

**POLICY AND FINANCE COMMITTEE
DECISION DOCUMENT
MEETING No. 7**

Report 7 to be considered by City Council on September 25, 26 and 27, 2006

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|-------------------------|-----------------------------------|-----------------|---------------------------|
| Date of Meeting: | Monday, September 18, 2006 | Enquiry: | Patsy Morris |
| Time: | 9:30 a.m. | | Administrator |
| Location: | Committee Room 1 | | (416) 392-9151 |
| | City Hall | | pmorris@toronto.ca |
| | 100 Queen Street West | | |
| | Toronto | | |

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

How to Read the Decision Document:

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

Minutes Confirmed – July 18, 2006

Communications/Reports

- 1. Interim Progress Report on the Implementation of Procurement Process
Recommendations Made by Justice Bellamy**

(Deferred from the meeting held on June 20, 2006)

Report 7, Clause 1

The Policy and Finance Committee recommends that City Council:

- (1) adopt the staff recommendation contained in the Recommendation Section of the report (May 30, 2006) from the Treasurer;**

- (2) **request the City Manager to report to the Executive Committee, early in the New Year, on how the recommendations made by Madame Justice Bellamy, on the procurement process, can be applied to the City's Agencies, Boards, Commissions and Corporations; and**
- (3) **receive the communication (September 14, 2006) from Mayor David Miller.**

Report (May 30, 2006) from the Treasurer providing Council with an interim report on the progress being made implementing the procurement process recommendations made by Justice Bellamy as the result of her Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry.

Recommendation:

It is recommended that Council reconfirm the existing 'Policy for Access to Information to Members of Council at Various Stages of the Procurement Process' approved by Council in July 2005 even though it conflicts with Recommendations 130 and 131 made by Justice Bellamy.

1(a) Bellamy Inquiry Progress Report – Summary of the City of Toronto's Progress in Implementing Recommendations of the Toronto Computer Leasing Inquiry, Toronto External Contracts Inquiry

Communication (September 14, 2006) from Mayor David Miller attaching a summary of the City of Toronto's progress report in implementing the recommendations of the Toronto Computer Licensing Inquiry and the Toronto External Contracts Inquiry; and advising that this progress report, prepared by the City Manager, comes one year after Commissioner Denise Bellamy published her four-volume account of what was learned during two independent judicial inquiries into the MPF computer leasing scandal and a number of information technology contracts related to it.

2. Feasibility of Creating a Construction unit to Offset the Requirement of Having Paid Duty Officers

(Deferred from the meeting held on June 20, 2006)

Report 7, Clause 82(a)

The Policy and Finance Committee referred the reports (June 2, 2006) and (August 31, 2006) from the City Solicitor to the City Manager for consultation with other relevant City Officials and report on measures to reduce the cost to the City and private and non-profit organizations respecting Paid Duty Officers.

Report (June 2, 2006) from the City Solicitor responding to the Committee's request for a report from the City Solicitor regarding various concerns with the provision of paid duty officers for City construction projects

Recommendation:

It is recommended that this report be received for information.

- 2(a).** Report (August 31, 2006) from the City Solicitor responding to the Committee's request for a report from the City Solicitor regarding various concerns with the provision of paid duty officers for City construction projects.

Recommendations:

It is recommended that this report be received for information.

3. Status of Implementation Measures Pursuant to the *City of Toronto Act, 2006*

(Speaker)

Report 7, Clause 82(b)

The Policy and Finance Committee:

- (1) withdrew from the agenda, the report (September 7, 2006) from the City Manager for submission to the Executive Committee once the Provincial Legislative process on Bill 130 has concluded; and**
- (2) referred the communication (September 18, 2006) from Mr. John Adams to the City Manager for consideration.**

Report (September 7, 2006) from the City Manager updating Council on the status of implementation planning for the *City of Toronto Act, 2006 (COTA)* and measures undertaken by the City to comply with requirements pursuant to the Act

Recommendations:

It is recommended that:

- (1) the City Manager advise the local boards defined in s.212 of the COTA to adopt or confirm the existence of the necessary policies to ensure compliance with s.212;
- (2) the City's Ombudsman, once appointed, be authorized by Council to perform the function of investigator that will be required under s.190.2 of the COTA should Bill 130 pass in its current form;

- (3) as an interim measure until the office of Ombudsman is established, the City Manager and City Clerk identify a nominee to fulfill the role of investigator that will be required under s.190.2 of COTA (should Bill 130 pass in its current form) for consideration by City Council at its first meeting in December 2006;
 - (4) the General Manager of Economic Development, Culture and Tourism undertake a consultative process seeking input from the general public, retail industry, retail sector employees, small business interests, BIAs and the tourism industry with respect to policy options on the regulation of holiday shopping, and report back to Council's Economic Development Committee by December 31, 2007 recommending a new regulatory framework governing holiday shopping;
 - (5) as an interim measure pending the adoption of a new regulatory framework governing holiday shopping, the City Solicitor be authorized to submit a Bill to Council limiting shopping on the eight days a year currently regulated by the *Retail Business Holidays Act (RBHA)*. The by-law should permit the same types of retail stores to operate on holidays as the *RBHA*, and should exempt the same "tourist areas" that are set out in the "tourism exemption" by-laws previously approved by City Council; and
 - (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- 3(a).** Communication (September 5, 2006) from Mr. John Adams requesting an opportunity to speak to the Policy and Finance Committee on Monday, September 18, 2006, to identify issues and concerns about the proper mandate for the Office of City Ombudsman, as required by the 2006 changes to the City of Toronto governing legislation; and noting that this will be the last scheduled meeting of the Policy and Finance Committee in this term of office.
- 3(b)** Communication (September 13, 2006) from John Adams forwarding a communication (August 31, 2006) addressed to himself from Ontario Ombudsman Andre Marin regarding municipal Ombudsman positions and responsibilities.
- 3(c).** Communication (September 12, 2006) from the City Manager seeking permission to withdraw this matter from the Agenda until the provincial legislative process on Bill 130 is concluded.
- 3(d).** Communication (September 18, 2006) from Mr. John Adams.
- 4. Policy and Processes for Public Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies**

(Public Notice)

Report 7, Clause 2

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 1, 2006) from the City Manager.

The Policy and Finance Committee held a public meeting on September 18, 2006, in accordance with the *Municipal Act, 2001*, and notice of the proposed amendments to the Toronto Municipal Code, Chapter 27, Council procedures Chapter 4, Committee of Adjustment, was posted on the City's web site for a minimum of 5 days.

Report (September 1, 2006) from the City Manager:

- (a) revising the Public Appointments Policy prior to the new term of Council when the appointments process will begin;
- (b) updating the board composition and the board-specific selection bodies and processes, where required, to reflect relevant changes to the City's governance and administrative structures;
- (c) increasing the size of the Civic Appointments Committee (which replaces the Nominating Committee); and
- (d) increasing the size of the North and South panels of the Committee of Adjustment.

