillors: Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Ford, Giambrone, Hall, Heaps, Jenkins, Lee, Lindsay Luby, Moscoe, Nunziata, Ootes, Palacio, Perks, Saundercook, Shiner, Thompson, Vaughan, Walker

Lost by a majority of 17.

Motion 4 by Councillor Mihevc carried.

The Item, as amended, carried.

### City Council Decision

City Council adopted the following motions:

- I. The following amendments be made to the City's Shareholder Direction to Toronto Hydro Corporation:
  1. renumber subsection 2.3(a)(iii) to be 2.3(a)(iv) and add the following as subsection 2.3(a)(iii) "in a socially responsible manner that supports priority objectives of the City of Toronto that are consistent with Toronto Hydro's business objectives";
  2. amend subsection 2.3(b) to read "Toronto Hydro will provide a reliable, effective and efficient distribution system that meets changing demand utilizing emerging green technologies as appropriate";
  3. amend subsection 2.3(g) to read "Toronto Hydro will promote energy conservation and environmental responsibility and work with the City of Toronto to achieve its climate change objectives";

4. renumber subsection 2.3(h) to 2.3 (k) and subsection 2.3(i) to 2.3(h);
5. add subsection 2.3(i) that reads “Toronto Hydro will engage in recruitment practices designed to attract employees from the diverse community it serves”; and
6. add subsection 2.3(j) that reads “Toronto Hydro’s administrative strategies will support the City of Toronto priority objectives where consistent with Toronto Hydro’s business objectives, including procurement practices that encourage participation of equity-seeking groups”;

so that the Principles Section of the Shareholder Direction reads as in Appendix A.

- II. Toronto Hydro Corporation, through the City Manager’s office, be requested to submit an annual report to the Executive Committee outlining the progress made toward accomplishing the four objectives listed in the foregoing report, such annual report to include quantifiable objective data.
- III. the City’s Shareholder Direction to Toronto Hydro Corporation be further amended as follows:
  - a. add as subsection 2.3(k) “that Toronto Hydro will keep its property and facilities clean and well maintained and free from graffiti”, and renumber the remaining subsection; and
  - b. add a requirement that Toronto Hydro provide an annual report to the City that includes performance data that demonstrates its progress toward accomplishing the principles set out by the City.
- IV. City Council authorize the City Manager to execute the amendments to the Shareholder Direction in accordance with recommendations approved by Council.
- V. City Council request Toronto Hydro to regularly hold an open public forum for members of the public to address Toronto Hydro directly, similar to the old Hydro Commission meetings before Bill 35 became law.
- VI. The Board of Directors of Toronto Hydro be requested to develop a process for input, consultation and feedback from the public and from elected local officials who do not sit on the Board and, further, the Board be requested to report to City Council, through the City Manager, on any new public processes that it develops.

### **Background Information**

Amendments to Shareholder Direction to Toronto Hydro Corporation

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-6993.pdf>  
City Objectives in Shareholder Direction to Toronto Hydro Corporation  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-5245.pdf>  
(October 1, 2007) letter from Mr. Tony O'Donohue  
<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3810.pdf>

**Additional Background Information (City Council)**

- Report (October 15, 2007) from the City Manager ([EX12.3c](#))

13.17 **Toronto Caribbean Carnival Festival Line of Credit Guarantee**

EX12.6	AMENDED			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Thompspon moved that the Item be amended by deleting from Recommendation 1a of the Executive Committee, the date “October 1, 2008” and inserting instead the date “October 1, 2010”, so that Recommendation 1a now reads as follows:
  - 1a. the City renew the line of credit guarantee on behalf of the Toronto Caribbean Carnival Festival (TCCF) to its financial institution in the amount of \$100,000.00 (inclusive of all interest payable by TCCF), commencing on October 1, 2007, and ending on October 1, 2010.

*Votes:*

Motion 1 by Councillor Thompson carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. a. the City renew the line of credit guarantee on behalf of the Toronto Caribbean Carnival Festival (TCCF) to its financial institution in the amount of \$100,000.00 (inclusive of all interest payable by TCCF), commencing on October 1, 2007, and ending on October 1, 2010;
  - b. the City extend the agreement with the TCCF with respect to the line of credit guarantee; and

- c. the City extend the tri-party agreement with the TCCF and with its financial institution with respect to the line of credit guarantee.
2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as Deputy City Manager Sue Corke, and the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest.
3. The City retain the right to withhold a portion of outstanding grants that the City may provide to the TCCF in 2007 and 2008 to pay off the line of credit, if it is not retired by October 1, 2008.
4. The TCCF to provide the Deputy City Manager and Chief Financial Officer with their 2007 and 2008 audited financial statements when they become available.
5. The guarantee be deemed to be in the interest of the municipality.
6. The appropriate officials be authorized to take the necessary action to give effect thereto

### Background Information

Toronto Caribbean Carnival Festival Line of Credit Guarantee

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-6996.pdf>

### 13.18 Operating Variance Report (for the Six-month period ended June 30, 2007)

<b>EX12.9</b>	AMENDED			Wards: All
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During its review of the Order Paper, Council decided to consider Item EX12.9 together with New Business Item CC13.3, headed “City Manager’s Authority to Implement Cost Containment Measures”, as these Items are related. (See Minute 13.66 for Council’s decision on Item CC13.3)

### October 23, 2007

Speaker Bussin in the Chair.

#### *Motion:*

1. Councillor Walker moved that the Items be amended by adding the following:



- A. Council direct the City Manager to rescind all cost containment measures.
- B. City Council request the Ontario Divisional Court to conduct an independent Judicial Review of the two, contrary legal opinions by Ms. A. Kinastowski, City of Toronto, and by Mr. D.C.K. Tang, Gowlings Lafleur Henderson LLP, pertaining to the interpretation of Section 140 of the City of Toronto Act, 2006, and Section 169 of the City of Toronto Municipal Code, as to the legality of the recent actions of the City Manager to act unilaterally and implement cost containment measures, amending 2007's Approved Budget, without seeking City Council authority.

*Ruling by Speaker:*

Councillor De Baeremaeker requested Speaker Bussin to rule on whether motion 1A by Councillor Walker was in order. Speaker Bussin ruled that it was in order.

*Motions:*

- 2. Councillor Minnan-Wong moved that the Items be amended by adding the following:  
  
City Council amend the Toronto Municipal Code to require the City Manager or her staff to seek Council approval for decisions that would result in:
  - a. the closing of any public facilities; and/or
  - b. the limiting of hours of operation of public services, such as swimming pools or community centres.
- 3. Councillor Vaughan moved that motion 2 by Councillor Minnan-Wong be referred to the Executive Committee.
- 4. Councillor Hall moved that motion 3 by Councillor Vaughan be amended by adding the words "with a request that the Committee report back to City Council on the motion in January 2008", so that motion 3 now reads as follows:  
  
That motion 2 by Councillor Minnan-Wong be referred to the Executive Committee, with a request that the Committee report back to City Council on the motion in January 2008.

*Motion to End Debate:*

Councillor Cho moved that, in accordance with the provisions of Chapter 27, Council Procedures, Council end the debate on these Items and take the vote immediately, the vote

on which was taken as follows:

Yes - 18	
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Perks, Rae, Vaughan
No - 17	
Councillors:	Ainslie, Ashton, Del Grande, Holyday, Jenkins, Lee, Mammoliti, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Saundercook, Shiner, Stintz, Thompson, Walker

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

*Votes:*

Adoption of motion 1A by Councillor Walker:

Yes - 10	
Councillors:	Ainslie, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Shiner, Stintz, Walker
No - 30	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Parker, Perks, Perruzza, Rae, Thompson, Vaughan

Lost by a majority of 20.

Adoption of motion 1B by Councillor Walker:

Yes - 10	
Councillors:	Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Saundercook, Shiner, Stintz, Walker
No - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Palacio, Parker, Perks, Perruzza, Rae, Thompson, Vaughan

Lost by a majority of 20.

Adoption of motion 4 by Councillor Hall:

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

Carried by a majority of 34.

Adoption of motion 3 by Councillor Vaughan, as amended:

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

Carried by a majority of 29.

Items EX12.9 and CC13.3, as amended, carried.

### City Council Decision

City Council adopted the following motions:

1. Council approve the budget adjustments to amend the 2007 Council-approved Operating Budget between Programs to ensure accurate reporting and financial accountability resulting in no net increase to the overall 2007 Council-approved Operating Budget as detailed in Appendix D.

2. Council receive, for information, the Member Motion by Councillor Walker, seconded by Councillor Stintz, contained in the communication (September 28, 2007) from the City Clerk, respecting M119, entitled “Special Meeting of Council to Discuss 2007 Operating Budget Cutbacks”.
3. The following motion be referred to the Executive Committee, with a request that the Committee report back to City Council on the motion in January 2008:

Moved by Councillor Minnan-Wong:

“That City Council amend the Toronto Municipal Code to require the City Manager or her staff to seek Council approval for decisions that would result in:

- a. the closing of any public facilities; and/or
- b. the limiting of hours of operation of public services, such as swimming pools or community centres.”

### Background Information

(September 21, 2007) memo from the Budget Committee  
<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3704.pdf>  
 Special Meeting of Council to Discuss 2007 Operating Budget Cutbacks  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7283.pdf>  
 Cost Containment Measures  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7345.pdf>  
 Service Level Adjustments in North York Community Council Area  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7346.pdf>

### Additional Background Information (City Council)

- Communication (October 16, 2007) from the Chair, Toronto Public Library Board  
[\(EX12.9e\)](#)

### 13.19 City Planning Division – 2007 Operating Budget Adjustments

<b>EX12.14</b>	NO AMENDMENT			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

### City Council Decision

City Council adopted the following motion:

1. Council approve the following adjustments to the City Planning Division's 2007 Approved Operating Budget:
  - a. an increase of \$34,205.00 gross/\$0 net for heritage consultants for Joy Oil, with funding from Deferred Revenue generated by Section 37;
  - b. an increase of \$83,983.00 gross/\$0 net for the Bring Back the Don initiative, with funding from donations already received;
  - c. an increase of \$53,447.00 gross/\$0 net for the Downtown Growth Management Study (Tall Buildings), with funding from the City Planning Division's 2007 Capital Fund Account; and
  - d. an increase of \$30,000.00 gross/\$0 net for the Green Development Cost Benefit Analysis, funded by a grant already received from the Federation of Canadian Municipalities.

### Background Information

(September 21, 2007) memo from the Budget Committee

<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3712.pdf>

### 13.20 Toronto's Blind-Low Vision Early Implementation Plan

EX12.15	WITHDRAWN			Wards: All
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**October 22, 2007**

Speaker Bussin in the Chair.

During Council's review of the Order Paper, Speaker Bussin advised Council that this Item must be withdrawn from the agenda. The Item was approved by Council at its meeting of July 16, 17, 18 and 19, 2007 and was resubmitted in error.

### City Council Decision

This Item was withdrawn at City Council, as Council had already approved this matter on July 16, 17, 18 and 19, 2007. [[Ref. HL6.14](#)]

**Background Information**

(September 21, 2007) memo from the Budget Committee  
<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3713.pdf>

13.21 **Toronto Public Health 2007 Operating Budget Adjustments**

<b>EX12.17</b>	NO AMENDMENTS			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. Council approve the Toronto Public Health 2007 Operating Budget being increased by \$1,105.6 thousand gross and \$0.0 thousand net, and a staff increase of 32 temporary positions, to reflect confirmed funding from the Ministries of Health and Long-Term Care, Health Promotion and Children and Youth Services.

**Background Information**

(September 21, 2007) memo from the Budget Committee  
<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3715.pdf>

13.22 **AUDIT COMMITTEE MEETING 4**

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 22, 2007

Held for consideration Minute 13.23	AU4.1	Management of Construction Contracts - Toronto Water and Sewer Emergency Repair Contracts
Held for consideration Minute 13.24	AU4.2	Toronto Water Division, Review of Wastewater Treatment Program - Phase One
Held for consideration Minute 13.25	AU4.3	Internet Usage Review

- Adopted by consent      AU4.4      Children’s Services Division – Review of the Administration of Child Care Fee Subsidy
- Adopted by consent      AU4.10      Financial Statements for the Year Ended December 31, 2006 - Agencies, Boards and Commissions

**Consideration of Items - Audit Committee Meeting 4**

13.23 **Management of Construction Contracts - Toronto Water and Sewer Emergency Repair Contracts**

AU4.1	AMENDED			
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Mayor Miller moved that the Item be amended by adding the following:

The City Manager be requested to review the current training policies, using the results of this audit, and develop a plan to support appropriate training that would further support supervisory staff, in all City divisions, improving the effectiveness and efficiency of City operations.

*Votes:*

Adoption of motion 1 by Mayor Miller:

Yes - 36	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Saundercook, Stintz, Vaughan, Walker
No - 0	

Carried, without dissent.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. The General Manager, Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer and the City Solicitor:
  - a. evaluate City business continuity and disaster management risks in contracting with a single contract provider for all City water and sewer emergency repairs;
  - b. evaluate the viability and impact of alternate procurement solutions, such as a roster of contractors, or restricting bidding contractors to a limited number of districts; and
  - c. develop appropriate criteria for the standardized use of contractual incentives, such as alternative liquidated damages provisions when emergency repairs are delayed, and include such criteria in future City water and sewer emergency contracts.
2. The Deputy City Manager and Chief Financial Officer ensure the tendering process is complied with and a comparative summary of bids is developed and authorized. Copies of key sections, including authorization and pricing sections of competitive bids, should be retained by the Purchasing and Materials Management Division.
3. The General Manager, Toronto Water, in consultation with the City Solicitor, review the content of all standard Toronto Water emergency repair contracts, in order to ensure that contract provisions are clear, consistent and enforceable.
4. The General Manager, Toronto Water, review payments to the contractor based on undocumented assumptions and informal agreements and, where appropriate, such payments be recovered.
5. The General Manager, Toronto Water, direct staff that any decisions, and in particular, decisions that involve financial commitments for contract terms which appear to be ambiguous, unclear or inconsistent only be made after consultation with the City's Legal Services Division and approval by the senior management. All such consultations and approval be documented.
6. The General Manager, Toronto Water, review the possibility of including criteria for emergency and non-emergency work in future contracts and obtaining separate rates for emergency and non-emergency work accordingly.
7. The General Manager, Toronto Water, ensure that where possible, estimated



quantities contained in emergency repair contract tenders are reasonably accurate and are representative of actual quantities required to complete the contract. In addition, The General Manager in consultation with Purchasing and Materials Management, explore other procurement solutions for obtaining emergency repair services independent of fixed quantity estimates.

8. The General Manager, Toronto Water, take steps to develop policies and procedures for managing emergency repair contracts and ensure staff is appropriately trained.
9. The General Manager, Toronto Water, review 2006 and 2007 contractor payments for emergency repairs and take steps to determine and recover overpayments made to the contractor identified as part of the review.
10. The General Manager, Toronto Water, develop policies to ensure that:
  - a. Site Inspector's Daily Work Reports are prepared independently of contractor invoices and provide relevant details including services provided, calculations and measurements supporting payment; and
  - b. documentation supporting progress payments is reviewed in detail by supervisory staff.
11. The General Manager, Toronto Water, ensure that extra work is awarded through authorized change directives and that separate inspector reports are used for recording work pertaining to extra work orders.
12. The General Manager, Toronto Water, ensure that to the extent possible, all required work be included in the original contract and extra work orders be limited.
13. The General Manager, Toronto Water, develop a process for the periodic monitoring of contract expenditures and ensure that Purchasing by-law requirements for authorizing over-expenditures are complied with. Appropriate action is taken in circumstances where non-compliance of the by-law is identified.
14. The General Manager, Toronto Water, ensure contractor performance issues are consistently documented and monitored. Significant contractor performance issues that can not be resolved through the regular contract management process should be communicated to Purchasing and Materials Management for consideration in future contract award decisions.
15. The General Manager, Toronto Water, expedite the review and assessment of existing work management systems, including an assessment of the SAP Plant Maintenance Module. Following the selection of a work management system, its

implementation should be expedited and the cost benefits of its integration with SAP be evaluated.

16. The General Manager, Toronto Water, develop procedures to ensure staff review repair requests to determine if the required work is covered under warranty.
17. The General Manager, Toronto Water Division, develop a process for District Contract Services and Operations and Maintenance staff to meet on a regular basis to discuss project status, and document and assess the priority of ongoing projects for re-assignment of pending projects to in-house staff.
18. The City Manager be requested to review the current training policies, using the results of this audit, and develop a plan to support appropriate training that would further support supervisory staff, in all City divisions, improving the effectiveness and efficiency of City operations.

### **Background Information**

Management of Construction Contracts - Toronto Water and Sewer Emergency Repair Contracts, report (July 30, 2007) from the Auditor General

<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6695.pdf>

Management of Construction Contracts - Toronto Water and Sewer Emergency Repair Contracts, Appendix 1

<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6696.pdf>

Management of Construction Contracts - Toronto Water and Sewer Emergency Repair Contracts, Appendix 2 Management's Response to the Auditor General's Review

<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6697.pdf>

### 13.24 **Toronto Water Division, Review of Wastewater Treatment Program - Phase One**

AU4.2	NO AMENDMENT			
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

### **City Council Decision**

City Council adopted the following motions:

1. The General Manager, Toronto Water Division, review the current process to

monitor employee attendance during night and weekend shifts and determine whether or not it is practical or cost-effective to conduct random checks of employee attendance during night and weekend shifts.

