

**POLICY AND FINANCE COMMITTEE  
DECISION DOCUMENT  
MEETING No. 8**

*Report 8 to be considered by City Council on September 28, 29 and 30, 2005*

<b>Date of Meeting:</b>	<b>Tuesday, September 20, 2005</b>	<b>Enquiry:</b>	<b>Patsy Morris</b>
<b>Time:</b>	<b>9:30 a.m.</b>		<b>Administrator</b>
<b>Location:</b>	<b>Committee Room 1</b>		<b>(416) 392-9151</b>
	<b>City Hall</b>		<b>pmorris@toronto.ca</b>
	<b>100 Queen Street West</b>		
	<b>Toronto</b>		

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*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.*

*Confirmation of Minutes – July 7, 2005*

**Communications/Reports**

- 1. Provincial Requirement to Report 2004 Results** **10:00 a.m.**  
**Under the Municipal Performance Measurement Program (MPMP)**

**(Deferred from the July 7, 2005 meeting.)**

**(Presentation Item)**

**Report 8, Clause 56 (a)**

**The Policy and Finance Committee deferred consideration of this matter until its meeting scheduled to be held on January 23, 2006.**

Report (June 27, 2005) from the City Manager and Chief Financial Officer providing information on the City of Toronto's 2004 results of the provincially-mandated Municipal Performance Measurement Program (MPMP); and summarizing how Toronto's results have changed over the five year-period from the inception of the program.

Recommendations:

It is recommended that:

- (1) the MPMP results and supporting narratives in Appendix C, be submitted to the Ministry of Municipal Affairs and Housing.
- (2) the City's Web site be used as the method to meet the provincial requirement of reporting the City's 2004 MPMP results to the public by September 30, 2005; and
- (3) the City Manager and the Deputy City Manager and Chief Financial Officer report back in January 2006 on a detailed analysis of Toronto's 2004 MPMP results and influencing factors relative to trends in other Ontario municipalities.

**2. Amendment to City of Toronto Municipal Code for the Property Tax Rebate Program for Veteran's Clubhouses and Legion Halls and Information Regarding Veterans' Clubhouse at 1395 Lake Shore Blvd West (Ward 14, Parkdale – High Park)**

**(Deferred from the July 7, 2005 meeting.)**

**Report 8, Clause 7**

**The Policy and Finance Committee recommends that City Council:**

- (1) **adopt the staff recommendations contained in the recommendations Section of the report (June 24, 2005) from the Treasurer; and**
- (2) **approve the provision of a one-time grant to offset penalty and interest amounts relating to the taxation years 1995 through 1998 on the subject premises, and that such grant be deemed to be in the interests of the City, and that the grant be made subject to the following conditions:**
  - (a) **the Queen's Own/Branch 344 agree to pay in full the outstanding tax arrears from each of the 1995, 1996, 1997 and 1998 taxation years, exclusive of interest and penalty amounts, currently in the amount of \$15,521.02, by an agreed-upon date not later than November 30, 2005; and**
  - (b) **the above grant to be provided only after payment in full of the above amounts are received by the City, with the grant amount to be computed at**

**the time payment in full is received, but not to exceed \$25,000.00 such amount to be funded from a non-program account to be identified by the treasure;**

**only after both conditions (a) and (b) above have been met, Council deem the Queen's Own/Branch 344 to have submitted a rebate application by the September 1 application deadline in each of the years 1999 through 2005 and to have been approved for a rebate in each of those years, such that a 100 percent rebate of property taxes is provided for the eligible premises for each of the years 1999 through 2005; and**

- (3) authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.**

Report (June 24, 2005) from the Treasurer seeking Council approval to amend Article IX of City of Toronto Municipal Code, Chapter 767, Taxation, respecting the Tax Rebate Program for Veteran's Clubhouses and Legion Halls to streamline the annual application process, and to provide information with regards to outstanding taxes on a Veteran's Clubhouse located at 1395 Lake Shore Blvd W. (Royal Canadian Legion Branch 344 - Queen's Own Rifles of Canada).

Recommendations:

It is recommended that:

- (1) Council authorize an amendment to Article IX of the City of Toronto Municipal Code, Chapter 767, Taxation, respecting the Tax Rebate Program for Veteran's Clubhouses and Legion Halls, so as to eliminate the requirement that the financial statements required to be submitted with the rebate application be audited; and
- (2) authority be granted for the introduction of the necessary bills in Council; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**3. City of Toronto Nominee to the Municipal Property Assessment Corporation (MPAC) Board of Directors**

**Report 8, Clause 8**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 1, 2005) from the City Manager.**

Report (September 1, 2005) from the City Manager recommending the nomination of a member of Toronto Council to the Municipal Property Assessment Corporation Board of

Directors and the amendment of the Municipal Property Assessment Corporation Act 1997, by the Province of Ontario to provide for a direct appointment to the Board of Directors by the City of Toronto, recommending:

- (1) the Mayor reiterate his request to the Province of Ontario that the *Municipal Property Assessment Corporation Act 1997* be amended to provide for a seat on the Municipal Property Assessment Corporation board of directors for the City of Toronto to be filled by an individual appointed by Toronto Council;
- (2) the City Clerk canvass the members of Council to determine their interest in being nominated to the Municipal Property Assessment Corporation board of directors and arrange for a Striking Committee meeting to recommend a nomination to City Council at its meeting on September 28-30, 2005; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

#### **4. Update on Bill 206, “An Act to Revise the Ontario Municipal Employees Retirement System Act, 2005”**

##### **Report 8, Clause 9**

**The Policy and Finance Committee recommends that Council adopt the staff recommendations contained in the Recommendation Section of the report (September 6, 2005) from the City Manager, subject to amending Recommendation (2) (iii) by adding thereto the following:**

**“(2) (iii) (f) restore the supplementary type 6 pension for municipally elected officials;”.**

Report (September 6, 2005) from the City Manager providing an update on the implications for the City of Toronto of Bill 206, “An Act to Revise the Ontario Municipal Employees Retirement System Act, 2005” and making further recommendations to Council, and recommending:

- (1) the Mayor communicate to the Premier of Ontario that Toronto Council supports the devolution of OMERS to place responsibility for the plan with those who pay into and benefit from the plan on condition that the change of OMERS governance ensure the continued financial stability of the plan, the fair and equitable treatment of all members and the containment of costs for members;
- (2) the Mayor also communicate to the Premier that:
  - (i) Bill 206, “An Act to Revise the Ontario Municipal Employees Retirement System, 2005” will make significant changes to OMERS governance requiring careful consideration and adequate opportunity for OMERS stakeholders to assess the financial implications;

- (ii) the strength of OMERS has been its financial stability and balanced consideration of all stakeholders, and Bill 206 should not in any way prescribe supplemental plans or optional benefits for any one stakeholder group, or require the Sponsors Corporation to consider any specific issues regarding any one stakeholder group;
- (iii) Bill 206 should be amended to:
  - (a) ensure that the structure of the Sponsors Corporation and the Administration Corporation at all times consist of a balanced representation of employers and employees, and include two members chosen by the City of Toronto and that advisory committees to the Sponsors Corporation at all times include at least one member chosen by the City of Toronto;
  - (b) eliminate the reference to police and fire employees in section 4 permitting the establishment of supplemental plans;
  - (c) eliminate subsection 10(2) requiring the Sponsors Corporation to consider providing optional increases in pension benefits for members employed in the police and fire sectors;
  - (d) add to subsection 26(1) a requirement for a two-thirds majority vote for all decisions of the Sponsors Corporation; and
  - (e) make clear that the Sponsors Corporation may not, subject to appropriate exceptions, implement changes to benefits for members or in contribution rates, by by-law or otherwise, more frequently than triennially;
- (3) staff be authorized to continue assessment of Bill 206 in collaboration with other employer groups to identify issues of concern and implications for the City of Toronto and, if necessary, report directly to Council at its meeting to be held on September 28, 29 and 30, 2005;
- (4) the Mayor and the City Manager be authorized to represent the City at legislative hearings or other meetings concerning Bill 206 with respect to the issues identified in this report and any other relevant issues that may be identified by staff as they continue the assessment of Bill 206;
- (5) the Clerk poll the members of Council to determine their interest in being appointed to the initial Sponsors Corporation of OMERS and arrange for a Striking Committee meeting to recommend City nominees for that office to Council; and

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

## **5. Timelines for the Flow of Federal Gas Tax Funding to the City of Toronto**

### **Report 8, Clause 56 (b)**

**The Policy and Finance Committee received the report (September 6, 2005) from the City Manger.**

Report (September 6, 2005) from the City Manager to inform Policy and Finance Committee of the timelines for the flow of federal gas tax funds to the City of Toronto.

#### Recommendation:

It is recommended that this report be received for information.

## **6. Proposed Transaction between the Hummingbird Centre and Castlepoint Development .....10:15 a.m.**

**(Deputation Item)**

### **Report 8, Clause 1**

**The Policy and Finance Committee recommends that:**

- (1) City Council pursue Options 3(A) and 3(B) of the Hummingbird Business Plan;**
- (2) the following steps be taken:**
  - (a) all discussions regarding the development plan be conducted without prejudice or legal obligation on either party until and unless approved by Council, including, but not limited to, any fettering of the discretion or derogation from Council's responsibilities as a planning authority in accordance with the laws of the Province of Ontario;**
  - (b) a portion of the property municipally known as 1 Front Street East, being part of Water Lot 1 on Plan 5A Toronto; part of Walks and Gardens on Plan 5A Toronto; part of bank of Toronto Bay lying between southeasterly limits of Walks and Gardens and northeasterly limits of Water Lots 1 and 36 on Plan 5A Toronto, shown as Parts 1 and 2 on Sketch No. PS-2005-070 (the "Private Lands"), attached to this Appendix "A", be declared surplus to the City's requirements, with the intended manner of disposal to be by way of a sale and/or lease to Castlepoint Realty Partners Limited;**

- (c) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (d) authority be granted to City staff in conjunction with HC to enter into negotiations with Castlepoint Realty Partners Limited of an umbrella agreement, taking into account the Proposed Memorandum which is attached as Appendix "A" to the Business Plan, such umbrella agreement to include a greater role for the City in decision making, and as a minimum, decision making with respect to the Development Agreement, and containing the key terms of the sale of land and/or lease, naming and parking arrangements, securing a world-class quality architect such as Libeskind, compliance with Housing First Policy, and such other agreements as are necessary to protect the City's interests on terms satisfactory to the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer and in a form satisfactory to the City Solicitor, and to report back on the results of such negotiations and all legal, operational, financial and budget considerations, by the December 2005 Council meeting;
- (e) staff ensure that in the report to the December Council meeting the potential mitigation of risks associated with the City's interests in the implementation of Option 3(B) is addressed;
- (f) authority be granted to request a comprehensive due diligence report regarding Castlepoint Realty Partners Limited and its principals to the satisfaction of the City Solicitor and Deputy City Manager/Chief Financial Officer;
- (g) any structure or building proposed to be built be required to comply with the new St. Lawrence Neighbourhood Focused Community Urban Design Guidelines;
- (h) any proposed development be required to adhere to Council's policies in respect of obtaining public benefits for increases in height and/or density;
- (i) authority be granted to City staff in conjunction with HC to enter into negotiations with GO Transit and/or Castlepoint with respect to parking with the understanding that no above-grade parking will be requested as part of the development;
- (j) authority be granted for a request to be made to the Province of Ontario for amending legislation, to expand the scope of the statutory purposes of the Board of Directors of HC for the Performing Arts to include (i) the authority to present theatrical performances in theatres other than HC and (ii) the authority to own and/or operate parking spaces;
- (k) authority be granted to HC to market the naming rights to the theatre in compliance with the City's Sign By-Law including that no sign will be

erected on a location on a wall facing the street and shall not be erected above the 4th floor or 15 metres above grade on the condominium tower;

- (l) authority be granted to City staff to negotiate a sponsorship agreement with any naming sponsor, and taking into account the City's Sign By-law, the terms of such agreement be brought back to Council for approval and in order that all necessary steps to change the name of the Theatre and the Board be taken, including any required By-law amendments;
  - (m) authority be granted to establish a reserve fund for the purposes of extraordinary programming, as contemplated in the Business Plan;
  - (n) HC provide an interim report to Council on the status of its fundraising in March 2006; and
  - (o) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and
- (3) City staff be directed to begin the process of heritage designation of the building.

**Action taken by the Committee**

The Policy and Finance Committee requested the Chief Corporate Officer to report directly to Council for its meeting to be held on September 28, 2005, on the fair market value of pursuing Options 3(A) and 3(B) of the Hummingbird Business Plan.

