



**POLICY AND FINANCE COMMITTEE
DECISION DOCUMENT
MEETING No. 6**

Report 6 to be considered by City Council on June 14, 15 and 16, 2005

| | | | |
|-------------------------|--------------------------------|-----------------|---------------------------|
| Date of Meeting: | Wednesday, June 1, 2005 | Enquiry: | Patsy Morris |
| Time: | 9:30 a.m. | | Administrator |
| Location: | Committee Room 1 | | (416) 392-9151 |
| | City Hall | | pmorris@toronto.ca |
| | 100 Queen Street West | | |
| | Toronto | | |

The Decision Document is for preliminary reference purposes only. Please refer to the Committee's Report to City Council or to the minutes for the official record.

How to Read the Decision Document:

- *recommendations of the Committee to City Council are in bold type after the item heading;*
- *action taken by the Committee on its own authority does not require Council's approval – it is reported to Council for information, and is listed in the decision document in bold type under the heading "Action taken by the Committee"; and*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes confirmed – Meeting of May 5, 2005

Communications/Reports

1. Governing Toronto: A Review of Toronto's Governance System

Report 6, Clause 1

The Policy and Finance Committee recommends that:

- (I) City Council adopt the staff recommendations in the Recommendations Section of the report (May 19, 2005) from the City Manager, subject to adding the following discussion point to the portion of the Terms of Reference, entitled "Study Framework":**

“what actions will ensure that the interests of residents from diverse communities with modest income levels, are reflected in the decision making process;”;

- (II) the City Manager be requested to submit a report to the Policy and Finance Committee, in collaboration with the three member external advisory panel, on a proposed detailed community and stakeholder engagement strategy; and reconfirm that expanding public engagement on City-wide policy, planning and annual budget deliberations is a top priority for the City of Toronto; and**
- (III) the City Manager be requested to submit a report to the Policy and Finance Committee on the public engagement process for this review.**

Report (May 19, 2005) from the City Manager recommending a review of Toronto's governance system that will position the City of Toronto to exercise governmental powers commensurate with its size and complexity, and a process that will include engagement with members of Council, civic leaders and other stakeholders.

Recommendations:

It is recommended that:

- (1) the Terms of Reference for a Review of Toronto's Governance System as outlined in Appendix 1 be approved;
- (2) a 3-member external advisory panel be invited to participate in the review and undertake an engagement process with members of Council, civic leaders, community members and other key stakeholders;
- (3) the Mayor canvas Members of Council regarding potential panel candidates who will have the confidence and trust of the public and Council, and that the Mayor report directly to Council as soon as possible recommending the panel members and chair;
- (4) the advisory panel provide its interim report on findings to the Policy and Finance Committee by October 2005;
- (5) the advisory panel be supported by the City Manager and any additional staff resources identified by the City Manager;
- (6) the panel members conduct their work on a public-service basis, and that no remuneration or honoraria be paid as a result of appointment to the panel;
- (7) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

2. Governance of the Toronto Licensing Tribunal

Report 6, Clause 2

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (May 19, 2005) from the City Manager.

Action taken by the Committee:

The Policy and Finance Committee:

- (A) referred the following motion to the City Manager for report thereon directly to Council for its meeting scheduled to be held on June 14, 2005, and the City Manager also be requested to review the feasibility of folding other City Tribunals into the Court Services envelope.**

Moved by Councillor Moscoe:

“The Policy and Finance Committee recommends that:

- (I) City Council adopt the staff recommendations contained in the Recommendations Section of the report (May 24, 2005) from the City Manager subject to:**
- (i) amending Recommendation (3) to read as follows:**
 - “(3) Because of the need to maintain an arms length relationship as well as the appearance of an arms length relationship, the Licensing Tribunal be under the jurisdiction of Court Services; and the six positions and incumbent staff comprising the support staff to the Toronto Licensing Tribunal be re-constituted as an independent unit under the jurisdiction of Court Services;”;**
 - (ii) amending Recommendation (5) (ii) by deleting the words “Municipal Licensing and Standards” and replacing it with the word “other” so that it now reads as follows:**
 - “(5) (ii) how the accounts and budgets can be more clearly reported to separate direct costs of Licensing Tribunal operations from other costs related to the hearings process;”**

- (iii) amending Recommendation (7) by deleting the words “Municipal Licensing and Standards” and inserting instead the words “Court Services”, so that the recommendation now reads as follows:

“(7) the Chair of the Toronto Licensing Tribunal, in conjunction with Court Services and Corporate Services staff, develop a web-page for the Licensing Tribunal where information on the Tribunal, the hearing process and Tribunal decisions can be made available to the public;

- (iv) the following amendments to Appendix 1 entitled “Relationship Framework for the Toronto Licensing Tribunal”:

- (a) amending Part 3.5 to read as follows:

“3.5 The Tribunal Administrator and other support staff are employees of Court Services Office. The Administrator is responsible for providing all administrative support to the Licensing Tribunal and making all necessary arrangements for hearings. The Administrator also provides advice and assistance to the Chair and Tribunal Members on procedural policies and practices, but is not a party to the hearing.”;

- (b) amending Part 3.6 to read as follows:

“3.6 Support staff to the Licensing Tribunal work cooperatively with the Tribunal, but other than the Administrative Assistant to the Chair of the Tribunal, are not managed by the Tribunal.”;

- (c) amending the preamble to Part 5.1.2 by deleting the words “Municipal Licensing and Standards”, so that it now reads as follows:

“5.1.2 staff who support the Licensing Tribunal shall:”

- (d) amending Part 6.8 by adding the word “successfully” after the word “member” so that it now reads as follows:

“6.8 Appointments to the Toronto Licensing Tribunal are contingent on the member successfully completing a training program on the adjudicative process within 6 months of appointment.”;

- (e) amending Part 7.2 (bullet point 9) by deleting the words “at least once a year” and inserting instead the words “at least twice a year”, so that it now reads as follows:

“(9) from time to time and at least twice a year, convening and chairing a business meeting of the Toronto Licensing Tribunal to review the decision-making approach of the Toronto Licensing Tribunal in respect to consistency with applicable law, clarity and rationale;”

- (f) amending Part 11.1 by deleting the word “once” and inserting instead the word “twice” so that it now reads as follows:

“11.1 the Chair of the Toronto Licensing Tribunal shall convene a Business meeting of all members at least twice per year to review the operation of the Tribunal in conjunction with the Tribunal Administrator, to make decisions on administrative matters and procedural policies and the content of the Annual Report, to discuss emerging issues relating to Tribunal hearings, and any other matter pertinent to the effective operation of the Tribunal.”

- (g) amending Part 11.4 by adding the words “and members of the Tribunal” so that it now reads as follows:

“11.4 City staff and members of the Tribunal may submit reports for consideration at business meetings.”