2. The General Manager, Toronto Water Division, require management review and approval of all overtime worked and ensure that all plant staff use appropriate documentation approved by management that clearly explain the reasons for overtime worked.
3. The General Manager, Toronto Water Division, in consultation with the Director, Policy, Planning, Finance and Administration and the Director, Pension, Payroll and Employee Benefits, develop overtime reports to meet the information needs of the Managers responsible for reviewing overtime costs. Management should regularly review overtime reports to monitor overtime usage and costs and identify potential opportunities to reduce overtime.
4. The General Manager, Toronto Water Division, direct that detailed overtime analyses be performed to determine whether the amount of overtime is reasonable and necessary in the wastewater plants. Such overtime analyses should identify reasons for overtime and trends among work areas and positions within the plants.
5. The General Manager, Toronto Water Division, consult with the union the potential of adopting a common shift schedule for both the water filtration and wastewater plants that will reduce staff overtime.
6. The General Manager, Toronto Water Division, develop criteria for defining the exceptional circumstances where supervisors approve staff requests for changes to their scheduled vacation.
7. The General Manager, Toronto Water Division, ensure that the staff in the Toronto Water Division are aware of their responsibilities relating to the attendance management program and require that employee absenteeism is regularly monitored in accordance with City policy.
8. The General Manager, Toronto Water Division, ensure that:
  - a. divisional staff, independent of the payroll input process, review and verify the accuracy and completeness of payroll transactions; and
  - b. Toronto Water staff do not input their own payroll data into the payroll system.
9. The Treasurer take appropriate action to identify and recover payroll overpayments resulting from the incorrect use of payroll input codes prior to the enhancement of on-line system controls in August 2006.

10. The General Manager, Toronto Water Division, develop and implement standard payroll procedures in the Toronto Water Division that require supervisory staff to review and approve a standard time sheet that captures all staff time and attendance.
11. The General Manager, Toronto Water Division, review the use of alternate rate assignments to ensure that such assignments are necessary and properly processed in accordance with policies and procedures as well as the provisions in the collective agreement.
12. The General Manager, Toronto Water Division, consider the possibility of re-assigning payroll input duties to plant administrative staff.
13. The General Manager, Toronto Water Division, require that an evaluation of the use of the work management system be conducted following implementation of the system at each plant location. In addition, timely action should be taken to correct problems that are identified during the evaluation process.
14. The General Manager, Toronto Water Division, evaluate the feasibility of accelerating the timelines to implement the work management system at the wastewater plants.
15. The General Manager, Toronto Water Division, expedite the review and assessment of the existing work management systems and the SAP Plant Maintenance Module and consider the feasibility of creating an interface between the selected system and the SAP Financial Information system.
16. The General Manager, Toronto Water Division, develop a single time sheet to be used for payroll purposes and assess the feasibility to also use this time sheet for the work management system.
17. A copy of this Item be forwarded to the Employee and Labour Relations Committee for information, with a request that the Committee pursue changes to Toronto Water's current Shift Schedule Agreement with Local 416, including defining exceptional circumstances where supervisors approve staff requests for changes to their scheduled vacation and the mandate to negotiate changes to the current 18-day sick benefits program.

**Background Information**

Toronto Water Division, Review of Wastewater Treatment Program - Phase One, report (July 16, 2007) from the Auditor General

<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6692.pdf>

Toronto Water Division, Review of Wastewater Treatment Program - Phase One - Appendix 1

<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6693.pdf>

Toronto Water Division, Review of Wastewater Treatment Program - Phase One - Appendix 2 - Management's Response to the Auditor General's Review

<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6694.pdf>

13.25 **Internet Usage Review**

AU4.3	REFERRED			
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This Item was submitted without recommendation.

**October 23, 2007**

Deputy Speaker Lindsay Luby in the Chair.

*Motions:*

1. Councillor Del Grande moved that Council:
  - A. adopt the following Recommendations 1, 3 and 4 contained in the report (July 31, 2007) from the Auditor General:
    1. The Chief Information Officer implement a user authentication system for all users accessing the Internet.
    3. The Chief Information Officer conduct an ongoing review of top sites visited that are likely for personal use, have highly automated activity, or carry security risks such as instant messaging or email and determine whether further site restrictions are warranted.
    4. The Chief Information Officer take appropriate steps to ensure Internet connections of all City computers are consistently configured so that Internet logs record all Internet activity of all users but exclude visits to City internal sites.
  - B. refer the following Recommendation 2 contained in the report (July 31, 2007) from the Auditor General, to the Chief Information Officer with a request that he conduct a feasibility study during the next year in order to

fully determine the technical requirements, resource implications and costs involved, given that the forensic and other resources required to fully support this monitoring option do not currently exist within the City, and report his findings to the Audit Committee no later than October 31, 2008:

2. The Chief Information Officer, in consultation with the Executive Director of Human Resources Division and the City Solicitor, implement systematic Internet usage monitoring for compliance with the City's Acceptable Use Policy, including:
  - a. developing criteria for Internet use that may not be in compliance with the policy, particularly relating to Internet time, bandwidth usage and visits or attempts to visit inappropriate sites;
  - b. utilizing appropriate analysis tools to generate exception reports identifying users with Internet activity deemed to be inappropriate according to established criteria;
  - c. providing Divisional management with detailed reports and technical support to facilitate review of apparent violations of the City's Acceptable Use Policy;
  - d. establishing written procedures outlining the types and frequency of management reports on Internet usage and the responsibility for review and follow-up of such reports; and
  - e. communicating to all City staff reiterating the City's Acceptable Use Policy, clarifying the responsibility of the City and users, and advising of the procedures in place to monitor compliance with the Policy.
  
2. Councillor Moscoe moved that Parts A3 and 4 and Part B of motion 1 by Councillor Del Grande be referred to the City Manager to report to the Government Management Committee, and the Committee be requested to review the Acceptable Use Policy prior to the consideration of Recommendations 2, 3 and 4 of the Auditor General.

*Vote:*

Motion 1 by Councillor Del Grande, as amended by motion 2 by Councillor Moscoe, carried.

The Item, as amended, carried.

*Motion to Reconsider:*

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

Speaker Bussin in the Chair.

*Motion:*

3. Councillor Perks moved that the Item, together with motion 1 by Councillor Del Grande and motion 2 by Councillor Moscoe, be referred to the City Manager for report to the Government Management Committee, and the Government Management Committee be requested to review the Acceptable Use Policy prior to any consideration of the findings of the Auditor General.

*Vote on Referral:*

Adoption of motion 3 by Councillor Perks:

Yes - 21 Councillors:	Ainslie, Bussin, Carroll, Cho, Davis, Di Giorgio, Fillion, Giambrone, Grimes, Hall, Heaps, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Perks, Rae, Vaughan
No - 14 Councillors:	Ashton, Augimeri, De Baeremaeker, Del Grande, Ford, Holyday, Kelly, Nunziata, Palacio, Parker, Perruzza, Saundercook, Stintz, Thompson

Carried by a majority of 7.

**City Council Decision**

City Council referred this Item and the following motions to the City Manager for report to the Government Management Committee, and requested the Government Management Committee to review the Acceptable Use Policy prior to any consideration of the findings of the Auditor General:

Moved by Councillor Del Grande:

- “A. That Council adopt the following Recommendations 1, 3 and 4 contained in the report (July 31, 2007) from the Auditor General:

1. The Chief Information Officer implement a user authentication system for all users accessing the Internet.
  3. The Chief Information Officer conduct an ongoing review of top sites visited that are likely for personal use, have highly automated activity, or carry security risks such as instant messaging or email and determine whether further site restrictions are warranted.
  4. The Chief Information Officer take appropriate steps to ensure Internet connections of all City computers are consistently configured so that Internet logs record all Internet activity of all users but exclude visits to City internal sites.
- B. That the following Recommendation 2 contained in the report (July 31, 2007) from the Auditor General, be referred to the Chief Information Officer with a request that he conduct a feasibility study during the next year in order to fully determine the technical requirements, resource implications and costs involved, given that the forensic and other resources required to fully support this monitoring option do not currently exist within the City, and report his findings to the Audit Committee no later than October 31, 2008:
2. The Chief Information Officer, in consultation with the Executive Director of Human Resources Division and the City Solicitor, implement systematic Internet usage monitoring for compliance with the City's Acceptable Use Policy, including:
    - a. developing criteria for Internet use that may not be in compliance with the policy, particularly relating to Internet time, bandwidth usage and visits or attempts to visit inappropriate sites;
    - b. utilizing appropriate analysis tools to generate exception reports identifying users with Internet activity deemed to be inappropriate according to established criteria;
    - c. providing Divisional management with detailed reports and technical support to facilitate review of apparent violations of the City's Acceptable Use Policy;
    - d. establishing written procedures outlining the types and frequency of management reports on Internet usage and the responsibility for review and follow-up of such reports; and
    - e. communicating to all City staff reiterating the City's



Acceptable Use Policy, clarifying the responsibility of the City and users, and advising of the procedures in place to monitor compliance with the Policy.”

Moved by Councillor Moscoe:

“That Parts A3 and 4 and Part B of Motion 1 by Councillor Del Grande be referred to the City Manager to report to the Government Management Committee and the Committee be requested to review the Acceptable Use Policy prior to the consideration of Recommendations 2, 3 and 4 of the Auditor General.”

### Background Information

Internet Usage Review - report (July 31, 2007) from the Auditor General

(<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6698.pdf>)

Internet Usage Review - Appendix 1

(<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6699.pdf>)

Internet Usage Review - Appendix 2 - Management's Response to Auditor General's Review

(<http://www.toronto.ca/legdocs/mmis/2007/au/bgrd/backgroundfile-6700.pdf>)

### Additional Background Information (City Council)

- Acceptable Use Policy for Information and Technology Resources, submitted by the Chief Information Officer (AU4.3a)

## 13.26 BOARD OF HEALTH MEETING 7

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 22, 2007

Held for consideration HL7.2 Breastfeeding Promotion in Toronto  
Minute 13.27

### Consideration of Item - Board of Health Meeting 7

## 13.27 Breastfeeding Promotion in Toronto

HL7.2	NO AMENDMENT			
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October 23, 2007

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

### **City Council Decision**

City Council adopted the following motions:

1. City Council endorse the implementation of the Breastfeeding Friendly Recognition Symbol in Toronto as outlined in the report (September 5, 2007) from the Medical Officer of Health.
2. City Council require all City facilities, including agencies, boards and commissions, the Association of Community Centres (AOCCs) and Arenas which have City funding, to post the Breastfeeding Friendly Symbol.
3. City Council direct the City Manager to advise all City of Toronto grant recipients and all daycare centres receiving City funding of the City of Toronto's breastfeeding policy and request that they post the Breastfeeding Friendly Symbol.

### **Background Information**

Breastfeeding Promotion in Toronto

<http://www.toronto.ca/legdocs/mmis/2007/hl/bgrd/backgroundfile-6597.pdf>

## **13.28 COMMUNITY DEVELOPMENT AND RECREATION COMMITTEE MEETING 9**

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

October 22, 2007

Held for consideration Minute 13.29	CD9.4	Request for a Tenant Support Grant under the Tenant Defence Fund from 25 St. Mary Street Tenants' Association
Held for consideration Minute 13.30	CD9.5	Amendment to the Terms of Reference for the Youth Strategy Panel

**Consideration of Items - Community Development and Recreation  
Committee Meeting 9**

13.29 **Request for a Tenant Support Grant under the Tenant Defence Fund from  
25 St. Mary Street Tenants' Association**

CD9.4	NO AMENDMENT			
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**October 22, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item as adopted, without amendment.

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

**City Council Decision**

City Council adopted the following motions:

1. City Council approve a grant of up to \$1,000.00 to the Tenants' Association of 25 St. Mary Street from the 2007 Tenant Support Grants Program, to assist the tenants towards the payment of their legal costs for disputing their landlord's application for above-guideline rent increases.
2. City Council authorize the General Manager, Shelter, Support and Housing Administration, to take the necessary actions to implement Council's approval.

**Background Information**

cd9.4-Letter

<http://www.toronto.ca/legdocs/mmis/2007/cd/bgrd/backgroundfile-7254.pdf>

cd9.4-Attachment-Report from General Manager, Shelter, Support and Housing Administration

<http://www.toronto.ca/legdocs/mmis/2007/cd/bgrd/backgroundfile-7255.pdf>

13.30 **Amendment to the Terms of Reference for the Youth Strategy Panel**

CD9.5	NO AMENDMENT			
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. Section (C)(2)(ii) of the terms of reference for the Toronto Youth Strategy Panel be amended to read as follows:
  - “(ii) three (3) representatives from community-based youth-led organizations;”.

**Background Information**

cd9.5-Letter

<http://www.toronto.ca/legdocs/mmis/2007/cd/bgrd/backgroundfile-7256.pdf>

**13.31 ECONOMIC DEVELOPMENT COMMITTEE MEETING 8**

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

October 22, 2007

Adopted by consent	ED8.2	Appointment of a Representative from the Royal Ontario Museum to the Collections, Conservation and Shared Resources Management Board (Ward: All)
Held for consideration Minute 13.32	ED8.3	Proposed Amendments to Municipal Code Chapter 19: BIA Advocacy and Delegation of Authority to Establish Boards (Ward: All)
Adopted by consent	ED8.4	Dundas Ossington Business Improvement Area (BIA) Poll Results (Ward: 18, 19)
Adopted by consent	ED8.5	Intention to Designate the Proposed Toronto Entertainment District Business Improvement Area (BIA) (Ward: 20, 28)

**Consideration of Item - Economic Development Committee Meeting 8**

13.32 **Proposed Amendments to Municipal Code Chapter 19: BIA Advocacy and Delegation of Authority to Establish Boards**

ED8.3	AMENDED			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

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

The Chief Planner and Executive Director, City Planning, in consultation with the City Clerk and the Acting Director of Small Business and Local Partnerships, report to the Planning and Growth Management Committee on possible measures to improve Business Improvement Area (BIA) notification of planning and other pertinent applications within the City’s control, such as notifying a BIA of any City Planning application or sign variance application occurring within 60 metres of the BIA’s boundary.

*Votes:*

Motion 1 by Councillor Walker carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. The introductory phrase of Section 19-3 of Municipal Code Chapter 19, “Purpose of a business improvement area Board”, be amended to read “Where Council passes a designation by-law, Council, or community council under delegated authority, may establish a Board under this Chapter:”.
2. Section 19-3 of Municipal Code Chapter 19, be amended to add Clause G that reads “To advocate on behalf of the interests of the business improvement area.”.
3. Section 19-19 of the Municipal Code Chapter 19, “Limitations”, be amended to add Clause G that reads a Board shall not: “participate in a hearing of the Ontario Municipal Board, Committee of Adjustment, or other similar tribunal unless the Board has conducted a general meeting of the membership to obtain approval to participate, and to get approval of any related expenditures”.

4. Section 19-23 of Municipal Code Chapter 19, "Refusal to Appoint", be amended to read "Council, or community council under delegated authority, may refuse to appoint a person selected by the members of a business improvement area, in which case Council, or community council under delegated authority, as the case may be, may leave the position vacant or direct that a meeting of the members of the business improvement area or the Board be held to elect or select another candidate for Council's, or community council's consideration".
5. Authority be granted to the City Solicitor to submit any bills required to amend Municipal Code Chapter 19 in accordance with Parts 1 to 4 above.
6. The Chief Planner and Executive Director, City Planning, in consultation with the City Clerk and the Acting Director of Small Business and Local Partnerships, report to the Planning and Growth Management Committee on possible measures to improve Business Improvement Area (BIA) notification of planning and other pertinent applications within the City's control, such as notifying a BIA of any City Planning application or sign variance application occurring within 60 metres of the BIA's boundary.

### **Background Information**

2007-10-11-ed08-3

<http://www.toronto.ca/legdocs/mmis/2007/ed/bgrd/backgroundfile-7289.pdf>

## **13.33 GOVERNMENT MANAGEMENT COMMITTEE MEETING 8**

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

October 22, 2007

Held for consideration Minute 13.34	GM8.3	Microsoft Agreement and Microsoft Reseller Selection (Ward: All)
Held for consideration Minute 13.35	GM8.4	Digital Photocopier and Facsimile Equipment and Services - Amending Non-Exclusive Agreements (Ward: All)
Adopted by consent	GM8.5	Cliffcrest Branch Library (2965 - 3049 Kingston Road) – Designation as a Municipal Capital Facility (Ward: 36)
Held for consideration Minute 13.36	GM8.6	New User Fees and Fee Increase for Administration of Property Tax and Water Accounts (Ward: All)

Adopted by consent	GM8.7	North York Civic Centre Underground Parking – Designation as a Municipal Capital Facility (Ward: 23)
Held for consideration Minute 13.37	GM8.9	Revisions to the Fair Wage Policy (Ward: All)
Adopted by consent	GM8.11	Leasing 45 Sheppard Avenue East – Second Floor Premises, 4,462 sq.ft. of Rentable Area for Social Services Family Support Program (Ward: 23)
Held for consideration Minute 13.38	GM8.12	Proposed Acquisition of Part of 243 Alberta Avenue (Roseneath Gardens Parkette) (Ward: 17)

**Consideration of Items - Government Management Committee Meeting 8**

13.34 **Microsoft Agreement and Microsoft Reseller Selection**

<b>GM8.3</b>	NO AMENDMENT			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. Authority be granted for the Information and Technology Division to enter into an agreement with the contracting Microsoft affiliate, MSLI, GP (Microsoft Inc.) and the LAR selected by the Province of Ontario through a competitive process for the period ending September 30, 2010, in an amount not to exceed \$5,612,800.00 net of GST, subject to the Fair Wage Policy and the Right to Reject Debtors and Set Off Policy.

**Background Information**

Staff Report-Microsoft Agreement and Microsoft Reseller Selection  
<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7315.pdf>

13.35 **Digital Photocopier and Facsimile Equipment and Services - Amending Non-Exclusive Agreements**

GM8.4	NO AMENDMENT			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Authority be granted to amend the non-exclusive agreement with Xerox Canada from an amount not to exceed \$1,000,000.00 including all taxes, \$947,368.42 net of GST, to a revised amount not to exceed \$100,000.00 including all taxes, \$94,736.84 net of GST, for the period ending July 3, 2008.
2. Authority be granted to amend the non-exclusive agreement with Pitney Bowes from an amount not to exceed \$500,000.00 including all taxes, \$473,684.21 net of GST, to a revised amount not to exceed \$100,000.00 including all taxes, \$94,736.84 net of GST, for the period ending July 3, 2008.
3. Authority be granted to amend the non-exclusive agreement with 4-Office Automation from an amount not to exceed \$1,500,000.00 including all taxes, \$1,421,052.63 net of GST, to a revised amount not to exceed \$2,500,000.00 including all taxes, \$2,368,421.05 net of GST, for the period ending July 3, 2008.
4. Authority be granted to amend the non-exclusive agreement with Ricoh Canada Inc. from an amount not to exceed \$1,000,000.00 including all taxes, \$947,368.42 net of GST, to a revised amount not to exceed \$1,300,000.00 including all taxes, \$1,231,578.95 net of GST, for the period ending July 3, 2008.