Recommendations:

It is recommended that:

- (1) the Public Appointments Policy attached to this report be adopted and replace the existing Citizen Nomination Policy;
- (2) effective with the next term of the boards, the terms for citizen appointments be set in accordance with Part III of the Public Appointments Policy;
- (3) citizen incumbents who have completed the current 6-year maximum are ineligible to serve another consecutive term on the same board, unless Council decides otherwise owing to the special circumstances identified in part 3.7 of the Policy;
- (4) the City's ABCCs shall be expected to ensure that they have policies in place to meet equity needs of incoming board members;
- (5) with respect to the Civic Appointments Committee, which replaces the Nominating Committee in Council's revised governance structure:

- (a) to assist the City to achieve geographic distribution and greater diversity across the boards, the responsibility for recommending nominees to Council for citizen appointments for all boards, except for the boards referred to in Recommendations (6) and (7) below, be assigned to the Civic Appointments Committee;
 - (b) where identified in the nomination process for specific boards, screening panels be requested to name additional nominees for every vacancy, where possible, for consideration by the Civic Appointments Committee;
 - (c) to assist the Civic Appointments Committee with the additional workload:
 - (i) the size of the Committee be increased by 1 (so that the Committee is composed of up to 9 members of Council, including the Mayor or the Mayor's designate, as chair);
 - (ii) the Committee organize itself into panels of 3 (with a quorum of 2) to conduct interviews and recommend potential nominees to the full Committee for its consideration and recommendation to Council, in accordance with the terms of reference included as Attachment 1 to this report; and
 - (iii) where skills and competencies are similar for a number of boards (e.g., quasi-judicial bodies), the Committee group applications so that suitable applicants who apply for one board may be considered for an alternative appointment with similar qualifications;
- (6) the Corporations Nominating Panel established and chaired by the Mayor or his/her designate in the new term of Council continue to recruit and nominate members of boards of directors for business corporations for consideration by Council, and this Panel also recruit and recommend to Council nominees for appointment to certain external boards, such as the Greater Toronto Airports Authority, as determined by Council;
- (7) the relevant Community Councils recommend nominees to Council for the community-based boards (Arenas, the Association of Community Centres and Business Improvement Areas) and the Yonge-Dundas Square Board of Management;
- (8) with respect to the Committee of Adjustment:
- (a) for the North and South panels to better meet their workload demands, effective with the next term of the board:
 - (i) 5 additional citizens be appointed to these panels for a total of 10 citizens on each;
 - (ii) the panel size for hearings shall remain at 5, and panels will be scheduled on a rotating basis; and

- (iii) the North and South panels select 2 Panel Chairs (1 for each of their respective hearing panels);
 - (b) applicants applying for an appointment to the Committee of Adjustment may choose one Panel as their first choice and, if interested, choose one other Panel as their second choice for consideration;
 - (c) to eliminate the same names being recommended to Council for more than one panel, the Community Councils do the initial screening and short-listing, and the Civic Appointments Committee interviews and recommends nominees for appointment to Council;
 - (d) the short-list provided by the Community Councils include up to two nominees for every vacancy;
 - (e) the Civic Appointments Committee shall interview short-listed candidates, but the Committee may select additional candidates to interview from the larger pool of candidates who applied for the Panel, if deemed necessary; and
 - (f) all Committee of Adjustment appointees shall be required to attend briefing and training sessions as part of their initial orientation;
- (9) with respect to the Board of Health:
- (a) for the Education representative, both the Toronto District School Board and the Toronto Catholic District School Board shall be invited to nominate a candidate for the consideration of the Civic Appointments Committee; and
 - (b) the Civic Appointments Committee shall choose one candidate to recommend to Council as the representative from Education to serve on the board;
- (10) with respect to the Library Board:
- (a) pending comments from the Toronto Public Library Board, the City Manager request the Province of Ontario to amend the *Public Libraries Act* to eliminate the requirement for:
 - (i) Canadian citizenship to serve on the Toronto Public Library Board; and
 - (ii) making board appointments within 60 days after the first meeting of Council in a new term because additional time is needed to do a full recruitment process,
 and permit the City of Toronto to determine board eligibility and timing of appointments; and

- (b) as requested by the Toronto Public Library Board, the City make every effort starting with the upcoming cycle of board appointments to appoint a citizen representative in the age range of 18 to 30 as a youth representative to the board, for each term of the board, within the current 13-member board composition;
- (11) as requested by the Toronto Public Library Board, the composition of the Board of Management of Scadding Court be amended to eliminate the nominee of the Library Board resulting in a reduction from 15 to 14 members on the Scadding Court Board;
- (12) the Board-Specific Processes and Requirements for Public Appointments included as Appendices A to F to this report be adopted;
- (14) the City Manager advise the relevant Agencies of Council's approved policy and processes, and the requirement to adhere to such policy and policies;
- (15) the City Manager be authorized to execute any necessary changes to the relevant Shareholder Directions (effective with the next round of citizen appointments), subject to the agreement of BPC Penco Corporation with respect to the change in the term of office for citizen appointees to the Enwave Energy Corporation Board of Directors;
- (16) the City Solicitor be authorized to introduce any necessary bills in Council, including any amendments to Chapter 27, Council Procedures, of the City of Toronto Municipal Code; and
- (17) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Note: A copy of the Document entitled "City of Toronto Public Appointments Policy – Governing Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies", was forwarded to Members of Council and select City Officials only and a copy thereof is on file in the Office of the City Clerk, City Hall.

5. Policy on Donations to the City for Community Benefits

Report 7, Clause 3

The Policy and Finance Committee recommends that:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 6, 2006) from the City Manager; and**

(2) the City Manager be requested to:

- (i) report to the Executive Committee clarifying the role of staff and Councillors in the Planning process; and drafting an appeal procedure and legal assistance plan for Councillors;**
- (ii) report to the Executive Committee early in 2007 on how pertinent details of donations and Section 37 benefits will be reported out to Council and will be available to the public;**
- (iii) come forward with an implementation plan as soon as possible, and be requested to consult with all Members of Council prior to the submission of her report to the Executive Committee; and**
- (iv) submit a status report with respect to this matter in the first quarter of 2007.**

Report (September 6, 2006) from the City Manager setting out a corporate policy on donations to the City and its agencies, boards and commissions for community benefits. The report also identifies when it is appropriate to request or accept donations, appropriate types of donations, and applicable approval requirements. The proposed policy (Figure 1) includes amendments to clarify aspects of the policy that was before the Policy and Finance Committee at its January meeting.

Recommendations:

It is recommended that:

- (1) Council adopt the “Policy on Donations to the City for Community Benefits” as set out in Figure 1, which complements other current policies on donations;
- (2) the Chief Financial Officer and Deputy City Manager develop a form for donors to declare that donations to the City and its agencies, boards and commissions for community benefits are not concurrent with an approval or procurement process;
- (3) the appropriate Deputy City Managers ensure bidders, grant applicants, and applicants seeking planning approvals, permits or other licences, are advised of this policy;
- (4) the City Manager request the City’s agencies, boards and commissions to adopt a policy consistent with the City’s “Policy on Donations to the City for Community Benefits”; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

6. Pilot Project – Implementation of an Equity Lens and Equity Impact Statement

Report 7, Clause 4

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from the City Manager.

Report (August 29, 2006) from the City Manager reporting on a pilot project to test the implementation of an Equity Lens and Equity Impact Statement in the City of Toronto.