- (h) amending Part 12.1.1 (bullet point 6) to read as follows:

“12.1.1(6) emerging licensing regulatory policy issues that should be considered by City staff along with recommended by-law improvements;”

- (i) amending Part 12.2.1 by deleting the words “Municipal Licensing and Standards” and inserting instead the words “Court Services”, so that it now reads as follows:

“12.2.1 The budget for the Tribunal is prepared and submitted for Council approval by Court Services. The Executive Director of Municipal Licensing and Standards shall consult the Chair of the Licensing Tribunal during the preparation of the annual budget to ensure the Licensing

Tribunal is given adequate resources to operate effectively.”

(j) amending the end of Part 13.2 to read as follows:

“be paid from Licensing Tribunal funds that have been budgeted for that purpose”;”

- (II) the support staff for the Tribunal shall be re-aligned as a separate unit with its own budget;**
 - (III) the Chair be provided with sufficient administrative assistance to:**
 - (a) assist he and other members of the Tribunal in rendering written decisions; and**
 - (b) assist with the numerous administrative duties assigned to the Chair by this report;**
 - (IV) members of the Tribunal be provided with sufficient workspace, office equipment and supplies to enable them to fulfil their obligations as tribunal members; and**
 - (V) the independence of the Tribunal be reinforced through the use of their own letterhead, stationery and identification;”;**
- (B) referred to the following motion to the City Solicitor for a report thereon directly to Council for its meeting scheduled to be held on June 14, 2005.**

Moved by Councillor Moscoe:

“That:

- (1) as part of the discussions with the Province with regard to the City of Toronto Act, seek to expand the basis for licensing from the existing three principles:**
 - (a) to protect health and safety;**
 - (b) consumer protection; and**
 - (c) mitigating nuisance;**

by the addition of:

- (d) protecting business from unfair competition;**
- (e) ensuring minimum standards of engagement; and**
- (f) balancing the economic relationships within regulated businesses; and**

- (2) **as part of the discussions with the province related to the new City of Toronto Act, seek the power to levy fines rather than simply revoke, suspend or place conditions on a licence; and**
- (C) **referred the confidential report (May 30, 2005) from the City Manager and the City Solicitor, entitled “Appointment of Chair of Toronto Licensing Tribunal”, to the Planning and Transportation Committee for consideration and report thereon to the Policy and Finance Committee for its meeting scheduled to be held on July 7, 2005.**

Report (May 24, 2005) from the City Manager recommending structural and operational changes to the Toronto Licensing Tribunal to improve its effectiveness and include a Relationship Framework that defines the governance relationship between the City and the Tribunal; advising that several measures to facilitate effective decision-making by the Tribunal are also recommended; and that this report does not comment or make recommendations on the administration of the licensing work program or regulations.

Recommendations:

It is recommended that:

- (1) the Relationship Framework contained in Appendix 1 of the attached report “Governance Review of the Toronto Licensing Tribunal”, setting out the roles and responsibilities and the rights and obligations of the Toronto Licensing Tribunal, City Council and City staff be adopted;
- (2) Chapter 545 of the Toronto Municipal Code be reorganized to create a new Chapter which sets out the governance structure for the Toronto Licensing Tribunal, the new Chapter to replace Section 545-3, and its content be amended to:
 - (a) clarify that City Council appoints the Chair of the Tribunal in accordance with the Citizen Nominations Policy approved in April 2004;
 - (b) update the Code with respect to other governance policies such as appointment at pleasure of Council and eligibility for reappointment;
 - (c) provide flexibility for the Tribunal to determine the size and composition of the hearing panels to better suit their needs and direct that rotation of members be implemented;
 - (d) articulate City Council’s expectations for annual reporting of Tribunal activities;
 - (e) include the mandate of the Licensing Tribunal to uphold the spirit and intent of the relevant provisions of the Municipal Code;

- (f) outline the requirements for holding business meetings in addition to the hearings to review procedures, approve policies and review the Tribunal's activities;
- (g) codify Council's decision that the Tribunal provide written decisions;
- (h) set out the responsibilities of the Chair as approved by Council; and
- (i) require the members of the Tribunal to act in accordance with the Relationship Framework;

and that the City Solicitor prepare the necessary Bills in Council to make the amendments substantially as set out in Appendix 2 of the attached report "Governance Review of the Toronto Licensing Tribunal";

- (3) the six positions and incumbent staff comprising the support staff to the Toronto Licensing Tribunal be transferred from the Secretariat Division of the Clerk's Office to the Policy and Research Section of the Municipal Licensing and Standards Division;
- (4) the Deputy City Manager and Chief Financial Officer, in consultation with the Executive Director of Municipal Licensing and Standards and the City Clerk, determine the budget adjustments necessary to effect the transfer of support staff and the related costs and be authorized to adjust the impacted budgets and the actual expenditures to date for 2005, such transfer to have a net zero impact;
- (5) the Deputy City Manager and Chief Financial Officer, in consultation with the Executive Director of Municipal Licensing and Standards, report to the Budget Advisory Committee on:
 - (i) the impacts to licensing fees if the cap on City Legal Services charge-backs to MLS for legal representation at the Toronto Licensing Tribunal is removed for the 2006 budget year; and
 - (ii) how the accounts and budgets can be more clearly reported to separate direct costs of Licensing Tribunal operations from MLS costs related to the hearings process;
- (6) as a condition of appointment and participation in hearings, new Licensing Tribunal members be required to attend the Society of Ontario Adjudicators and Regulators training program or a similar program at the first opportunity after appointment and that the Citizen Nominations Policy be updated to reflect this change;
- (7) the Chair of the Toronto Licensing Tribunal, in conjunction with Municipal Licensing and Standards and Corporate Services staff, develop a web-page for the

Licensing Tribunal where information on the Tribunal, the hearing process and Tribunal decisions can be made available to the public;

- (8) as part of restructuring the Toronto Licensing Tribunal, the Chair take the lead in investigating, developing and ensuring implementation of the following procedural policies for approval at one or more business meetings of the Toronto Licensing Tribunal during this term of City Council and inclusion in the Annual Report of the Tribunal:
 - (a) the Tribunal's procedural policies including a Code of Conduct, a Lobbyist Disclosure Policy, a Practice Direction, and a Media Communications Policy;
 - (b) a Conflict of Interest Policy for Licensing Tribunal members, should the *Municipal Conflict of Interest Act* prove insufficient in providing a framework to guide Tribunal activities;
 - (c) a system, if appropriate, of permitting certain types of Licensing Tribunal hearings to be heard by a panel of less than 3 members;
 - (d) an Alternative Dispute Resolution process, if appropriate; and
 - (e) a revised Procedure By-law to include the procedural policy changes outlined in this report to be implemented by the Toronto Licensing Tribunal;
- (9) the City Manager be designated the Governance Liaison to the Toronto Licensing Tribunal responsible for issues relating to the Relationship Framework and the new Chapter of the Toronto Municipal Code dealing with governance of the Tribunal;
- (10) the Deputy City Manager responsible for licensing issues be designated the Program Liaison to the Toronto Licensing Tribunal responsible for coordinating policy and program issues between the Tribunal and City staff, including the review of the Tribunal's Annual Report for onward transmittal to City Council along with any relevant comments from civic officials;
- (11) the City Manager monitor the implementation of the governance changes approved for the Toronto Licensing Tribunal and apply the framework to future governance reviews of other quasi-judicial tribunals;
- (12) the Administrator of the Toronto Licensing Tribunal canvas non-profit groups providing legal-aid, consulting, advocacy or other useful services to determine which groups are willing to be placed on a referral list to provide non-profit support services to appellants to assist them in preparing for their hearing;

- (13) the City Manager assist and support the Licensing Tribunal in the implementation of the governance changes, review the implementation progress in one year, and if necessary report back to Policy and Finance Committee; and
- (14) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.