Communication (August 2, 2005) from the City Clerk advising that City Council on July 19, 20, 21 and 26, 2005, referred Clause 55, Report 7, Policy and Finance Committee, entitled "Proposed Transaction between the Hummingbird Centre and Castlepoint Development" back to the Policy and Finance Committee for consideration at its meeting on September 20, 2005, and directed that copies of this Clause be forwarded to the Hummingbird Centre for the Performing Arts Board of Directors and to the St. Lawrence Neighbourhood Association.

**6(a). Proposed Transaction between the Hummingbird Centre and Castlepoint Development 10:15 a.m.**

Communication (September 13, 2005) from Mr. Michael Comstock.

**6(b).** Communication (September 14, 2005) from Mr. Lewis Poplak.

**6(c).** Communication (September 14, 2005) from Georgette L. Harris.



## **7. Stadium Road Reserve Funds**

### **Report 8, Clause 10**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the recommendations Section of the report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer.**

Report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer recommending the establishment of two reserve funds within the State of Good Repair Obligatory Reserve Funds for (1) the construction, capital repairs, and improvements to the dockwall, promenade and/or north and south park parcels on the west side of Stadium Road at Queens Quay West (also known as 2-50 Stadium Road) and (2) the on-going maintenance repair of same.

#### Recommendations:

It is recommended that:

- (1) two reserve funds be established within the State of Good Repair Obligatory Reserve Funds – (1) Stadium Road Capital Reserve Fund to fund construction, capital repairs and improvements to the dockwall, promenade and the north and south park parcels on the west side of Stadium Road at Queens Quay West and (2) Stadium Road Maintenance Reserve Fund to support on-going maintenance repair of the dockwall and promenade;
- (2) Municipal Code, Chapter 227 (Reserves and Reserve Funds) be amended by adding the Stadium Road Capital Reserve Fund and Stadium Road Maintenance Reserve Fund to Chapter 227 Schedule 13 – State of Good Repair Obligatory Reserve Funds; and,
- (3) 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.

## **8. Toronto Atmospheric Fund Investment Policy**

### **Report 8, Clause 11**

**The Policy and Finance Committee recommends that Council adopt the staff recommendations contained in the Recommendation Section of the report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer subject to:**

- (i) **amending Recommendation (1) to read as follows:**

- (1) the Toronto Atmospheric Fund’s Investment Policy, dated September 7, 2004, as attached as Appendix A, be approved, noting that the percent limit for equities in the portfolio is being increased from a maximum of 25 percent to a maximum of 60 percent under the Trustee Act, and recognizing that TAF’s funds are being managed by two professional investment managers;**
- (ii) adding the following additional Recommendation (3):**
- “(3) as approved by TAF’s Board of Directors, the limit for Council required approval of loans and financing be increased from \$500,000.00 to \$1,000,000.00 to streamline the approval process;”**

**so that the Recommendations now read as follows:**

- (1) the Toronto Atmospheric Fund’s Investment Policy, dated September 7, 2004, as attached as Appendix A, be approved, noting that the percent limit for equities in the portfolio is being increased from a maximum of 25 percent to a maximum of 60 percent under the Trustee Act, and recognizing that TAF’s funds are being managed by two professional investment managers;**
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and**
- (3) as approved by TAF’s Board of Directors, the limit for Council required approval of loans and financing be increased from \$500,000.00 to \$1,000,000.00 to streamline the approval process.**

Report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer to request Council approval of the Toronto Atmospheric Fund’s (TAF) Investment Policy, dated September 7, 2004, as approved by the TAF Board of Directors.

Recommendation:

It is recommended that:

- (1) the Toronto Atmospheric Fund’s Investment Policy dated September 7, 2004 as attached as Appendix A be approved without amendment; and**
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.**

## 9. Toronto District School Board Application Requesting Debentures

### Report 8, Clause 12

The Policy and Finance Committee recommends:

- (1) that City Council adopt the staff recommendations contained in the recommendations Section of the report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer; and
- (3) that the Deputy City Manager and Chief Financial Officer be requested to meet with the Toronto District School Board to determine what assistance the School Board can offer to the City in view of the savings generated by this project.

Report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer to authorize the issuance of debentures on behalf of Toronto District School Board (the "TDSB") in connection with the funding of various school renewal projects approved by the TDSB's in respect of its 2005 – 2006 fiscal year (the "Permanent Improvements").

#### Recommendations:

It is recommended that

- (1) Council approve the application by the Toronto District School Board (TDSB), attached as Schedule "A" to this report, and authorize the City to borrow up to Fifty Million (\$50,000,000.00) Dollars for the purposes of the TDSB;
- (2) By-law No. 69-2005 be amended to allow the Mayor and the Deputy City Manager and Chief Financial Officer, in his capacity as treasurer appointed under section 286 of the *Municipal Act, 2001*, to enter into agreements during 2005 for the sale and issue of debentures for the purposes of the TDSB, and to increase the maximum amount of any agreements for the sale and issue of debentures in 2005 from Five Hundred Million (\$500,000,000.00) Dollars to Five Hundred Fifty Million (\$550,000,000.00) Dollars to accommodate the amount of the TDSB's application;
- (3) the Deputy City Manager and Chief Financial Officer, on behalf of the City, be authorized to issue \$50 million in debt for the Toronto District School Board, subject to the TDSB entering into an agreement to establish the City's ability to withhold funds held on behalf of the TDSB, in the event of a default in debt payments;
- (4) authority be granted for the introduction of the necessary bills in Council to give effect thereto; and

- (5) the appropriate officials be authorized to take the necessary actions to give effect thereto.

## **10. Toronto Parking Authority and the Toronto Library Board Investment Portfolios**

### **Report 8, Clause 56 (c)**

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

Report (September 6, 2005) from the Deputy City Manager and Chief Financial Officer to report on the implementation of recommendations approved by Council at its November 30, December 1 and 2, 2004 meeting.

#### Recommendation:

It is recommended that this report be received for information.

## **11. Five-Year Business Plan/Ten-Year Forecast for Toronto Waterfront Revitalization**

### **Report 8, Clause 3**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 8, 2005) from Fareed Amin, Deputy City Manager.**

Report (September 8, 2005) from Fareed Amin, Deputy City Manager, forwarding a report:

- (a) outlining the vision, deliverables, funding requirements, and cost-sharing arrangements for Waterfront Revitalization over the next ten-year period (2005 to 2014) as reflected in the TWRC's Five-Year Business Plan and Ten-Year Forecast for the Project; and
- (b) requesting a reduction of \$14.618M to the net 2005 Waterfront Capital Budget (from \$36.038M to \$21.420M), in order to provide for the City's required contribution to Waterfront Revitalization for the current year; and requesting a reallocation of 2005 actuals totalling \$1.216239M to reflect consistency with the new Budget structure, and recommending that Council:
  - (1) approve the Five-Year Business Plan/Ten-Year Forecast, subject to the annual budget process, and authorize the revision of the 2005 – 2009 Capital Works Program for Waterfront Revitalization to reflect the following net cash flows: \$21.420M in 2005, \$43.569M in 2006, \$59.080M in 2007, \$68.174M in 2008, \$40.472M in 2009, and \$237.516M in the period 2010 to 2014;

- (2) request the Deputy City Manager and Waterfront Project Director to confirm cash flow and financing requirements of the Front Street Extension and the Gardiner/Lakeshore Corridor Environmental Assessment Process, following Council's consideration of the future of the elevated expressway, later in 2005;
- (3) authorize the net 2005 Waterfront Capital Budget to be reduced by \$14.618M (from \$36.038M to \$21.420M), allocated as follows: a reduction to TWRC Corporate Costs (\$1.800M), Portlands Preparation (\$2.269M), Front Street Extension (\$4.083M), Precinct Implementation Projects (\$0.454M), Land Acquisition (\$3.000M), Transportation Initiatives (\$1.900M), and Sports Fields & Facilities & Parks Development (\$2.079M), and an increase to Harbourfront Water's Edge (\$0.967M);
- (4) authorize the reallocation of 2005 actuals incurred to-date as follows: \$1,158,839.00 from TWRC Corporate Costs to Union Station Subway Platform, and \$57,400.00 from Precinct Implementation Projects to Sports Fields & Facilities & Parks Development;
- (5) forward this report to the Budget Advisory Committee for their information; and
- (6) authorize and direct appropriate City Officials to take the necessary action to give effect thereto.

**11(a). Five-Year Business Plan/Ten-Year Forecast for Toronto Waterfront Revitalization**

Communication (September 9, 2005) from Goeff Hare, Deputy Minister, Ministry of Public Infrastructure Renewal, respecting the Multi-year plan for Toronto Waterfront Revitalization.

**11(b)** Communication (September 8, 2005) from Mr. John R. McWhinnie respecting the Multi-year plan for Toronto Waterfront Revitalization.

**12. Allocation of commodity Tax (PST and GST) Recoveries**

**Report 8, Clause 56 (d)**

**The Policy and Finance Committee referred the report (September 3, 2005) from the Treasurer back to the Treasurer for further consideration and report thereon to the Policy and Finance Committee.**

Report (September 3, 2005) from the Treasurer informing Council about how Commodity Tax recoveries are allocated within the City's accounts.

Recommendation:

It is recommended that this report be received for information.

**13. New Practices to Monitor Blanket Purchase Orders**

**Report 8, Clause 13**

**The Policy and Finance Committee recommends that:**

- (1) the report (September 2, 2005) from the Treasurer be received; and**
- (2) a copy of the aforementioned report be forwarded to all Agencies, Boards and Commissions that do their own purchasing and that they be advised to report to their boards the extent to which their purchasing conforms to the City processes.**

Report (September 2, 2005) from the Treasurer, advising of the new practices that have been implemented to monitor blanket contracts and provide the value and percentage of purchases made without the appropriate blanket orders or purchase orders.

Recommendation:

It is recommended that this report be received for information.

**14. Occupational Health and Safety Report – Second Quarter, 2005**

**Report 8, Clause 14**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Employee and Labour Relations Committee contained in the communication (September 7, 2005) from the Employee and Labour Relations Committee.**

Communication (September 7, 2005) from the Employee and Labour Relations Committee advising that the Employee and Labour Relations Committee on September 7, 2005, recommended to the Policy and Finance Committee that City Council receive, for information, the report (August 25, 2005) from the City Manager and the Executive Director Human Resources, respecting Health and Safety – Second Quarter, 2005..

**15. Memorandum of Agreement between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 79  
(In-Camera – Labour Relations or Employee Negotiations.)**

**Report 8, Clause 15**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Employee and Labour Relations Committee contained in the communication (September 7, 2005) from the Employee and Labour Relations Committee.**

Communication (September 7, 2005) from the Employee and Labour Relations Committee advising that Employee and Labour Relations Committee on September 7, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (September 1, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer entitled “Memorandum of Agreement between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 79”, such report to be considered in-camera as the subject matter relates to labour relations or employee negotiations.

**16. Cost of Living Adjustment for Non-Union Staff  
(In-Camera – Labour Relations or Employee Negotiations)**

**Public Recommendation:**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Policy and Finance Committee contained in the confidential communication (September 20, 2005) from the Policy and Finance Committee respecting Cost of Living Adjustment for Non-union Staff which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal At discussions pertaining thereto be considered in-camera as the subject matter relates to Labour Relations or Employee Negotiations.)**

*(Note: Confidential recommendations forwarded to select officials only.)*

Communication (September 7, 2005) from the Employee and Labour Relations Committee advising that the Employee and Labour Relations Committee on September 7, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (September 1, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer entitled “Cost of Living Allowance for Non-Union Staff”, such report to be considered in-camera as it relates to labour relations or employee negotiations.

**17. Request for Additional Municipal Licensing and Standards Officer(s)**

**Report 8, Clause 56 (e)**

**The Policy and Finance Committee referred the communication (August 3, 2005) from the City Clerk:**

- (1) to the Planning and Transportation Committee for consideration; and**
- (2) to the Budget Advisory Committee for consideration as part of the 2006 Operating Budget.**

Communication (August 3, 2005) from the City Clerk advising that City Council on July 19, 20, 21 and 26, 2005, referred the following Motion to the Policy and Finance Committee.