Recommendations:

It is recommended that:

- (1) a one year pilot project be undertaken as outlined in this report to test the application of the Equity Lens and Equity Impact Statement recommended by the Roundtable on Access, Equity and Human Rights;
 - (2) the results of the pilot be reported to Council at the end of the pilot period; and
 - (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto
- 6(a).** Communication (June 5, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights, advising that the Roundtable on Access Equity and Human Rights recommends that:
- (1) City Council endorse the utilization of an “equity lens” as outlined in Appendix One and the inclusion of an equity impact statement in reports to Council; and
 - (2) the City Manager be requested to utilize these tools for a six month trial basis and report back to Council on the results; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- 7. Request to report on the Establishment of a Policy on the Use of 100 percent Post-Consumer Recycled, Chlorine Free and Not From Old Growth Forests Paper Products**

Report 7, Clause 82(c)

The Policy and Finance Committee received the report (August 29, 2006) from the City Clerk.

Report (August 29, 2006) from the City Clerk providing information that will allow City Council to consider the establishment of a policy for the City of Toronto to use 100 per cent post-consumer recycled chlorine free paper which is not produced from old growth forests.

Recommendation:

It is recommended that this report be received for information.

8. Enhancing Relationships with Neighbouring Municipalities

Report 7, Clause 82(d)

The Policy and Finance Committee received the report (September 3, 2006) from the City Manager.

Report (September 3, 2006) from the City Manager responding to the request from Policy and Finance Committee on how to enhance relationships with neighbouring municipalities at the political level.

Recommendation:

It is recommended that this report be received for information.

9. Consolidated User Fee By-law

(Public Notice)

Report 7, Clause 5

The Policy and Finance Committee recommends that:

(I) City Council adopt the following staff recommendations in the Recommendations Section of the report (September 1, 2006) from the Deputy City Manager and Chief Financial Officer, entitled “Consolidated User Fee By-law”:

“(1) Council adopt, or re-adopt, the fees and charges listed in Appendix 1 to this report at the amounts set out in Appendix 1, which amounts do not include any applicable tax;

(2) Council approve the consolidation of the fees and charges listed in Appendix 1 to this report into one by-law;

(3) Council approve the administrative provisions set out in Appendix 2 as the administrative provisions that will apply to all fees and charges in the

consolidated user fee by-law for which no other by-law or Municipal Code chapter sets out specific administrative provisions;

- (4) Council approve setting all future fees at an amount which does not include any applicable tax;
 - (5) City of Toronto Municipal Code, Chapter 441, Fees, be repealed and replaced with the following two Municipal Code chapters:
 - (a) a new Chapter 441 which sets out the list of fees attached as Appendix 1 to this report and the default administrative provisions attached as Appendix 2 to this report; and
 - (b) an additional new Municipal Code chapter which retains the administrative provisions that are currently contained in Chapter 441, Fees, for the fees currently contained in that Code chapter;
 - (6) the necessary amendments be made to any Municipal Code chapters and other by-laws which contain any of the fees or charges set out in Appendix 1; and
 - (7) the appropriate City Official be authorized and directed to take the necessary action to give effect to these recommendations, and authority be granted for the introduction of the necessary bills in Council;”;
- (II) the City Solicitor, upon direction from the Deputy City Manager and Chief Financial Officer, be authorized to introduce any bills necessary to further amend Chapter 441 to add any existing City fees or charges already approved by Council which may have been inadvertently excluded from Appendix 1 to the aforementioned report; and
- (III) City Council adopt the recommendations contained in the Recommendations Section of the report (August 28, 2006) from the General Manager, Solid Waste Management Services, entitled “Solid Waste Management Services Fees”, subject to adding the following words to Recommendation (1) “until the 2007 Operating Budget is approved by Council”, so that the Recommendations now read as follows:
- “(1) the waste management fees listed in the report entitled “Consolidated User Fee By-Law” from the Deputy City Manager and Chief Financial Officer be retained in 2006 and 2007 until the 2007 Operating Budget is approved by Council; and
 - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

The Policy and Finance Committee held a public meeting on September 18, 2006, in accordance with the *Municipal Act, 2001*, and notice of the proposed amendment to

Municipal Code Chapter 441, Fees, was posted on the City's web site for a minimum of 5 days.

Report (September 1, 2006) from the Deputy City Manager and Chief Financial Officer recommending enactment of a consolidated by-law of the City's user fees and charges that are currently contained in various by-laws and sections of the City of Toronto Municipal Code; and advising that the intent is to provide for ease of reference and improved public access.

Recommendations:

It is recommended that:

- (1) Council adopt, or re-adopt, the fees and charges listed in Appendix 1 to this report at the amounts set out in Appendix 1, which amounts do not include any applicable tax;
- (2) Council approve the consolidation of the fees and charges listed in Appendix 1 to this report into one by-law;
- (3) Council approve the administrative provisions set out in Appendix 2 as the administrative provisions that will apply to all fees and charges in the consolidated user fee by-law for which no other by-law or Municipal Code chapter sets out specific administrative provisions;
- (4) Council approve setting all future fees at an amount which does not include any applicable tax;
- (5) City of Toronto Municipal Code, Chapter 441, Fees, be repealed and replaced with the following two Municipal Code chapters:
 - (a) a new Chapter 441 which sets out the list of fees attached as Appendix 1 to this report and the default administrative provisions attached as Appendix 2 to this report; and
 - (b) an additional new Municipal Code chapter which retains the administrative provisions that are currently contained in Chapter 441, Fees, for the fees currently contained in that Code chapter;
- (6) the necessary amendments be made to any Municipal Code chapters and other by-laws which contain any of the fees or charges set out in Appendix 1; and
- (7) the appropriate City Official be authorized and directed to take the necessary action to give effect to these recommendations, and authority be granted for the introduction of the necessary bills in Council.

9(a). Solid Waste Management Services Fees

Report (August 28, 2006) from the General Manager, Solid Waste Management Services providing the information required by Ontario regulation 244/02 under the Municipal Act 2001 related to the fees currently charged by Solid Waste Management Services (SWMS) for services related to tipping fees at the City's transfer stations, fees for garbage and recycling collection from commercial establishments, schools and the City's agencies, boards and commissions, and garbage and recycling container rental and purchase fees, in conjunction with consideration of the Consolidated User Fee By-law in which these fees are listed.

Recommendations:

It is recommended that:

- (1) the waste management fees listed in the report entitled "Consolidated User Fee By-Law" from the Deputy City Manager and Chief Financial Officer be retained in 2006 and 2007; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

10. Enwave – Proposed Changes to the Toronto District Heating Corporation Act

Report 7, Clause 6

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 7, 2006) from the Deputy City Manager and Chief Financial Officer.

Report (September 7, 2006) from the Deputy City Manager and Chief Financial Officer responding to a request from Enwave Energy Corporation to comment on its proposed changes to the Toronto District Heating Corporation Act, 1998.