**2(a). Appointment of Chair of Toronto Licensing Tribunal
(In-camera - Personal matters about an identifiable individual)**

Confidential report (May 30, 2005) from the City Manager and the City Solicitor respecting appointment of the Chair of the Toronto Licensing Tribunal, such report to be considered in-camera as the subject matter relates to personal matters about an identifiable individual.

3. Policy Options for Fire Sprinklers in New Residential Buildings

Report 6, Clause 3

The Policy and Finance Committee recommends that:

(I) City Council:

- (1) **adopt the staff recommendations contained in the Recommendations Section of the report (May 13, 2005) from the City Manager; and**
- (2) **adopt, in principle, Option “A” contained in the aforementioned report and that the Fire Chief and General Manager be requested to report on a process and the cost involved;**

(II) the City Manager and Chief Building Official and General Manager be requested to report expeditiously on the human resources requirements to implement a City of Toronto By-law in this area; and

(III) the General Manager, Toronto Water, be requested to report to the Works Committee on the appropriate amendments to the water service grants program to accommodate the size of pipes needed for sprinkler installation in multi-residential buildings.

Action taken by the Committee

The Policy and Finance Committee referred the following motion to the appropriate City Official for consideration:

Moved by Councillor Moscoe:

“The Policy and Finance Committee recommends that:

- (I) City Council adopt the staff recommendations contained in the Recommendations Section of the report (May 13, 2005) from the City Manager, subject to amending Recommendation (1) to read as follows:
 - “(1) concurrent with this initiative, Council authorize the Mayor and the City Manager to formally request the Ministry of Municipal Affairs and Housing to assist the City financially in the development of the mandatory residential sprinkler by-law for the City of Toronto as a joint provincial/municipal pilot project leading to possible amendments to the Ontario Building Code;”****
- (II) Council adopt Option A, and in consultation with the Fire Fighters Association and other stakeholders, the Fire Chief and General Manager be encouraged to assemble a Task Force composed of fire fighters to assist in the development of a mandatory residential fire sprinkler by-law for the City of Toronto;**
- (III) the Fire Chief and General Manager be requested to prepare a budget outlining the requirements of pursuing Option A and report through the Budget Advisory Committee to the Policy and Finance Committee; and**
- (IV) funds from the Development Charges Fire Reserve be made available to help fund the City’s initiative in this regard.”**

Report (May 13, 2005) from the City Manager reporting on policy options with respect to fire sprinklering of residential buildings in the City of Toronto.

Recommendations:

It is recommended that:

- (1) Council authorize the Mayor and the City Manager to formally request the Ministry of Municipal Affairs and Housing to review the Ontario Building Code with respect to requirements for automatic fire sprinkler systems in residential buildings and amend the Code, based on the outcome of study and consultation;**

- (2) Council request the Fire Chief and Chief Building Official to work with the Ministry of Municipal Affairs and Housing and the Office of the Fire Marshal to conduct additional research into the benefits of residential sprinklers;
- (3) Council request the Fire Chief to report on further efforts the City may undertake to advocate for the installation of automatic fire sprinklers in residential buildings; and
- (4) Council request the Fire Chief to promote community awareness of the benefits of automatic fire sprinkler systems in homes by:
 - (a) providing accurate information to the public about the life-saving benefits of home fire sprinklers; and
 - (b) raising awareness of homebuilders and other stakeholders on the feasibility and benefits of offering residential sprinklers as an option to homebuyers; and
- (5) the appropriate City Officials be authorized and directed to take whatever action is necessary to give effect to the foregoing.

4. 2004 Statement of Development Charge Reserve Funds

Report 6, Clause 29 (a)

The Policy and Finance Committee received the report (May 6, 2005) from the Deputy City Manager and Chief Financial Officer.

Report (May 6, 2005) from the Deputy City Manager and Chief Financial Officer providing a statement of development charge reserve funds for the year ended December 31, 2004, as required by the *Development Charges Act, 1997*.

Recommendation:

It is recommended that this report be received for information.

5. **Waterfront Trail Signage: Request for approval of Site Specific Exemption from Chapter 297, Signs, of the former City Toronto Municipal Code and Chapter 215, Sign, of the former City of Etobicoke Municipal Code to permit 20 non-illuminated trailhead ground signs, for direction and information purposes - Wards 6, 13, 14, 19, 20, 28, 30 32**

Report 6, Clause 4

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (May 11, 2005) from the Chief Planner and Executive Director, City Planning.

Report (May 11, 2005) from the Chief Planner and Executive Director, City Planning reviewing the application by the City's Waterfront Secretariat (on behalf of the Toronto Waterfront Revitalization Corporation) for approval and exemption from Chapter 297, Signs, of the former City of Toronto Municipal Code and Chapter 215, Signs, of the former City of Etobicoke Municipal Code to permit, for direction and information purposes, 20 non-illuminated trailhead ground signs at locations shown on the attached map and as listed in the chart below. The signs would be located south of Lake Shore Boulevard along the Waterfront Trail, from Marie Curtis Park in the former City of Etobicoke to the Eastern Beaches in the former City of Toronto.

Recommendations:

It is recommended that:

- (1) City Council approve this application and exempt signs # 1 to # 3 from Chapter 215, Signs, of the former City of Etobicoke and signs # 4 to # 20 from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit a total of 20 non-illuminated trailhead ground signs, for direction and information purposes. The signs will be located along the Waterfront Trail that runs south of Lake Shore Boulevard as shown on the attached map and as listed in the chart included in this report. The signs are non-illuminated and the area of each sign is not more than 2.5 m² and the height of sign does not exceed 2.0 metres. The area of a small panel located at the lower portion of each sign that displays third party sponsors names and logos would not exceed 0.25m²; and
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Chief Building Official.