Moved by Councillor Mammoliti, seconded by Councillor Moscoe

**“WHEREAS** the Municipal Licensing and Standards Division’s mission is ‘to enhance the quality of life in the City of Toronto by ensuring public safety, community integrity, consumer protection, and responsible business activities’; and

**WHEREAS** Municipal Licensing and Standards Officers predominantly enforce the following by-laws: Fences, Grass and Weeds, Heating, Business and Trades Licensing, including taxis and other mobile businesses, holistics, adult entertainment premises, Property Maintenance, Property Standards, Abandoned Appliances, Signs, Licensing, Vital Services, Zoning, Solid Waste and Waste Diversion, Litter and Graffiti; and

**WHEREAS** Municipal Licensing and Standards has a total of 221 officers, including the Districts, Clean City, Taxi, Waste, Trades and Right-of-Way; and

**WHEREAS** in 2004, the Municipal Licensing and Standards Division had a district-wide total of 36,323 investigation requests, 19,539 complaints and 46,092 inspections; and

**WHEREAS** the Municipal Licensing and Standards Division, for 2005, had a district-wide total of 14,394 investigation requests, 8,332 complaints and 14,227 inspections; and

**WHEREAS** the Mobile Enforcement Unit, for 2004, had a district-wide total of 33,980 inspections on all classes; 5,303 summons were issued; 851 Notices of Violation were issued; and 1,966 complaints were received; and



**WHEREAS** the Mobile Enforcement Unit, for 2005, had a district-wide total of 10,234 inspections on all classes; 907 summonses were issued; 473 Notices of Violation were issued; and 718 complaints were received; and

**WHEREAS** the Division faces enforcement priorities relating to Marijuana Grow House operations, Holistics, Mobile Signs and Building Audits; and

**WHEREAS** it is clearly seen that the Division is highly under staffed;

**NOW THEREFORE BE IT RESOLVED THAT** City Council endorse a recommendation to the Budget Advisory Committee to hire 44 new Municipal Licensing and Standards Officers in 2006 that would be assigned equally across the City's 44 wards."

## **18. The Seizure of Motor Vehicles Involved in Prostitution Related Offences**

### **Report 8, Clause 56 (f)**

**The Policy and Finance Committee referred the communication (August 3, 2005) from the City Clerk to the City Solicitor for report thereon to the Policy and Finance Committee, such report to also include a review of actions being taken by other provinces respecting this matter.**

Communication (August 3, 2005) from the City Clerk advising that City Council on July 19, 20, 21 and 26, 2005, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Nunziata, seconded by Councillor Thompson

**“WHEREAS** repeated studies have established a strong and positive correlation between increased incidents of prostitution and drug use, which in turn leads to the attraction of drug users in neighbourhoods; and

**WHEREAS** there has been a litany of complaints about the effects of street prostitution on residential neighborhoods including noise, traffic congestion, litter including condoms and needles, and the harassment of residents; and

**WHEREAS** the increase in prostitution and drug related activities has had negative impacts on communities and has become of great concern to various neighbourhood residents, businesses and community services; and

**WHEREAS** legislation enacted in 1985 by the Federal Government which prohibits communicating in a public place for the purpose of buying or selling sexual services has been largely ineffective in addressing the issue of prostitution and its resulting problems; and

**WHEREAS** in April 2002, the Government of Saskatchewan proclaimed the *Highway Traffic Amendment Act, 2001*, which gives police the authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code, including prostitution; and

**WHEREAS** the *Highway Traffic Act* of Manitoba contains a section called the ‘Seizure of Vehicles in Prostitution Related Offences’ which allows a peace officer, who on reasonable grounds, believes that a motor vehicle is being operated in the course of committing an offence under Sections 211, 212 and 213 of the Criminal Code (Canada), to seize the vehicle and take it into the custody of the law; and

**WHEREAS** Bill 28 (*The Motor Vehicle Act of Nova Scotia*) ‘provides that where a municipality has passed a by-law dealing with the seizure and forfeiture of a motor vehicle involved in the commission of a prostitution-related offence, a peace officer may detain a motor vehicle where the peace officer is satisfied that the vehicle was being operated in the course of committing an offence under Section 211, 212 or 213 of the Criminal Code’;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto enter into discussions with the Attorney General of Ontario in order to gain powers similar to municipalities in Nova Scotia, that would give police the authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code;

**AND BE IT FURTHER RESOLVED THAT** the issue of the City of Toronto gaining powers similar to municipalities in Nova Scotia, that would give police the authority to seize and impound any vehicle used to commit an offence under Sections 211, 212 or 213 of the Criminal Code, be included in any discussions concerning the *New City of Toronto Act*.”

**19. Reporting Procedure on Notices of Motions referred to Agencies, Boards and Commissions**

**Report 8, Clause 56 (g)**

**The Policy and Finance Committee referred the communication (August 3, 2005) from the City Clerk to the Council Procedure and Meeting Management Working Group for consideration and report to the Policy and Finance Committee.**

Communication (August 3, 2005) from the City Clerk advising that City Council on July 19, 20, 21 and 26, 2005, referred the following Motion to the Policy and Finance Committee.

Moved by Councillor Nunziata, seconded by Councillor Ootes

“**WHEREAS** Chapter 27 of the Toronto Municipal Code sets out procedures for the consideration of Notices of Motions and, specifically, Section 27-31.A of Chapter 27 states that Notices of Motions submitted to Council shall be referred directly to the Standing Committee, Community Council, agency, board or commission by the Clerk for consideration; and

**WHEREAS** City Council, at its May 17, 18 and 19, 2005 meeting, referred Notice of Motion J(27), entitled ‘The Implication of Bill 164, the *Tobacco Control Statute Law Amendment Act, 2004*, on Charity Bingo’, to the Board of Health for its consideration; and

**WHEREAS** the Board of Health, at its June 7, 2005 meeting, had the referred Notice of Motion submitted to its meeting through a communication from the City Clerk; and

**WHEREAS** the minutes of the Board’s June 7, 2005 meeting indicate that the Chair of the Board of Health ruled the aforementioned Motion to be out of order as the Board of Health had already taken a position on this issue and the Board’s position was presented to the Legislature by the Chair and the Medical Officer of Health, and the request in the Motion was also contrary to the Board of Health’s current position; and

**WHEREAS** the Chair’s ruling was not challenged by the Board of Health Members and, therefore, the Notice of Motion was not properly considered by the Board of Health as requested by Council; and

**WHEREAS** Section 27-83 of Chapter 27 of the Municipal Code, Council Procedures, does specify that the Toronto Board of Health shall report to Council; and

**WHEREAS** the Board of Health’s mandate and jurisdiction is established through the *Health Protection and Promotion Act*, and Section 40 of the Board of Health’s own procedures by-law does specify that only Board of Health recommendations on budget and corporate policy matters shall be reported to the Council; and

**WHEREAS** current Council meeting procedures and current Board meeting procedures are not clear on the reporting requirements of the Board of Health to reply to matters specifically referred to it, such as Notice of Motions, so that Council is informed of the disposition of business referred to the Board from Council;

**NOW THEREFORE BE IT RESOLVED THAT** the Council Procedures and Meeting Management Working Group be requested to consider this procedural issue and report to Council, through the Policy and Finance Committee, on procedural improvements to ensure that matters referred by Council to agencies, boards and commissions, such as the Board of Health, are properly considered

and reported back to City Council to ensure proper and complete disposition on referrals of Notices of Motions decided by City Council.”

**20. Canadian Constitution’s Discriminatory aspect towards Roman Catholics or anyone married to a Roman Catholic**

**Report 8, Clause 56 (h)**

**The Policy and Finance Committee received the communication (August 29, 2005) from Deputy Mayor Pantalone respecting Canadian Constitution’s Discriminatory aspect towards Roman Catholics or anyone married to a Roman Catholic.**

Communication (August 29, 2005) from Deputy Mayor Pantalone respecting Canadian Constitution’s Discriminatory aspect towards Roman Catholics or anyone married to a Roman Catholic.

Recommendation:

It is recommended that City Council request the Prime Minister and the Government of Canada to take all necessary steps to remove the section of the Act of Settlement 1701 from the Canadian Constitution as it is discriminatory against Roman Catholics.

**21. City of Toronto Role and Responsibilities for the International Dragon Boat Federation and Dragon Boat Canada**

**Report 8, Clause 17**

**The Policy and Finance Committee recommends that City Council adopt the recommendation contained in the communication (Undated) from Councillor Olivia Chow.**

Communication (Undated) from Councillor Olivia Chow respecting the City of Toronto Role and Responsibilities for the International Dragon Boat Federation and Dragon Boat Canada.

Recommendation:

It is recommended that the Deputy City Manager and Executive Director of Tourism report directly to City Council on the membership and the terms of reference of the local organizing committee that is planning and operating the International Dragon Boat Federation Club Crew World Championships. And that such report includes a detailed description of the City’s role, responsibilities and liabilities towards hosting this Championship and also comment on the decision- making process, budget, accountability and transparency of the project. Also, that the City seek to have its membership on the

local organizing committee of the International Dragon Boat Federation Club Crew World Championship through the Tourism Division.

**22. Review of the April 13, 14 and 15, 1999 Toronto City Council Decision regarding Insurance Claims Administration**

**Report 8, Clause 56 (i)**

**The Policy and Finance Committee referred the report (August 5, 2005) from the Acting Chair, Toronto Police Services Board, to the Director, Corporate Finance for report to the Policy and Finance Committee.**

Report (August 5, 2005) from the Acting Chair, Toronto Police Services Board, requesting a review of the April 13, 14 and 15, 1999 Toronto City Council decision regarding Insurance Claims Administration setting out the procedures for insurance claims handling, including claims against police.

Recommendation:

It is recommended that the Policy and Finance Committee forward a request to Toronto City Council to review the April 13, 14 and 15, 1999 Toronto City Council decision regarding Insurance Claims Administration setting out the procedures for insurance claims handling, including claims against police and that the review include:

- (a) how claims activity will be reported to Toronto City Council;
- (b) what information is to be public, what information should be reported in-camera and what information can be routinely disclosed to the public;
- (c) a comparison of claims processing in other jurisdictions and municipalities;
- (d) a review of the decision making authority levels and whether they are appropriate;
- (e) Toronto City Council's role in the claims process;
- (f) legal and financial implications of various alternatives; and
- (g) whether staffing levels in City of Toronto – Insurance & Risk Management and the Legal Services Division are appropriate.

**23. Toronto Police Service – 2004 Annual Report**

**Report 8, Clause 18**

**The Policy and Finance Committee recommends that City Council receive the communication (August 9, 2005) from the Chair, Toronto Police Services Board.**

Report (August 9, 2005) from the Chair, Toronto Police Services Board, submitting a copy of the Toronto Police Service 2004 Annual Report as requested by Toronto City Council.

Recommendations:

It is recommended that

- (1) the Policy and Finance Committee receive this report; and
- (2) that the Policy and Finance Committee forward a copy of this report to Toronto City Council for information.

**24. Toronto Police Service – 2005 Operating Budget Variance Report  
as at May 31, 2005**

**Report 8, Clause 56 (j)**

**The Policy and Finance Committee received the report (August 9, 2005) from the Chair, Toronto Police Services Board.**

Report (August 9, 2005) from the Chair, Toronto Police Services Board, providing the 2005 operating budget variance report as at May 31, 2005.

Recommendation:

It is recommended that the Policy and Finance Committee receive the following report for information.

**25. 2005 Operating Variance Reports Ending March 31, 2005 for the Toronto Police Services Board, Toronto Police Service and Toronto Police Service – Parking Enforcement Unit**

**Report 8, Clause 56 (k)**

**The Policy and Finance Committee received the report (June 22, 2005) from the Chair, Toronto Police Services Board.**

Report (June 22, 2005) from the Chair, Toronto Police Services Board, advising the Policy and Finance Committee of the results of the 2005 operating variance reports ending March 31, 2004 for the Toronto Police Services Board, Toronto Police Service and the Toronto Police Service –Parking Enforcement Unit.

Recommendation:

It is recommended that the Policy and Finance Committee receive this report.

**26. Procurement Authorization – Reserved Transit Lanes on St. Clair Avenue West (Phase One)**

**Report 8, Clause 56 (1)**

**The Policy and Finance Committee referred the communication (September 2, 2005) from the General Secretary, Toronto Transit Commission, to the Budget Advisory Committee for consideration during the 2006 Capital Budget process.**

Communication (September 2, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, August 31, 2005, the Commission considered the attached report entitled, “Procurement Authorization – Reserved Transit Lanes on St. Clair Avenue West (Phase One)”; and the Commission approved proceeding with Option B detailed in the report, including Recommendation Nos. 1, 3, 4, 5, 6 and 7, as listed below:

“Option B

- (1) Approve the issuance of a Purchase Order in the total upset limit amount of \$12,253,222 to the City of Toronto – Transportation Services, for the costs associated with the design, contract administration and construction of reserved transit lanes along St. Clair Avenue West (Phase One), excluding State of Good Repair track replacement;
- (3) Authorise TTC staff to pay the City’s share of the contract costs upfront noting that the above-mentioned figure of \$12,253,222 includes the City of Toronto’s amount of the project for Phase One, estimated at \$3,923,867 in 2005;
- (4) Forward this report for consideration by City Council requesting confirmation of increased project commitment;
- (5) Forward this report to the City of Toronto Deputy City Manager and Chief Financial Officer for confirmation that these costs will be included in the City’s 2006 capital budget and that City staff will work towards an agreement on an appropriate allocation of costs;

- (6) Note that the planning and construction work is under way at this time since any deferral of the work would impact the ability to complete the work in a timely and cost efficient manner; and
- (7) Note that staff will be submitting a further report to the Commission at the appropriate time, estimated to be spring of 2006, to seek approval to complete Phase Two of the St. Clair Avenue West Transit Improvement Project.”