**Background Information**

Staff Report-Digital Photocopier and Facsimile Equipment and Services - Amending Non-Exclusive Agreements

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7316.pdf>

13.36 **New User Fees and Fee Increase for Administration of Property Tax and Water Accounts**

GM8.6	AMENDED			Wards: All
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**October 23, 2007**



Speaker Bussin in the Chair.

*Motion:*

1. Councillor Lindsay Luby moved that the Item be amended by amending the fees recommended by the Government Management Committee as follows:
  - A. delete the fee of \$10.00 in Recommendation 1 and replace it with \$21.00, so that Recommendation 1 now reads as follows:
    1. Effective January 1, 2008, a new user fee be implemented to produce Final Notices for Overdue Property Tax Accounts (prior to issuance to bailiff), with a fee to be set at \$21.00 per notice issued, per tax account.
  - B. delete the fee of \$35.00 in Recommendation 2 and replace it with \$56.00, so that Recommendation 2 now reads as follows:
    2. Effective January 1, 2008, a new user fee be implemented to produce Notices of Issuance to Bailiff, with a fee to be set at \$56.00 per notice issued, per tax account.
  - C. delete the fee of \$50.00 in Recommendation 3 and replace it with \$60.00, so that Recommendation 3 now reads as follows:
    3. Effective January 1, 2008, a new user fee be implemented for setting up new Water/Utility accounts (New Account Set Up Fees), with a fee to be set at \$60.00 per new account created.
  - D. delete the fee of \$7.50 in Recommendation 5 and replace it with \$16.00, so that Recommendation 5 now reads as follows:
    5. Effective January 1, 2008, the user fee for the issuance of Statements of Tax Accounts be increased from the current \$5.00 to \$16.00 for overdue statements issued in March, May, July and September for tax accounts with an outstanding balance of \$100.00 or more.

*Votes:*

Adoption of motion 1 by Councillor Lindsay Luby:

Yes - 32
Councillors: Ainslie, Ashton, Augimeri, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone,

Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Stintz, Thompson, Vaughan
No - 4 Councillors: Del Grande, Holyday, Shiner, Walker

Carried by a majority of 28.

The Item, as amended, carried.

### City Council Decision

City Council adopted the following motions:

1. Effective January 1, 2008, a new user fee be implemented to produce Final Notices for Overdue Property Tax Accounts (prior to issuance to bailiff), with a fee to be set at \$21.00 per notice issued, per tax account.
2. Effective January 1, 2008, a new user fee be implemented to produce Notices of Issuance to Bailiff, with a fee to be set at \$56.00 per notice issued, per tax account.
3. Effective January 1, 2008, a new user fee be implemented for setting up new Water/Utility accounts (New Account Set Up Fees), with a fee to be set at \$60.00 per new account created.
4. New Account Set Up fees for new Water/Utility accounts be increased each year, effective January 1<sup>st</sup>, by a percentage equal to the percentage increase in the All Item Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan area (C.P.I.) for the period October 1 to September 30 of the immediately preceding year.
5. Effective January 1, 2008, the user fee for the issuance of Statements of Tax Accounts be increased from the current \$5.00 to \$16.00 for overdue statements issued in March, May, July and September, for tax accounts with an outstanding balance of \$100.00 or more.
6. Municipal Code Chapter 441, Fees and Charges, be amended to give effect to these fee changes, and authority be granted for the introduction of the necessary bills.
7. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Background Information

Staff Report-New User Fees and Fee Increase for Administration of Property Tax and Water Accounts  
(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7318.pdf>)

**Additional Background Information (City Council)**

- Report (October 23, 2007) from the Treasurer ([GM8.6a](#))

13.37 **Revisions to the Fair Wage Policy**

GM8.9	NO AMENDMENT			Wards: All
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**October 22, 2007**

Speaker Bussin in the Chair.

*Votes:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Council adopt the revisions to Municipal Code Chapter 67, Schedule A – the Fair Wage Policy, as set out in Appendix “A”.
2. Council adopt the amendments to Municipal Code Chapter 67- Fair Wage, as set out in Appendix “B”.
3. Council adopt the revisions to the Purchasing and Materials Management Divisions’ Procurement Processes Policy, as set out in Appendix “C”.
4. Council approve the new criteria, attached as Appendix “D”, to be used by the Manager, Fair Wage Office, in making a determination for disqualification of a company that has violated the Fair Wage Policy twice within a three-year period.
5. The City Solicitor be directed to submit the necessary bills to Council to implement the above noted recommendations.

**Background Information**

Staff Report-Revisions to the Fair Wage Policy

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7321.pdf>)

Appendix A-GM8.9

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7322.pdf>)

Appendix B-GM8.9

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7323.pdf>)

Appendix C-GM8.9

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7324.pdf>)

Appendix D-GM8.9

(<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7325.pdf>)

13.38 **Proposed Acquisition of Part of 243 Alberta Avenue (Roseneath Gardens Parkette)**

GM8.12	DEFERRED			Ward: 17
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Lindsay Luby moved that Council refer the Item back to the Government Management Committee for further consideration.

*Vote on Referral:*

Motion 1 by Councillor Lindsay Luby carried.

*Motion to Reconsider:*

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

Yes - 31	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, Del Grande, Di Giorgio, Feldman, Fletcher, Grimes, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Pantalone, Perks, Rae, Stintz, Thompson, Vaughan, Walker
No - 3	
Councillors:	Ford, Nunziata, Ootes

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

**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

- 2. Councillor Palacio moved that Council defer consideration of the Item to its November 19, 2007 meeting.

*Vote on Deferral:*

Motion 2 by Councillor Palacio carried.

**City Council Decision**

City Council deferred consideration of this Item to the November 19, 2007 meeting of City Council.

**Background Information**

Staff Report-Proposed Acquisition of Part of 243 Alberta Avenue (Roseneath Gardens Parkette)

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7332.pdf>

Appendix A-GM8.12

<http://www.toronto.ca/legdocs/mmis/2007/gm/bgrd/backgroundfile-7331.pdf>

**13.39 PARKS AND ENVIRONMENT COMMITTEE MEETING 9**

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

October 22, 2007

Held for consideration Minute 13.40	PE9.1	Agencies, Boards, Commissions, Corporations and Divisions (ABCCDs) Presentations on Green Initiatives (Ward: All)
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**Consideration of Item - Parks and Environment Committee Meeting 9**

**13.40 Agencies, Boards, Commissions, Corporations and Divisions (ABCCDs) Presentations on Green Initiatives**

PE9.1	AMENDED			Wards: All
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Fletcher moved that the Item be amended by referring Recommendation 1 of the Parks and Environment Committee to the Executive Committee for consideration.

*Vote:*

The Item, as amended by motion 1 by Councillor Fletcher, carried.

**City Council Decision**

City Council adopted the following motions:

1. The following Recommendation 1 of the Parks and Environment Committee be referred to the Executive Committee for consideration:
  - “1. The Toronto Economic Development Corporation (TEDCO), in conjunction with Deputy City Manager Richard Butts, the Medical Officer of Health and the General Manager of Parks, Forestry and Recreation, report back to the Parks and Environment Committee on the renewal of the Environmental Management Program Memorandum of Understanding (MOU) between TEDCO, the Ontario Ministry of Environment and the City of Toronto, and the potential of expanding this MOU on a City-wide basis.”
2. The General Manager, Toronto Zoo, provide a supplementary report on renewables and energy efficiencies and include baseline greenhouse gas emissions information and reductions.

**Additional Background Information (City Council)**

- Communication (October 19, 2007) from the City Clerk ([PE9.1a](#))

**13.41 PLANNING AND GROWTH MANAGEMENT COMMITTEE MEETING 9**

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

October 22, 2007

Held for consideration Minute 13.42	PG9.4	Castlefield Caledonia Design and Décor District – Final Report (Ward: 12, 15)
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Held for consideration Minute 13.43	PG9.6	Approval of 2007 Toronto Heritage Grant Awards (Ward: All)
Adopted by consent	PG9.7	Citizen Appointments to the Toronto Pedestrian Committee (Ward: All)

**Consideration of Items - Planning and Growth Management Committee Meeting 9**

13.42 **Castlefield Caledonia Design and Décor District – Final Report**

PG9.4	NO AMENDMENT			Ward: 12, 15
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**October 22, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. City Council amend the former City of York Zoning By-law No. 1-83, as amended, for the portion of the Castlefield Caledonia Design and Décor District located in the former City of York, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4.
2. City Council amend the former City of North York Zoning By-law No. 7625, as amended, for the portion of the Castlefield Caledonia Design and Décor District located in the former City of North York, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
3. City Council adopt the urban design guidelines for use in reviewing development applications and implementing public realm improvements within the Castlefield Caledonia Design and Décor District, attached as Attachment No. 6.
4. City Council direct the General Manager of Transportation Services to undertake a Municipal Class Environmental Assessment (Class EA) on possible road connections as identified in the district structure plan contained in the attached Castlefield Caledonia Design and Décor District Urban Design Guidelines.
5. City Council authorize the City Solicitor to make such stylistic and technical

changes to the draft Zoning By-law Amendments as may be required.

6. For identification and signage purposes, the design district be extended north of Lawrence Avenue to include those design and décor-related businesses clustered together adjacent to Caledonia Road and Lawrence Avenue.

### Background Information

Castlefield Caledonia Design and Decor District - Final Report  
(<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-7170.pdf>)

### Additional Communications (City Council)

- (October 2, 2007) from David A. McKay, MHBC Planning (PG9.4.3)

### 13.43 Approval of 2007 Toronto Heritage Grant Awards

<b>PG9.6</b>	NO AMENDMENT			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

Adoption of the Item, without amendment:

Yes - 31	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Parker, Perks, Rae, Saundercook, Thompson, Walker
No - 2	
Councillors:	Del Grande, Ford

Carried by a majority of 29.

### City Council Decision

City Council adopted the following motions:

1. City Council approve awards for the 2007 Toronto Heritage Grant Program for the 22 heritage properties in the City of Toronto, as set out below, to assist in funding



the scope of restoration work generally described in Attachment No. 1 of this report, in accordance with the Terms and Conditions of the Toronto Heritage Grant Program previously approved by City Council:

- a. 11 Bernard Avenue, house - \$8,000.00;
  - b. 13 Bernard Avenue, house - \$8,000.00;
  - c. 427 Bloor Street West, Trinity St. Paul – United Church \$32,500.00;
  - d. 58 Chestnut Park, house - \$10,000.00;
  - e. 9 Draper Street, house - \$8,000.00;
  - f. 10 Draper Street, house - \$10,000.00;
  - g. 12 Draper Street, house - \$10,000.00;
  - h. 13 Draper Street, house - \$10,000.00;
  - i. 18 Draper Street, house - \$10,000.00;
  - j. 22 Draper Street, house - \$10,000.00;
  - k. 30 Draper Street, house - \$7,500.00;
  - l. 90A Isabella Street, house - \$10,000.00;
  - m. 92 Isabella Street, house - \$10,000.00;
  - n. 23 Jason Road, Elmbank - \$10,000.00;
  - o. 64 King Street (Weston), Tyrrell House - \$10,000.00;
  - p. 17 Manorpark Court, George S. Henry House - \$10,000.00;
  - q. 27 Old Kingston Road, John Richardson House - \$10,000.00;
  - r. 47 Rosedale Road, George Murray House - \$10,000.00;
  - s. 382 Sackville Street, Henry & Catherine Pettigrew House - \$10,000.00;
  - t. 608 Spadina Avenue, Toronto City Mission - \$10,000.00;
  - u. 8 St. Joseph Street, house - \$10,000.00; and
  - v. 53 Turner Road, John Agnew House - \$10,000.00.
2. Use of the grant awards outlined in Recommendation 1 of the report be limited to only the proposed restoration work approved by the Chief Planner and Executive Director, City Planning Division, and issuing of the grant award be subject to the grant recipient satisfying all conditions as set out in the Letter of Understanding between the City and the grant recipient.

### **Background Information**

Report - Approval of 2007 Toronto Heritage Grant Awards

<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-7160.pdf>

Att 1 - Approval of 2007 Toronto Heritage Grant Awards

<http://www.toronto.ca/legdocs/mmis/2007/pg/bgrd/backgroundfile-7161.pdf>

## **13.44 PUBLIC WORKS AND INFRASTRUCTURE COMMITTEE MEETING 9**

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

October 22, 2007

- |  |       |   |
|--|-------|---|
| Held for consideration<br>Minute 13.45 | PW9.1 | Markham By-pass - Morningside Avenue: Individual Environmental Assessment (Ward: 42)  |
| Held for consideration<br>Minute 13.46 | PW9.2 | Sustainable Transportation Initiatives: Short-term Proposals (Ward: All)  |
| Adopted by<br>consent                  | PW9.4 | Etobicoke Residential Curbside Collection - Request for Quotation (RFQ) 6033-07-3232 (Ward: 1, 2, 3, 4, 5, 6)   |
| Held for consideration<br>Minute 13.47 | PW9.5 | Enactment of New Harmonized City Water Supply By-law 851 (Ward: All)  |
| Held for consideration<br>Minute 13.48 | PW9.6 | Research Partnerships with Toronto Water (Ward: All)  |
| Adopted by<br>consent                  | PW9.7 | Contract 07FS-49WP, Tender Call No. 136-2007 Highland Creek Treatment Plant - Replacement of Aeration System in Tank No. 12 - Amend Purchase Order No. 6022903 (Ward: 44) |
| Held for consideration<br>Minute 13.49 | PW9.8 | Purchase Order Amendment - Residue Management Facility – R.C. Harris Water Treatment Plant - Amendments to Contract 47009953 and Purchase Order 6015044 (Ward: 36)        |
| Held for consideration<br>Minute 13.50 | PW9.9 | Western Beaches Tunnel (Ward: 14, 19)   |

**Consideration of Items - Public Works and Infrastructure Committee Meeting 9**

13.45 **Markham By-pass - Morningside Avenue: Individual Environmental Assessment**

PW9.1	AMENDED			Ward: 42
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor De Baeremaeker moved that the Item be amended by:

- A. amending Recommendation A4 of the Public Works and Infrastructure Committee to read as follows:

A4. Steeles Avenue East between 9<sup>th</sup> Line and Markham Road be widened to four lanes, instead of the two lanes initially approved by City Council on June 14, 15 and 16, 2005, conditional upon York Region supporting the City's preferred alternative west of 9<sup>th</sup> Line, via 9<sup>th</sup> Line, Steeles Avenue and the new alignment of Morningside Avenue.

- B. adding the following:

City Council approve the installation of "No Left Turn" signs for the morning rush hour and "No Right Turn" signs for the evening rush hour at the intersections (i.e. Staines Road and Tapscott Road) located between 9<sup>th</sup> Line and Markham Road.

*Votes:*

Motion 1 by Councillor De Baeremaeker carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

- A. City Council adopt the following position regarding the Markham By-pass – Morningside Avenue Link:
1. City Council does not support the project being divided into three sections as proposed by the Provincial Development Facilitator;
  2. City Council will only support the releasing of Section 1, between Highway 407 and 9<sup>th</sup> Line, conditional upon:
    - a. York Region supporting the City's preferred alternative west of 9<sup>th</sup> Line, via 9<sup>th</sup> Line, Steeles Avenue and the new alignment of Morningside Avenue; and
    - b. York Region agreeing to evenly share with the City all costs related to improving and maintaining Steeles Avenue across the entire length of our boundary;
  3. City Council direct City Planning Division to secure the Morningside

Avenue 36-metre right-of-way between Passmore Avenue and Steeles Avenue as part of the Plan of Subdivision process when processing development applications by Manulife Insurance Company and Tap-Steele Investment Ltd. in the Tapscott Employment District;

4. Steeles Avenue East between 9<sup>th</sup> Line and Markham Road be widened to four lanes, instead of the two lanes initially approved by City Council on June 14, 15 and 16, 2005, conditional upon York Region supporting the City's preferred alternative west of 9<sup>th</sup> Line, via 9<sup>th</sup> Line, Steeles Avenue and the new alignment of Morningside Avenue;
  5. any bridges on Steeles Avenue East between 9<sup>th</sup> Line and Markham Road when reconstructed be widened to accommodate six lanes; and
  6. City Council approve the installation of "No Left Turn" signs for the morning rush hour and "No Right Turn" signs for the evening rush hour at the intersections (i.e. Staines Road and Tapscott Road) located between 9<sup>th</sup> Line and Markham Road.
- B. City Council request the Provincial Government, the Greater Toronto Transportation Authority, the Regional Municipalities of Durham and York, and the Town of Markham to consider the building of a GO line on the CP Havelock rail line, that runs north-east through the Morningside Heights community, east Markham, on towards the future town of Seaton, North Pickering, Uxbridge and Peterborough, in order to address the issue of transit grid-lock.
- C. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Background Information**

2007-06-27-pw09-1

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-5612.pdf>

2007-10-03-pw09-1a

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7192.pdf>

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

- Report (October 17, 2007) from the General Manager, Transportation Services ([PW9.1a](#))

### **Petition (City Council)**

- Petition (undated) containing the signatures of approximately 888 individuals, in opposition to the widening of Steeles Avenue to more than four lanes, between 9<sup>th</sup> Line and Markham Road, submitted by Councillor Raymond Cho, Ward 42,