6. Construction, Ownership and Operation of the Western Beaches Watercourse

Report 6, Clause 5

The Policy and Finance Committee recommends that:

- (1) **City Council adopt the staff recommendations contained in the Recommendations Section of the report (May 18, 2005) from the Deputy City Manager;**
- (2) **the City of Toronto's approval be completed in two stages and be conditional on the Toronto Waterfront Revitalization Corporation meeting with the Parks, Urban**

Design and Works Department at an early stage in order to address the following issues:

- (i) aesthetics;**
- (ii) ancillary uses;**
- (iii) the nature and structure of the remaining breakwall; and**
- (iv) possible improvements to water quality;**

and the second approval be done administratively by the City Manager and, for information purposes only, City Council be informed of the outcome;

- (3) final approval be conditional on a satisfactory resolution of these issues and that these efforts be co-ordinated by the City Manager;**
- (4) the City Manager be requested to report comprehensively, to the Policy and Finance Committee on the various sections of Breakwall in Toronto's Waterfront including ownership, usage, and future required action to achieve the City's objectives in safety, usage, beach use and beautification; and**
- (5) that the issues raised by the West End Waterfront Group contained in the communication (June 1, 2005); and the Argonaut Rowing Club, be referred to the City Manager for consideration within the context of these approvals.**

Report (May 18, 2005) from the Deputy City Manager seeking Council authorization (i) to permit access to and use of certain City-owned water lots and Marilyn Bell Park for the construction of a watercourse in the Western Beaches area, as identified in Attachment No. 1 (the "Western Beaches Watercourse"); and (ii) for the City of Toronto to assume ownership and responsibility for maintaining and operating the Western Beaches Watercourse following completion of its construction.

Recommendations:

It is recommended that:

- (1) the Toronto Waterfront Revitalization Corporation (TWRC), Toronto and Region Conservation Authority (TRCA), and any contractors or persons retained by the TWRC or TRCA for the purpose of constructing the Western Beaches Watercourse be granted access and use of Marilyn Bell Park subject to the satisfaction of the General Manager of Parks, Forestry and Recreation, and access over and use of City-owned water lots located in the vicinity of Marilyn Bell Park (the "City Water Lots"), by lease, licence or otherwise, for the purpose of removing a section of the existing breakwater and constructing the Western Beaches Watercourse, with such access and use to be provided at no cost and on such other terms as are satisfactory to the Waterfront Project Director, in consultation with the General Managers of Toronto Water and Parks, Forestry and Recreation, including the requirement that the lessee/licensee provide satisfactory**

security, insurance and indemnities, with all documentation to be in a form acceptable to the City Solicitor;

- (2) following the completion of construction of the Western Beaches Watercourse, and provided that the General Manager of Toronto Water is satisfied with the condition of the improvements that have been constructed or installed, the City of Toronto accept a conveyance from the Province of Ontario of title to, or a leasehold interest in, that portion of the bed of Lake Ontario adjoining the City Water Lots upon which the Western Beaches Watercourse has been constructed, provided that all costs associated with such conveyance shall be funded from the TWRC, and that the nature of the interest to be conveyed to the City shall be determined by the Waterfront Project Director, on such terms as are satisfactory to the General Manager of Toronto Water, General Manager of Parks, Forestry and Recreation, and Executive Director of Real Estate, and in a form satisfactory to the City Solicitor;
- (3) that, following the conveyance of title or a leasehold interest in accordance with paragraph (2), the City of Toronto, and specifically Toronto Water and the Parks, Forestry and Recreation Division, assume responsibility for the operation, management and maintenance of the Western Beaches Watercourse;
- (4) that staff from Toronto Water and the Parks, Forestry and Recreation Division report on the future operating cost implications of the Western Beaches Watercourse prior to the 2006 Budget Submission; and
- (5) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto including the execution of agreements and obtaining regulatory approvals.

7. Renewal of the Community Policing Partnership Program (“CPP”) Grant Agreement for the Period Between April 1, 2005 and March 31, 2007

Report 6, Clause 6

The Policy and Finance Committee recommends that City Council adopt the recommendation contained in the Recommendation Section of the report (April 27, 2005) from the Chair, Toronto Police Services Board.

Report (April 27, 2005) from the Chair, Toronto Police Services Board, to request the City of Toronto - Policy and Finance Committee to submit a recommendation to Toronto City Council authorizing the City of Toronto to renew the CPP agreement between the Province of Ontario, the City of Toronto and the Toronto Police Services Board for a further two-year period.

Recommendation:

It is recommended that the Policy and Finance Committee submit a recommendation to Toronto City Council authorizing the City of Toronto to renew the CPP agreement between the Province of Ontario, the City of Toronto and the Toronto Police Services Board for a two-year period commencing April 01, 2005 and ending March 31, 2007.

8. Toronto Public Health 2005 Operating Budget – Adjustments to 100 Per Cent Funded Programs

Report 6, Clause 7

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Board of Health contained in the communication (May 9, 2005) from the Board of Health.

Communication (May 9, 2005) from the Board of Health advising that the Board of Health on May 9, 2005, recommended to the Policy and Finance Committee that adjustments to the Public Health 2005 Operating budget totaling an increase of \$510.2 thousand gross and revenue / \$0 net, be approved.

9. Occupational Health and Safety Report: First Quarter 2005

Report 6, Clause 8

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Employee and Labour Relations Committee contained in the communication (May 6, 2005) from the Committee.

Communication (May 6, 2005) from the Employee and Labour Relations Committee advising that the Employee and Labour Relations Committee on May 6, 2005, recommended to the Policy and Finance Committee that City Council receive, for information, the report (May 2, 2005) from the City Manager and the Executive Director of Human Resources, entitled “Occupational Health and Safety Report: First Quarter 2005.

Public Notice

10. Increasing the Composition of the Audit Committee

Report 6, Clause 9

The Policy and Finance Committee recommends that:

- (1) the composition of the Audit Committee be increased to six members; and**

- (2) **Council deem Notice of Motion J(11) at its May 2005 meeting as giving notice of the proposed amendment to Municipal Code Chapter 27, Council Procedures, to change the composition of the Audit Committee, as required by Municipal Code Chapter 27 section 137B and that Council pass the amending by-law at it June meeting so the increased membership becomes effective June 17, 2005.**

The Policy and Finance Committee held a public meeting on June 1, 2005, in accordance with the *Municipal Act, 2001*, and notice of the proposed amendment to the Toronto Municipal Code, Chapter 27, was posted on the City's web site for a minimum of four days.

Communication (May 19, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, adopted, without amendment, the following Motion J(11) Moved by Councillor Soknacki, seconded by Deputy Mayor Pantalone:

“WHEREAS Municipal Code Chapter 27, Council Procedures, Section 100 establishes the Audit Committee with a composition of five members of Council who are not the Chairs of the Standing Committees, the Chairs of Community Councils or the members of the Budget Advisory Committee; and

WHEREAS it is desirable to increase the composition of the Audit Committee to six members; and

WHEREAS the *Municipal Act, 2001*, and Municipal Code Chapter 162, Notice, Public, require that notice be given to amend Council Procedures by posting on the notices page of the City's Web site for at least the minimum notice period, immediately preceding the City committee meeting at which the matter will be considered, and an opportunity is provided for members of the public to speak to the matter, and the minimum notice period starts on the earlier of the publication of the main agenda for the City committee meeting and the fourth working day before the City committee meeting;

NOW THEREFORE BE IT RESOLVED THAT Council consider increasing the composition of the Audit Committee;

AND BE IT FURTHER RESOLVED THAT notice of a proposed By-law to amend Chapter 27, Council Procedures, be given in accordance with Toronto Municipal Code Chapter 162, Notice, Public, and s.150(4) of the *Municipal Act, 2001*, and that the Policy and Finance Committee consider this matter at its meeting to be held on June 1, 2005.”