Recommendations:

It is recommended that:

- (1) the City encourage the Ministry of Energy to give full consideration to the proposed changes to the Toronto District Heating Corporation Act, 1998 as proposed by Enwave Energy Corporation and attached as Appendix A, noting that these changes have no direct bearing on City activities;
- (2) the City request the Minister of Energy to make an additional amendment to the Toronto District Heating Corporation Act, 1998 to expressly permit the City to acquire, hold and sell any form of securities issued by Enwave Energy

Corporation or an affiliate, so that the City would have the opportunity to participate in any offerings of such securities; and

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

11. Provincial Ombudsman's Report on the Municipal Property Assessment Corporation: MPAC's Progress in Implementing the Ombudsman's Recommendations

Report 7, Clause 7

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 1, 2006) from the Deputy City Manager and Chief Financial Officer subject to amending Recommendation (1) to read as follows:

- (1) City staff from Revenue Services Division and Information and Technology Division be authorized to work with representatives of the Municipal Property Assessment Corporation to design and implement an online survey to gather input from City of Toronto property owners on issues concerning MPAC and MPAC's implementation of the Ombudsman's recommendations, in consultation with Members of Council.**

Report (September 1, 2006) from the Deputy City Manager and Chief Financial Officer to respond to a request from the Policy and Finance Committee for a report on the effectiveness of measures the Municipal Property Assessment Corporation (MPAC) has taken to implement the recommendations contained within the Provincial Ombudsman's March 2006 report "Getting it Right", and on the most effective means to gather ongoing public input on issues concerning MPAC and MPAC's implementation of the Ombudsman's recommendations.

Recommendations:

It is recommended that:

- (1) City staff from Revenue Services Division and Information and Technology Division be authorized to work with representatives of the Municipal Property Assessment Corporation to design and implement an online survey to gather input from City of Toronto property owners on issues concerning MPAC and MPAC's implementation of the Ombudsman's recommendations;
- (2) the Deputy City Manager and Chief Financial Officer be directed to write to the Municipal Property Assessment Corporation requesting their cooperation and support in developing an online survey to gather input from City of Toronto property owners on issues concerning MPAC and MPAC's implementation of the Ombudsman's recommendations;

- (3) once the online survey is developed and implemented, a paper version of the survey be made available for distribution at the City's Revenue Services and Access Toronto customer service counters; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

12. Property Taxes: 2007 Interim Levy By-law

Report 7, Clause 8

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 23, 2006) from the Treasurer.

Report (August 23, 2006) from the Treasurer advising that the 2007 interim levy will provide for the cash requirements of the City until such time as the 2007 Operating Budget and 2007 final tax levy are approved by Council.

Recommendations:

It is recommended that:

- (1) the 2007 interim levy for all property classes levy property tax amounts based on 50 per cent of the total 2006 taxes billed for each property;
- (2) the 2007 interim levy by-law provide that the interim levy will apply to assessments added to the tax roll for 2006 that were not on the assessment roll when the by-law was passed;
- (3) the Interim Bill payment due dates for property tax accounts paid on the eleven (11) pre-authorized remittances plan be: February 15, March 15, April 16, May 15, and June 15, 2007;
- (4) the Interim Bill payment due date for the one (1) pre-authorized withdrawal payment option be March 1, 2007;
- (5) the Interim Bill payment due dates for all other property tax accounts on the regular instalment option or on the six (6) pre-authorized remittances plan be: March 1, April 2, and May 1, 2007;
- (6) the collection of interim taxes be authorized, and a penalty charge for non-payment of interim taxes of 1.25 per cent of taxes due and unpaid be added on the first day of default, and interest be charged at a rate of 1.25 per cent per month on all outstanding taxes accruing from the first day of default;

- (7) authority be granted for the introduction of the necessary bill in Council on December 5, 2006, providing for the levying and collection of the 2007 interim taxes prior to the adoption of the estimates for 2007, which by-law, when enacted, will be effective as of January 1, 2007; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**13. Tax Exemption for Woodside Square Library
(Ward 41 – Scarborough Rouge River)**

Report 7, Clause 9

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 24, 2006) from the Treasurer.

Report (August 24, 2006) from the Treasurer seeking Council's authority for the adoption of necessary by-laws to designate the Woodside Square Branch Library as a municipal capital facility and thus provide a property tax exemption for municipal and education purposes for the space which the Library will be occupying, commencing December 1, 2006, at the Woodside Square Shopping Centre located at 1571 Sandhurst Circle.

Recommendations:

It is recommended that:

- (1) Council pass a by-law pursuant to section 110 of the *Municipal Act, 2001*, providing authority to enter into a municipal capital facilities agreement with the owners (Finch McCowan Investments Inc.) of the property located at 1571 Sandhurst Circle, in respect of the lands leased by the Toronto Public Library Board for its Woodside Square Branch Library;
- (2) the by-law referred to in Recommendation (1) also exempt the new space leased by the Toronto Public Library Board at 1571 Sandhurst Circle from taxation for municipal and school purposes, which tax exemption is to be effective from the latest of the following dates:
 - (a) the commencement date of the lease between the Toronto Public Library Board and the property owner of 1571 Sandhurst Circle;
 - (b) the date the municipal capital facilities agreement is signed; or
 - (c) the date the tax exemption by-law is enacted;

- (3) the City Clerk be directed to give written notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation, the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire De District Du Centre-Sud-Quest, and the Conseil Scolaire De District Du Catholique Centre-Sud; and,
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**14. Tax Exemption for Leased Property Occupied by Court Services Division
at 481 University Avenue
(Ward 27 – Toronto-Centre Rosedale)**

Report 7, Clause 10

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 28, 2006) from the Treasurer and the Chief Corporate Officer.

Report (August 28, 2006) from the Treasurer and the Chief Corporate Officer seeking Council's authority for the adoption of necessary by-laws to designate leased premises to be occupied by Court Services Division's operations at 481 University Avenue as a municipal capital facility and thus provide a property tax exemption for municipal and education purposes for the leased space.

Recommendations:

It is recommended that:

- (1) Council pass a by-law pursuant to section 110 of the *Municipal Act, 2001*, providing authority to enter into a municipal capital facilities agreement with the owners (First University Corporation Ltd. and Second University Corporation Ltd.) of the property located at 481 University Avenue, in respect of the lands leased by the City for its Court Services operation;
- (2) the by-law referred to in Recommendation (1) also exempt the space leased by the City at 481 University Avenue from taxation for municipal and school purposes, which tax exemption is to be effective from the latest of the following dates:
 - (a) the commencement date of the lease between the City and the property owner of 481 University Avenue;
 - (b) the date the municipal capital facilities agreement is signed; or
 - (c) the date the tax exemption by-law is enacted;

- (3) the City Clerk be directed to give written notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation, the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District du Centre-Sud-Ouest, and the Conseil Scolaire de District du Catholique Centre-Sud;
- (4) authority be granted for the introduction of the necessary bills to give effect thereto; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**15. Status Report on Bloor-Islington and the Westwood Theatre Lands
(Ward 5 – Etobicoke-Lakeshore)**

Report 7, Clause 82(e)

The Policy and Finance Committee received the report (August 29, 2006) from the Chief Corporate Officer.

Report (August 29, 2006) from the Chief Corporate Officer responding to Council's request, moved at its meeting of January 31, February 1 and 2, 2006, that: "the Chief Corporate Officer be requested to report to the Policy and Finance Committee, no later than September 2006, on the transfer of the Westwood Theatre site, including abutting lands, and the Bloor-Islington lands, to TEDCO by December 31, 2006."

Recommendation:

It is recommended that this report be received for information.