Scarborough-Rouge River

13.46 **Sustainable Transportation Initiatives: Short-term Proposals**

PW9.2	AMENDED			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motions:*

1. Councillor Perks moved that the Item be amended by deleting the following Recommendation 8 of the Public Works and Infrastructure Committee:
  8. City Council:
    - a. direct staff of Transportation Services and City Planning to work with staff of the Toronto Environment Office (TEO) to develop improved methods for measuring the environmental impacts of sustainable transportation initiatives for inclusion in the broader monitoring and evaluation framework proposed by the Climate Change Plan.
2. Councillor Rae moved that the Item be amended by adding to Recommendation 2d of the Public Works and Infrastructure Committee, the following additional intersections:
  - iii. Yonge Street and Dundas Street; and
  - iv. Bay Street and Dundas Street.
3. Councillor Moscoe moved that the Item be amended by:
  - A. adding the following new Part h to Recommendation 5 of the Public Works and Infrastructure Committee:
    - 5h. the General Manager, Transportation Services, be requested to bring forward an operational definition of 'transit priority' as it applies in Toronto with a view to determining how it might be enhanced to further assist the operations of the public transit system, and that he seek input from the Chief General Manager, Toronto Transit Commission in this regard.
  - B. adding the following new Part e to Recommendation 6 of the Public Works and Infrastructure Committee:

- 6e. the General Manager, Transportation Services, in consultation with the Manager, Fleet Operations, undertake a review of the literature on hybrid vehicles with a particular emphasis on their physical capacity to withstand 24-hour use on an ongoing basis.
4. Councillor De Baeremaeker moved that the Item be amended by:
- A. amending Recommendation 6a of the Public Works and Environment Committee to now read as follows:
    - 6. City Council show leadership in promoting transportation demand management (TDM) strategies by:
      - a. directing staff to negotiate with the newly-created Greater Toronto Transportation Authority (GTTA) and other municipalities within the region to jointly fund and support the continuing TDM efforts of:
        - i. the region-wide Smart Commute Association; and
        - ii. the Smart Commute North Toronto, Vaughan and Smart Commute Northeast local transportation management associations;

and staff report back to the Public Works and Infrastructure Committee by the end of 2007 for funding approval upon completion of these negotiations; and further, in the meantime, Council authorize the extension of the terms of the existing Memorandum of Understanding between the City and the other regional municipal partners regarding the governance of the Smart Commute initiative until December 31, 2007.
  - B. adding the following new Part f to Recommendation 3 of the Public Works and Infrastructure Committee:
    - 3f. direct the General Manager, Transportation Services to report back to the Public Works and Infrastructure Committee on options available to significantly improve cycling safety at intersections by:
      - i. identifying approximately three to four intersections on Queen Street or another street with a high volume of

- bicycle use and a high incidence of car-bicycle collisions at which to pilot 'leading bicycle intervals'; and
- ii. identifying approximately three to four intersections along College Street or another street that currently has a bike lane and a high volume of bicycle use at which to pilot the creation of 'bike boxes'.
- C. amending Recommendation 7.a.ii of the Public Works and Infrastructure Committee so that it now reads as follows:
7. City Council:
- a. direct the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, to report on:
- ii. possible strategies to encourage a greater proportion of courier deliveries and pick-ups to be made by bicycle, transit and messengers on foot;

*Vote:*

Adoption of the Item, as amended by the following motions:

- motion 1 by Councillor Perks;
- motion 2 by Councillor Rae;
- motion 3 by Councillor Moscoe; and
- motion 4 by Councillor De Baeremaeker:

Yes - 33 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
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No - 3 Councillors:	Del Grande, Holyday, Parker
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Carried by a majority of 30.

### **City Council Decision**

City Council adopted the following motions:

1. City Council support, in principle, the short-term Sustainable Transportation Initiatives contained in Appendix 1 to this report, in order to achieve, in part, the reduction targets for greenhouse gas emissions contained in the “Climate Change, Clean Air and Sustainable Energy Action Plan” approved by City Council.
- Re: Pedestrians:
2. City Council:
    - a. direct the General Manager, Transportation Services, to develop criteria for the establishment of temporary pedestrian streets and zones, such as “Pedestrian Sundays”, and identify the appropriate resources to assist in the implementation and promotion of events satisfying these criteria;
    - b. direct the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff, to assess opportunities to establish a permanent pedestrian street and report to the Planning and Growth Management Committee on a public consultation process for the review and implementation of such a facility;
    - c. endorse, in principle, the following four types of enhancements at signalized intersections, as described more fully in the body of this report and in Appendix 2, which give significantly greater priority to, and enhanced safety for, pedestrians:
      - i. increasing the pedestrian crossing clearance times;
      - ii. replacing the flashing “DON’T WALK” displays with flashing “WALK” displays;
      - iii. introducing pedestrian scramble phases (Barnes’ dance) at appropriate locations on a pilot project basis; and
      - iv. expanding the “leading pedestrian intervals” or pedestrian head-start feature to other intersections;
    - d. direct the General Manager, Transportation Services, in accordance with Recommendation 2.c.iii., above, to evaluate and implement “pedestrian scramble phases” on a pilot project basis, at the following intersections:
      - i. Bloor Street and Bay Street;
      - ii. Bloor Street and Yonge Street;
      - iii. Yonge Street and Dundas Street; and
      - iv. Bay Street and Dundas Street;
    - e. direct the General Manager, Transportation Services, in accordance with Recommendation 2.c.iv. above, to identify approximately 20 appropriate



intersections for the installation, in 2008, of “Leading Pedestrian Intervals”;

- f. direct the General Manager, Transportation Services, in consultation with appropriate City staff, to assess opportunities for the narrowing of pavements, in order to widen sidewalks and enhance landscaping, in conjunction with the design of all road reconstruction projects, and any feasible narrowings, following appropriate public consultation, be incorporated accordingly;
- g. direct the Chief Planner and Executive Director, City Planning, to finalize the Streetscape Manual and this manual be used as the standard in the design and reconstruction of all City streets; and
- h. direct the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff, to develop and report back on a comprehensive “green corridor plan” that would establish priority north-south green corridors across the waterfront and identify opportunities to link these initiatives with capital works and development-related projects.

Re: Cycling:

3. City Council:

- a. direct the Executive Director, Facilities and Real Estate, to assess the feasibility of a bike station in the redevelopment of Union Station;
- b. direct the Chief Planner and Executive Director, City Planning, to assess the feasibility of a Bike Share program for City staff at all Civic Centres and to develop a business case for commuter and community public bike share programs and report back to the Planning and Growth Management Committee on these initiatives;
- c. authorize the General Manager, Transportation Services, to retain a Transportation Consultant to undertake, in 2008, an Environmental Assessment of an east-west bicycle route through the downtown area, with the objective of implementing the recommended route in 2009;
- d. direct the General Manager, Transportation Services, to report on the feasibility of establishing a bikeway on Bloor Street and Danforth Avenue, from Royal York Road to Victoria Park Avenue, including the development of design options and an assessment of the parking and traffic impacts, and report to the Public Works and Infrastructure Committee on the results of this review;

- e. direct the General Manager, Transportation Services, in consultation with the General Manager, Parks, Forestry and Recreation, to investigate the feasibility, assess the maintenance requirements and responsibilities, undertake the detailed design and enter into negotiations with the owners and operators of the rail and hydro corridors for the implementation of the bicycle trails identified in the approved Bike Plan within these corridors, and to report back on the results of this review; and
- f. direct the General Manager, Transportation Services to report back to the Public Works and Infrastructure Committee on options available to significantly improve cycling safety at intersections by:
  - i. identifying approximately three to four intersections on Queen Street or another street with a high volume of bicycle use and a high incidence of car-bicycle collisions at which to pilot 'leading bicycle intervals'; and
  - ii. identifying approximately three to four intersections along College Street or another street that currently has a bike lane and a high volume of bicycle use at which to pilot the creation of 'bike boxes'.

Re: Parking:

4. City Council:

- a. direct the General Manager, Transportation Services, to review and report on modifications to the peak period stopping and parking restrictions on arterial roads, where appropriate, on a City-wide basis, in order to reduce traffic congestion, improve surface transit service and increase cyclist safety during the "shoulder" periods; and
- b. request the Greater Toronto Transportation Authority (GTTA) to develop, in consultation with municipalities in the Greater Golden Horseshoe, GO Transit and other motor coach carriers, a strategy for the construction of commuter parking facilities throughout the Greater Toronto Area (GTA), in order to reduce the number and length of single-occupant vehicle trips.

Re: Transit:

5. City Council:

- a. direct the General Manager, Transportation Services, to review, in consultation with the Chief General Manager, Toronto Transit

- Commission, opportunities to introduce or extend left turn prohibitions at intersections, or alternatively introduce advanced exclusive left turn phases at signalized intersections, in order to reduce the delays to streetcar service and enact the necessary by-laws to implement these regulations as soon as possible;
- b. direct the General Manager, Transportation Services, in consultation with the Chief General Manager, Toronto Transit Commission, to explore opportunities to improve the current system of traffic signal priority for transit vehicles so that it would only apply to transit vehicles that are behind schedule or to maintain headways;
  - c. direct the General Manager, Transportation Services, to review, in consultation with the Chief General Manager, Toronto Transit Commission, opportunities to introduce transit queue jump lanes and far side bus bays to improve transit service at congested intersections, keeping in mind the impact of these facilities on sidewalks and landscaping at these locations;
  - d. endorse the implementation of shoulder bus lanes on the Don Valley Parkway, between York Mills Road and Lawrence Avenue East;
  - e. direct the General Manager, Transportation Services, to request the Ministry of Transportation Ontario to undertake whatever amendments to the Highway Traffic Act are necessary to implement the shoulder bus lanes on the Don Valley Parkway and to report on the implementation as soon as possible;
  - f. direct appropriate City and Toronto Transit Commission (TTC) staff to work with the Province to investigate the feasibility of a pilot project that would see the introduction of automated enforcement camera technology to enforce turning, stopping and parking prohibitions that are designed to improve transit service;
  - g. direct the Chief General Manager, Toronto Transit Commission to ensure that all new Light Rail Transit (LRT) vehicles purchased by the TTC are equipped to handle some form of Proof-of-Payment (POP) system; and
  - h. the General Manager, Transportation Services, be requested to bring forward an operational definition of 'transit priority' as it applies in Toronto with a view to determining how it might be enhanced to further assist the operations of the public transit system, and that he seek input from the Chief General Manager, Toronto Transit Commission in this regard.

Re: Transportation Demand Management (TDM) Initiatives:

6. City Council show leadership in promoting transportation demand management (TDM) strategies by:
  - a. directing staff to negotiate with the newly-created Greater Toronto Transportation Authority (GTTA) and other municipalities within the region to jointly fund and support the continuing TDM efforts of:
    - i. the region-wide Smart Commute Association; and
    - ii. the Smart Commute North Toronto, Vaughan and Smart Commute Northeast local transportation management associations;and staff report back to the Public Works and Infrastructure Committee by the end of 2007 for funding approval upon completion of these negotiations; and further, in the meantime, Council authorize the extension of the terms of the existing Memorandum of Understanding between the City and the other regional municipal partners regarding the governance of the Smart Commute initiative until December 31, 2007;
  - b. supporting the implementation of the existing guidelines on alternative work arrangements (including compressed work weeks, flexible work hours and part-time hours) and directing the Executive Director, Human Resources to develop a policy on “teleworking”;
  - c. supporting the provision of on-street, reserved parking spaces for car sharing vehicles in selected locations;
  - d. encouraging the GTTA to undertake, as a priority, a region-wide study of road pricing; and
  - e. the General Manger, Transportation Services, in consultation with the Manager, Fleet Operations, undertake a review of the literature on hybrid vehicles with a particular emphasis on their physical capacity to withstand 24-hour use on an ongoing basis.

Re: Other Initiatives:

7. City Council:
  - a. direct the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, to report on:
    - i. the establishment of a permanent City staff committee to liaise with

- representatives of the cartage and courier industries, building owners, managers and tenants on commercial vehicle servicing issues, including the access and parking needs of pick-up, delivery and servicing vehicles; and
- ii. possible strategies to encourage a greater proportion of courier deliveries and pick-ups to be made by bicycle, transit and messengers on foot;
  - b. direct the General Manager, Transportation Services, to incorporate the assessment of both the off-street and on-street impacts of the loading/pick-up/delivery/servicing needs of major new developments as a requirement of the City's new Traffic Impact Study guidelines that staff are currently developing;
  - c. endorse the use of taxis as an acceptable sustainable transportation alternative and direct the General Manager, Transportation Services, in consultation with representatives of the taxi industry, to examine opportunities and measures to make taxis more convenient and readily available to users;
  - d. direct the General Manager, Transportation Services, to undertake a review of the existing operations and regulations of the High Occupancy Vehicle (HOV) lanes in the City and report on effective changes, and the GTTA take the lead in a review of HOV facilities throughout the GTA to ensure consistency and continuity on a region-wide basis; and
  - e. request the GTTA to meet with the transportation agencies in the GTA to explore opportunities for collaborative Intelligent Transportation System (ITS) initiatives.

### **Background Information**

2007-10-03-pw09-2

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7193.pdf>

2007-10-03-pw09-2.app1

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7209.pdf>

2007-10-03-pw09-2.app2

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7210.pdf>

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

- (October 16, 2007) from Fred Sztabinski, Project Coordinator, Toronto Coalition for Active Transportation (PW9.2.15)
- (October 22, 2007) from the Toronto Lansdowne Residents' Association (PW9.2.16)

13.47 **Enactment of New Harmonized City Water Supply By-law 851**

PW9.5	AMENDED			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Moscoe moved that the Item be amended by:
  - A. adding to the end of Recommendation 1 of the Public Works and Environment Committee, the words:
 

“subject to amending Subsection 851-7C(3)(b) to now read as follows:

    - (b) The credit adjustment provided for under § 851-7C(3)(a) shall cover a period of no more than 24 months and shall be subject to any limitations contained in Chapter 441, Fees and Charges, Chapter 681, Sewers, and Chapter 849, Water and Sewage Services, unless the owner can verify that the City was notified at an earlier date of concerns about over-registration in which case the owner shall be entitled to a credit adjustment from at least that date.”
  - B. adding the following:
 

The General Manager of Toronto Water and the Deputy City Manager and Chief Financial Officer be requested to report back to the Public Works and Infrastructure Committee on the implications of providing an appeal mechanism to owners that receive a notice of water shut-off initiated by the City under Section 851-11 of Appendix 1.

*Votes:*

Motion 1 by Councillor Moscoe carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. The proposed Municipal Code, Chapter 851 - WATER SUPPLY, be approved and

enacted substantially in accordance with the draft By-law attached as Appendix 1 to this report with an effective date of January 1, 2008, to consolidate and harmonize the existing water supply By-laws of the former municipalities, subject to amending Subsection 851-7C(3)(b) to now read as follows:

“(b) The credit adjustment provided for under § 851-7C(3)(a) shall cover a period of no more than 24 months and shall be subject to any limitations contained in Chapter 441, Fees and Charges, Chapter 681, Sewers, and Chapter 849, Water and Sewage Services, unless the owner can verify that the City was notified at an earlier date of concerns about over-registration in which case the owner shall be entitled to a credit adjustment from at least that date.”

2. Authority be granted to the City Solicitor to submit any Bills required to enact the new Municipal Code Chapter 851 - WATER SUPPLY, substantially in accordance with Appendix 1 of this report, as amended, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and the General Manager of Toronto Water.
3. Municipal Code, Chapter 849 - WATER AND SEWAGE SERVICES, be amended in accordance with the draft By-law attached as Appendix 2 to this report to update Chapter 849, and, as may be necessary, to effect changes necessitated by the enactment of Chapter 851 and the consequential repeal of water supply By-laws of the former municipalities.
4. Appendix A, Schedule 3 of Municipal Code, Chapter 441 - FEES AND CHARGES, be amended in accordance with the draft By-law attached as Appendix 3 to this report to update Chapter 441, and, as may be necessary, to effect changes necessitated by the enactment of Chapter 851.
5. The City Solicitor be given the authority to amend any City By-laws or Code Chapters, or sections therein, which may contain references to any By-law or Code Chapter, or section therein, which is superseded by the proposed Chapter 851 and the proposed amendments to Chapters 441 and 849 to eliminate and, where appropriate, correct such references.
6. The General Manager of Toronto Water and the Deputy City Manager and Chief Financial Officer be requested to report back to the Public Works and Infrastructure Committee on the implications of providing an appeal mechanism to owners that receive a notice of water shut-off initiated by the City under Section 851-11 of Appendix 1.
7. The appropriate City officials and staff be authorized and directed to take the necessary action to give effect to these recommendations.

**Background Information**

2007-10-03-pw09-5

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7196.pdf>

2007-10-03-pw09.5.appA

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7197.pdf>

2007-10-03-pw09.5.appB

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7198.pdf>

2007-10-03-pw09.5.appC

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7205.pdf>

2007-10-03-pw09.5.att1

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7199.pdf>

2007-10-03-pw09.5.att2

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7200.pdf>13.48 **Research Partnerships with Toronto Water**

PW9.6	NO AMENDMENT			Ward: 7
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. The General Manager be authorized to enter into and execute agreements in respect to City funding and participating in research initiatives or projects related to environmental impact assessment and the treatment and management of water, wastewater and stormwater, with post-secondary educational institutions, governmental agencies and/or non-profit professional organizations, including any procurement of services related thereto subject to meeting the following criteria:
  - a. the research initiative or project directly contributes to achieving the Goals and Objectives stated in Toronto Water's Business Plan;
  - b. the project participants are post-secondary educational institutions, other municipalities or governmental agencies and/or non-profit professional organizations who can provide objective, qualified and professional expertise;



- c. the project is of a scientific or technical nature utilizing specialized academic or professional expertise at competitive rates;
  - d. Toronto Water’s contribution to each research initiative or project does not exceed a value of \$500,000 (before taxes) per year; and
  - e. an agreement be entered into among all participants in the research initiative or project on terms and conditions satisfactory to the City Solicitor.
2. Schedule ‘A’ of the Financial Control By-law, Chapter 71 of the Municipal Code, be amended to include payments to post-secondary educational institutions, other municipalities or governmental agencies and/or non-profit professional organizations in relation to research initiatives or projects which directly contribute to achieving the Goals and Objectives stated in Toronto Water’s Business Plan.
  3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**Background Information**

2007-10-03-pw09.6

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7201.pdf>

**13.49 Purchase Order Amendment - Residue Management Facility – R.C. Harris Water Treatment Plant -Amendments to Contract 47009953 and Purchase Order 6015044**

PW9.8	NO AMENDMENT			Ward: 36
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

Adoption of the Item, without amendment:

Yes - 29	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lee, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Moscoe,

Pantalone, Parker, Perks, Rae, Saundercook, Thompson, Walker
No - 3 Councillors: Ford, Nunziata, Ootes

Carried by a majority of 26.