11. New City of Toronto Act – Governance Changes

(Deferred from the May 5, 2005 meeting.)

Report 6, Clause 29 (b)

The Policy and Finance Committee received the communication (April 21, 2005) from the City Clerk.

Communication (April 21, 2005) from the City Clerk advising that City Council on April 12, 13 and 14, 2005, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Holyday, seconded by Councillor Ford

“WHEREAS it is generally accepted that the City of Toronto budget process is flawed; and

WHEREAS it is abundantly clear that it cannot be corrected under the present system of governance; and

WHEREAS it is similarly proven that Toronto cannot balance its budget without financial assistance from the Province and/or through onerous property tax rate increases; and

WHEREAS even with tax revenues from gas consumption, the Capital Budget continually suffers from a revenue shortfall; and

WHEREAS growth projections indicate that the responsibilities of administering City finances and programs will increase exponentially as time marches on; and

WHEREAS the two senior levels of government are reluctant to provide new methods of taxation or agree to ‘uploading’ of either capital or service responsibilities; and

WHEREAS the Mayor’s Office is powerless to unilaterally set the required tax rate increase to balance the budget; and

WHEREAS it is incumbent upon the Province and/or the federal government to find a solution to this conundrum, either through new forms of direct funding or the creation of new city taxation powers; and

WHEREAS the commercial well-being of the City is undergoing serious impairment because of the erosions of fiscal prudence and funding shortages; and

WHEREAS cutbacks to social service programs, along with incremental curtailment of grants to community groups, is shattering the safety net infrastructure; and

WHEREAS transportation gridlock produces emission pollution and hinders the movement of goods; and

WHEREAS the Province has no long-term plan to accommodate population growth;

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to include the following provisions in the proposed new *City of Toronto Act*:

- (1) provisions be written into the proposed new *Act* that would create a protocol for the annual setting of the City budget;
- (2) new *Act* should dictate that Toronto form an Executive Committee composed of the Mayor and the leading vote-getting Councillors from the four geographical components of the City;
- (3) the new *Act* should call for the said Executive Committee to be responsible for arbitrarily setting the yearly budget;
- (4) the new *Act* require that the budget be then delivered balanced or unbalanced to a provincial committee consisting of the Ministers of Finance, Infrastructure and Municipal Affairs for their comments and approval;
- (5) the new *Act* stipulate that, if the Provincial Ministers agree to an unbalanced budget that the shortfall be resolved by assistance from the provincial treasury and/or that the Province sets the City tax rate increase required in order to balance, or that a combination of the two be formulated to achieve a satisfactory result;
- (6) the new *Act* provide that the three Provincial Ministers also have the power to remove items from the budget at their discretion but cannot add new budget items or alter the allocation of City tax revenues as presented in the budget document; and
- (7) the new *Act* direct that the Toronto Transit Commission budget follow a similar procedure that requires provincial approval to cover capital expenditures and/or dictate fare increases if so required.”

12. Municipal Property Assessment Corporation

Report 6, Clause 10

The Policy and Finance Committee recommends that:

- (1) the City of Toronto become an active participant to the golf course assessment appeals;**
- (2) the Deputy City Manager and Chief Financial Officer be authorized to engage expertise that may be required to participate in these appeals;**
- (3) the Municipal Property Assessment Corporation be requested to:**
 - (a) provide data as to the effect of changes in methodology in the establishment of golf course assessments showing before and after data for all golf courses in Toronto;**
 - (b) take appropriate measures, including technology and/or system changes to:**
 - (i) ensure that relevant components of successful assessment appeal decisions affecting specific properties within the City of Toronto are taken into consideration and appropriately reflected when preparing subsequent returned assessment rolls;**
 - (ii) improve the quality and consistency of annual and supplementary/omit assessment rolls returned to the City;**
 - (iii) improve the stability of assessments, from year to year, of properties which do not undergo change; and**
 - (iv) improve the transparency of the CVA system by introducing more objective measures;**
- (4) representatives of MPAC be requested to return in six months to make a presentation to the Policy and Finance Committee on the above issues; and**
- (5) the Deputy City Manager and Chief Financial Officer be requested to submit a report to the Policy and Finance Committee on the criteria, methodology and costs of examining assessment appeals and deciding which appeals will come before Council for approval in order for the City to be an active participant in the appeal.**

Mayor Miller declared his interest in the foregoing matter in that he is a member of a golf club that has a fixed assessment.

Communication (May 25, 2005) from the City Clerk advising that City Council on May 17, 18 and 19, 2005, by its adoption, as amended, of Clause 3 of Report 5 of the Policy and Finance Committee, entitled "Municipal Property Assessment Corporation Council Requests for Further Information"; took the following action:

- “(2) MPAC be requested to provide a presentation to the next meeting of the Policy and Finance Committee scheduled to be held on June 1, 2005, on:
- (a) the issues related to golf course assessment, including changes they have made in current assessment for golf courses; and
 - (b) the Resolution adopted by City Council [on January 27, 28 and 29, 2004, by adoption of Policy and Finance Committee Report 1, Clause 10, headed ‘2004 Current Value Assessment (CVA) Changes and Tax Policy Options (All Wards)’] that the Current Value Assessment system should be changed to introduce:
 - (i) more stability in property assessments;
 - (ii) a review for individual properties that have been the subject of successful appeals; and
 - (iii) more objective measures in property assessment.”

**13. Tender 54-2005 – Construction of a Child Care Centre at 118 Enderby Road
(Ward 32 – Beaches-East York)**

Report 6, Clause 11

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (May 26, 2005) from the Committee.

Communication (May 26, 2005) from the Community Services Committee advising that the Committee on May 26, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2005) from the General Manager, Children’s Services, and the Treasurer, respecting Tender 54-2005 – Construction of a Child Care Centre at 118 Enderby Road, such report containing the following recommendations:

“It is recommended that:

- (1) the total capital budget for the Construction of a Child Care Centre at 118 Enderby Road be increased by \$410,900.00 to \$2,414,900.00 to reflect additional costs and that the additional amount be funded from the Child Care Capital Reserve Fund;
- (2) Tender 54-2005 for the Construction of the Child Care Centre at 118 Enderby Road be awarded to Flat-Iron Building Corp. in the amount of \$2,049,700.00 including all taxes and charges, being the lowest bid received;

- (3) this report be forwarded to Policy and Finance Committee for its consideration; and
- (4) the appropriate City officials take the necessary action to give effect thereto.

14. Continuation of the Toronto First Duty Project

Report 6, Clause 12

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (May 26, 2005) from the Committee.