**16. Request for Funding for an Energy Plan for Toronto; and
Status Report on the Energy Plan for Toronto – Second Update (All Wards)**

Report 7, Clause 11

The Policy and Finance Committee recommends that:

(I) City Council adopt the recommendation of the Budget Advisory Committee:

"That:

- (1) the Facilities and Real Estate Division's 2006 Approved Operating Budget be increased by \$15,000 gross; zero net (funded from the Better Building Partnership Loan Repayment Reserve Fund) and the 2007 Operating Budget submission include an allocation of \$570,000 gross, zero net (funded from the**

Reserve) for consideration with the City's 2007 Operating Budget process; and

- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;**
- (II) the RFPs relating to the Energy Plan be fast-tracked to within 30 days of City Council approval;**
- (III) contracts in the same area be awarded within 90 days;**
- (IV) City Council adopt the following recommendations contained in the communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment:**

“That:

- (1) the work done for the Energy Plan, the Renewable Energy Action Plan, City Hall Energy Efficiency, Clean Air Action Plan, 2006 Environmental Plan Update and all energy related plans and policies share and use the same databases to ensure consistency in reporting and comparability among initiatives;**
- (2) that the City of Toronto consider renewable energy as one of the priorities of the new Environmental Plan including identifying funding opportunities to buy or generate renewable energy; and**
- (3) funds from the Toronto Atmospheric Fund be requested in order for the City of Toronto to study and learn from the best practices of revolving funds programs utilized in other cities, such as Phoenix and Edmonton, as the next step towards designing the City of Toronto Conservation Fund;”;** and
- (V) City Council receive the report (August 31, 2006) from the Chief Corporate Officer, entitled “Status Report on the Energy Plan for Toronto – Second Update (All Wards)”.**

Report (August 31, 2006) from the Chief Corporate Officer to provide information on the work plan to develop the Energy Plan for Toronto and an update on the progress being made to meet the 300 megawatt conservation and demand management Toronto target.

Recommendation:

It is recommended that this report be received for information.

16(a). City of Toronto Energy Plan and Renewable Energy Action Plan

Communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment, and Toronto Tree Advocate advising that the Roundtable on the Environment on September 6, 2006 recommended that:

- (1) the work done for the Energy Plan, the Renewable Energy Action Plan, City Hall Energy Efficiency, Clean Air Action Plan, 2006 Environmental Plan Update and all energy related plans and policies share and use the same databases to ensure consistency in reporting and comparability among initiatives;
- (2) that the City of Toronto consider renewable energy as one of the priorities of the new Environmental Plan including identifying funding opportunities to buy or generate renewable energy; and
- (3) funds from the Toronto Atmospheric Fund be requested in order for the City of Toronto to study and learn from the best practices of revolving funds programs utilized in other cities, such as Phoenix and Edmonton, as the next step towards designing the City of Toronto Conservation Fund.

**16(b). Request for Funding for an Energy Plan for Toronto
(All Wards)**

(See Budget Advisory Committee September 15, 2006 Agenda, Item 29)

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 12, 2006) from the Chief Corporate Officer:

“It is recommended that:

- (1) the Facilities and Real Estate Division’s 2006 Approved Operating Budget be increased by \$15,000 gross; zero net (funded from the Better Building Partnership Loan Repayment Reserve Fund) and the 2007 Operating Budget submission include an allocation of \$570,000 gross, zero net (funded from the Reserve) for consideration with the City’s 2007 Operating Budget process; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

17. Review of the City's Corporate Organizational Structure for Facility Maintenance Operations

Report 7, Clause 82(f)

The Policy and Finance Committee received the report (August 25, 2006) from the City Manager.

Report (August 25, 2006) from the City Manager to advise City Council of the status of this review and the work plan for evaluating the existing corporate organizational structure for facility maintenance and capital development and implementation.

Recommendations:

It is recommended that this report be received for information.

18. Steps Needed to Develop a Western Waterfront Master Plan (Wards 13 and 14 Parkdale-High Park) and a City-wide Integrated Beach Management Strategy (Wards 6, 13, 14, 19, 20, 28, 30, 32, 36, 43 and 44)

Report 7, Clause 12

The Policy and Finance Committee recommends that:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 29, 2006) from Deputy City Manager Fareed Amin;**
- (2) the Master Plan be expedited so that its results may be available prior to any further permanent measures affecting the Western Beaches being undertaken;**
- (3) the study include an analysis of realigning Lakeshore Boulevard to create more green space and options for pedestrian cycling and parking access to the Western Beaches; and**
- (4) the Acting Deputy City Manager be requested to submit a report to the Executive Committee, by 2007, regarding the City-Wide Integrated Beach Management Strategy.**

Action taken by the Committee

The Policy and Finance Committee referred the communication (September 18, 2006) from Mr. David White to staff for inclusion in the study.

Report (August 29, 2006) from Deputy City Manager Fareed Amin reporting on the steps and resources needed to develop a comprehensive master plan for the western waterfront area from Marilyn Bell Park to the Humber River, including Sunnyside Beach, and an Integrated Beach Management Strategy for all the City's beaches.

Recommendations:

It is recommended that City Council:

- (1) approve the following work program and critical path for development of a Western Waterfront Master Plan and Integrated Beach Management Strategy (BMS) in 2008:
 - (i) January 2007: Steering Committee to recommend project funding strategy for master plan, including civic engagement strategy, and City-wide integrated beach management strategy for consideration in 2007 budget process;
 - (ii) April 2007: Public meeting to review Master Plan process and confirm opportunities and constraints to be addressed
 - (iii) May 2007: RFP to be issued for Western Waterfront Master Plan and civic engagement strategy
 - (iv) June 2007 to 2008: Master planning process and development of the BMS, with specific activities to include implementation of a comprehensive civic engagement strategy, mapping of existing conditions, completion of a waterfront-wide recreational needs assessment as part of the BMS, collection and analysis of environmental data, development of options, and extensive public consultation
 - (v) June 2008: Draft Master Plan and BMS presented publicly
 - (vi) Fall 2008: Master Plan and BMS presented to Council for consideration
- (2) request that the Deputy City Manager responsible for Toronto waterfront revitalization together with the Deputy City Manager and Chief Financial Officer report during the 2007 budget process on the sources of funding needed to develop a Western Waterfront Master Plan, including civic engagement strategy, for the area from Marilyn Bell Park to the Humber River, and a City-wide Integrated Beach Management Strategy with total investment not to exceed \$600,000; and
- (3) authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

19. Proposed Amendments to the Fair Wage Policy Disqualification Process

Report 7, Clause 82(g)

The Policy and Finance Committee received the communication (August 2, 2006) from the City Clerk and confirmed the existing Fair Wage Policy.

Communication (August 2, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred Clause 2a, Report 4, Administration Committee, entitled “Proposed Amendments to the Fair Wage Policy Disqualification Process” to the Policy and Finance Committee for consideration at its meeting on September 18, 2006, such clause containing a report (April 18, 2006) from the City Solicitor. expanding on the report of the Manager, Fair Wage Office (dated February 17, 2006) requested by the Administration Committee to clarify the meaning of “two instances” under the Fair Wage Policy, in response to a further request from Councillor Watson, and to expedite consideration of these outstanding disqualification reports.

Recommendation:

It is recommended that this report be received for information.

20. Investigation by the Integrity Commissioner into the Actions and Conduct of the Chair of the Toronto Transit Commission before, during and after the Illegal Wildcat Strike on May 29th, including the discussions that took place with the Transit Union

Report 7, Clause 82(h)

The Policy and Finance Committee received the communication (August 2, 2006) from the City Clerk.