**City Council Decision**

City Council adopted the following motions:

1. Funds in the amount of \$4,390,000.00 net of GST be reallocated for payment of the enhancements made to the Residual Management Facility during construction as follows: \$1,500,000.00 from CPW543-05 Watermain Rehabilitation Cathodic Protection, \$400,000.00 from CPW537-05 Easement Acquisition, \$1,000,000.00 from CWW088-44 Humber WWTP Waste Activated Sludge Upgrade, \$900,000.00 from CWW037-07 New Groundskeeping Building, \$300,000.00 from CPW020-22 Controlled Substances Identification and Abatement and \$290,000.00 from CWW447 Wet Weather Flow Master Plan Design and Implementation to CPW007 R.C. Harris Residue Management.
2. Subject to approval of Recommendation 1, authority be granted to amend Contract 47009953 for the construction of the Residue Management Facility at the R.C. Harris Water Treatment Plant with Kenaidan Contracting Ltd. by an additional amount of \$2,757,460.41 excluding GST revising the current contract value from \$61,596,612.00 to \$64,354,072.41 excluding GST.
3. Subject to the approval of Recommendation 1, authority be granted to amend the Purchase Order 6015044 for contracted professional engineering services with CH2M Hill Canada Limited for the provision of general office administration and site supervision services during construction by an additional amount of \$570,000.00 excluding GST, revising the current value from \$1,792,251.30 to \$2,362,251.30 excluding GST.

**Background Information**

2007-10-03-pw09-8

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7203.pdf>

13.50 **Western Beaches Tunnel**

PW9.9	NO AMENDMENT			Ward: 14, 19
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**Confidential - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and receiving of advice that is subject to solicitor-client privilege.**

**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

### **City Council Decision**

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. Council authorize the public release of Recommendation 1 of the confidential instructions to staff in Attachment 1 after Council has adopted the confidential instructions to staff.
3. The Confidential Information in Attachment 1 remain confidential.

The following Recommendation 1 contained in Confidential Attachment 1 to the report (September 19, 2007) from City Solicitor is now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and the receiving of advice that is subject to solicitor-client privilege:

1. City Council ratify the commencement of legal proceedings by the City Solicitor against McNally-Frontier J.V. Inc., C & M McNally Engineering Inc., Frontier-Kemper Constructors, Inc., Acres International Limited, Acres & Associated Environmental Limited, Bennett Mechanical Installation, Ltd. Bennett Mechanical Installations Ltd. and KSB Pumps Inc. and further authorize the City Solicitor, in consultation with the General Manager for Toronto Water and the Executive Director of Technical Services, to commence legal proceedings against any other parties deemed necessary by the City Solicitor or add them as parties, to appeal any decision where warranted, to discontinue or settle any claim or legal proceeding where the City Solicitor concludes that it is reasonable to do so and execute any documents in furtherance thereof.

### **Background Information**

2007-10-03-pw09-9

<http://www.toronto.ca/legdocs/mmis/2007/pw/bgrd/backgroundfile-7204.pdf>

**13.51 ETOBICOKE YORK COMMUNITY COUNCIL MEETING 10**

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

October 22, 2007

Adopted by consent	EY10.1	515 Royal York Road - Common Elements Condominium Application and Part Lot Control Exemption Application - Final Report (Ward: 5)
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**13.52 NORTH YORK COMMUNITY COUNCIL MEETING 9**

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

October 22, 2007

Adopted by consent	NY9.3	Inclusion on Heritage Inventory – 150 Laird Drive (Ward: 26)
Held for consideration Minute 13.53	NY9.4	Inclusion on Heritage Inventory - 1325, 1351 and 1365 Bayview Avenue (Ward: 26)
Adopted by consent	NY9.6	Encroachment Agreement Request – 19 Churchill Avenue (Ward: 23)
Held for consideration Minute 13.54	NY9.9	Sign Variance Request - 24 Rean Drive (Ward: 24)
Adopted by consent	NY9.17	Designation of Fire Routes and Amendment to Chapter 880 - Fire Routes (Ward: 15)
Adopted by consent	NY9.20	Direction Report and Status Report - 939 Lawrence Avenue East - Don Mills Centre - Site Plan Application (Ward: 25)
Held for consideration Minute 13.55	NY9.21	Repeal and Adoption of New By-laws - Official Plan and Zoning By-law Amendments - Wilson Avenue, between Keele Street and Bathurst Street (Ward: 9, 10)
Held for consideration Minute 13.56	NY9.22	Final Report - Bayview Avenue Area Study (Ward: 23)

**Consideration of Items - North York Community Council Meeting 9**

13.53 **Inclusion on Heritage Inventory - 1325, 1351 and 1365 Bayview Avenue**

NY9.4	NO AMENDMENT			Ward: 26
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. City Council include the property at 1325 Bayview Avenue (Glen-Leven Apartments) on the City of Toronto Inventory of Heritage Properties.
2. City Council include the property at 1351 Bayview Avenue (Strathavon Apartments) on the City of Toronto Inventory of Heritage Properties.
3. City Council include the property at 1365 Bayview Avenue (Kelvingrove Apartments) on the City of Toronto Inventory of Heritage Properties.
4. City Council state its intention to designate the properties at 1325 Bayview Avenue (Glen-Leven Apartments), 1351 Bayview Avenue (Strathavon Apartments) and 1365 Bayview Avenue (Kelvingrove Apartments) under Part IV of the Ontario Heritage Act.
5. If there are no objections to the designation of the properties at 1325 Bayview Avenue (Glen-Leven Apartments), 1351 Bayview Avenue (Strathavon Apartments) and 1365 Bayview Avenue (Kelvingrove Apartments) in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the Bills in Council designating the property.
6. If there are any objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the proposed designation of the properties at 1325 Bayview Avenue (Glen-Leven Apartments), 1351 Bayview Avenue (Strathavon Apartments) and 1365 Bayview Avenue (Kelvingrove Apartments) to the Conservation Review Board.
7. City Council authorize and direct the appropriate City officials to take necessary

action to give effect thereto.

### Background Information

Inclusion on Heritage Inventory - 1325, 1351 and 1365 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7010.pdf>)

Heritage - Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7013.pdf>)

Heritage - Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7014.pdf>)

Heritage - Attachment 3

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7015.pdf>)

Heritage - Attachment 4

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7016.pdf>)

Letter from Toronto Preservation Board - Inclusion on Heritage Inventory - 1325, 1351 and 1365 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7017.pdf>)

### Additional Communications (City Council)

- (October 18, 2007) from Brian Athey, President, Leaside Property Owners' Association Incorporated (NY9.4.7)
- (October 19, 2007) from Ian James Lord, Weir Foulds LLP, Barristers and Solicitors (NY9.4.8)

### 13.54 Sign Variance Request - 24 Rean Drive

NY9.9	REFERRED			Ward: 24
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Shiner moved that the Item be referred back to the North York Community Council for further consideration.

*Vote on Referral:*

Motion 1 by Councillor Shiner carried.

### City Council Decision

City Council referred this Item back to the North York Community Council for further consideration.

**Background Information**

Sign Variance Request - 24 Rean Drive

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-6852.pdf>

13.55 **Repeal and Adoption of New By-laws - Official Plan and Zoning By-law Amendments - Wilson Avenue, between Keele Street and Bathurst Street**

NY9.21	NO AMENDMENT			Ward: 9, 10
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Augimeri moved that the Item be amended by amending the Schedule of the implementing By-law so that the lands known municipally as 2737 Keele Street are re-zoned “Avenues Mixed Use Zone”, and that Council determine that no further notice is to be given in respect of the proposed By law.

*Votes:*

Adoption of motion 1 by Councillor Augimeri:

Yes - 15 Councillors: Augimeri, Del Grande, Di Giorgio, Ford, Grimes, Kelly, Lee, Lindsay Luby, Mammoliti, Milczyn, Nunziata, Perruzza, Rae, Saundercook, Thompson
No - 16 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, Davis, Filion, Hall, Heaps, Holyday, McConnell, Mihevc, Moscoe, Perks, Stintz, Vaughan

Lost by a majority of 1.

The Item was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. City Council repeal By-laws 637-2007 and 638-2007.
2. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1 to the report

- (September 17, 2007) from the Director, Community Planning, North York District.
3. City Council amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to the report (September 17, 2007) from the Director, Community Planning, North York District.
  4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
  5. City Council delete Places of Worship, listed under Section 45.3(a) of the implementing By-law.
  6. In view of the reduction in residential parking standards and Planning Staff's specific reference to the "high level of public transit service along Wilson Avenue" in their report (December 22, 2006), each condominium unit sold within the Wilson Avenue Study area, the developers provide, at no cost to the purchasers, a one year transit pass.
  7. City Council direct the Director, Community Planning, North York District, to undertake a further review of the lands surrounding the Wilson Avenue Station.

### **Background Information**

Repeal and Adoption of New By-laws (September 17, 2007) Official Plan and Zoning By-law Amendments - Wilson Avenue, between Keele Street and Bathurst Street (<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-6929.pdf>)

Wilson Avenue, between Keele Street and Bathurst Street (September 17, 2007) - Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-6930.pdf>)

Supplementary Report (April 17, 2007) Wilson Avenue Study

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7072.pdf>)

Supplementary Report (April 17, 2007) - Wilson Avenue Study - Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7147.pdf>)

Supplementary Report (April 17, 2007) - Wilson Avenue Study - Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7148.pdf>)

Final Report (December 22, 2006) Official Plan and Zoning By-law Amendment Application - Wilson Avenue, between Keele Street and Bathurst Street

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7073.pdf>)

Final Report (December 22, 2006) - Attachment 2

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7074.pdf>)

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

- (October 17, 2007) from Barnet H. Kussner, Weir Foulds LLP, Barristers and



Solicitors (NY9.21.4)

13.56 **Final Report - Bayview Avenue Area Study**

NY9.22	AMENDED			Ward: 23
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Jenkins moved that the Item be amended by deleting the recommendation of the North York Community Council, and that Council adopt instead the recommendation contained in the supplementary report (October 15, 2007) from the Chief Planner and Executive Director, City Planning, subject to amending Recommendation 1 to now read as follows:

1. City Council adopt the urban design guidelines presented in Attachment 1 for use in reviewing development applications for the west side of Bayview Avenue from Finch Avenue to Hollywood Avenue, subject to amending the guidelines by adding to the first point under the heading “Transition Scenario ‘A’”, the words “in height”, so that it now reads:

- No part of any building shall, in height, exceed 70% of the horizontal distance separating that part of the building from the nearest residential property line.

*Votes:*

Motion 1 by Councillor Jenkins carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motion:

1. City Council adopt the urban design guidelines presented in Attachment 1 to the supplementary report (October 15, 2007) from the Chief Planner and Executive Director, City Planning, for use in reviewing development applications for the west side of Bayview Avenue from Finch Avenue to Hollywood Avenue, subject to amending the guidelines by adding to the first point under the heading “Transition Scenario ‘A’”, the words “in height”, so that it now reads:

- No part of any building shall, in height, exceed 70% of the horizontal

distance separating that part of the building from the nearest residential property line.

### **Background Information**

Final Report - Bayview Avenue Area Study

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7022.pdf>)

Bayview Avenue Area Study - Attachment 3 - Guidelines

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-7023.pdf>)

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

- Report (October 15, 2007) from the Chief Planner and Executive Director, City Planning ([NY9.22a](#))

## **13.57 SCARBOROUGH COMMUNITY COUNCIL MEETING 9**

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

October 22, 2007

Adopted by consent	SC9.6	Proposed Right-Turn Lane Designation - Northbound McCowan Road at Ellesmere Road (Ward: 38)
Adopted by consent	SC9.10	4675 Steeles Avenue East - Zoning and Site Plan Control Applications Request for Direction Report (Ward: 39)
Adopted by consent	SC9.11	50-100 Scottfield Drive - Zoning Application - Request for Direction Report (Ward: 41)
Adopted by consent	SC9.15	Brilliant Court, Sandhurst Circle, and White Heather Boulevard – Part Lot Control Application – Final Report (Ward: 41)

## **13.58 TORONTO AND EAST YORK COMMUNITY COUNCIL MEETING 9**

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

October 22, 2007

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Adopted by consent	TE9.1	Final Report - Approval of Official Plan Amendment and Draft Plan of Condominium Applications - 2 Ridelle Avenue (Ward: 21)
Held for consideration Minute 13.59	TE9.2	Residential Demolition Application – 609 Avenue Road (Ward: 22)
Adopted by consent	TE9.3	Public Right-of-Way Improvements to Boston Avenue from Queen Street East to Dundas Street East (Rail Spur) (Ward: 30)
Adopted by consent	TE9.29	Request to amend Section 37 Agreement - 38 – 40 The Esplanade and 1 Scott Street (Ward: 28)
Held for consideration Minute 13.60	TE9.31	Application to remove the Holding Symbol (H) from the Zoning By-law and Application for Residential Demolition - Part of 620 Dundas Street East (230 Sumach Street, 202-208 Sumach Street, and 638-644 Dundas Street East) Regent Park Revitalization (Ward: 28)
Adopted by consent	TE9.33	Sign Variance - 95A Bloor Street West (Ward: 27)
Adopted by consent	TE9.40	Toronto Waterfront Revitalization – West Don Lands Precinct – Surplus Land Declaration and Proposed Closing and Leasing of a Portion of the Un-named Link Road West of Old Brewery Lane, extending between River Street and Bayview Avenue (Ward: 28)
Adopted by consent	TE9.42	Appointments to Scadding Court Community Centre (Ward: 20)
Adopted by consent	TE9.43	Appointments - Crescent Town Club Inc. (Ward: 31)
Held for consideration Minute 13.61	TE9.44	Requests for Endorsement of Events for Liquor Licensing Purposes
Held for consideration Minute 13.62	TE9.51	Committee of Adjustment Decision – 20 Brunswick Avenue (Ward: 20)
Adopted by consent	TE9.53	Planning Strategy - South of Eastern Lands (Ward: 30)

**Consideration of Items - Toronto and East York Community Council  
Meeting 9**

**13.59 Residential Demolition Application - 609 Avenue Road**

TE9.2	AMENDED			Ward: 22
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This Item was submitted without recommendation.

**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Walker moved that Council adopt:
  - A. the following recommendation contained in the report (October 19, 2007) from the Medical Officer of Health:
    1. City Council approve the application to demolish the residential building at 609 Avenue Road, contingent upon implementation of the demolition and excavation dust control measures approved by the Medical Officer of Health.
  - B. the following recommendation contained in the report (September 13, 2007) from the Director, Community Planning, Toronto and East York District:
    1. City Council approve the application to demolish the residential building at 609 Avenue Road and instruct the Chief Building Official to issue the demolition permit once a building permit has been issued for a temporary sales office, on the condition that:
      - a. prior to the issuance of the demolition permit, the applicant submit a Designated Substance Report, a Dust Control Plan and other information, if any, required for review and approval by the Medical Officer of Health;
      - b. prior to the issuance of the demolition permit, the applicant submit a Temporary Landscape Plan to the satisfaction of the Director of Community Planning, Toronto and East York District, showing the:
        - i. siting of the sales office;
        - ii. location of temporary parking; and
        - iii. temporary landscaping;
      - c. prior to the issuance of the demolition permit, the applicant submit financial securities in the amount of 120% of the temporary landscaping estimate, as approved by the Director of Community Planning, Toronto and East York District, to guarantee provision of the temporary landscaping on site;

- d. the Owner remove all debris and rubble from the site immediately after demolition;
- e. the Owner erect a fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
- f. the Owner maintain the site free of garbage and weeds, in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
- g. the Owner erect a replacement building on the site not later than three (3) years from the day demolition of the existing building is commenced;
- h. the Owner backfill any holes on the property with clean fill; and
- i. on the Owner's failure to complete the new building within the time specified in Condition 1g, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand (\$20,000) dollars for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

*Votes:*

Motion 1 by Councillor Walker carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motions:

1. City Council approve the application to demolish the residential building at 609 Avenue Road, contingent upon implementation of the demolition and excavation dust control measures approved by the Medical Officer of Health.
2. City Council approve the application to demolish the residential building at 609 Avenue Road and instruct the Chief Building Official to issue the demolition permit once a building permit has been issued for a temporary sales office, on the condition that:
  - a. prior to the issuance of the demolition permit, the applicant submit a Designated Substance Report, a Dust Control Plan and other information, if

- any, required for review and approval by the Medical Officer of Health;
- b. prior to the issuance of the demolition permit, the applicant submit a Temporary Landscape Plan to the satisfaction of the Director of Community Planning, Toronto and East York District, showing the:
    - i. siting of the sales office;
    - ii. location of temporary parking; and
    - iii. temporary landscaping;
  - c. prior to the issuance of the demolition permit, the applicant submit financial securities in the amount of 120% of the temporary landscaping estimate, as approved by the Director of Community Planning, Toronto and East York District, to guarantee provision of the temporary landscaping on site;
  - d. the Owner remove all debris and rubble from the site immediately after demolition;
  - e. the Owner erect a fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
  - f. the Owner maintain the site free of garbage and weeds, in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
  - g. the Owner erect a replacement building on the site not later than three (3) years from the day demolition of the existing building is commenced;
  - h. the Owner backfill any holes on the property with clean fill; and
  - i. on the Owner's failure to complete the new building within the time specified in Condition 2g, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand (\$20,000) dollars for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

### **Background Information**

Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-7165.pdf>

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

- Communication (October 19, 2007) from the Medical Officer of Health ([TE9.2a](#))

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

- (October 18, 2007) from Adam J. Brown, Sherman Brown Dryer Karol, Barristers and Solicitors (TE9.2.2)

13.60 **Application to remove the Holding Symbol (H) from the Zoning By-law and Application for Residential Demolition - Part of 620 Dundas Street East (230 Sumach Street, 202-208 Sumach Street, and 638-644 Dundas Street East) Regent Park Revitalization**

TE9.31	AMENDED			Ward: 28
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**October 22, 2007**

Speaker Bussin in the Chair.