Communication (May 26, 2005) from the Community Services Committee advising that the Committee on May 26, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 5, 2005) from the General Manager, Children's Services, respecting the Continuation of the Toronto First Duty Project, such report containing the following recommendations:

"It is recommended that:

- (1) authority be granted to extend agreements with Macaulay Child Development Centre; Not Your Average Daycare (NYAD); The Child Development Institute (formerly operated and known as The Creche), East York/East Toronto Family Resources and the Ontario Institute for Studies in Education University of Toronto, and to enter into an agreement with Woodgreen Community Centre for the purpose of the continuation of the Toronto First Duty pilot project;
- (2) withdrawals from Child Care Expansion/First Duty Reserve of up to \$250,000.00 for Macaulay Child Development Centre, up to \$300,000.00 for Woodgreen Community Centre, up to \$184,000.00 for each of the following projects: NYAD, The Child Development Institute, East York/East Toronto Family Resources, and up to \$25,000.00 for Ontario Institute for Studies in Education University of Toronto for the period of July 1, 2005, to June 30, 2006, be approved;
- (3) the Children's Services General Manager report back on the final evaluation of Toronto First Duty following the completion of the pilot project;
- (4) the Children's Services 2005 Operating Budget be adjusted by \$550,000.00 gross and revenue to reflect the 2005 estimated expenditures;
- (5) this report be forwarded to the Policy and Finance Committee for its consideration; and

- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

15. Remedial Activities at 11R Hounslow Heath Road and Adjacent Properties Request for Quotations 9153-05-7177 (Ward 17 – Davenport)

Report 6, Clause 13

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (May 27, 2005) from the Committee.

Communication (May 27, 2005) from the Administration Committee advising that the Committee on May 25, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 24, 2005) from the Chief Corporate Officer, such report containing the following recommendations:

“It is recommended that:

- (1) the Facilities and Real Estate 2005 approved capital budget be increased by \$800,000.00 with an offsetting recovery from the Land Acquisition Reserve, in the amount of \$800,000.00 to cover the costs of all remediation work at 11R Hounslow Heath Road; and
- (2) the RFQ 9153-05-7177 for Remedial Activities at 11R Hounslow Heath Road and Adjacent Properties, be awarded to The Cannington Group in the amount of \$629,022.83, including all applicable taxes and charges, being the lowest acceptable Quotation received, meeting specifications.

16. Humber Treatment Plant – Aeration Tanks 1 to 8 Rehabilitation of Air Diffusion System Engineering Services, RFP 9117-05-7007 (Ward 5 – Etobicoke Lakeshore)

Report 6, Clause 14

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (May 26, 2005) from the Committee.

Communication (May 26, 2005) from the Works Committee advising that the Committee on May 26, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 13, 2005) from the Executive Director, Technical Services and the Treasurer respecting Humber Treatment Plant – Aeration Tanks 1 to 8 Rehabilitation of Air Diffusion System

Engineering Services, RFP 9117-05-7007 (Ward 5 – Etobicoke Lakeshore), such report containing the following recommendations:

“It is recommended that:

- (1) The Toronto Water 2005 Capital budget be amended by increasing the total project cost for CWW030-05 from \$491,000.00 to \$1,124,000.00 for the engineering services for the replacement of air diffusion system, and related instrumentation and control system upgrades in the Humber Treatment Plant (HTP), with a 2005 cash flow of \$200,000.00 and future year commitments of \$270,000.00 in 2006, \$450,000.00 in 2007 and \$204,000.00 in 2008 funded from the Wastewater Capital Reserve Fund;
- (2) Totten Sims Hubicki Associates (1997) Limited, being the highest overall scoring proponent meeting the requirements, be retained to provide engineering services for preliminary design, detailed design, general office administration and site engineering services during construction, commissioning and post construction of the Aeration Tanks 1-8 Rehabilitation of the Air Diffusion System at the Humber Treatment Plant, for an estimated cost not to exceed \$1,201,634.18 including all taxes and charges, and including contingencies as follows:
 - (a) for pre-design and detailed design, an amount not to exceed \$266,245.93 including disbursements and GST, and including a contingency allowance of \$50,000.00 including GST, for additional services, if necessary and authorized by the Executive Director, Technical Services Division;
 - (b) for general office administration and site engineering services during construction, an amount not to exceed \$897,455.79 including disbursements and GST for a construction period of up to 24 months. This amount also includes the following:
 - (i) a contingency allowance of \$100,000.00 including GST to cover services beyond a period of 24 months at a rate not to exceed \$3,000.00 per week including disbursements and GST, if necessary, and authorized by the Executive Director, Technical Services Division;
 - (ii) a provisional allowance of \$312,000.00 including GST and disbursements to cover Health and Safety Construction Supervisor services for a period of 24 months at a rate not to exceed \$3,000.00 per week including disbursements and GST, if necessary, and authorized by the Executive Director of Technical Services Division;
 - (c) for post construction services, an amount not to exceed \$37,932.46 including disbursements and GST to cover engineering services during the two-year warranty period of the construction contract, including a

contingency allowance of \$5,000.00 including GST, for additional services, if necessary, and authorized by the Executive Director, Technical Services Division;

- (3) this report be forwarded to Policy and Finance Committee for its consideration; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

17. Contract 05ND-01RD, Tender Call 45-2005 – Road Reconstruction and Sanitary Sewer Replacement on Old Orchard Grove, Sanitary Sewer Replacement on Douglas Avenue and Road Resurfacing on Greer Road, North District

Report 6, Clause 15

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (May 26, 2005) from the Committee.

Communication (May 26, 2005) from the Works Committee advising that the Committee on May 26, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 17, 2005) from the Executive Director, Technical Services and the Treasurer respecting Contract 05ND-01RD, Tender Call 45-2005 – Road Reconstruction and Sanitary Sewer Replacement on Old Orchard Grove, Sanitary Sewer Replacement on Douglas Avenue and Road Resurfacing on Greer Road, North District, such report containing the following recommendations:

“It is recommended that:

- (1) funds in the amount of \$644,900.00 be reallocated from the approved 2005 Capital Budget of Toronto Water, Account No. CWW459 (Engineering YR2005) to Account No. CWW463 (Sewer Replacement YR2005);
- (2) subject to Recommendation (1), Contract 05ND-01RD, Tender Call 45-2005, for Road Reconstruction and Sanitary Sewer Replacement on Old Orchard Grove, Sanitary Sewer Replacement on Douglas Avenue and Road Resurfacing on Greer Road, be awarded to Co-X-Co Construction Limited, in the amount of \$1,968,917.81, including all taxes and charges, being the lowest bid received, with a cost to the City net of GST of \$1,840,110.11;
- (3) this report be forwarded to the Policy and Finance Committee for consideration; and

- (4) the appropriate officials be authorized and directed to take the necessary action to effect thereto.”