Communication (August 2, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Stintz, seconded by Councillor Del Grande

“**WHEREAS** the Amalgamated Transit Union Local 113 performed an illegal wildcat strike on May 29, 2006, shutting down the entire Toronto Transit Commission system; and

WHEREAS over 700,000 TTC riders were impacted by the illegal strike; and

WHEREAS thousands of commuters were stranded at bus stops throughout the City waiting for a bus that never arrived; and

WHEREAS no prior notice or advance warning was given to the millions of commuters that were affected by this illegal strike; and

WHEREAS the illegal strike resulted in millions of dollars in lost productivity; and

WHEREAS Torontonians have lost confidence in the TTC, as a result of the illegal strike; and

WHEREAS Chief General Manager Rick Ducharme resigned on June 6, 2006, citing political interference by the Chair of the Toronto Transit Commission; and
WHEREAS several Councillors were barred from a TTC meeting on June 7, 2006, during a discussion about the allegations of political interference and the resignation of the Chief General Manager; and

WHEREAS several members of the Mayor's staff were privy to the discussions that took place during the June 7, 2006 TTC meeting; and

WHEREAS the Chief General Manager has publicly revealed that a secret meeting had taken place between the TTC Union Executive and the Chair of the TTC, regarding the collective bargaining agreement; and

WHEREAS it is not clear how the Chair of the TTC was involved in the illegal strike and what was negotiated during private meetings with Transit Union Executives; and

WHEREAS the illegal wildcat strike and the weekly threats of more illegal job action by the Transit Union, combined with the allegations of political interference are serious and require a full and comprehensive investigation, in order to restore confidence in the system; and

WHEREAS the Integrity Commissioner plays a crucial role in maintaining the public's confidence in City Hall and in ensuring that the Code of Conduct for Members of Council is objectively communicated and applied; and

WHEREAS the Code of Conduct for Members of Council, Section XII states that the Code 'also applies in spirit and intent subject to any necessary (legal) modification, to appointees of Council and to other representatives who serve on City agencies, boards, commissions and other bodies';

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the Integrity Commissioner to investigate the actions and conduct of the Chair of the TTC before, during and after the illegal wildcat strike on May 29, 2006, including the discussions that took place with the Transit Union;

AND BE IT FURTHER RESOLVED THAT the Integrity Commissioner's report be open to the public and released at a future City Council meeting."

21. Sole Source Negotiation with Bombardier Inc. for the Purchase of TTC Subway Cars

Report 7, Clause 13

The Policy and Finance Committee recommends that City Council adopt the recommendations of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Action taken by the Committee

The Policy and Finance Committee received the communication (August 2, 2006) from the City Clerk.

Communication (August 2, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Minnan-Wong, seconded by Councillor Stintz

“**WHEREAS** the Toronto Transit Commission (TTC) adopted a Resolution to enter into a sole source negotiation with Bombardier Inc. for the purchase of subway cars; and

WHEREAS the potential cost of the subway cars could exceed \$700,000,000.00 and, when combined with a service agreement, the cost of this contract over the life of the subway cars could exceed \$1 billion; and

WHEREAS the former Chief General Manager of the TTC recommended that this contract be put out for competitive bids; and

WHEREAS competitive bids are recognized as the best process for ensuring the best proposal, the best product and the best price; and

WHEREAS a competitive bid promotes an open and transparent process and builds confidence in the public that their tax dollars are being used wisely; and

WHEREAS the current closed process gives Bombardier an unfair advantage; and

WHEREAS the former Chief General Manager has indicated that the process of purchasing the subway cars has been a ‘fiasco’ and has resulted in political interference; and

WHEREAS the Canadian Auto Workers (CAW) has lobbied aggressively to make sure that Bombardier wins this sole source contract; and

WHEREAS it appears from all facts and circumstances that closed-door, ‘backroom deals’ have been made to secure this contract for Bombardier and the CAW; and

WHEREAS any sole source contract process has been tainted by political interference and it is no longer possible for the public to have confidence in the award of a contract to Bombardier Inc.; and

WHEREAS the new *City of Toronto Act* allows Council to set policy and operational direction for the TTC;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the TTC to end negotiations with Bombardier Inc. for the purchase of subway cars;

AND BE IT FURTHER RESOLVED THAT the City of Toronto request the TTC to enter into a competitive bidding process for the replacement of its subway cars;

AND BE IT FURTHER RESOLVED THAT, if the TTC refuses to follow measures that will protect the integrity of the City by opening up the purchase of subway cars for competitive bid, this matter be referred to the Budget Advisory Committee to consider the amount it funds the TTC and its accountability to the taxpayers and the commuters in the City of Toronto.”

**21(a). Toronto Transit Commission - Procurement Authorization
39 New Subway Trains – Proposal P31PD05761**

(See Budget Advisory Committee September 15, 2006 Agenda, Item 9)

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006:

- (1) confirmed to the Policy and Finance Committee and City Council that City funding is in place for the following purposes:
 - (a) 39 trainsets and all associated work in the amount of \$499,382,403, plus applicable taxes;
 - (b) associated contract items in the amount of \$26,919,780, plus applicable taxes;
 - (c) three of the specified options, in the amount of \$21,564,135, plus applicable taxes;

- (d) a contingency allowance amount of \$50,220,000 including all applicable taxes for the estimated costs with respect to price adjustments for escalation and the estimated costs for the provision of the required contract security and will be paid out if required, only as incurred;
- (2) recommended that staff of the Deputy City Manager and Chief Financial Officer be actively informed with respect to the reporting protocol and cost drivers relating to this project; and
- (3) received the communication (September 1, 2006) from the General Secretary, Toronto Transit Commission, regarding “Procurement Authorization – 39 New Subway Trains – Proposal No. P31PDO5761”.

22. Request of the Auditor General to Investigate TTC Sole Source Contract to Bombardier for Purchase of New Subway Cars

Report 7, Clause 82(i)

The Policy and Finance Committee received the communication (August 2, 2006) from the City Clerk.

Communication (August 2, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Walker, seconded by Councillor Thompson

“**WHEREAS** the Toronto Transit Commission (TTC) is advancing the signing of a sole source contract with Bombardier for the acquisition of 234 new subway cars in 6-car configuration; and

WHEREAS the sole source contract with Bombardier is to be signed in October 2006; and

WHEREAS Bombardier provided the TTC with a quote of \$705 million to fulfil its contract for 234 new subway cars; and

WHEREAS another company, Siemens, has provided an estimate of \$535 million to fulfil the same contract; and

WHEREAS it is City Council’s policy and fiduciary responsibility to put any contract out for public tender if the purchase can be acquired from more than one company; and

WHEREAS Bombardier is not the only company that has operations in Ontario; and

WHEREAS Bombardier is not the only company that has unionized employees; and

WHEREAS recently, Siemens beat Bombardier in a competitive bid for a contract to retrofit the propulsion system of TTC streetcars and also won the competitive bid to provide Ottawa's \$1.1 Billion ring-road system; and

WHEREAS there is not a provincial requirement that forces the City or the TTC to purchase transit cars from Bombardier, as has been stated by the TTC and the Mayor; and

WHEREAS the City's purchasing policy does not favour unionized over non-unionized companies; and

WHEREAS the necessary justifications have not been made to rationalize a sole sourcing of this contract worth over \$700 million;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Auditor General to immediately complete an audit/full investigation of the Toronto Transit Commission's sole source contract to be awarded to Bombardier for the acquisition of new subway cars."