The Commission approved an amendment to Recommendation No. 2 by inserting the words “up to \$2.4 million in 2005 with the remainder” after the word City in the second sentence, so such Recommendation reads, as follows:

- “(2) Approve an increase in project approval to 1.2 Surface Track Replacement of \$3,923,867, as set out on pages 83 to 85 in the “Improvement” category to cover the lack of budgeted funds by City staff in 2005 for Phase One work for this project. This amount would have to be recovered from the City, up to \$2.4 million in 2005 with the remainder in 2006, where City Transportation will be budgeting sufficient funds in its 2006-2010 capital budget necessary for the Commission to recover the City’s Phase One allocation of the St. Clair Right-of-Way costs;”

The foregoing is forwarded to City of Toronto Council through the City Policy and Finance Committee for consideration of the Commission’s request embodied in Recommendation No. 4 noted above.

## **27. Request for City Council Funding Approval – CLRV Life Extension Program Contract Commitments**

### **Report 8, Clause 19**

**The Policy and Finance Committee recommends that City Council approve the recommendations of the Toronto Transit Commission contained in the communication (September 1, 2005) from the General Secretary, Toronto Transit Commission.**

Communication (September 1, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, August 31, 2005, the Commission considered the attached report entitled, “Request for City Council Funding Approval – CLRV Life Extension Program Contract Commitments”; and the Commission approved the Recommendation contained in the report, as listed below:

“It is recommended that the Commission:

- (1) endorse the planned purchase of three major vehicle systems required for the rebuild of 100 streetcars; and



- (2) forward this report to the City of Toronto, for consideration at their September 2005 Council Meeting, with a request that they approve additional funding in the amount of \$25,001,000 for a total City commitment of \$35,505,000 on project CTT050 for the purchase of 102 car-sets of three major vehicle systems (Propulsion Control, Air Conditioning, Low Voltage Power Supply) for the CLRV Life-Extension Program.”

The foregoing is forwarded to City of Toronto Council through the City Policy and Finance Committee for consideration of the Commission’s request embodied in Recommendation No. 2 noted above.

## **28. Future Streetcar Fleet Requirements and Plans**

### **Report 8, Clause 20**

**The Policy and Finance Committee recommends that City Council receive the communication (June 23, 2005) from the General Secretary, Toronto Transit Commission.**

Communication (June 23, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, June 22, 2005, the Commission considered the attached report entitled, “Future Streetcar Fleet Requirements and Plans.”

The Commission took the following action:

- Amended Recommendation No. 1 contained in the report by striking out all the words after the word “met”, so such Recommendation reads as follows:
  - “1. Approve the rebuilding of 100 Canadian Light Rail Vehicle (CLRV) streetcars, at an estimated total cost of \$130 million, to ensure that the TTC’s near-term streetcar service requirements are met.”
- Struck out Recommendation Nos. 3 and 5 contained in the report.
- Adopted Recommendation Nos. 2, 4 and 6 contained in the report, as listed below:
  - “2. Approve proceeding immediately with the process of procuring new streetcars for the TTC, including approval of the hiring of five additional staff who would be dedicated to this project, so that the introduction of new streetcars in Toronto can be done as quickly as possible;”
  - “4. Note that, in order to make TTC streetcar service accessible to people with mobility difficulties, the most-practical approach is to accelerate the procurement and introduction of new streetcars which would be low-floor and fully-accessible;”

“6. Forward this report to the City of Toronto, the Ontario Ministry of Transportation, Transport Canada, and Infrastructure Canada.”

The Commission also approved the following ancillary motions:

- (1) That staff be requested to report back on an expedited process that would see new streetcars delivered more quickly, preferably by 2009.
- (2) That the staff presentation concerning this matter be given at a future City Policy and Finance Committee for information.
- (3) That staff be requested to report back on options for a streetcar garage to service new LRT vehicles.
- (4) That staff be requested to submit a progress report on this matter in six months.

The foregoing is forwarded to the City Policy and Finance Committee for information.

## **29. Environmental Assessments for Transit Projects in the Eastern Waterfront**

### **Report 8, Clause 21**

**The Policy and Finance Committee recommends that City Council receive the communication (June 23, 2005) from the General Secretary, Toronto Transit Commission.**

Communication (June 23, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, June 22, 2005, the Commission considered the attached report entitled, “Environmental Assessments for Transit Projects in the Eastern Waterfront.”

The Commission adopted the Recommendation contained in the report, as listed below:

“It is recommended that the Commission:

- (1) Authorize the execution of an “Eligible Recipient” agreement between the Toronto Transit Commission and the Toronto Waterfront Revitalisation Corporation (TWRC), regarding Environmental Assessments for transit projects in the eastern waterfront, such an agreement to be in a form that is satisfactory to the Chief General Manager and General Counsel, noting that:
  - TTC staff will be undertaking the Environmental Assessment (EA) studies for the construction of transit facilities in the eastern waterfront on behalf of the Toronto Waterfront Revitalisation Corporation (TWRC);
  - the TWRC has agreed to fund the cost of completing the studies and the agreement will reflect this;

- the EA studies will involve staff from the TTC, the City of Toronto and the TWRC under the direction of a Steering Committee of staff drawn from these agencies;
  - TTC staff, in conjunction with the City and TWRC, plan to issue a Request for Proposals for consulting assistance to undertake the studies as soon as possible following completion of the “Eligible Recipient” agreement, and;
- (2) Forward this report to the City of Toronto and the Toronto Waterfront Revitalisation Corporation.”

The foregoing is forwarded to City of Toronto Council through the Policy and Finance Committee for information.

### **30. UITP Rome Manifesto – Public Transport is Mobility for All**

#### **Report 8, Clause 22**

**The Policy and Finance Committee recommends that City Council endorse the “UITP Rome Manifesto – Public Transport is Mobility for All” outlined in the communication (July 15, 2005) from the General Secretary, Toronto Transit Commission.**

Communication (July 15, 2005) from the General Secretary, Toronto Transit Commission, advising that at its meeting on Wednesday, July 13, 2005 the Toronto Transit Commission had before it “The Rome Manifesto – Public Transport is Mobility for All.” The Manifesto was adopted at a recent conference of the International Association of Public Transport and invites political leaders from around the world to demonstrate their commitment to strong public transport systems.

The Commission unanimously endorsed the Manifesto and requested that it be forwarded to the City of Toronto for endorsement by City Council through the City Policy and Finance Committee.

### **31. Implementation of a New Governance Structure for Toronto Waterfront Renewal 11:00 a.m.**

**(Presentation Item)**

#### **Report 8, Clause 2**

**The Policy and Finance Committee recommends that Council adopt the staff recommendations contained in the Recommendations Section of the report (September 12, 2005) from the Deputy City Manager.**

Report (September 12, 2005) from Fareed Amin, Deputy City Manager, reporting on the status of implementing the new governance structure for Toronto waterfront revitalization, approved by Council in December 2004.

Recommendations:

It is recommended that City Council::

- (1) endorse the following proposed amendments to the *Toronto Waterfront Revitalization Corporation Act, 2002*, in a manner that:
  - (a) allows one of the directors that each of the City and Province appoints to the board of directors of the Toronto Waterfront Revitalization Corporation (TWRC) to be a person who holds a public office to which he or she has been elected;
  - (b) allows TWRC to act as an agent of the City or the Province only if the City or the Province expressly authorizes the Toronto Waterfront Revitalization Corporation to act as its agent, and then subject to any terms and conditions contained in written authorization; and
  - (c) makes any non-substantive changes that may be required to reflect the amendments described in paragraphs (a) and (b);
- (2) appoint the Mayor as one of the City's appointees to the board of directors of TWRC, with the appointment to commence immediately after the *Toronto Waterfront Revitalization Corporation Act, 2002* is amended to permit the appointment of elected officials to the board of directors;
- (3) direct the Waterfront Project Director, with staff of the City Manager's office, to take the steps necessary to identify a list of potential candidates from which the City's three citizen appointees to the TWRC Board of Directors can be selected by the Corporate Nominating Panel, with such appointments being for a three-year term commencing January 2006;
- (4) request that the Deputy City Manager and Waterfront Project Director submit to Council in 2005 the Memorandum of Understanding (MOU) among the Toronto Economic Development Corporation (TEDCO), TWRC and City of Toronto clarifying roles and responsibilities in waterfront revitalization and including a public land management protocol for City and TEDCO land holdings in the Designated Waterfront Area (DWA);
- (5) approve in principle the Accounting Protocol for Waterfront Revitalization attached as "Appendix B" and instruct the Waterfront Project Director to work with staff of City divisions, agencies, boards, commissions and corporations (ABCCs), as needed; the waterfront government partners; and TWRC to develop

and implement the processes and systems necessary to track contributions and revenues as outlined in the Accounting Protocol;

- (6) receive for information the revised Terms of Reference for the Intergovernmental Steering Committee attached as “Appendix C”;
- (7) instruct the Waterfront Project Director to work with representatives of the other orders of government and TWRC to develop a Framework Agreement for Waterfront Revitalization that demonstrates the breadth of tri-government commitment to the objectives of waterfront revitalization and to the deliverables outlined in the 10-year plan and related agreements;
- (8) authorize the Mayor to execute the Framework Agreement upon its completion; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**32. Port Lands Film/Media Complex  
Status Report and Lease Approval**

**2:00 p.m.**

**(In-camera – Security of the Property of the Municipality or Local Board.)**

**Report 8, Clause 56 (m)**

**The Policy and Finance Committee and the Economic Development and Parks Committee forwarded recommendations to City Council for consideration at its meeting to be held on September 28, 29 and 30, 2005, such recommendations contained in Joint Report 1, Clause 2 of the Policy and Finance Committee and the Economic Development and Parks Committee.**

*(Recommendations contained in the Decision Document of the Joint meeting of the Policy and Finance Committee and the Economic Development and Parks Committee.)*

Confidential report (September 15, 2005) from the President and CEO, TEDCO and the Vice President, Development, TEDCO respecting Port Lands Film/Media Complex Status Report and Lease Approval, such report to be considered in-camera as the subject matter relates to the Property of the Municipality or Local Board.

**32(a). Film Industry: Available and Suitable Space  
All wards**

Report (September 14, 2005) from Sue Corke, Deputy City Manager, responding to a Council directive to provide a snapshot of the nature, extent and availability of both

existing and suitable space in Toronto to meet the current and future growth needs of the film and television industry.

Recommendation:

It is recommended that this report be received for information.

**33. Street and Expressway Lighting Asset Sale**

**(In-camera - Security of the Property of the Municipality or Local Board)**

**Report 8, Clause 4**

**The Policy and Finance Committee recommend that Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 15, 2005) from the City Manager and the Deputy City Manager and Chief Financial Officer.**

Confidential report (September 15, 2005) from the City Manager and Deputy City Manager and Chief Financial Officer respecting Street and Expressway Lighting Asset Sale, such report to be considered in-camera as the subject matter relates to the security of the Property of the Municipality or Local Board.

**34. Memorandum of Agreement Between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 2998, the City and the Association of Community Centres (AOCCs)**

**(In-camera - Labour Relations or Employee Negotiations)**

**Report 8, Clause 23**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 13, 2005) from the City Manager and Deputy City Manager and Chief Financial Officer respecting the Memorandum of Agreement Between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 2998, the City and the Association of Community Centres (AOCCs), which was forwarded to Members of Council under confidential cover; and further, in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to Labour Relations or Employee Negotiations.**

Confidential report (September 13, 2005) from the City Manager and Deputy City Manager and Chief Financial Officer respecting Memorandum of Agreement Between the City of Toronto and Canadian Union of Public Employees (CUPE), Local 2998, the

City and the Association of Community Centres (AOCCs), such report to be considered in-camera as the subject matter relates to Labour Relations or Employee Negotiations.