*Motion:*

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

Council adopt the following recommendations contained in the report (October 12, 2007) from the General Manager, Parks, Forestry and Recreation:

1. City Council authorize the transfer of title from Toronto Community Housing Corporation to the City of Toronto for parks purposes of that portion of block 15 shown on the attached Appendix A (“the Pool Lands”), in advance of the time set out in the approved subdivision conditions, subject to the prior consent of the Minister of Municipal Affairs under the Social Housing Reform Act, 2000.
2. City Council authorize the City Solicitor to complete these transactions on behalf of the City, subject to amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may, from time to time, consider reasonable.
3. City Council request the Chief Planner to amend or make red line changes to the Draft Plan of Subdivision and the conditions of subdivision approval, if necessary to reflect the transfer of title of the Pool Lands.
4. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

*Votes:*

Motion 1 by Councillor McConnell carried.

The Item, as amended, carried.

**City Council Decision**

City Council adopted the following motions:

1. City Council amend the Zoning By-law to remove the Holding Symbol (H) from the lands shown on the map attached to this report as Attachment 1.
2. City Council approve the application to demolish the subject residential buildings with the following conditions, notwithstanding that there is no building permit for a replacement building on the site:
  - a. prior to the issuance of demolition permits for any buildings on the site, TCHC shall obtain the Provincial consent for the sale or lease of land as required under the Social Housing Reform Act;
  - b. the removal, handling and disposal of all hazardous materials including but not limited to asbestos, lead, mercury, silica and PCBs shall be conducted in accordance with the Ministry of the Environment and the Ministry of Labour regulations and guidelines;
  - c. the removal of ozone-depleting substances, if encountered, shall be performed by a licensed contractor in compliance with the Ministry of the Environment regulations;
  - d. the owner shall ensure the implementation of the demolition and excavation dust control measures approved by the Medical Officer of Health;
  - e. the owner shall not remove privately owned trees until permitted construction and/or demolition-related activities commence which warrant the destruction of trees;
  - f. the owner shall install tree protection hoarding for tree Nos. 216, 217, 218, 222, 223, 224, 225, 226, 228, 229, 244, and 245, as inventoried in the arborist report prepared by Bruce Tree Expert Company Ltd., dated August 9, 2007, in accordance with the tree protection zone listed in the above-noted arborist report, prior to the commencement of any on-site construction and/or demolition activity;
  - g. the owner shall erect a construction fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
  - h. all debris and rubble shall be removed from the site immediately after demolition;
  - i. the site shall be maintained free of garbage and weeds, in accordance with the Municipal Code 632-5 and 629-10, Paragraph B; and
  - j. any holes on the property shall be back-filled with clean fill.
3. City Council advise TCHC that under the terms of their fee deferral, the private tree by-law application fees must be paid once the final proportion of the development to be comprised of non-profit housing is determined.



4. City Council authorize the transfer of title from Toronto Community Housing Corporation to the City of Toronto for parks purposes of that portion of block 15 shown on the attached Appendix A [to the supplementary report (October 12, 2007) from the General Manager, Parks, Forestry and Recreation (TE9.31a)] (“the Pool Lands”), in advance of the time set out in the approved subdivision conditions, subject to the prior consent of the Minister of Municipal Affairs under the Social Housing Reform Act, 2000.
5. City Council authorize the City Solicitor to complete these transactions on behalf of the City, subject to amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may, from time to time, consider reasonable.
6. City Council request the Chief Planner to amend or make red line changes to the Draft Plan of Subdivision and the conditions of subdivision approval, if necessary to reflect the transfer of title of the Pool Lands.
7. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Background Information

Staff Report

<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-7083.pdf>

### Additional Background Information (City Council)

- Report (October 12, 2007) from the General Manager, Parks, Forestry and Recreation ([TE9.31a](#))

## 13.61 Requests for Endorsement of Events for Liquor Licensing Purposes

TE9.44	AMENDED			
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### October 23, 2007

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Davis moved that the Item be amended by adding to the recommendations of the Toronto and East York Community Council, the following Recommendations 2 - 7:
  2. the Promotional Party for Bowmans.net taking place at The Roundhouse, 255 Bremner Boulevard, and advise the AGCO that it has no objection to the selling and serving of alcohol from 5:00 p.m. on Thursday, November 22, 2007, to 4.00 a.m. on Friday, November 23, 2007;

3. the Toronto Argonauts Neighbourhood Street Party taking place at the north side of Bremner Boulevard, between Van De Water Crescent and Rees Street, between the hours of 11:00 a.m. and 1:00 p.m. on either Sunday, November 11, 2007, or Sunday, November 18, 2007;
4. “Lullaby”, which is a production of Dark Horse Theatre in association with Factory Theatre, taking place from November 3-18, 2007, at Simone Interiors, 1690 Queen Street West;
5. VIP Opening of Ted Rogers School of Management taking place from 5:00 p.m. to 7:00 p.m. on November 12, 2007, at Ryerson University, 55 Dundas Street West;
6. Grey Cup 2007 Festival taking place at various locations, including Simcoe Street, Front Street and Bremner Boulevard, and advise the AGCO that it has no objection to the selling and serving of alcohol:
  - a. from 12:00 noon on November 22, 2007, to 5:00 p.m. on November 25, 2007 at these locations; and
  - b. from 12:00 noon on November 22, 2007, to 3:00 a.m. on November 26, 2007, at the Toronto Convention Centre, 255 Front Street West; and
7. the event, in conjunction with the Grey Cup 2007, taking place at St. Louis Bar and Grill, 313 Bremner Boulevard and advise the AGCO that it has no objection to the selling and serving of alcohol in a tent adjacent to this establishment from 11.00 a.m. on November 23, 2007, to 1:00 a.m. on November 26, 2007.

*Votes:*

Motion 1 by Councillor Davis carried.

The Item, as amended, carried.

### **City Council Decision**

City Council adopted the following motion:

City Council, for liquor licence purposes, advise the AGCO that it has no objection to:

1. the Fringe Festival of Toronto Theatre Festival taking place at The Factory Theatre from January 2 to 13, 2008, being permitted to sell and serve alcohol on an outside patio from 6:00 p.m. to 12:00 midnight on weeknights, and 2:00 p.m. to 12:00 midnight on weekends for the duration of the event, which has been

designated by Toronto and East York Community Council as an event of municipal significance;

2. the Promotional Party for Bowmans.net taking place at The Roundhouse, 255 Bremner Boulevard, and advise the AGCO that it has no objection to the selling and serving of alcohol from 5:00 p.m. on Thursday, November 22, 2007, to 4.00 a.m. on Friday, November 23, 2007;
3. the Toronto Argonauts Neighbourhood Street Party taking place at the north side of Bremner Boulevard, between Van De Water Crescent and Rees Street, between the hours of 11:00 a.m. and 1:00 p.m. on either Sunday, November 11, 2007, or Sunday, November 18, 2007;
4. “Lullaby”, which is a production of Dark Horse Theatre in association with Factory Theatre, taking place from November 3-18, 2007, at Simone Interiors, 1690 Queen Street West;
5. VIP Opening of Ted Rogers School of Management taking place from 5:00 p.m. to 7:00 p.m. on November 12, 2007, at Ryerson University, 55 Dundas Street West;
6. Grey Cup 2007 Festival taking place at various locations, including Simcoe Street, Front Street and Bremner Boulevard, and advise the AGCO that it has no objection to the selling and serving of alcohol:
  - a. from 12:00 noon on November 22, 2007, to 5:00 p.m. on November 25, 2007 at these locations; and
  - b. from 12:00 noon on November 22, 2007, to 3:00 a.m. on November 26, 2007, at the Toronto Convention Centre, 255 Front Street West; and
7. the event, in conjunction with the Grey Cup 2007, taking place at St. Louis Bar and Grill, 313 Bremner Boulevard and advise the AGCO that it has no objection to the selling and serving of alcohol in a tent adjacent to this establishment from 11.00 a.m. on November 23, 2007, to 1:00 a.m. on November 26, 2007.

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

- (undated) from Jonah Midanik, Operations Director, Immersion Media Inc. (TE9.44.1)
- (undated) from Luke Boone, Toronto Argonauts (TE9.44.2)
- (October 5, 2007) from Dusan Dukic, Dark Horse Theatre (TE9.44.3)
- (October 16, 2007) from Clay Caporal, Events Manager, Ryerson University (TE9.44.4)
- (October 22, 2007) from Brad Watters, General Manager, Grey Cup 2007 (TE9.44.5)

- (undated) from Jim Soutar, Manager, St. Louis Bar and Grill (TE9.44.6)

### 13.62 **Committee of Adjustment Decision - 20 Brunswick Avenue**

TE9.51	NO AMENDMENT			Ward: 20
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

The Item was adopted, without amendment.

#### **City Council Decision**

City Council adopted the following motions:

1. City Council request the City Solicitor to support the residents appeal to the Ontario Municipal Board of the 20 Brunswick decision.
2. City Council request the City Solicitor to seek party status for the City of Toronto at this hearing based on the reasoning that this project was before the Ontario Municipal Board in 2001 and, therefore, it is not appropriate that the application is before the Board again as it is essentially the same application with minor changes.

#### **Background Information**

Member Motion

(<http://www.toronto.ca/legdocs/mmis/2007/te/bgrd/backgroundfile-7339.pdf>)

### 13.63 **NEW BUSINESS FROM CITY OFFICIALS AND BUSINESS PREVIOUSLY REQUESTED**

**October 22, 2007**

Speaker Bussin in the Chair.

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

Held for consideration. CC13.1 (October 15, 2007) from the City Solicitor, headed  
Minute 13.64 "371-9 King Street West – King – Spadina"

Held for consideration. CC13.2 (October 15, 2007) from the City Solicitor, headed “Legal  
 Minute 13.65 Proceedings re Revocation of a curb lane vending permit –  
 50 St. George St.”

Held for consideration. CC13.3 (October 11, 2007) from the City Manager, headed “City  
 Minute 13.66 Manager’s Authority to Implement Cost Containment  
 Measures”

13.64 **371-9 King Street West – King – Spadina**

<b>CC13.1</b>	AMENDED			Ward: 20
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**October 23, 2007**

Speaker Bussin in the Chair.

*Motion:*

1. Councillor Vaughan moved that City Council receive the recommendations of the City Solicitor contained in Item CC13.1, and direct that the developer enter into a Section 37 Agreement with the City for \$80,000.00 for streetscape and other civic improvements in the local area.

*Vote:*

Adoption of motion 1 by Councillor Vaughan:

Yes - 33	Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan
No - 3	Councillors: Ford, Parker, Shiner

Carried by a majority of 30.

*Motion to Reconsider:*

Speaker Bussin, with the permission of Council, moved that in accordance with the

provisions of Chapter 27, Council Procedures, Council reconsider the previous vote, in order to permit Councillor Shiner not to vote, as he had declared an interest in this matter, which carried, two-thirds of Members present having voted in the affirmative.

*Re-vote on adoption of motion 1 by Councillor Vaughan:*

Yes - 34	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan
No - 2	
Councillors:	Ford, Parker

Carried by a majority of 32.

### **City Council Decision**

City Council received the recommendations of the City Solicitor contained in Item CC13.1, and directed that the developer enter into a Section 37 Agreement with the City for \$80,000.00 for streetscape and other civic improvements in the local area.

### **Link to Background Information**

Council considered the following:

- Report (October 15, 2007) from the City Solicitor ([CC13.1](#))
- Communication (October 18, 2007) Adam J. Brown, Sherman Brown Dryer Karol, Barristers and Solicitors (CC13.1.1)

Confidential Attachment 1 to the report (October 15, 2007) from the City Solicitor, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege.

### **Declared Interest (City Council - October 22 and 23, 2007)**

Councillor Shiner - in that his family owns property in the immediate area.

### **13.65 Legal Proceedings re Revocation of a curb lane vending permit – 50 St. George St.**

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CC13.2	NO AMENDMENT			Ward: 20
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**October 23, 2007**

Speaker Bussin in the Chair.

*Vote:*

Item CC13.2 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. The confidential instructions and information in Attachment 1 remain confidential.

Confidential Attachment 1 to the report (October 15, 2007) from the City Solicitor, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation that affects the City or one of its agencies, boards and commissions and advice from the City Solicitor that is subject to solicitor-client privilege.

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**Link to Background Information**

Council considered the following:

- Report (October 15, 2007) from the City Solicitor ([CC13.2](#))

**13.66 City Manager's Authority to Implement Cost Containment Measures**

CC13.3	AMENDED			
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**October 22, 2007**

Speaker Bussin in the Chair.

[This Item was considered with Executive Committee Item EX12.9, headed "Operating Variance Report (for the Six-month period ended June 30, 2007) (Ward: All)" (See Minute 13.18)]

**City Council Decision**

City Council adopted the following motion:

1. The following motion be referred to the Executive Committee, with a request that the Committee report back to City Council on the motion in January 2008:

Moved by Councillor Minnan-Wong:

“That City Council amend the Toronto Municipal Code to require the City Manager or her staff to seek Council approval for decisions that would result in:

- a. the closing of any public facilities; and/or
- b. the limiting of hours of operation of public services, such as swimming pools or community centres.”

### **Link to Background Information**

Council considered the following:

- Report (October 11, 2007) from the City Manager, with attached Memorandum dated August 20, 2007, from Wendy Walberg, Solicitor, addressed to the Director of Financial Planning. ([CC13.3](#))
- Communication (September 4, 2007) from David C.K. Tang, Gowling Lafleur Henderson LLP, submitted by Councillor Walker, Ward 21, St. Paul’s (CC13.3.1)

### **NOTICES OF MOTION**

13.67 **Amendment to Code of Conduct Complaint Protocol under Members Code of Conduct**

*Moved by Councillor Moscoe, seconded by Deputy Mayor Pantalone*

M148	AMENDED			
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**October 23, 2007:**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that consideration of Motion M148 requires a re-opening of Item CC2.5, entitled “Amendments to the Code of Conduct Complaint Protocol under Members Code of Conduct” (City Council - February 5, 6, 7 and 8, 2007), as it relates to Recommendation 1c. A two-thirds vote of the Council Members present is required to re-open this Item.



*Vote to Re-Open Item CC2.5, as it relates to Recommendation 1c:*

Yes - 29	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Hall, Heaps, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Perks, Rae, Thompson, Vaughan, Walker
No - 3	
Councillors:	Del Grande, Holyday, Stintz

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

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M148, a Fiscal Impact Statement (October 23, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 1)

*Motion:*

1. Councillor Moscoe moved that Motion 148 be amended by adding to Recommendation 1c the words, “unless the Integrity Commissioner’s conclusion is overturned by Council or on judicial review”, so that it now reads as follows:
  - “c. That Members of Council, their staff, and local boards (restricted definition) be eligible for costs in any case where the Integrity Commissioner reaches the conclusion that there was a violation but that it was committed through inadvertence or an error in judgement made in good faith, unless the Integrity Commissioner’s conclusion is overturned by Council or on judicial review, or where City Council has received the Integrity Commissioner’s report and determined that no action be taken, and that the City Solicitor’s report under the policy will be in consultation with the Integrity Commissioner.”

*Vote:*

*Adoption of Motion M148, as amended by motion 1 by Councillor Moscoe:*

Yes - 35	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion,

Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Rae, Shiner, Stintz, Thompson, Vaughan, Walker
No - 0

Carried, without dissent.

### City Council Decision

City Council re-opened Item CC2.5, entitled “Amendments to the Code of Conduct Complaint Protocol under Members Code of Conduct” (City Council - February 5, 6, 7 and 8, 2007), as it relates to Recommendation 1c, and adopted the following motion:

1. The policy dealing with payment of legal costs be amended to include “unless the Integrity Commissioner’s conclusion is overturned by Council or on judicial review, or where City Council has received the Integrity Commissioner’s report and determined that no action be taken”, so that Recommendation 1c. contained in the report now reads as follows:

“c. That Members of Council, their staff, and local boards (restricted definition) be eligible for costs in any case where the Integrity Commissioner reaches the conclusion that there was a violation but that it was committed through inadvertence or an error in judgement made in good faith, unless the Integrity Commissioner’s conclusion is overturned by Council or on judicial review, or where City Council has received the Integrity Commissioner’s report and determined that no action be taken, and that the City Solicitor’s report under the policy will be in consultation with the Integrity Commissioner.”

### Link to Background Information

Council considered the following:

- [Motion M148](#)
- Financial Impact Statement (October 23, 2007) from the Deputy City Manager and Chief Financial Officer

### 13.68 108 Boulton Drive – OMB Appeal

*Moved by Councillor Walker, seconded by Councillor Jenkins*

M149	NO AMENDMENT			Ward: 22
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**October 23, 2007:**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M149 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M149 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M149, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Procedural Vote to Consider Motion M149 at this meeting:*

The vote to consider Motion M149 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion M149 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. City Council direct the City Solicitor and City Planning staff to appear at the Ontario Municipal Board to support the position of City Planning staff, which recommends refusal of this application respecting 108 Boulton Drive.

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**Link to Background Information**

Council considered the following:

- [Motion M149](#)
- Excerpt from the Minutes of the Committee of Adjustment related to 108 Boulton Drive, CofA File: A0471/07TEY
- Report (August 17, 2007) from the Director, Community Planning, Toronto and East York District, addressed to the Chairman and Members of the Committee of Adjustment, Toronto and East York Panel, respecting 108 Boulton Drive
- Communication (August 22, 2007) from Councillor Michael Walker, Ward 21,

St. Paul's, addressed to the Chair and Members, Committee of Adjustment - South Panel, respecting 108 Boulton Drive

13.69 **Toronto Police Service – 2007 Capital Budget Transfer of Funds**  
*Moved by Councillor McConnell, seconded by Councillor Carroll*

M150	NO AMENDMENT			
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**October 23, 2007:**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M150 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M150 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M150, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Procedural Vote to Consider Motion M150 at this meeting:*

The vote to consider Motion M150 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion M150 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Toronto City Council approve the transfer of \$1.165M from the 2007 allocation for the Human Resources Management System (HRMS) project to the Radio Replacement Project (in 2007).
2. Toronto City Council approve the transfer of \$0.994M from the 2007 allocation for the 14 Division project to the Radio Replacement Project (in 2007).