23. Involvement of Elected Officials in Negotiations for Procurement of Subway Cars

Report 7, Clause 82(j)

The Policy and Finance Committee received the communication (August 2, 2006) from the City Clerk.

Communication (August 2, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Ootes, seconded by Councillor Stintz

"WHEREAS the Ethics and Integrity of the City of Toronto government were important issues in the 2003 Municipal election; and

WHEREAS the Mayor and many Members of Council were elected on a mandate to reform the City of Toronto government; and

WHEREAS Madame Justice Denise E. Bellamy was in the midst of the MFP/Toronto Computer Leasing Inquiry – Toronto External Contacts Inquiry at the time of the Municipal election; and

WHEREAS Justice Bellamy wrote almost one year ago, 'With this report, I pass a Torch to the Mayor and Toronto City Council. The job they gave me to do is

done. The physical product of the work, my report, now belongs to them and, through them, to the people of Toronto.’; and

WHEREAS Justice Bellamy made recommendations on reform of the Procurement Process for the City of Toronto; and

WHEREAS in order for City Council to show the people of Toronto that it supports the work and recommendations of the report, Council must act when actions are taken that are contrary to Justice Bellamy’s recommendations; and

WHEREAS Recommendation (130) reads: ‘Councillors should separate themselves from the procurement process. They should have no involvement whatsoever in specific procurements. They have the strongest ethical obligation to refrain from seeking to be involved in any way.’; and

WHEREAS Councillor Moscoe, as Chair of the Toronto Transit Commission, has admitted that he was directly involved in negotiating a ‘sole source’ purchase agreement with Bombardier for the upcoming purchase of new subway cars; and

WHEREAS City Council must show the people of Toronto that actions such as these are no longer acceptable;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Council of the City of Toronto state that it does not support the involvement of elected officials in the negotiations for the procurement of subway cars on behalf of the TTC; and
- (2) the Council of the City of Toronto request the Toronto Transit Commission to remove Councillor Moscoe as Chair of the TTC, due to his inappropriate involvement in the negotiations for the purchase of subway cars, to reflect the wishes of the citizens of Toronto for a more transparent government, free of the potential for political interference in the procurement of goods or services by the City and its Agencies, Boards and Commissions.”

24. Factual Content of Motions Directed at a Member of Council

Report 7, Clause 82(k)

The Policy and Finance Committee referred the communication (August 2, 2006) from the City Clerk to the City Solicitor and the City Clerk for report thereon to the appropriate Committee.

Communication (August 2, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Mihevc, seconded by Councillor Di Giorgio

“**WHEREAS** Notice of Motion J(1) was filed for Council’s consideration at its meeting of June 27, 2006; and

WHEREAS the Recitals are replete with factual inaccuracies, malicious innuendo, half-truths and outright misinformation; and

WHEREAS the obvious intention of the Notice of Motion is to smear the reputation of another Member of Council; and

WHEREAS, even though the law grants some qualified protection to Members of Council from false and libellous statements that are made during Council meetings, there is an obligation to observe some modicum of respect for, at least, the office; and

WHEREAS, even in politics, there are, or ought to be, some ethical standards;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor and the City Clerk report to Council, through the Policy and Finance Committee, on possible amendments to Chapter 27 of the City of Toronto Municipal Code, Council Procedures, that might be necessary to ensure that Recitals in Notices of Motion of this nature are truthful;

AND BE IT FURTHER RESOLVED THAT the City Solicitor and City Clerk recommend to City Council a procedure for the City Clerk to be able to refuse the wording of a Notice of Motion in which the obvious intent is to harm the reputation of another Member of Council.”

25. Property Tax Relief for Society of Portuguese Disabled Persons Building Fund - 2295 St. Clair Avenue West (Ward 11 York South - Weston)

Report 7, Clause 82(1)

The Policy and Finance Committee received the communication (August 3, 2006) from the City Clerk; and the report (September 15, 2006) from the Treasurer.

Communication (August 3, 2006) from the City Clerk advising that City Council on July 25, 26 and 27, 2006, referred the following Motion to the Policy and Finance Committee:

Moved by Councillor Nunziata, seconded by Councillor Palacio

“**WHEREAS** The Society of Portuguese Disabled Persons Building Fund is a non-profit charitable organization incorporated on July 5, 2002; and

WHEREAS the organization was registered under the *Charity Act* on August 3, 2003, bearing the designation number #86025 8649 RR0001; and

WHEREAS its primary mission is to integrate and support all community members in need of social recreation and rehabilitation; and

WHEREAS the building at 2295 St. Clair Avenue West has come a long way thanks to the overwhelming support of the community; and

WHEREAS The Society of Portuguese Disabled Persons Building Fund is now requesting the City of Toronto for property tax relief due to its charitable status;

NOW THEREFORE BE IT RESOLVED THAT the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee on options available to provide property tax relief located at 2295 St. Clair Avenue West, owned by The Society of Portuguese Disabled Persons Building Fund non-profit charitable organization.”

25(a). Property Tax Relief for Society of Portuguese Disabled Persons Building Fund - 2295 St. Clair Avenue West (Ward 11 York South - Weston)

Report (September 15, 2006) from the Treasurer responding to a motion considered by Council at its meeting of July 25, 26 and 27, 2006, regarding property tax relief for the Society of Portuguese Disabled Persons Building Fund, located at 2295 St. Clair Avenue West.

Recommendation:

It is recommended that this report be received for information.

26. Toronto Police Service – 2005 Annual Report

Report 7, Clause 82(m)

The Policy and Finance Committee received the report (August 25, 2006) from the Chair, Toronto Police Services Board.

Report (August 25, 2006) from the Chair, Toronto Police Services Board submitting a copy of the Toronto Police Service 2005 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.

27. 2006 Operating Variance Reports Ending May 31, 2006 for the Toronto Police Services Board, Toronto Police Service and Toronto Police Service – Parking Enforcement Unit

Report 7, Clause 82(n)

The Policy and Finance Committee received the report (August 25, 2006) from the Chair, Toronto Police Services Board.

Report (August 25, 2006) from the Chair, Toronto Police Services Board, advising the Policy and Finance Committee of the results of the 2006 operating variance reports ending May 31, 2006 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.

28. Toronto Community Housing Corporation – 2005 Annual Report to Shareholder, Audited Consolidated Financial Statements and Annual General Meeting

Report 7, Clause 14

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 22, 2006) from the City Manager.

Report (August 22, 2006) from the City Manager to obtain direction for the Deputy City Manager or her designate to act as the City's proxy at the Annual General Meeting of Toronto Community Housing Corporation (TCHC) and, on behalf of Council, approve the minutes of the previous annual meeting, receive TCHC's 2005 audited consolidated financial statements and appoint its auditor.