### **35. Enwave Energy Corporation – Special Shareholders’ Meeting**

#### **Report 8, Clause 24**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendation Section of the report (September 9, 2005) from the City Manager.**

Report (September 9, 2005) from the City Manager requesting authority for the City Manager or her designate to act as the City’s proxyholder at a Special Shareholders’ Meeting of Enwave Energy Corporation to be held on October 3, 2005 and at any continuation of the meeting, and to obtain instructions as to how the proxyholder is to vote at the meeting.

#### Recommendations:

It is recommended that:

- (1) Council appoint the City Manager or her designate as the City’s proxyholder to attend and vote the City’s common shares of Enwave Energy Corporation (“Enwave”) at a special meeting of the shareholders of Enwave to be held at 11:00 a.m., on October 3, 2005 and at any continuation of that meeting (the “Special Shareholders’ Meeting”);
- (2) Council direct the City’s proxyholder to vote the City’s common shares in Enwave as follows:
  - (a) to accept the resignations of
    - (i) Mr. David Lever, effective June 24, 2005, and
    - (ii) Mr. Dino Chiesa, effective August 15, 2005,
 as directors of Enwave,
  - (b) to elect
    - (i) Mr. John McManus, and
    - (ii) Mr. Tony Miele

to the board of directors of Enwave effective as of the date of the Special Shareholders' Meeting to hold office until the second annual general meeting of the shareholders of Enwave to be held after December 13, 2004, or until their successors are elected or appointed,

- (c) to allow for a variation in the term of the appointments of Mr. John McManus and Mr. Tony Miele from the three year term provided for in the shareholders agreement between the City, BPC Penco Corporation and Enwave,
  - (d) to waive notice of the Special Shareholders' Meeting, and
  - (e) to vote at her or his discretion on any other minor matter as may properly come before the Special Shareholders' Meeting;
- (3) Council authorize and direct the City Clerk and the City's Deputy City Manager and Chief Financial Officer or their designates to execute, on behalf of the City, the proxy substantially in the form of Attachment 2 to this report; and
  - (4) Council authorize and direct the City Manager or her designate and the City Clerk or her designate to take or cause to be taken all necessary action to give full effect to the foregoing.

**36. Results of the City's Appeal of the Ministry of Finance's Statement of Disallowance of the City's application for an Ontario Retails Sales Tax Refund on the Sale and Leaseback of the City's Computer Equipment.**

**(In-camera – Receiving advice that is subject to solicitor-client privilege)**

**Report 8, Clause 25**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (August 29, 2005) from the Deputy City Manager and Chief Financial Officer and City Solicitor respecting the Results of the City's Appeal of the Ministry of Finance's Statement of Disallowance of the City's application for an Ontario Retails Sales Tax Refund on the Sale and Leaseback of the City's Computer Equipment, which was forwarded to Members of Council under confidential cover; and further, in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to the security of the property of the municipality.**

Confidential report (August 29, 2005) from the Deputy City Manager and Chief Financial Officer and City Solicitor respecting the Results of the City's Appeal of the Ministry of Finance's Statement of Disallowance of the City's application for an Ontario Retails Sales Tax Refund on the Sale and Leaseback of the City's Computer Equipment, such report to be considered in-camera as the subject matter relates to the security of the property of the municipality.



**37. Black Creek West Community Capacity Building Project Report****Report 8, Clause 26**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 6, 2005) from the Executive Director, Social Development and Administration Division.**

**Action taken by the Committee:**

**The Policy and Finance Committee requested the Executive Director, Social Development and Administration Division to review the foregoing report (September 6, 2005) from the Executive Director, Social Development and Administration Division, and provide the Clerk with corrections to any inaccuracies that there might be in the report before it is forwarded to Council.**

Report (September 6, 2005) from the Executive Director, Social Development and Administration Division identifying how the City can support the implementation of the Black Creek West Community Capacity Building Project Action Plan as directed by the Policy and Finance Committee at its meeting held on July 7, 2005.

Recommendations:

It is recommended that:

- (1) Council endorse the strategic directions identified in the Black Creek West Community Capacity Building Project Action Plan;
- (2) the relevant City Divisions be directed to work with the community to implement the strategic directions identified in the Action Plan through the Neighbourhood Action Staff Team;
- (3) City support to this initiative be co-ordinated through the Social Development and Administration Division and reporting to the Interdivisional Committee on Integrated Responses to priority neighbourhoods; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### **38. Comments on Proposed Carbon Offsets System for Canada**

#### **Report 8, Clause 27**

**The Policy and Finance Committee concurred with the recommendation contained in the communication (September 13, 2005) from Deputy Mayor Joe Pantalone, that the Roundtable on the Environment report directly to Council for its next meeting scheduled to be held on September 28, 2005, respecting the proposed carbon offsets system for Canada.**

Communication (September 13, 2005) from Deputy Mayor Joe Pantalone recommending that the Policy and Finance Committee request the Roundtable on the Environment to report directly to Council for its meeting to be held on September 28, 29 and 30, 2005, respecting the proposed Carbon Offsets System for Canada.

### **39. Private Streets in New Residential Developments**

#### **Report 8, Clause 56 (n)**

**The Policy and Finance Committee reconfirmed the recommendation of the Planning and Transportation Committee contained in the communication (September 12, 2005) from the Planning and Transportation Committee for consideration with Report 7, Clause .5 of the Planning and Transportation Committee.**

Communication (September 12, 2005) from the Planning and Transportation Committee advising that the Planning and Transportation Committee on September 12, 2005:

- (1) recommended to City Council that the Executive Director of Technical Services, in consultation with the Chief Planner and Executive Director, City Planning, be requested to, in accordance with Council's policy:
  - (i) accelerate the process to develop a common standard for public roads; and
  - (ii) discourage any applications that involve private roads;
- (2) received the report (August 29, 2005) from the Chief Planner and Executive Director, City Planning; and
- (3) directed that a copy of the foregoing report be forwarded to the Works Committee and the Policy and Finance Committee for information.

**40. Amendment of 2005 Parks, Forestry and Recreation Capital Budget  
Reallocation of Funds within Ward 37 (Ward 37 - Scarborough Centre)**

**Report 8, Clause 28**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Economic Development and Parks Committee contained in the communication (September 13, 2005) from the Economic Development and Parks Committee.**

Communication (September 13, 2005) from the Economic Development and Parks Committee advising that the Economic Development and Parks Committee on September 12, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 25, 2005) from the General Manager, Parks, Forestry and Recreation.

It is recommended that:

- (1) the 2005 Parks, Forestry and Recreation Capital Budget be adjusted by cancelling the approved project to construct two bocce courts in Jack Goodlad Park, and redirecting the budget of \$0.150 Million to renovate two existing outdoor basketball courts at Jack Goodlad Park, plus install an air conditioning system at Jack Goodlad Community Centre; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**41. Request for Quotation (RFQ) 6619-05-3277 – Supply and Delivery of Bulk Coarse Crushed Rock Salt with Non-Caking Agent during the 2005-2006, 2006-2007 and 2007-2008 Winter Season (Three Years)**

**Report 8, Clause 29**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 31, 2005) from the Deputy City Manager, Fareed Amin, Deputy City Manager and Chief Financial Officer and General Manager, Transportation Services respecting Request for Quotation (RFQ) 6619-05-3277 – Supply and Delivery of Bulk Coarse Crushed Rock Salt with Non-Caking Agent during the 2005-2006, 2006-2007 and 2007-2008 Winter Season (Three Years):

It is recommended that:

- (1) the quotation submitted by the only bidder meeting specifications for RFQ 6619-05-3277, Supply and Delivery of Bulk Coarse Crushed Rock Salt with Non-Caking Agent during the 2005-2006, 2006-2007 and 2007-2008 Winter Season (Three Years) be awarded to The Canadian Salt Company Limited in the total amount of \$38,143,804.19 including all charges and applicable taxes; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**42. Request for Council Authority for the Purchase of Certain Sole-Sourced Essential Goods and Services required by Solid Waste Management Services**

**Report 8, Clause 30**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 30, 2005) from the General Manager, Solid Waste Management Services requesting Council Authority for the Purchase of Certain Sole-Sourced Essential Goods and Services required by Solid Waste Management Services:

It is recommended that:

- (1) the City of Toronto issue sole source blanket contracts with the following vendors to the annual maximum amounts identified (including all taxes and charges) for the provision of goods and services as required by Solid Waste Management Services for a one (1) year period commencing January 1, 2006 until December 31, 2006 with the option to renew for two (2) additional one (1) year periods:

Vendor	Estimated Contract Value Jan 1, 2006 to Dec. 31, 2006	Estimated Contract Value Jan 1, 2007 to Dec. 31, 2007	Estimated Contract Value Jan 1, 2008 to Dec. 31, 2008
Ontrac Equipment	\$ 540,000.00	\$ 594,000.00	\$ 683,000.00
Toromont – CAT Division	\$ 590,000.00	\$ 620,000.00	\$ 681,000.00
Walking Floor International	\$ 300,000.00	\$ 330,000.00	\$ 380,000.00
Liebherr-Canada Ltd.	\$ 132,000.00	\$ 145,000.00	\$ 167,000.00
Strongco Equipment	\$ 240,000.00	\$ 264,000.00	\$ 304,000.00
Annual Total	\$1,802,000.00	\$1,953,000.00	\$2,215,000.00

- (2) in accordance with Recommendation (1), the General Manager, Solid Waste Management Services be delegated the authority to instruct the Purchasing and Materials Management Division to process the necessary Purchase Orders for the period January 1, 2006 – December 31, 2006, to the maximum amount identified per vendor for that period;
- (3) the option to renew for two (2) additional one (1) year periods, January 1, 2007 to December 31, 2008, be reviewed by the General Manager, Solid Waste Management Services in conjunction with the Purchasing and Materials Management Division, providing the vendors continue to meet the City's needs and continue to be the only known authorized, qualified source for that service;
- (4) in accordance with Recommendation (3), the General Manager, Solid Waste Management Services be delegated the authority to instruct the Purchasing and Materials Management Division to process the necessary Purchase Orders for the periods January 1, 2007–December 31, 2007 and January 1, 2008–December 31, 2008, to the annual maximum amount per vendor as identified for that period in Recommendation (1);
- (5) Solid Waste Management Services report to Council before March 31st of the following year of each annual contract on the total expenditures made against each contract for the preceding fiscal year beginning in 2006 for the 2005 expenditures against the vendors identified in Recommendation (1);
- (6) the General Manager, Solid Waste Management Services be delegated the authority to instruct the Purchasing and Materials Management Division to issue a sole source Blanket Contract to Trow Consulting Engineers in the amount of \$600,000.00 for continued post closure monitoring of the Keele Valley Landfill Site for three (3) year term commencing January 1, 2006 to December 31, 2008;
- (7) staff be authorized to amend the sole source blanket contract 47009985 (for the period January 1, 2005–December 31, 2005) for Ontrac Equipment Services Inc. by increasing its total value of \$225,000.00 by \$225,000.00 to \$450,000.00, including all charges and taxes; and
- (8) the appropriate officials be authorized and directed to take the necessary actions to give effect thereto.

**43. Amendment to the 2005 Approved Toronto and Region Conservation Authority Capital Budget to Include Land Acquisition for Source Water Protection (All Wards)**

**Report 8, Clause 6**

**The Policy and Finance Committee recommends that:**

- (1) City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee;**
- (2) any funding required for initiatives to oppose the proposed trunk sewers in York Region be funded from the City of Toronto's increased funding of \$2.0 million to the 2005 Toronto Region Conservation Authority Capital Budget for land acquisition for source water protection; and**
- (3) the Toronto Region Conservation Authority be requested not to complete any transaction which would not allow funding of initiatives to oppose proposed trunk sewers in York Region.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 29, 2005) from the Chief Administrative Officer, Toronto and Region Conservation Authority respecting Amendment to the 2005 approved Toronto and Region Conservation Authority Capital Budget to Include Land Acquisition for Source Water Protection (All Wards):

It is recommended that:

- (1) the 2005 Approved TRCA Capital Budget be increased by \$2.0 million, fully funded from the Land Acquisition for Source Water Protection Reserve, to acquire properties on the headwaters and in the valley system of Toronto watershed;
- (2) TRCA be authorized to proceed to use City of Toronto funds from the Reserve to complete the acquisitions as set out in the confidential list dated August 31, 2005, included as Attachment (2), it being understood that the City's funding commitment shall at no time exceed \$2.0 million;
- (3) the report be forwarded to the Policy and Finance Committee for approval;
- (4) TRCA complete the acquisitions as set out in Attachment (2) in a form and manner acceptable to City officials; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

#### **44. Provision of Over-the Counter Map Products to Students, Instructors and Educational Institutions (All Wards)**

##### **Report 8, Clause 31**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (July 25, 2005) from the Executive Director, Technical Services respecting Provision of Over-the Counter Map Products to Students, Instructors and Educational Institutions (All Wards):

It is recommended that:

- (1) The Executive Director of Technical Services be authorized:
  - (a) to provide students requesting electronic maps up to six individual electronic Property Data Map (PDM) tiles and the associated aerial photography, free of charge;
  - (b) to provide educational institutions, professors and instructors requesting electronic maps up to six individual Property Data Map (PDM) tiles and the associated aerial photography, free of charge;
  - (c) to provide complete electronic map sets to the educational institution's library, as set out in Attachment "D", for a nominal fee of \$2,000.00 per request;
  - (d) to provide paper map products to students and educational institutions at a discounted rate (50 percent) as set out in Attachment "E";
- (2) the students who receive the electronic map products set out in 1(a) be required to execute the student data release form set out in Attachment "A";
- (3) the educational institutions, professors and instructors who receive the electronic map products set out in 1(b) be required to execute the educational institution data release form set out in Attachment "B";
- (4) the educational institutions who receive the electronic map products set out in 1(c) be required to execute the library data release form set out in Attachment "C"; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**45. Regent Park Phase 1 – Exemption of Engineering Fees**

**Report 8, Clause 32**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 22, 2005) from the Executive Director, Technical Services respecting Regent Park Phase 1 – Exemption of Engineering Fees:

It is recommended that:

- (1) an exemption be granted to the TCHC from payment of the engineering fees for Phase 1 of the Regent Park redevelopment; and
- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto, including the necessary adjustments within the Development Engineering 2006 operating budget submission to accommodate the loss in revenue.