18. Contract 05FS-46WS, Tender Call 53-2005 – R.L. Clark Filtration Plant - Construction of the Residue Management Facilities (Ward 6, Etobicoke-Lakeshore)

Report 6, Clause 16

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (May 26, 2005) from the Committee.

Communication (May 26, 2005) from the Works Committee advising that the Committee on May 26, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 20, 2005) from the Executive Director, Technical Services and the Treasurer respecting Contract 05FS-46WS, Tender Call 53-2005 – R.L. Clark Filtration Plant - Construction of the Residue Management Facilities (Ward 6, Etobicoke-Lakeshore), such report containing the following recommendations:

‘It is recommended that:

- (1) Contract 05FS-46WS, Tender Call 53-2005, for the construction of the Residue Management Facilities at the R.L. Clark Filtration Plant be awarded to Bondfield Construction Company Limited in the amount of \$35,596,300.00, including all taxes and charges, being the lowest bid received;
- (2) subject to approval of Recommendation (1), authority be granted to amend Contract 47008795 for professional services with MacViro Consultants Inc. for the provision of general office administration and site supervision services during construction by an additional amount of \$236,925.00, inclusive of GST, for a revised total of \$1,398,683.18, inclusive of GST;
- (3) this report be forwarded to the Policy and Finance Committee and City Council for consideration; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

19. Report on the Feasibility of Implementing Green Bin Pilot Projects in Parks in 2005

Report 6, Clause 17

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (May 26, 2005) from the Committee; and that the program be expanded to additional recreational programs that have food/cooking programs.

Communication (May 26, 2005) from the Works Committee advising that the Committee on May 26, 2005, recommended to the Policy and Finance Committee that a pilot Green Bin program be implemented in one park per district during the summer of 2006, contingent on sufficient processing capacity being available; and further that the General Manager, Parks, Forestry and Recreation report back to the Works Committee in October 2006 on the results, including the financial implications of the program.

**20. Lansdowne Garage Property– Status Report.
(In-camera – Litigation or potential litigation matter.)**

Report 6, Clause 29 (c)

The Policy and Finance Committee:

- (1) referred the confidential communication (May 19, 2005) from the General Secretary, Toronto Transit Commission, to the Chief Corporate Officer for report thereon to the Policy and Finance Committee; and**
- (2) requested the Toronto Police Services Board to submit a report to the Policy and Finance Committee of its intended use, with details, with respect to the Lansdowne Garage property and any implications with respect thereto.**

Confidential communication (May 19, 2005) from the General Secretary, Toronto Transit Commission respecting the Lansdowne Garage Property, such report to be considered in-camera as the subject matter relates to the security of the property of the municipality or local board.

21. City of Toronto Nominee to the Greater Toronto Airports Authority

Report 6, Clause 18

The Policy and Finance Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the Report (May 30, 2005) from the City Manager.

Report (May 30, 2005) from the City Manager responding to a City Council request to report on how the City's representative to the Greater Toronto Airports Authority is held accountable by Council; advising that this report further recommends that the Federal government be requested to change the GTAA By-Law to permit the City to appoint a member in the same way as is done by the federal and provincial governments.

Recommendations:

It is recommended that:

- (1) the Greater Toronto Airports Authority, the Minister of Industry, and the Minister of Transport be requested to amend the GTAA By-Law 14 Section 4.2 Membership that describes the composition of the Board and Section 4.4(b) that details the nomination process for municipal representatives to permit the City of Toronto to select one member for appointment in the same way as the federal and provincial governments appoint members;
- (2) the City's appointee be required to submit an annual report and appear before the City Economic Development and Parks Committee to discuss their activities as a GTAA Board member during the preceding year and indicate how their actions have served the interests of the City of Toronto;
- (3) the Nomination Policy for Citizen Appointees be amended to provide that Type 4 Nomination by Invitation recruitment process be applied for the City's appointment to the Greater Toronto Airports Authority and a selection committee comprised of the Mayor, the Chair of the Nominating Committee and the Chair of Economic Development and Parks Committee select a candidate for approval by Council at its June 2005 meeting; and
- (4) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.

**22. Wychwood Green/Arts Barn Project – Section 37 Contributions
(Ward 21 - St. Paul's)**

Report 6, Clause 19

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Economic Development and Parks Committee contained in the communication (May 30, 2005) from the Committee.

Communication (May 30, 2005) from the Economic Development and Parks Committee advising that the Committee on May 30, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 10, 2005) from the Deputy City Manager, wherein it is recommended that:

- (1) City Council authorize a one-time adjustment to the 2005 Culture Division Operating Budget (AH0035) for \$1 million gross, zero net and funded through the *Planning Act* Reserve Fund from a Section 37 agreement associated with 510, 518 and 522 St. Clair Avenue West, towards the preferred proponent Toronto Artscape, at the Wychwood Car Barns Redevelopment;
- (2) City Council authorize the appropriate City officials to immediately release \$0.100 million to Toronto Artscape as the preferred proponent for expenses incurred, which are directly related to redevelopment of the Wychwood Car Barns project;
- (3) City Council authorize the appropriate City officials to release the balance of \$0.900 million to Toronto Artscape once the rezoning application is final and binding and upon submission of the appropriate documentation to the satisfaction of and in the discretion of the Deputy City Manager, in consultation with the Chief Planner and Executive Director, City Planning;
- (4) this report be forwarded to the Policy and Finance Committee; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

23. Report on Various Grants Received by Parks, Forestry and Recreation

Report 6, Clause 20

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Economic Development and Parks Committee contained in the communication (May 30, 2005) from the Committee.

Communication (May 30, 2005) from the Economic Development and Parks Committee advising that the Committee on May 30, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 13, 2005) from the General Manager, Parks, Forestry and Recreation, wherein it is recommended that:

- (1) the Parks, Forestry and Recreation Division be authorized to receive provincial funding in the amount of \$596,659.00, and that the program's gross operating budget be increased by \$596,659.00 in 2005, and be offset by a corresponding increase in the revenue budget for a net zero change in the net operating budget;
- (2) the Provincial funding grant be used for special projects as outlined in this report; and

- (3) the appropriate City officials be authorized to take the necessary action to give effect thereto.

**24. Ashbridges Bay Treatment Plant Skateboard Park Project
(Ward 32 - Beaches-East York)**

Report 6, Clause 21

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Economic Development and Parks Committee contained in the communication (May 30, 2005) from the Committee.