**Link to Background Information**

Council considered the following:

- [Motion M150](#) with attached report (October 5, 2007) from the Chair, Toronto Police Services Board

13.70 **Appointment to the Board of Heritage Toronto to Replace a Vacancy**  
*Moved by Councillor Rae, seconded by Councillor Vaughan*

M151	NO AMENDMENT			
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**October 23, 2007:**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that consideration of Motion M151 requires a re-opening of Civic Appointments Committee Item CA7.1 (City Council - April 23 and 24, 2007), as it relates to Recommendation 2. A two-thirds vote of the Council Members present is required to re-open this Item.

*Vote to Re-Open Civic Appointments Committee Item CA7.1:*

The vote to re-open Civic Appointments Committee Item CA7.1 (City Council - April 23 and 24, 2007), as it relates to Recommendation 2, carried, two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M151, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Vote:*

Motion M151 was adopted, without amendment.

**City Council Decision**

City Council re-opened Civic Appointments Committee Item CA7.1 (City Council - April 23 and 24, 2007), as it relates to Recommendation 2, and adopted the following motion:

1. City Council waive, on a one-time basis, the Public Appointments Policy requirements to use the list of alternates, to use the established advertised recruitment process and the established qualifications, and Heritage Toronto be authorized to identify a suitable candidate through a selective search process.

### Link to Background Information

Council considered the following:

- [Motion M151](#)

### 13.71 City Council Endorse the Sale of VQA Wine and Ontario Microbrewery Beer at Convenience Stores

*Moved by Councillor Walker, seconded by Councillor Jenkins*

M152	REFERRED			
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#### October 23, 2007:

Speaker Bussin in the Chair.

#### *Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M152 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M152 at this meeting.

#### *Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M152, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

#### *Procedural Vote to Consider Motion M152 at this meeting:*

Yes - 8	Councillors: Augimeri, Cho, Jenkins, Lindsay Luby, Palacio, Stintz, Vaughan, Walker
No - 24	Councillors: Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Hall,

Heaps, Holyday, Kelly, Mammoliti, McConnell, Mihevc,  
Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes,  
Perks, Rae, Thompson

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

### City Council Decision

City Council referred Motion M152 to the Executive Committee.

### Link to Background Information

Council considered the following:

- [Motion M152](#)

### 13.72 Promoting Energy Conservation in Toronto

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

M153	REFERRED			
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#### October 23, 2007:

Speaker Bussin in the Chair.

#### *Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M153 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M153 at this meeting.

#### *Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M153, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

#### *Procedural Vote to Consider Motion M153 at this meeting:*

Yes - 14 Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Giambrone, Heaps, Lindsay Luby, McConnell, Moscoe, Palacio, Perks, Thompson
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No - 19  
 Councillors: Ainslie, Ashton, Del Grande, Di Giorgio, Hall, Holyday,  
 Jenkins, Kelly, Lee, Mammoliti, Mihevc, Milczyn,  
 Minnan-Wong, Nunziata, Ootes, Rae, Stintz, Vaughan,  
 Walker

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

**City Council Decision**

City Council referred Motion M153 to the Executive Committee.

**Link to Background Information**

Council considered the following:

- [Motion M153](#)

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

*Moved by Councillor Heaps, seconded by Councillor Stintz*

<b>M154</b>	REFERRED		
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**October 23, 2007:**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M154 be referred to the Executive Committee. A two-thirds vote of the Council Members present is required to consider Motion M154 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M154, a Fiscal Impact Statement (October 23, 2007) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 2)

*Procedural Vote to Consider Motion M154 at this meeting:*

Yes - 17



Councillors:	Augimeri, Cho, Del Grande, Di Giorgio, Filion, Heaps, Holyday, Jenkins, Lee, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz, Thompson, Vaughan, Walker
No - 18	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Davis, De Baeremaeker, Giambrone, Hall, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Perks, Rae, Saundercook

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

**City Council Decision**

City Council referred Motion M154 to the Executive Committee.

**Link to Background Information**

Council considered the following:

- [Motion M154](#)
- Financial Impact Statement (October 23, 2007) from the Deputy City Manager and Chief Financial Officer

**13.74 Transit Passes – New Condominium Units**

*Moved by Councillor Moscoe, seconded by Councillor Giambrone*

M155	REFERRED			
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**October 23, 2007:**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M155 be referred to the Planning and Growth Management Committee. A two-thirds vote of the Council Members present is required to consider Motion M155 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M155, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Procedural Vote to Consider Motion M155 at this meeting:*

Yes - 16	Councillors: Carroll, Cho, Davis, De Baeremaeker, Filion, Giambrone, Heaps, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Perks, Vaughan
No - 19	Councillors: Ainslie, Ashton, Augimeri, Bussin, Del Grande, Di Giorgio, Hall, Holyday, Kelly, Lee, Mammoliti, Milczyn, Minnan-Wong, Ootes, Rae, Saundercook, Stintz, Thompson, Walker

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

### **City Council Decision**

City Council referred Motion M155 to the Planning and Growth Management Committee.

### **Link to Background Information**

Council considered the following:

- [Motion M155](#) with attached copy of Planning and Transportation Committee Report 3, Clause 8, headed “Transit Pass and Parking Requirements”, considered by City Council on May 23, 24 and 25, 2006.

### **MOTIONS WITHOUT NOTICE**

#### **13.75 550 Bayview Avenue – OMB Hearing – Ward 29 (Toronto-Danforth)**

*Moved by Councillor Ootes, seconded by Councillor Minnan-Wong*

<b>M156</b>	NO AMENDMENT			Ward: 29
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**October 23, 2007**

Speaker Bussin in the Chair.

*Procedural Motion to Waive Notice:*

Councillor Ootes moved that the necessary provisions of Chapter 27, Council Procedures, be waived to permit introduction of Motion M156, which carried, two-thirds of Members present having voted in the affirmative.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M156 be referred to the Toronto and East York Community Council. A two-thirds vote of the Council Members present is required to consider Motion M156 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M156, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Procedural Vote to Consider Motion M156 at this meeting:*

The vote to consider Motion M156 at this meeting carried, two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion M156 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. City Council authorize the City Solicitor and appropriate staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's decision to approve the requested minor variances application.

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**Link to Background Information**

Council considered the following:

- [Motion M156](#)
- Communication (June 20, 2007) from the Manager and Deputy Secretary-Treasurer, Committee of Adjustment, addressed to Councillors and Executive Assistants - Toronto and East York Community Council, and Commenting Civic Officials, entitled "Results List - Toronto and East York Committee of Adjustment Hearing - June 20, 2007"

**13.76 Manufacturing Matters to Toronto**

*Moved by Councillor Augimeri, seconded by Councillor Rae*

<b>M157</b>	REFERRED			Wards: All
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**October 23, 2007**

Speaker Bussin in the Chair.

*Procedural Motion to Waive Notice:*

Councillor Augimeri moved that the necessary provisions of Chapter 27, Council Procedures, be waived to permit introduction of Motion M157, which carried, two-thirds of Members present having voted in the affirmative.

*Advice by Speaker:*

Speaker Bussin advised the Council that the provisions of Chapter 27, Council Procedures, require that Motion M157 be referred to the Economic Development Committee. A two-thirds vote of the Council Members present is required to consider Motion M157 at this meeting.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M157, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Procedural Vote to Consider Motion M157 at this meeting:*

Yes - 2 Councillors: Lee, Walker
No - 33 Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Rae, Saundercook, Stintz, Thompson, Vaughan

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

**City Council Decision**

City Council referred Motion M157 to the Economic Development Committee.

**Link to Background Information**

Council considered the following:

- [Motion M157](#)

**13.77 Fence Exemption Request and Amendment to By-law 204-2007 -  
116 Elmhurst Avenue**

*Moved by Councillor Filion, seconded by Councillor Moscoe*

<b>M158</b>	NO AMENDMENT			Ward: 23
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**October 23, 2007**

Speaker Bussin in the Chair.

*Procedural Motion to Waive Notice:*

Councillor Filion moved that the necessary provisions of Chapter 27, Council Procedures, be waived to permit introduction of Motion M158, which carried, two-thirds of Members present having voted in the affirmative.

*Advice by Speaker:*

Speaker Bussin advised the Council that consideration of Motion M158 requires a re-opening of North York Community Council Item NY3.2 (City Council – March 5, 6, 7 and 8, 2007) for further consideration. A two-thirds vote of the Council Members present is required to re-open this Item.

*Vote to Re-Open North York Community Council Item NY3.2:*

The vote to re-open North York Community Council Item NY3.2 (City Council – March 5, 6, 7 and 8, 2007) for further consideration, carried, two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M158, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Vote to adopt Motion M158, without amendment:*

Yes - 33	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Perks, Perruzza, Saundercook, Stintz, Thompson, Vaughan, Walker
No - 3	
Councillors:	Di Giorgio, Parker, Rae

Carried by a majority of 30.

### City Council Decision

City Council re-opened North York Community Council Item NY3.2 (City Council – March 5, 6, 7 and 8, 2007) for further consideration, and adopted the following motion:

1. City Council refer North York Community Council Item NY3.2 back to the North York Community Council for further consideration.

### Link to Background Information

Council considered the following:

- [Motion M158](#)

### 13.78 Water Rate Restructuring – Results of Public Consultation and Recommended Rate Structure

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

<b>M159</b>	NO AMENDMENT			Wards: All
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**October 22, 2007**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that, as Motion M159 had been submitted to the Clerk after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M159.

*Procedural Vote:*

The vote to introduce Motion M159 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.

**October 23, 2007**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that consideration of Motion M159 requires a re-opening of Executive Committee Item 9.2, as adopted by Council at its meeting on June 19, 20 and 22, 2007, as it pertains to Recommendation 5a, relating specifically to the effective date of the rebate on the water bill of low-income seniors and low-income disabled persons, for further consideration. A two-thirds vote of the Council Members present is required to re-open this Item.

*Vote to Re-Open Executive Committee Item 9.2:*

The vote to re-open Executive Committee Item 9.2, as adopted by Council at its meeting on June 19, 20 and 22, 2007, as it pertains to Recommendation 5a, relating specifically to the effective date of the rebate on the water bill of low-income seniors and low-income disabled persons, for further consideration, carried, two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M159, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Vote to adopt Motion M159, without amendment:*

Yes - 35 Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan
No - 1 Councillor:	Walker

Carried by a majority of 34.

### City Council Decision

City Council re-opened Executive Committee Item 9.2, as adopted by Council at its meeting on June 19, 20 and 22, 2007, as it pertains to Recommendation 5a, relating specifically to the effective date of the rebate on the water bill of low-income seniors and low-income disabled persons, for further consideration, and adopted the following motion:

1. Recommendation 5a of Executive Committee Item 9.2 be amended by deleting the effective date of July 1, 2008, for a rebate on the water bill for low-income seniors and low-income disabled persons, and replacing it with an effective date of January 1, 2008, so that Recommendation 5a now reads as follows:
  - “5. a. the rebate be initially set at a rate reflecting a 20% reduction from the general first block rate, effective commencing January 1, 2008;”.

### Link to Background Information

Council considered the following:

- [Motion M159](#)

- 13.79 **Yonge Dundas Redevelopment Project – Consent to Transfer by Penex Dundas Square Limited Partnership – 259 Victoria Street**  
*Moved by Councillor Rae, seconded by Mayor Miller*

<b>M160</b>	NO AMENDMENT			Ward: 27
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### October 22, 2007

Speaker Bussin in the Chair.

#### *Advice by Speaker:*

Speaker Bussin advised the Council that, as Motion M160 had been submitted to the Clerk after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M160.

#### *Procedural Vote:*

The vote to introduce Motion M160 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.



**October 23, 2007**

Speaker Bussin in the Chair.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M160, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Vote:*

Motion M160 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. City Council grant its consent to the sale of the Torch Project at 259 Victoria Street by Penex Dundas Square Limited Partnership to Rogers Communications Inc., or the corporate entity Rogers might designate to hold title to the Torch Project.
2. City staff be authorized and directed to take the necessary steps to give effect thereto.

**Link to Background Information**

Council considered the following:

- [Motion M160](#)

- 13.80 **2 St. James Court – OMB Hearing – Ward 28 - Toronto Centre Rosedale**  
*Moved by Councillor McConnell, seconded by Councillor Rae*

<b>M161</b>	NO AMENDMENT			Ward: 28
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**October 22, 2007**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that, as Motion M161 had been submitted to the Clerk

after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M161.

*Procedural Vote:*

The vote to introduce Motion M161 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.

**October 23, 2007**

Speaker Bussin in the Chair.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion M161, a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary)

*Vote:*

Motion M161 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motion:

1. City Council authorize the City Solicitor and appropriate staff to appear at the Ontario Municipal Board to support the Committee of Adjustment's decision to refuse the requested minor variances application.

**Link to Background Information**

- [Motion M161](#)
- Notice of Decision, Minor Variance/Permission (August 14, 2007) for 2 St. James Court, from the Manager and Deputy Secretary Treasurer, Toronto and East York Panel

13.81 **45 Lisgar Street - Litigation**

*Moved by Councillor Giambrone, seconded by Mayor Miller*

M162	NO AMENDMENT			Ward: 18
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**Confidential Attachment 1 - litigation or potential litigation, including matters before an administrative tribunal, and solicitor-client privilege.**

**October 23, 2007**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that, as Motion M162 had been submitted to the Clerk after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M162.

*Procedural Vote:*

The vote to introduce Motion M162 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.

*Vote:*

Motion M162 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. If the confidential instructions are adopted then those instructions in whole or in part, may be made public at the discretion of the City Solicitor at the appropriate time.

Confidential Attachment 1 to the report (October 23, 2007) from the City Solicitor, the Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information pertaining to litigation or potential litigation, including matters before an administrative tribunal, and that is subject to solicitor-client privilege. The instructions may be made public, in whole or in part, at the discretion of the City Solicitor at the appropriate time.

[Public release Confidential information – January 8, 2008.](#)

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**Link to Background Information**

Council considered the following:

- [Motion M162](#) with attached report (October 23, 2007) from the City Solicitor, the Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning

13.82 **150 Sudbury Street – Litigation**

*Moved by Councillor Giambrone, seconded by Mayor Miller*

<b>M163</b>	NO AMENDMENT			Ward: 18
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**Confidential Attachment 1 - litigation or potential litigation, including matters before an administrative tribunal, and solicitor-client privilege.**

**October 23, 2007**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that, as Motion M163 had been submitted to the Clerk after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M163.

*Procedural Vote:*

The vote to introduce Motion M163 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.

*Vote:*

Motion M163 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. If the confidential instructions are adopted then those instructions in whole or in part, may be made public at the discretion of the City Solicitor at the appropriate time.

Confidential Attachment 1 to the report (October 23, 2007) from the City Solicitor, the Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning, remains confidential in its entirety, in accordance with the

provisions of the City of Toronto Act, 2006, as it contains information pertaining to litigation or potential litigation, including matters before an administrative tribunal, and that is subject to solicitor-client privilege. The instructions may be made public, in whole or in part, at the discretion of the City Solicitor at the appropriate time.

[Public release of confidential information – December 14, 2007](#)

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### Link to Background Information

Council considered the following:

- [Motion M163](#) with attached report (October 23, 2007) from the City Solicitor, the Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning

### BILLS AND BY-LAWS

**October 22, 2007 - 7:07 p.m.**

Speaker Bussin in the Chair.

- 13.83 Councillor Moscoe 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. 1141	By-law No. 1127-2007	To confirm the proceedings of the Council at its meeting held on the 22nd day of October, 2007,
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the vote on which was taken as follows:

Yes - 26	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 18	
Councillors:	Ainslie, Ashton, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Thompson, Walker

Carried by a majority of 8.

**October 22, 2007 - 9:04 p.m.**

Speaker Bussin in the Chair.

- 13.84 Councillor Jenkins 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. 1142	By-law No. 1128-2007	To confirm the proceedings of the Council at its meeting held on the 22nd day of October, 2007,
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the vote on which was taken as follows:

Yes - 30	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Parker, Perks, Rae, Saundercook, Shiner
No - 3	
Councillors:	Ford, Nunziata, Vaughan

Carried by a majority of 27.

**October 23, 2007 - 8:52 p.m.**

Speaker Bussin in the Chair.

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

Bill No. 1107	By-law No. 1129-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting various streets.
Bill No. 1108	By-law No. 1130-2007	To amend further By-law No. 92-93, a by-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York, respecting various streets.
Bill No. 1109	By-law No. 1131-2007	To amend further Metropolitan Toronto By-law No. 32-92, respecting

Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning

13.82 **150 Sudbury Street – Litigation**

*Moved by Councillor Giambrone, seconded by Mayor Miller*

<b>M163</b>	NO AMENDMENT			Ward: 18
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**Confidential Attachment 1 - litigation or potential litigation, including matters before an administrative tribunal, and solicitor-client privilege.**

**October 23, 2007**

Speaker Bussin in the Chair.

*Advice by Speaker:*

Speaker Bussin advised the Council that, as Motion M163 had been submitted to the Clerk after the deadline for the submission of Motions Without Notice, the provisions of Chapter 27, Council Procedures, require the affirmative vote of 30 Members of Council present at the meeting to introduce Motion M163.

*Procedural Vote:*

The vote to introduce Motion M163 for consideration at this meeting carried, 30 Members of Council present having voted in the affirmative.

*Vote:*

Motion M163 was adopted, without amendment.

**City Council Decision**

City Council adopted the following motions:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. If the confidential instructions are adopted then those instructions in whole or in part, may be made public at the discretion of the City Solicitor at the appropriate time.

Confidential Attachment 1 to the report (October 23, 2007) from the City Solicitor, the Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information pertaining to litigation or potential litigation, including matters before an administrative tribunal, and

that is subject to solicitor-client privilege. The instructions may be made public, in whole or in part, at the discretion of the City Solicitor at the appropriate time.

### Link to Background Information

Council considered the following:

- [Motion M163](#) with attached report (October 23, 2007) from the City Solicitor, the Executive Director, Toronto Culture, and the Acting Chief Planner and Executive Director, City Planning

### BILLS AND BY-LAWS

**October 22, 2007 - 7:07 p.m.**

Speaker Bussin in the Chair.