**46. Provision of Engineering Services for the Rehabilitation of Switchgears and Transformers at Various Filtration Plants and Pumping Stations – Request for Proposals 9117-05-7215**

**Report 8, Clause 33**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 2, 2005) from the Executive Director, Technical Services and the Treasurer respecting Provision of Engineering Services for the Rehabilitation of Switchgears and Transformers at Various Filtration Plants and Pumping Stations – Request for Proposals 9117-05-7215:

It is recommended that:



- (1) the 2005 Toronto Water Capital Budget be reduced by \$2,691,112.00, net of GST, from the following WBS Elements: CPW058-03 in the amount of \$934,579.00, CPW058-04 in the amount of \$319,626.00, CPW058-06 in the amount of \$504,673.00, CPW058-09 in the amount of \$195,785.00 and CPW058-10 in the amount of \$736,449.00;
- (2) the Toronto Water Capital Budget be increased by \$2,691,112.00, net of GST, for WBS Element CPW058-02 with the following future year project cost of: \$1,401,869.00 in 2006, \$700,934.00 in 2007, \$607,476.00 in 2008, and \$303,741.00 in 2009;
- (3) subject to approval of Recommendations (1) and (2), authority be granted to award a contract to MacViro Consultants Inc., being both the lowest cost and the highest overall scoring proponent meeting the requirements, to provide engineering services for preliminary design, detailed design, construction contract administration, and post construction services for the rehabilitation of switchgears and transformers at various filtration plants and pumping station within the City of Toronto, at a cost of \$3,300,000.00 including all applicable taxes and charges, including contingencies as follows:
  - (a) for the pre-design and detailed design, an amount not to exceed \$1,819,970.00 including disbursements and GST, and including a contingency allowance of \$195,000.00 including GST for additional services, if necessary and authorized by the Executive Director, Technical Services;
  - (b) for services during construction including general office administration and site supervision services, an amount not to exceed \$1,401,345.00, including construction disbursements and GST for a construction period of up to 249 weeks. This amount also includes a contingency allowance of \$150,144.00 including GST to cover resident staff services during construction beyond a period of 249 weeks, at a rate not to exceed \$3,600.00 per week including disbursements and GST, if necessary and authorized by the Executive Director, Technical Services;
  - (c) for the post-construction services, an amount not to exceed \$78,685.00, including disbursements and GST, and including a contingency allowance of \$9,246.00, including GST for additional services, if necessary and authorized by the Executive Director, Technical Services;
- (4) this report be forwarded to the Policy and Finance Committee for consideration; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**47. Supply and Delivery of Rock Salt During the 2003-2004 and 2004-2005 Winter Season – Tender Call 64-2003**

**Report 8, Clause 34**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (June 22, 2005) from the Acting General Manager, Transportation Services and the Treasurer respecting Supply and Delivery of Rock Salt During the 2003-2004 and 2004-2005 Winter Season – Tender Call 64-2003.

It is recommended that:

- (1) Contract No. 47008166, Tender No. 64-2003, with Canadian Salt Company Ltd. for the supply and delivery of rock salt in Toronto and East York, North York and Scarborough Districts, from August 2003 to April 2005, be amended to permit an increase in payment under the Contract from \$12,358,691.20 to \$13,500,000.00 including all charges and applicable taxes, under the same terms and conditions;
- (2) additional funds up to \$1,141,308.80 to cover the supply and delivery of salt in the three Districts be provided from the Winter Control Stabilization Reserve to Cost Centres TP0108 and TP0120, TP0189 and TP0216, in the event the increase cost cannot be accommodated within the Transportation Services Division's 2005 Operating Budget; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any Bills that may be required.

**48. Water and Sanitary Hook-Up for the Tollkeepers Cottage**

**Report 8, Clause 35**

**The Policy and Finance Committee recommends that City Council:**

**(I) adopt recommendation (2) of the Works Committee amended to read as follows:**

- “(2) the Deputy City Manager and Chief Financial Officer be requested to develop a policy with respect to the waiving of City fees associated with the renovation or restoration of heritage buildings in the City, charitable**

**enterprises, and other endeavours for which staff have received similar requests;” and**

- (II) defer consideration of Recommendation (1) of the Works Committee until such time as the Deputy City Manager and Chief Financial Officer reports to the October 20, 2005, Policy and Finance Committee (if possible) on the foregoing Committee Recommendation (1).**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that:

- (1) City Council waive the water and sanitary hook-up fees for the Tollkeepers Cottage at the corner of Bathurst Street and Davenport Road; and
- (2) the Deputy City Manager and Chief Financial Officer be requested to develop a policy with respect to the waiving of City fees associated with the renovation or restoration of heritage buildings in the City.

**49. Toronto Water 2005 Multi-Year Business Plan – Response to Request to Report on the Protection of the Source of Toronto’s River Systems (All Wards)**

**Report 8, Clause 5**

**The Policy and Finance Committee recommends that:**

- (1) City Council adopt the recommendations of the Works Committee contained in the communication (September 14, 2005) from the Works Committee; and**
- (2) a copy of this communication be forwarded to the Budget Advisory Committee for information.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 13, 2005, recommended to the Policy and Finance Committee that City Council:

- (a) endorse, in principle, the comprehensive Multi-Year Business Plan of the Toronto and Region Conservation Authority to protect the source of Toronto’s river systems, as outlined in the August 29, 2005, report from the Chief Administrative Officer of the Toronto and Region Conservation Authority; and
- (b) adopt the staff recommendations in the Recommendations Section of the report from the Chief Administrative Officer of the Toronto and Region Conservation Authority.

**50. Request to Technical Services to Examine the Cumulative Air Quality Impact of Emissions from Sources in the South Riverdale and Beaches Communities (Wards 30 and 32)**

**Report 8, Clause 36**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (August 25, 2005) from the Executive Director, Technical Services respecting the request to Technical Services to examine the cumulative air quality impact of emissions from sources in the South Riverdale and Beaches communities (Wards 30 and 32), subject to amending Recommendation (1) to read as follows:

“(1) in consultation with the Medical Officer of Health, an air quality modeling consultant be retained by Environmental Services, Technical Services, on an as-needed basis over the next two years; and, in conjunction with the Medical Officer of Health, complete the study of cumulative air quality impacts in South Riverdale and the Beaches communities and allow for the completion of other projects; and”.

**51. Contract 05FS-48WS, Tender Call 151-2005 – 1650 mm Water Main on the Hydro Corridor from Bayview Avenue to Brookshire Boulevard – (Ward 39, Scarborough-Agincourt and Ward 24, Willowdale)**

**Report 8, Clause 37**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee as contained in the communication (September 14, 2005) from the Works Committee.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 11, 2005) from the Executive Director, Technical Services and the Treasurer respecting Contract 05F-48WS, Tender Call 151-2005 – 1650 mm Water Main on the Hydro Corridor from Bayview Avenue to Brookshire Boulevard – (Ward 39, Scarborough-Agincourt and Ward 24, Willowdale):

It is recommended that:

- (1) the project cost for CPW019 be adjusted by \$6,527,503.97 which includes all applicable charges and taxes from \$32,970,990.70 to \$39,498,494.67. The amount of \$6,100,471.00 net of GST is to be funded through the reallocation of approved 2005 Capital Budget of Toronto Water, Account Number CPW028 (Water P/Clark Residue MGMT 2000) with reallocations of approved cash flows from WBS Element CPW028-3 to adjustment future-year cash flow commitments on CPW019-12, \$3,175,238.00 net of GST in 2006, \$2,187,850.00 net of GST in 2007 and \$737,383.00 net of GST in 2008;
- (2) Subject to the approval of Recommendation (1), Contract 05FS-48WS, Tender Call 151-2005 for the 1650 mm Water main on the Hydro Corridor from Bayview Avenue to Brookshire Boulevard, be awarded to Clearway Construction Inc. in the amount of \$20,174,675.00, including all taxes and charges, with a 2005 cash flow of \$2,897,195.00 net of GST and future year commitments of \$14,402,804.00 net of GST in 2006 and \$1,554,837.45 net of GST in 2007, being the lowest bid received;
- (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 necessary actions to give effect thereto.

## **52. Status of Rain Damage Resulting from the August 19, 2005, Storm**

### **Report 8, Clause 38**

**The Policy and Finance Committee recommends that City Council adopt recommendations (a) and (c) of the Works Committee contained in the communication (September 14, 2005) from the Works Committee.**

#### **Action taken by the Committee:**

**The Policy and Finance Committee referred Recommendation (b) contained in the communication (September 14, 2005) from the Works Committee to the Deputy City Manager, Fareed Amin, and the Acting General Manager, Toronto Water, for report to the Works Committee and that such report provide options and costing with respect to reinstating the “no fault” grant to those who have experienced sewer backups.**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that:

- (a) City Council reinstate the Basement Flooding Protection Subsidy Program, referred to in Report 6, Clause 11 of the Works Committee, entitled “Basement Flooding in the Area of the Lower Beaches and Ashbridges Bay Due to August

14, 2003 Electrical Power Outage”, adopted by City Council on July 20, 21 and 22, 2004, and that the criteria outlined in this Clause on sewer back-up be utilized for all properties that were flooded as a result of the August 19, 2005 rainstorm; and further that the work plan for this Program include:

- sending letters and an information brochure to the affected residents outlining the benefits of the program;
  - advertising in the local community newspapers;
  - a fact and information sheet the Councillors may include in their regular correspondence with their constituents;
  - each document contain a reference as to how to obtain the information in various languages;
  - the information be posted on the City’s web site and provided to Toronto Water, other appropriate Works and Emergency Services staff, and Access Toronto; and
  - applications be on a first come, first served basis with a December 1, 2005 cut-off;
- (b) City Council reinstate the “no fault” grant to those who have experienced sewer back-up in their homes, as a result of the August 19, 2005, rain storm; and
- (c) the appropriate staff be directed to undertake an engineering review of the affected flood damaged areas, that the review include proposals to speed up the Wet Weather Flow Master Plan, specifically dealing with, but not limited to, the Downspout Disconnection Program, and that the appropriate staff report thereon to the Works Committee.

**53. The Corporation of the City of York Employee Pension Plan - Actuarial Valuation for Funding Purposes as at January 1, 2005**

**Report 8, Clause 39**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the Communication (September 14, 2005) from the Administration Committee.**

Communication (September 14, 2005) from the Administration Committee advising that the Administration Committee on September 13, 2005, recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (August 30, 2005) from the Deputy City Manager and Chief Financial Officer; and
- (2) the Deputy City Manager and Chief Financial Officer be requested to provide a submission to the Provincial Government to request an exemption from the requirement to fund solvency deficiencies in each of the City's pension plans.

**54. Metro Toronto Police Benefit Fund – Actuarial Valuation as at December 31, 2004**

**Report 8, Clause 40**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the Communication (September 14, 2005) from the Administration Committee.**

Communication (September 14, 2005) from the Administration Committee advising that the Administration Committee on September 13, 2005, recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (August 30, 2005) from the Deputy City Manager and Chief Financial Officer; and
- (2) the Deputy City Manager and Chief Financial Officer be requested to provide a submission to the Provincial Government to request an exemption from the requirement to fund solvency deficiencies in each of the City's pension plans.