Communication (May 30, 2005) from the Economic Development and Parks Committee advising that the Committee on May 30, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 12, 2005) from the General Manager, Parks Forestry and Recreation and the Deputy City Manager and Chief Financial Officer, wherein it is recommended that:

- (1) City Council establish an obligatory reserve fund called “Ashbridges Bay Treatment Plant Skateboard Park Reserve Fund“ for receiving cash toward the development of additional phases of a skateboard park;
- (2) Municipal Code, Chapter 227 [Reserves and Reserve Funds] be amended by adding the “Ashbridges Bay Treatment Plant Skateboard Park Reserve Fund” to Schedule 9 - Donations Reserve Fund;
- (3) all donations received for the Ashbridges Bay Treatment Plant Skateboard Park Project, by the City, be held separately in the “Ashbridges Bay Treatment Plant Skateboard Park Reserve Fund“ designated for this purpose, and receipts for income tax purposes be issued to donors for eligible donations in accordance with the *Income Tax Act* and City policy in this regard;
- (4) donations, previously deposited and recorded for the “Ashbridges Bay Treatment Plant Skateboard Park “ project be transferred to this reserve fund upon its establishment;
- (5) authority be granted to enter into an agreement, if necessary, with the Southeast Toronto Skateboard Association to allow the Southeast Toronto Skateboard Association to fundraise on behalf of the City of Toronto for the Ashbridges Bay Treatment Plant Skateboard Park Project and said agreement shall be in a form and content satisfactory to the General Manager of Parks, Forestry & Recreation and the City Solicitor;
- (6) this report be forwarded to the Policy and Finance Committee for consideration;
and

- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

**25. Results of Canvass - Avondale Composting and Borrow Pit Site
Located East of Keele Street, Between Kirby Road and Teston Road
(City of Vaughan)**

Report 6, Clause 22

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the report (May 27, 2005) from the Chief Corporate Officer.

Report (May 27, 2005) from the Chief Corporate Officer reporting on the responses received through canvassing the City's Agencies, Boards, Commissions and Departments as to any current discussions, on any issue, with the City of Vaughan and York Region, and any concessions required from the City of Vaughan or York Region regarding any outstanding needs of the City of Toronto and requesting authority to invite an offer to purchase the Avondale Composting and Borrow Pit Site from the City of Vaughan.

Recommendations:

It is recommended that:

- (1) the Chief Corporate Officer be authorized to invite an offer to purchase the Avondale Composting and Borrow Pit Site from the City of Vaughan and to report back thereon, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

26. Massey Harris Park Capital Project

Report 6, Clause 23

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Economic Development and Parks Committee contained in the communication (May 30, 2005) from the Committee.

Communication (May 30, 2005) from the Economic Development and Parks Committee advising that the Economic Development and Parks Committee on May 30, 2005, recommended to the Policy and Finance Committee that the following motion by Councillor Rae be adopted:

Whereas funds in the amount of \$40,000.00 are being held by the City as a Letter of Credit (Bank of Nova Scotia LC No. S18572/181869); and

Whereas these funds have been earmarked for improvements to the east edge of the new Massey Harris Park; and

Whereas these funds should be added to the existing Massey Park project budget in order to undertake the work for which the funds were intended;

Now Therefore Be It Resolved That the Massey Harris Park Capital Project Budget (CPR103-123) \$878,000.00 be increased by \$40,000.00 gross, (zero net) to a 2005 cash flow of \$918,000.00.

27. 2005 First Quarter Capital Variance Report

Report 6, Clause 24

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (June 1, 2005) from the Committee.

Communication (June 1, 2005) from the Budget Advisory Committee advising that the Committee on June 1, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2005) from the Deputy City Manager and Chief Financial Officer.

28. 2005 First Quarter Operating Variance Report – March 31, 2005

Report 6, Clause 25

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (June 1, 2005) from the Committee.

Communication (June 1, 2005) from the Budget Advisory Committee advising that the Committee on June 1, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 25, 2005) from the Deputy City Manager and Chief Financial Officer.

29. Reserves and Reserve Funds Quarterly Variance Report – March 31, 2005

Report 6, Clause 26

The Policy and Finance Committee recommends that City Council receive the communication (June 1, 2005) from the Budget Advisory Committee.

Communication (June 1, 2005) from the Budget Advisory Committee advising that the Committee on June 1, 2005, forwarded the report (May 24, 2005) from the Deputy City Manager and Chief Financial Officer to the Policy and Finance Committee for consideration.

30. 2004 Expenditures for Consulting Services – Departments and Boards

Report 6, Clause 27

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (June 1, 2005) from the Committee.

Communication (June 1, 2005) from the Budget Advisory Committee advising that the Committee on June 1, 2005, recommended to the Policy and Finance Committee and Council that:

- (1) the City Manager and Deputy City Manager and Chief Financial Officer be requested to reiterate to all Division Heads that they and their staff must follow the City's approved policies and procedures, and in particular, the City's Contract Management Guidelines;
- (2) staff be directed to include where appropriate, that withholding amounts and/or phased payments are utilized to ensure final payments occur only when consultant reports/studies have been completed in accordance with the contract;
- (3) the City Manager and Deputy City Manager and Chief Financial Officer direct all Division Heads that where they have commitments from one budget year to the next, they consult with Financial Planning Division on City budget policies and with Accounting Services on financial year-end closing policies and procedures, to ensure that these financial policies and process are appropriately followed; and
- (4) the report (April 26, 2005) from the Treasurer be received for information.

**31. Toronto Transit Commission – Sheppard Subway Project
(In-camera - litigation or potential litigation matters.)**

Report 6, Clause 28

The Policy and Finance Committee recommends that City Council adopt the recommendations of the Budget Advisory Committee contained in the confidential communication (June 1, 2005) from the Committee; and further that , in accordance with

the Municipal Act, discussions pertaining thereto be held in camera as the subject pertains to litigation or potential litigation matters.

Confidential communication (June 1, 2005) from the Budget Advisory Committee forwarding confidential recommendations pertaining to the Toronto Transit Commission – Sheppard Subway Project.

32. 2005 Recreation Grants Program – Recommendations (All Wards)

Report 6, Clause 29 (d)

The Policy and Finance Committee:

- (1) referred the communication (May 31, 2005) from the Economic Development and Parks Committee back to the General Manager of Parks, Forestry and Recreation;**
- (2) directed the General Manager of Parks, Forestry and Recreation, in consultation with the Chief Financial Officer and Treasurer to bring to the next meeting of the Economic Development and Parks Committee, a report on the issue of how Variety Village can be funded as a major grant recipient for 2006 and further years; and on that organization’s on-going viability;**
- (3) confirmed that the original envelope of funding for major and minor recreational grants funding, excluding Variety Village for 2005, is at \$1.28 million; and**
- (4) requested the General Manager of Parks, Forestry and Recreation, to report and make recommendations to the next meeting of the Economic Development and Parks Committee, respecting major and minor recreational grant allocations, excluding Variety Village, for 2005.**

Communication (May 31, 2005) from the Economic Development and Parks committee advising that the Committee on May 30, 2005, recommended to the Policy and Finance Committee that that City Council adopt the staff recommendations in the Recommendations Section of the report (May 12, 2005) from the General Manager of Parks, Forestry and Recreation, subject to:

- (1) amending Recommendation (2) to provide that the Major Recreation Grant allocations be returned to the 2004 level;
- (2) amending Recommendation (4) by adding at the end the words, “subject to the 2005 Major Recreation Grant allocations being returned to the 2004 level”; and
- (3) the Variety Village grant being maintained at the recommended level of \$46,300.00.