- 13.83 Councillor Moscoe 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. 1141	By-law No. 1127-2007	To confirm the proceedings of the Council at its meeting held on the 22nd day of October, 2007,
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the vote on which was taken as follows:

Yes - 26	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 18	
Councillors:	Ainslie, Ashton, Feldman, Ford, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Thompson, Walker

Carried by a majority of 8.

**October 22, 2007 - 9:04 p.m.**

Speaker Bussin in the Chair.



- 13.84 Councillor Jenkins 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. 1142	By-law No. 1128-2007	To confirm the proceedings of the Council at its meeting held on the 22nd day of October, 2007,
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the vote on which was taken as follows:

Yes - 30	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Heaps, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Palacio, Parker, Perks, Rae, Saundercook, Shiner
No - 3	
Councillors:	Ford, Nunziata, Vaughan

Carried by a majority of 27.

**October 23, 2007 - 8:52 p.m.**

Speaker Bussin in the Chair.

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

Bill No. 1107	By-law No. 1129-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting various streets.
Bill No. 1108	By-law No. 1130-2007	To amend further By-law No. 92-93, a by-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York, respecting various streets.
Bill No. 1109	By-law No. 1131-2007	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, respecting various streets.

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Bill No. 1110	By-law No. 1132-2007	To exempt certain lands from Part Lot Control, at White Heather Boulevard, Sandhurst Circle and Brilliant Court.
Bill No. 1111	By-law No. 1133-2007	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, respecting various streets.
Bill No. 1112	By-law No. 1134-2007	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, respecting various streets.
Bill No. 1113	By-law No. 1135-2007	To amend the Morningside Heights Zoning By-law, approved by the Ontario Municipal Board on June 17, 2002, as amended, with respect to the lands on the west side of Hummingbird Drive and Pitchpine Drive, east of CPR.
Bill No. 1114	By-law No. 1136-2007	To amend City of Toronto Municipal Code Ch. 925, Permit Parking, respecting Carlaw Avenue.
Bill No. 1115	By-law No. 1137-2007	To dedicate certain land between Lorraine Drive and Kempford Boulevard for public highway purposes to form part of the public highway Beecroft Road.
Bill No. 1116	By-law No. 1138-2007	To dedicate certain land for public highway purposes to form part of the public highway Lorraine Drive.
Bill No. 1117	By-law No. 1139-2007	To dedicate certain land for public highway purposes to form part of the public highway Laura Ellis Court.
Bill No. 1118	By-law No. 1140-2007	To clarify and improve the Fair Wage Policy by amending Municipal Code Chapter 67, Fair Wage, and revising Chapter 67 Schedule A, Fair Wage Policy.

Bill No. 1119	By-law No. 1141-2007	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Sentinel Road.
Bill No. 1120	By-law No. 1142-2007	To amend By-law No. 31001 of the former City of North York, respecting the regulation of traffic on North York roads, regarding Sentinel Road.
Bill No. 1121	By-law No. 1143-2007	To amend further Metropolitan Toronto By-law No. 108-86, designating certain locations on former Metropolitan Roads as Pedestrian Crossovers, regarding Lake Shore Boulevard West and Lawrence Avenue West.
Bill No. 1122	By-law No. 1144-2007	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, with respect to board advocacy issues and to reflect the delegation of authority to Community Councils to establish Boards of Management.
Bill No. 1123	By-law No. 1145-2007	To designate an area along Dundas Street West from Rusholme Road to just east of Roxton Road, as an improvement area.
Bill No. 1124	By-law No. 1146-2007	To adopt Amendment No. 1 to the Official Plan for the City of Toronto with respect to certain lands along Wilson Avenue between Keele Street and Bathurst Street.
Bill No. 1125	By-law No. 1147-2007	To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to the lands located along Wilson Avenue in the vicinity of Keele Street in the west and Bathurst Street in the east.

Bill No. 1126	By-law No. 1148-2007	To authorize the entering into of an agreement for the provision of a municipal capital facility at 5150-5160 Yonge Street.
Bill No. 1127	By-law No. 1149-2007	To authorize the entering into of an agreement for the provision of a municipal capital facility at 2965-3049 Kingston Road, the Cliffcrest Branch Library.
Bill No. 1128	By-law No. 1150-2007	To close various reserve funds, to establish various new reserve funds, and to amend Municipal Code Chapter 227, Reserves and Reserve Funds.
Bill No. 1129	By-law No. 1151-2007	To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to the Castlefield Caledonia Design and Décor District.
Bill No. 1130	By-law No. 1152-2007	To amend the former City of York Zoning By-law No. 1-83, as amended, with respect to the Castlefield Caledonia Design and Décor District.
Bill No. 1131	By-law No. 1153-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Greenwood Avenue.
Bill No. 1132	By-law No. 1154-2007	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, respecting bicycle lanes on Greenwood Avenue.
Bill No. 1133	By-law No. 1155-2007	To amend City of Toronto Municipal Code Ch. 925, Permit Parking, respecting Greenwood Avenue.
Bill No. 1134	By-law No. 1156-2007	To adopt Amendment No. 37 to the Official Plan of the City of Toronto

		with respect to lands municipally known as 2 Ridelle Avenue.
Bill No. 1135	By-law No. 1157-2007	To amend the General Zoning By law No. 438-86 of the former City of Toronto with respect to lands known as a portion of 620 Dundas Street East within North Regent Park municipally known as 230 Sumach Street, 202-208 Sumach Street and 638-644 Dundas Street East.
Bill No. 1136	By-law No. 1158-2007	To amend City of Toronto Municipal Code Chapter 880, Fire Routes.
Bill No. 1137	By-law No. 1159-2007	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bathurst Street.
Bill No. 1138	By-law No. 1160-2007	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known as 2 Gladstone Avenue.
Bill No. 1139	By-law No. 1161-2007	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Spadina Road.
Bill No. 1140	By-law No. 1162-2007	To amend further Metropolitan Toronto By-law No. 108-86, designating certain locations on former Metropolitan Roads as Pedestrian Crossovers, regarding Lake Shore Boulevard West,

the vote on which was taken as follows:

Yes - 33 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc,
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Milczyn, Moscoe, Nunziata, Palacio, Parker, Perks, Perruzza, Rae, Saundercook, Stintz, Thompson, Vaughan	
No - 1	
Councillor:	Ford

Carried by a majority of 32.

**October 23, 2007 - 8:53 p.m.**

Speaker Bussin in the Chair.

- 13.86 Councillor Ainslie 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. 1143	By-law No. 1163-2007	To confirm the proceedings of the Council at its meeting held on the 22nd and 23rd days of October, 2007,
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the vote on which was taken as follows:

Yes - 31	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Hall, Heaps, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Parker, Perks, Rae, Saundercook, Stintz, Thompson, Vaughan
No - 1	
Councillor:	Ford

Carried by a majority of 30.

**OFFICIAL RECOGNITIONS**

- 13.87 **Presentations/Introductions/Announcements:**

**October 22, 2007**

Mayor Miller, during the morning session of the meeting, extended best wishes to Councillor Perruzza on the occasion of his birthday.

Councillor Stintz, during the morning session of the meeting, congratulated Councillor Feldman, noting that October 19, 2007 was the 15<sup>th</sup> anniversary of his election as a municipal Councillor.

**October 23, 2007**

Councillor Minnan-Wong, during the morning session of the meeting, with the permission of Council, introduced a delegation from Ho Chi Minh City, Vietnam, which has a friendship agreement with the City of Toronto.

Mayor Miller, during the morning session of the meeting, advised Council of the release of the Auditor General's report respecting the challenges and successes of the Children's Services Division. On behalf of Council and the residents of Toronto, the Mayor congratulated and thanked the General Manager of Children's Services and her staff for their efforts and commitment.

Speaker Bussin, during the morning session of the meeting, introduced two groups of students from Owen Public School, present at the meeting.

Speaker Bussin, during the morning session of the meeting, introduced students from Father Henry Carr Catholic Secondary School, present at the meeting.

Speaker Bussin, during the afternoon session of the meeting, introduced students from John Ross Robertson School, present at the meeting.

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

**October 23, 2007**

Speaker Bussin in the Chair.

Councillor Nunziata, at 7:10 p.m., moved that Council remain in session past the 9:00 p.m. adjournment time, in order to complete the business remaining, the vote on which was taken as follows:

Yes - 21	Councillors: Ainslie, Augimeri, Carroll, Davis, De Baeremaeker, Giambrone, Grimes, Hall, Heaps, Holyday, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Parker, Perks, Rae, Stintz, Thompson, Vaughan
No - 13	Councillors: Ashton, Cho, Del Grande, Di Giorgio, Jenkins, Kelly, Lee, McConnell, Milczyn, Palacio, Perruzza, Shiner, Walker

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

*Motion to Reconsider:*

Councillor Palacio, with the permission of Council, moved that in accordance with the provisions of Chapter 27, Council Procedures, Council reconsider the vote to remain in session, the vote on which was taken as follows:

Yes - 25	Councillors: Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Giambrone, Grimes, Hall, Heaps, Holyday, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Parker, Perks, Rae, Stintz, Thompson, Vaughan
No - 9	Councillors: Ashton, Cho, Del Grande, Di Giorgio, Kelly, Lee, Perruzza, Shiner, Walker

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

*Re-vote on remaining in session to complete remaining business:*

Yes - 22	Councillors: Ainslie, Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Giambrone, Grimes, Heaps, Holyday, Lindsay Luby, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Parker, Perks, Rae, Stintz, Thompson, Vaughan
No - 10	Councillors: Ashton, Cho, Del Grande, Di Giorgio, Jenkins, Kelly, Lee, Perruzza, Shiner, Walker

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

**13.89 ATTENDANCE**

October 22, 2007	9:42 a.m. to 12:30 p.m.*	2:10 p.m. to 7:13 p.m.*	7:50 p.m. to 9:07 p.m.*
Miller	x	x	x
Ainslie	x	x	x
Ashton	x	x	x
Augimeri	x	x	x



Minutes of the Council of the City of Toronto  
October 22 and 23, 2007

October 22, 2007	9:42 a.m. to 12:30 p.m.*	2:10 p.m. to 7:13 p.m.*	7:50 p.m. to 9:07 p.m.*
Bussin	x	x	x
Carroll	x	x	x
Cho	x	x	x
Davis	x	x	x
De Baeremaeker	x	x	x
Del Grande	x	x	x
Di Giorgio	x	x	x
Feldman	x	x	x
Filion	x	x	x
Fletcher	x	x	x
Ford	x	x	x
Giambrone	x	x	-
Grimes	x	x	x
Hall	x	x	x
Heaps	x	x	x
Holyday	x	x	x
Jenkins	x	x	x
Kelly	x	x	x
Lee	x	x	x
Lindsay Luby	x	x	x
Mammoliti	x	x	x
McConnell	x	x	x
Mihevc	x	x	x
Milczyn	x	x	x
Minnan-Wong	x	x	-
Moeser	x	x	x
Moscoe	x	x	x
Nunziata	x	x	x
Ootes	x	x	x
Palacio	x	x	x
Pantalone	x	x	x

Minutes of the Council of the City of Toronto  
October 22 and 23, 2007

October 22, 2007	9:42 a.m. to 12:30 p.m.*	2:10 p.m. to 7:13 p.m.*	7:50 p.m. to 9:07 p.m.*
Parker	x	x	x
Perks	x	x	x
Perruzza	x	x	-
Rae	x	x	x
Saundercook	x	x	x
Shiner	x	x	x
Stintz	x	x	x
Thompson	x	x	x
Vaughan	x	x	x
Walker	x	x	x
Total	45	45	42

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

October 23, 2007	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:29 p.m.*	Roll Call 4:46 p.m.	7:10 p.m. to 8:56 p.m.*
Miller	x	x	x	-
Ainslie	x	x	x	x
Ashton	x	x	x	x
Augimeri	x	x	x	x
Bussin	x	x	x	x
Carroll	x	x	x	x
Cho	x	x	x	x
Davis	x	x	x	x
De Baeremaeker	x	x	x	x
Del Grande	x	x	x	x
Di Giorgio	x	x	x	x
Feldman	x	-	-	-
Filion	x	x	-	x
Fletcher	x	x	x	x
Ford	x	-	-	x
Giambrone	x	x	-	x

Minutes of the Council of the City of Toronto  
October 22 and 23, 2007

October 23, 2007	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:29 p.m.*	Roll Call 4:46 p.m.	7:10 p.m. to 8:56 p.m.*
Grimes	x	x	x	x
Hall	x	x	x	x
Heaps	x	x	-	x
Holyday	x	x	x	x
Jenkins	x	x	x	x
Kelly	x	x	x	x
Lee	x	x	x	x
Lindsay Luby	x	x	x	x
Mammoliti	x	x	x	x
McConnell	x	x	x	x
Mihevce	x	x	x	x
Milczyn	x	x	x	x
Minnan-Wong	x	x	x	-
Moeser	x	-	-	-
Moscoe	x	x	x	x
Nunziata	x	x	x	x
Ootes	x	x	-	x
Palacio	x	x	x	x
Pantalone	x	-	-	-
Parker	x	x	-	x
Perks	x	x	-	x
Perruzza	-	x	-	x
Rae	x	x	-	x
Saundercook	x	x	x	x
Shiner	x	x	-	x
Stintz	x	x	-	x
Thompson	x	x	-	x
Vaughan	x	x	x	x
Walker	x	x	x	x
Total	44	41	30	40

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

**Council adjourned on October 23, 2007, at 8:56 p.m.**

**DAVID R. MILLER,  
Mayor**

**ULLI S. WATKISS,  
City Clerk**

**FISCAL IMPACT STATEMENT SUMMARY**  
**Notices of Motions and Motions Without Notice**  
**Submitted by the Deputy City Manager and Chief Financial Officer**  
**Council Meeting – October 22 and 23, 2007**

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
M148	Amendment to Code of Conduct Complaint Protocol under Members Code of Conduct	TBD	\$0	No budget is in place for these legal costs. A pending case indicates expenses could be approx. \$8,000 per instance. Number of potential instances unknown.  Refer to Executive Committee
M149	108 Boulton Drive – OMB Appeal	\$0	\$0	Consider
M150	Toronto Police Service – 2007 Capital Budget Transfer of Funds	\$0	\$0	There is no net impact to the 2007 cash flow as a result of this transfer. Debt funding from the HRMS project and the 14 Division project is being transferred to the Radio Communication System project to accelerate replacement of handheld police radios to 2007 from 2010. The HRMS project is now complete and requirements for 14 Division have been deferred to future years.  Consider
M151	Appointment to the Board of Heritage Toronto to Replace a Vacancy	\$0	\$0	Consider
M152	City Council Endorse the Sale of VQA Wine and Ontario Microbrewery Beer at Convenience Stores	\$0	\$0	Consider
M153	Promoting Energy Conservation in Toronto	\$0	\$0	Consider
M154	Elimination of Blue Jay Ticket Purchases for Councillors	\$95,300 (saving)	\$0	Actual costs for 2007 were \$95,300.  Refer to Executive Committee

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
M155	Transit Passes – New Condominium Units	\$0	\$0	Refer to Planning & Growth Management Committee
M156	550 Bayview Avenue – OMB Hearing – Ward 29 (Toronto Danforth)	\$0	\$0	Consider
M157	Manufacturing Matters to Toronto	\$0	\$0	Consider
M158	Fence Exemption Request and Amendment to By-law 204-2007 - 116 Elmhurst Avenue	\$0	\$0	Consider
M159	Water Rate Restructuring – Results of Public Consultation and Recommended Rate Structure	\$0	\$0	Consider
M160	Yonge Dundas Redevelopment Project – Consent to Transfer by Penex Dundas Square Limited Partnership – 259 Victoria Street	\$0	\$0	Consider
M161	2 St. James Court – OMB Hearing – Ward 28 - Toronto Centre Rosedale	\$0	\$0	Consider

**FISCAL IMPACT STATEMENT 1 [NOTICE OF MOTION M148]  
 (See Minute 13.67)**

**Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b>	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> <b>Capital</b>	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion M148 – No budget is in place for these legal costs. A pending case indicates expenses could be approx. \$8,000 per instance. Number of potential instances unknown.
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- Consider
- Refer to Executive Committee

Submitted by: \_\_\_\_\_  
 Deputy City Manager and Chief Financial Officer

Date: October 23, 2007

**FISCAL IMPACT STATEMENT 2 [NOTICE OF MOTION M154]  
(See Minute 13.73)**

**Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b> <input checked="" type="checkbox"/> Current year impacts: \$ <u>95,300</u> (saving) <input type="checkbox"/> Future year impacts: \$ _____ (net) <input type="checkbox"/> Following year <input type="checkbox"/> Future years <input type="checkbox"/> Funding sources (specify): <input type="checkbox"/> Accommodation within approved operating budget <input type="checkbox"/> Third party funding <input type="checkbox"/> New revenues <input type="checkbox"/> Tax rate impact <input type="checkbox"/> Reserve/Reserve Fund contributions <input type="checkbox"/> Other <input type="checkbox"/> Budget adjustments: \$ _____ (net) <input type="checkbox"/> Impact on staffing levels: _____ (positions)
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<input type="checkbox"/> <b>Capital</b> <input type="checkbox"/> Current year impacts: \$ _____ (net) <input type="checkbox"/> Future year impacts: \$ _____ (net) <input type="checkbox"/> Following year <input type="checkbox"/> Future years <input type="checkbox"/> Funding sources (specify): <input type="checkbox"/> Accommodation within approved capital budget <input type="checkbox"/> Third party funding <input type="checkbox"/> New revenues <input type="checkbox"/> Debt <input type="checkbox"/> Reserve/Reserve Fund contributions <input type="checkbox"/> Other <input type="checkbox"/> Budget adjustments: \$ _____ (net) <input type="checkbox"/> Operating Impact: <input type="checkbox"/> Program costs: \$ _____ (net) <input type="checkbox"/> Debt service costs: \$ _____ (net)
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**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion M154 – Actual costs for 2007 were \$95,300.
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- Consider             Refer to Executive Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager and Chief Financial Officer

Date: October 23, 2007