**55. Casa Loma – Extension of License Agreement and new Caretaking Agreement for the Hunting Lodge (Wards 21 and 22 – St. Paul's)**

**(In-camera - security of the property of the municipality or local board)**

**Report 8, Clause 41**

**The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (August 25, 2005) from the Chief Corporate Officer respecting Casa Loma – Extension of License Agreement and new Caretaking Agreement for the Hunting Lodge, which was forwarded to Members of Council under separate cover, subject to amending recommendation (1) to provide that the lease be extended on a month-to-month basis only; and further that discussions pertaining thereto be considered in-camera as the subject matter relates to the security of the property of the municipality or local board.**

Communication (September 14, 2005) from the Administration Committee advising that the Administration Committee on September 13, 2005, recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the confidential report (August 25, 2005) from the Chief Corporate Officer, which was forwarded to Members of Council under confidential cover; and
- (2) because the report relates to the security of the property of the municipality or local board under the *Municipal Act, 2001*, discussions about this report be held in camera.

**56. Pending purchase of two properties, adjacent to one another.  
Property 1 – 1034, 1036, 1036 ½ St. Clair Avenue West and 117 and 119 Glenholme Avenue - Property 2 – 1032 St. Clair Avenue West**

**(In-camera - Acquisition of land for municipal purposes.)**

**Report 8, Clause 42**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 14, 2005) from the Administration Committee.**

Communication (September 14, 2005) from the Administration Committee advising that the Administration Committee on September 13, 2005, recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the confidential report (September 9, 2005) from the President, Toronto Parking Authority, which was forwarded to Members of Council under confidential cover; and
- (2) because the report relates to the acquisition of land for municipal purposes under the *Municipal Act, 2001*, discussions about this report be held in camera.

**57. Potential Impacts of Existing Sewers and Proposed Trunk Sewers in York Region on Waterbodies in the City of Toronto (City-Wide)**

**Report 8, Clause 56 (o)**

**The Policy and Finance Committee:**

- (1) **deferred consideration of this matter until the meeting of the Policy and Finance Committee scheduled to be held on October 20, 2005;**



- (2) **directed that this matter be considered by the Policy and Finance Committee at 2:00 p.m. on October 20, 2005;**
- (3) **directed the City Manager to request York Region:**
  - (i) **in the interim, to take no steps that will prejudice the City of Toronto;**
  - (ii) **to produce the Fisheries Act authorizations, including Section 35(2) authorizations, and other relevant authorization to show that work undertaken in the Rouge watershed is lawful;**
- (4) **directed the City Clerk to:**
  - (i) **request York Region to make a presentation to the Committee at the October 20, 2005, meeting of the Policy and Finance Committee; and**
  - (iii) **invite all relevant Provincial and Federal Ministers and interested members of the public to appear at the aforementioned meeting; and**
- (6) **tabled consideration of the following motion until its meeting scheduled to be held on October 20, 2005:**

**Moved by Councillor Soknacki:**

**“That the Policy and Finance Committee recommends that:**

- (1) **any funding required for initiatives to oppose the proposed trunk sewers in York Region be funded from the City of Toronto’s increased funding of \$2.0 million to the 2005 Toronto Region Conservation Authority Capital Budget for land acquisition for source water protection; and**
- (2) **the Toronto Region Conservation Authority be requested not to complete any transaction which would not allow funding of initiatives to oppose proposed trunk sewers in York Region.”**

Communication (September 14, 2005) from the Works Committee advising that the Works Committee on September 14, 2005, recommended to the Policy and Finance Committee that:

- (a) **the City of Toronto oppose the current design and construction of the York Durham Sanitary Sewer trunk sewers and associated de-watering practices (present and future);**
- (b) **the City of Toronto request the Province of Ontario through the Minister of Environment to:**

- (i) deny approval to the 19<sup>th</sup> Avenue sewer which traverses the Oak Ridges Moraine and sensitive aquifers, and that alternatives and local sewage solutions be explored as per the Minister of Environment's list of conditions; and
  - (ii) refer the Big Pipe Project Description to the Federal Minister of Fisheries and Oceans for an assessment under the Canadian Environmental Assessment Act;
- (c) the City of Toronto request the Federal Minister of the Environment and Federal Minister of Fisheries and Oceans, to issue an order to stop the massive de-watering and require Fisheries Act authorizations; and that a full Federal Environmental Assessment for current and proposed construction related to the York Durham Sanitary Sewer be conducted for all sections of the project; and that alternative ways of providing sanitary services be examined, without contravening the Oak Ridges Moraine Conservation Act, without massive groundwater removal from beneath the watersheds flowing south from the Oak Ridges Moraine into Toronto, and without installing trunk sewers directly into underground aquifers;
- (d) the City of Toronto allocate \$100,000.00, to be funded from the Wastewater Stabilization Reserve, for an independent hydro geological and ecological impact assessment with regard to the potential and actual impacts of the massive de-watering on the watersheds flowing into Toronto and Toronto's streams, parks, bluffs, aquifers, flora and fauna and riparian rights, and on the safety and security of Toronto residents;
- (e) the City of Toronto work with the charitable groups Friends of the Rouge Watershed and Environmental Defence in the preparation of the hydro geological and ecological impact assessment due to their long-standing involvement, experience and knowledge with respect to this issue, and their proven public interest mandates;
- (f) the City of Toronto provide \$25,000.00, to be funded from the Wastewater Stabilization Reserve, to support King City Preserve the Village Inc.'s application for judicial review of York Region's decision to proceed with construction of the King City York Durham Sewer System project in contravention of the Oak Ridges Moraine Conservation Act and Plan; and
- (g) the City Solicitor commence an application for judicial review seeking a declaration that the Region of York is not in compliance and must comply with the Oak Ridges Moraine Conservation Act and Plan by conducting further studies of the King City York Durham Sewer System project and halting further construction until those studies have been completed.

**58. Toronto Community Housing Corporation – Sale of One Social Housing Unit at 124 Kingston Road – Approval Under the City’s Shareholder Direction and the Social Housing Reform Act, 2000 (Ward 32 – Beaches-East York)**

**Report 8, Clause 43**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (September 15, 2005) from the Community Services Committee.**

Communication (September 15, 2005) from the Community Services Committee advising that the Community Services Committee on September 15, 2005, recommended to the Policy and Finance Committee that City Council adopt the following recommendations in the Recommendations Section of the report (August 30, 2005) from the City Manager and the General Manager, Shelter, Support and Housing Administration respecting the Toronto Community Housing Corporation – Sale of One Social Housing Unit at 124 Kingston Road.

It is recommended that:

- (1) the sale by the Toronto Community Housing Corporation of the property at 124 Kingston Road be approved by the City of Toronto, in its capacity as Shareholder, pursuant to section 6.3.1(b) of the Shareholder Direction, on condition that the net sale proceeds be applied to the replacement of the rent-geared-to-income housing unit, and any remaining proceeds be applied to generally assist with the funding of future residential property developments or acquisitions;
- (2) the temporary reduction of one rent-geared-to-income unit, be approved by the City of Toronto, in its capacity as Shareholder, pursuant to section 6.3.1(c) of the Shareholder Direction;
- (3) the Toronto Community Housing Corporation report back to the Shareholder on the status of the replacement of the housing unit through its annual reporting required under the Shareholder Direction;
- (4) the General Manager, Shelter, Support and Housing Administration, be authorized to approve, on behalf of the City of Toronto, as Service Manager, the sale by TCHC of the Property at 124 Kingston Road required under the federal operating agreement (the "Operating Agreement") being administered by the City pursuant to the Social Housing Reform Act, 2000 (SHRA), subject to the approval of the Minister of Municipal Affairs and Housing (the "Minister");
- (5) the General Manager, Shelter, Support and Housing Administration, be authorized to submit a business case to the Minister to seek the Ministerial consent to the sale of the Property at 124 Kingston Road pursuant to restrictions contained in

Transfer Order No. 22-4/2001 as amended (the "Transfer Order") made pursuant to the SHRA;

- (6) authority be given to the General Manager, Shelter, Support and Housing Administration, to amend or enter into any agreements and ancillary documentation deemed appropriate in connection with the sale of the Property on terms and conditions satisfactory to the General Manager, Shelter, Support and Housing Administration;
- (7) this report be referred to the Policy and Finance Committee for its consideration; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**59. Toronto Community Housing Corporation – Request for \$5 million from City of Toronto Social Housing Stabilization Fund for urgent capital repair needs**

**Report 8, Clause 44**

**The Policy and Finance Committee recommends that City Council:**

- (I) **adopt the Recommendations of the Community Services Committee contained in the communication (September 15, 2005) from the Community Services Committee subject to amending Recommendation (3) to read as follows:**
  - “(3) **request the TCHC to study the feasibility of utilizing mobile cameras where necessary to monitor unsafe areas; this study to include but not limited to maintaining, monitoring; and ongoing security of the equipment;”;** and
- (II) **adopt the recommendations in the Recommendations Section of the report (September 20, 2005) from the Deputy City Manager and Chief Financial Officer.**

Communication (September 15, 2005) from the Community Services Committee advising that the Community Services Committee on September 15, 2005, recommended to the Policy and Finance Committee that City Council:

- (1) endorse the recommendations of the Toronto Community Housing Corporation to access \$5 million from the \$36.62 million Social Housing Stabilization Reserve Fund to deal with the urgent capital repair needs;
- (2) in order to enhance the quality of life and safety for the residents of Toronto Community Housing Corporation (TCHC), delegate the City’s authority to plan and build the necessary social infrastructure on TCHC lands to the Deputy City Manager and the Chief Executive Officer of TCHC; and

- (3) request the TCHC to study the feasibility of utilizing mobile cameras where necessary to monitor unsafe areas.

## **60. Best Start Network, Terms of Reference and Allocation to the City of Toronto**

### **Report 8, Clause 45**

**The Policy and Finance Committee recommends that City Council adopt the recommendations of the Community Services Committee contained in the communication (September 15, 2005) from the Community Services Committee.**

Communication (September 15, 2005) from the Community Services Committee advising that the Community Services Committee on September 15, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (August 31, 2005) from the General Manager, Children's Services, subject to amending Appendix 1 by adding the Coalition for Better Childcare to the Membership of the Expanded Best Start Network, and that:

- (1) the Best Start funding and resources be allocated to assist in the development of parent-run, not-for-profit childcare;
- (2) when developing the capital investment plan, the General Manager, Children's Services:
  - (i) examine the opportunities for developing city-owned and/or operated facilities; and
  - (ii) investigate long-term lease opportunities with renewal clauses to guarantee the use of the space for as long as it is needed for child care; and
- (3) this matter also be referred to the Mayor's Roundtable on Children, Youth and Education for further consideration; and

## **61. MFP Financial Services Limited – Status of Litigation**

**(In-camera – Litigation or potential litigation.)**

### **Report 8, Clause 46**

**The Policy and Finance Committee approved the recommendation contained in the confidential report (September 15, 2005) from the City Solicitor respecting MPF Financial Services Limited – Status of Litigation, which was forwarded to Members of Council under confidential cover; and further, in accordance with the Municipal Act, recommends that discussions pertaining thereto be held in-camera as the subject relates to litigation or potential litigation matters.**

Confidential report (September 15, 2005) from the City Solicitor respecting MPF Financial Services Limited – Status of Litigation, such report to be considered in-camera as the subject relates to litigation or potential litigation matters.

## **62. City of Toronto's Response to Hurricane Katrina**

### **Report 8, Clause 56 (p)**

**The Policy and Finance Committee received the report (September 16, 2005) from the City Manager.**

Report (September 16, 2005) from the City Manager providing an update on the status of the hurricane relief efforts and the City of Toronto's response.

#### Recommendation:

It is recommended that this report be received for information.

## **63. Community Safety Plan Progress Report**

### **Report 8, Clause 56 (q)**

**The Policy and Finance Committee received the report (September 15, 2005) from Mayor David Miller.**

Report (September 15, 2005) from Mayor David Miller submitting comments respecting City Council's unanimous adoption of the Community Safety Plan, which is guided by three principles:

- (i) a balance between enforcement and prevention;
- (ii) investment in youth; and
- (iii) building on the strengths of neighbourhoods and communities.

#### **64. Parking Tag Revenue**

##### **Report 8, Clause 47**

**The Policy and Finance Committee recommends that City Council adopt the recommendations of the Budget Advisory Committee as contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee and City Council that:

- (1) the set fine amount for “Meter” offences remain at \$30.00;
- (2) the application to lower the set fine, submitted to the Senior Regional Justice Ontario Court of Justice, be withdrawn; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

#### **65. Association of Community Centres (AOCCs) – Core Administration Operating Results for the Years 2002 and 2003 and Pay Equity Settlement for Central Eglinton Community Centre**

##### **Report 8, Clause 48**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 8, 2005) from the Deputy City Manager and Chief Financial Officer respecting the Association of Community Centres (AOCCs) – Core Administration Operating Results for the Years 2002 and 2003 and Pay Equity Settlement for Central Eglinton Community Centre:

It is recommended that:

- (1) the surpluses of \$102,761.00 be paid to the City of Toronto from seven AOCC Community Centres, and be used to fund the payments of operating deficits of \$16,019.00 to the other three Community Centres, resulting in a net payment of \$86,742.00 to the City arising from the Core Administration Operations’ year-end results for the years 2002 and 2003, as detailed in Appendix 1;

- (2) a payment in the amount of \$22,394.00 be made to Central Eglinton Community Centre to fund the overtime claims (1992 to 2002) covered by the Pay Equity Plan and that the amount be also funded from the surpluses of \$102,761.00 indicated in Recommendation (1); and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

## **66. Arena Boards of Management 2003 Operating Surpluses/Deficits Settlement**

### **Report 8, Clause 49**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee as contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee that City Council adopt the following Staff Recommendations (1), (2) and (4) in the Recommendations Section of the report (August 26, 2005) from the Deputy City Manager and Chief Financial Officer respecting Arena Boards of Management 2003 Operating Surpluses/Deficits Settlement:

#### Recommendations:

- (1) the 2003 operating surpluses of \$21,332.00 be paid to the City of Toronto from five Arena Boards, and the City pay \$26,391.00 to two other Arena Boards as the final settlement of the operating surpluses and deficits for the 2003 fiscal year, as detailed in Table 2;
- (2) Leaside Gardens return to the City \$50,680.00 in overpayment of City funding advanced to the arena in 2003 based on the Council approved 2003 deficit budget of the arena, which is now determined to be in excess of the arena's actual 2003 operating deficit;
- (3) this report be forwarded to the 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.



**67. Energy Retrofit Program – National Trade Centre, Exhibition Place****Report 8, Clause 50**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee that City Council adopt the following Staff Recommendations (1), (2), (3), (4), (5), (6), (7) and (9) in the Recommendations Section of the report (September 7, 2005) from the Deputy City Manager and Chief Financial Officer respecting Energy Retrofit Program – National Trade Centre, Exhibition Place:

Recommendations:

It is recommended that:

- (1) the previously approved allocation from the Energy Retrofit Program for the Firehalls energy retrofit project be decreased from \$3,624,000.00 to \$2,977,036.00, and that this reduction of \$646,964.00 from the Firehalls project plus the unallocated balance of \$363,000.00 in the Energy Retrofit fund be reallocated to fund the NTC lighting project and the additional cost of \$210,000.00 for retrofitting the five buildings at Exhibition Place;
- (2) Council approve a change in scope of \$210,000.00 and an increase in 2006 cash flow of \$210,000.00 for the Exhibition Place Buildings energy retrofit project previously approved by Policy and Finance Committee Report 9, Clause 36 and adopted by Council at its meeting of December 1, 2004;
- (3) Council approve the lighting energy retrofit project at the National Trade Centre at Exhibition Place at a cost of \$800,000.00 as a sub-project of the Council approved \$20 million Energy Retrofit Program with a total gross project cost of up to \$800,000.00 of which \$50,000.00 is to be cash flowed in 2005 and the remainder in 2006; to be financed by a loan from the Federation of Canadian Municipalities for up to 25 percent of the capital costs and the remainder, 75 percent, to be financed by City debt;
- (4) the Board of Governors of Exhibition Place be authorized to finalize the scope of the National Trade Centre lighting retrofit project and the appropriate gross costs, up to a maximum of \$800,000.00 in gross capital costs inclusive of all taxes and charges;
- (5) the Chief Corporate Officer and the Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor, be authorized to enter into an agreement with the Board of Governors of Exhibition Place to ensure that debt

service charges are budgeted and paid to the City and the FCM Green Municipal Infrastructure Fund;

- (6) the Board of Governors of Exhibition Place, in consultation with the City Solicitor, the Chief Corporate Officer, the Deputy City Manager and Chief Financial Officer and the City Manager, be authorized to enter into a loan agreement with the Federation of Canadian Municipalities for financing in order to facilitate a disbursement of 25 percent of the project cost from an approved low interest loan of \$8.750 million to the City;
- (7) energy and maintenance savings to be realized annually of up to \$150,000.00 for the lighting retrofit at the National Trade Centre and energy and maintenance savings of up to \$201,250.00 for the five building energy retrofit projects be budgeted separately in the operating budget of Exhibition Place and be used to fund the full debt service costs for the project in accordance with the policy adopted by Council in the report, entitled “A Framework for Establishing an Energy Retrofit Program and Financing Strategy”, and that any excess savings identified in the cash flow forecast be applied to the outstanding debt charges to accelerate repayment, and that the operating budget be reduced by that amount after project financing has been repaid in full;
- (8) this report be forwarded to the Policy and Finance Committee for consideration; and
- (9) the appropriate City officials be authorized and directed to take any necessary action to give effect thereto, including the execution of any financing agreements in a form and substance satisfactory to the Chief Corporate Officer, the Deputy City Manager and Chief Financial Officer, the City Solicitor, and the General Manager and CEO of Exhibition Place.

**68. Financial Impact of Hiring 150 Police Officers  
(All Wards)**

**Report 8, Clause 51**

**The Policy and Finance Committee recommends that City Council adopt the recommendations of the Budget Advisory Committee contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee and City Council that:

- (1) authority be granted immediately to hire an additional 50 police officers in December 2005 and that priority be given in the Police Services budget to hiring additional officers in 2006 (phased over April and August 2006 classes); and

- (2) the Deputy City Manager and Chief Financial Officer report back to the Budget Advisory Committee with the preliminary 2005 year-end variance report in February 2006 on the use of the Toronto Police Services 2005 projected operating budget surplus.

**69. 2005 Second Quarter Variance Report – Areas of Underspending  
to be Used for 3-1-1 Customer Service Strategy Capital Requirements**

**Report 8, Clause 52**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee City Council adopt the following staff recommendations in the Recommendations Section of the report (September 13, 2005) from the Deputy City Manager and Chief Financial Officer respecting the 2005 Second Quarter Variance Report – Areas of Underspending to be Used for 3-1-1 Customer Service Strategy Capital Requirements:

Recommendations:

It is recommended that:

- (1) the 3-1-1 Customer Service Strategy 2005 capital requirements of \$1.737 million be funded from under-spending in Information and Technology's 2005 Approved Capital Budget, Technology End of Lease and Sustainment Strategy Project (CIT 701-02); and
- (2) that the 2005 operating budget gross expenditure for the 3-1-1 Project Management Office be increased by \$.337 million for work on front-end content development and business reviews related to capital infrastructure, to be fully recovered by capital funding.

**70. Reserves and Reserve Funds Quarterly Variance Report  
June 30, 2005**

**Report 8, Clause 53**

**The Policy and Finance Committee recommends that City Council receive the communication from the Budget Advisory Committee contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, received the report (September 13, 2005) from the Deputy City Manager and Chief Financial Officer, and directed that it be forwarded to the Policy and Finance Committee for information.

**71. Operating Variance Report – For the Six-Month Period  
Ended June 30, 2005**

**Report 8, Clause 54**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff Recommendations (1), (2) and (4) in the Recommendations Section of the report (September 13, 2005) from the Deputy City Manager and Chief Financial Officer respecting the Operating Variance Report – For the Six-Month Period Ended June 30, 2005:

Recommendations:

It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer be directed to meet with Deputy City Managers, Division Heads and General Managers of Agencies, Boards and Commissions that are projecting year-end net over expenditures to ensure that mitigating actions are taken to achieve a balanced budget by year-end;
- (2) the technical adjustments contained in this report (Appendix “D”) be approved;
- (3) the Operating Variance report for the six-month period ended June 30, 2005, be forwarded to the Policy and Finance Committee for consideration; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**72. Capital Variance Report – For the Six-Month Period  
Ended June 30, 2005**

**Report 8, Clause 55**

**The Policy and Finance Committee recommends that City Council adopt the recommendation of the budget Advisory Committee contained in the Communication (September 16, 2005) from the Budget Advisory Committee.**

Communication (September 16, 2005) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 16, 2005, recommended to the Policy and Finance Committee that City Council adopt the following staff Recommendations (1) to (7) in the Recommendations Section of the report (September 13, 2005) from the Deputy City Manager and Chief Financial Officer respecting the Capital Variance Report – For the Six-Month Period Ended June 30, 2005:

Recommendations:

- (1) in accordance with a request from Council to identify projects that can be deferred in order to reduce the debt required to finance the 2005 Council Approved Capital Budget, capital projects with a total cash flow of \$29.698 million and debt financing of \$29.698 million (as detailed in Appendix 2) be deferred;
- (2) a 2005 Cash Flow increase of \$150,000.00 for the City Planning Division's Roots Project-Bathurst Street project financed by Development Charges be approved;
- (3) TTC review and revise its spending plans for the second half of the year and in order to ensure that it is not overspent, and to continue to explore opportunities to absorb the Sheppard Subway negotiated claims within its 2005 Approved Capital Budget;
- (4) Toronto Parking Authority review and revise its capital spending plans for the second half of the year so as to ensure that it does not over-spend the 2005 Council Approved Budget of \$35.049 million;
- (5) in accordance with the Financial Control By-law, prior to overspending on the 43 Division and the Investigative Voice Radio System projects, Toronto Police Service obtain Council approvals to increase the capital budget for these projects;
- (6) the technical adjustments detailed in Appendix 3 of this report, with no impact on 2005 debt financing, be approved;
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (8) this report be forwarded to Policy and Finance Committee for consideration.



**JOINT MEETING OF THE POLICY AND FINANCE COMMITTEE AND  
THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE  
DECISION DOCUMENT  
MEETING No. 1**

*Joint Report 1 to be considered by City Council on September 28, 29 and 30, 2005*

<b>Date of Meeting:</b>	<b>Tuesday, September 20, 2005</b>	<b>Enquiry:</b>	<b>Patsy Morris</b>
<b>Time:</b>	<b>2:00 p.m.</b>		<b>Administrator</b>
<b>Location:</b>	<b>Committee Room 1</b>		<b>(416) 392-9151</b>
	<b>City Hall</b>		<b>pmorris@toronto.ca</b>
	<b>100 Queen Street West</b>		
	<b>Toronto</b>		

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*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.*

**Communications/Reports**

**NOTE:** Item 32 and 32(a) appearing on the September 20, 2005 agenda of the Policy and Finance Committee, was considered by a joint meeting of the Policy and Finance Committee and the Economic Development and Parks Committee.

**32. Port Lands Film/Media Complex Status Report and Lease Approval** **2:00 p.m.**

**(In-camera – Security of the Property of the Municipality or Local Board.)**

**Report 1, Clause 1 of the Policy and Finance Committee and the Economic Development and Parks Committee.**

**The Policy and Finance Committee and the Economic Development and Parks Committee:**

- (1) **recommend that City Council adopt the recommendations contained in the Recommendations Section of the confidential report (September 15, 2005) from the President and CEO, TEDCO and the Vice President, Development, TEDCO respecting Port Lands Film/Media Complex - Status Report and Lease Approval, which was forwarded to Members of Council under confidential cover; and further, that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject matter relates to the Property of the Municipality or Local Board; and**
- (2) **received the report (September 14, 2005) from Sue Corke, Deputy City Manager.**

**Action taken by the Joint Committee:**

**The Policy and Finance Committee and the Economic Development and Parks Committee directed that prior to the Council meeting scheduled to be held on September 28, 2005, TEDCO staff be requested to meet with the proponent respecting the confidential report (September 15, 2005) from the President and CEO, TEDCO and the Vice President, Development, TEDCO and prepare a report respecting this matter for public distribution and submission to the meeting of Council scheduled to be held on September 28, 2005.**

Confidential report (September 15, 2005) from the President and CEO, TEDCO and the Vice President, Development, TEDCO respecting Port Lands Film/Media Complex Status Report and Lease Approval, such report to be considered in-camera as the subject matter relates to the Property of the Municipality or Local Board.

**32(a). Film Industry: Available and Suitable Space  
All Wards**

Report (September 14, 2005) from Sue Corke, Deputy City Manager, responding to a Council directive to provide a snapshot of the nature, extent and availability of both existing and suitable space in Toronto to meet the current and future growth needs of the film and television industry.

**Recommendation:**

It is recommended that this report be received for information.