Recommendations:

It is recommended that:

- (1) City Council appoint Deputy City Manager Sue Corke or her designate as the proxy representative of the City of Toronto and direct the proxyholder to attend

and to vote as follows at Toronto Community Housing Corporation's Annual General Meeting and any adjournment thereof:

- (a) approve the minutes of the previous Annual General Meeting;
 - (b) receive the annual audited financial statements of TCHC for the period ended December 31, 2005, together with the auditor's report thereon;
 - (c) reappoint Ernst and Young LLP, Chartered Accountants, as TCHC's auditors, and authorize TCHC's Board of Directors to fix the auditors' remuneration; and
 - (d) use his or her discretion to vote on such other matters as may properly be on the agenda of the Annual General Meeting; and
- (2) Toronto Community Housing Corporation's 2005 Annual Report comprising the letter from the Corporation's Chief Executive Officer dated June 12, 2006 and related appendices included as Attachment 1 to this report be received;
 - (3) the audited financial statements be referred to the City Audit Committee for review; and
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing.

29. Toronto Community Housing Corporation Response to the Interclinic Public Housing Working Group report "The Other TCHC Annual Report"

Report 7, Clause 82(o)

The Policy and Finance Committee received the report (August 14, 2006) from the City Manager.

Report (August 14, 2006) from the City Manager to transmit the response of the Board of Directors of the Toronto Community Housing Corporation (TCHC) to "The Other TCHC Annual Report" prepared by the Interclinic Public Housing Working Group as requested by the Policy and Finance Committee.

Recommendation:

It is recommended that this report be received for information.

30. Toronto Community Housing Corporation Eviction Prevention Policy

Report 7, Clause 82(p)

The Policy and Finance Committee received the report (August 18, 2006) from the City Manager.

Report (August 18, 2006) from the City Manager responding to a request by the Policy and Finance Committee to report on the level of evictions for the Toronto Community Housing Corporation (TCHC), with a view to refining the eviction policy.

Recommendation:

It is recommended that this report be received for information.

31. Transfer of Support Staff and Budget for the Toronto Licensing Tribunal to Court Services and Updates to the Relationship Framework

Report 7, Clause 15

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 31, 2006) from the City Manager.

Report (August 31, 2006) from the City Manager to:

- (a) Report back as requested by Council on the transfer of support staff for the Toronto Licensing Tribunal from the City Clerk's Office to the Court Services Division along with the relevant budget.
- (b) Recommend a change in protocol for reporting written reasons for decisions.
- (c) Update the relationship framework to reflect these changes and other housekeeping matters.

Recommendations:

It is recommended that:

- (1) effective January 1, 2007, the responsibility for recommending and administering the direct costs to support the Toronto Licensing Tribunal be transferred to Court Services and maintained as a separate cost centre to identify the costs to be recovered from municipal license fees;
- (2) the 2007 operating budget submission for Court Services, MLS, and the City Clerk's Office reflect the transfer to Court Services for consideration with the 2007 operating budget process, including the transfer of six approved positions and incumbent staff at current salary and benefits levels and any costs identified during consultation with the Chair of the Tribunal;

- (3) the requirement that the Tribunal report written reasons for decisions to the local Community Council on stationary licences and to the Planning and Transportation Committee on trade and mobile licenses, in cases where licenses are granted by the Tribunal contrary to the thresholds, be replaced with the following:
 - (a) after each hearing, a summary of licences issued, refused, suspended, revoked or having conditions placed on them by the Tribunal be posted to the Tribunal's web page on the City's web site; and
 - (b) the Tribunal Administrator regularly forward the Tribunal's written reasons for decisions to MLS and City Legal Services, on the understanding that such written decisions will continue to be made available to any interested Member of Council and the public upon request;
- (4) the Toronto Licensing Tribunal be required to prepare written reasons for decisions on contested matters only, and the requirement for written decisions on uncontested matters and settlement decisions where all the parties agree shall be deemed to be met through the decision document prepared by the Administrator after each hearing;
- (5) the requirement that appointments to the Toronto Licensing Tribunal are contingent on the member having successfully completed the Society of Ontario Adjudicators and Regulators (SOAR) training program, or a similar training program on the adjudicative process, within six months of appointment, be clarified as follows:
 - (a) this requirement shall be met if the member completed such training prior to being appointed to the Tribunal; and
 - (b) if the City registered and paid for a member to attend training and such member does not successfully complete the program, the Chair or Administrator of the Tribunal shall notify the Civic Appointments Committee for any action deemed necessary;
- (6) the requirement to give advance public notice for business meetings be changed in the Relationship Framework from "at least 10 working days" to "at least 10 days" to match the wording in the Toronto Municipal Code, Chapter 545-3, "Toronto Licensing Tribunal";
- (7) the City Manager execute an amended Licensing Tribunal Relationship Framework that incorporates the recommendations in this report as set out in Appendix A, and post the amended version on the Tribunal's web page on the City's web site; and
- (8) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

32. International Disaster Relief Policy; and Federation of Canadian Municipalities (FCM) – Technical Partnerships between the City of Toronto and Banda Aceh (Indonesia) and Batticaloa (Sri Lanka)

Report 7, Clause 16

The Policy and Finance Committee recommends that City Council:

- (I) adopt the following staff recommendations contained in the Recommendations Section of the report (September 8, 2006) from the City Manager, entitled “International Disaster Relief Policy”:**
- “(1) the international disaster relief policy outlined in Appendix A of this report be approved;**
 - (2) a capped annual fund be established to support the City’s capacity to respond, if required, in an amount not to exceed \$50,000.00 starting in 2007;**
 - (3) a \$50,000 gross expenditure, net zero (funded from the proceeds of auction) be included in the Non-Program Operating Budget submission, for consideration with the 2007 operating budget process; and**
 - (4) the appropriate City Officials be authorized to take the necessary action to give effect thereto;”;** and
- (II) adopt the following staff recommendations contained in the Recommendations Section of the report (September 1, 2006) from the City Manager, entitled “Federation of Canadian Municipalities (FCM) – Technical Partnerships between the City of Toronto and Banda Aceh (Indonesia) and Batticaloa (Sri Lanka)”:**
- “(1) the City of Toronto enter into technical partnerships with the municipality of Banda Aceh (Indonesia) and Batticaloa (Sri Lanka) through the International Municipal Partnership Program of the Federation of Canadian Municipalities, with the goal of assisting these communities with the long-term rehabilitation of the community infrastructure affected by the 2004 tsunami; and**
 - (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”**

Report (September 1, 2006) from the City Manager to recommend that the City of Toronto enter into a technical partnership with Banda Aceh (Indonesia) and with Batticaloa (Sri Lanka) under the auspices of the municipal capacity building program of FCM’s International Centre for Municipal Development for the period from 2007-2009. These two proposed partnerships are designed to assist Banda Aceh and Batticaloa with the long-term rehabilitation of the physical and community infrastructure which was destroyed by the tsunami in 2004.

Recommendations:

It is recommended that:

- (1) the City of Toronto enter into technical partnerships with the municipality of Banda Aceh (Indonesia) and Batticaloa (Sri Lanka) through the International Municipal Partnership Program of the Federation of Canadian Municipalities, with the goal of assisting these communities with the long-term rehabilitation of the community infrastructure affected by the 2004 tsunami; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

32(a). International Disaster Relief Policy

Report (September 8, 2006) from the City Manager to recommend a policy to guide the City of Toronto's response to international disasters.

Recommendations:

It is recommended that:

- (3) the international disaster relief policy outlined in Appendix A of this report be approved;
- (4) a capped annual fund be established to support the City's capacity to respond, if required, in an amount not to exceed \$50,000.00 starting in 2007;
- (5) a \$50,000 gross expenditure, net zero (funded from the proceeds of auction) be included in the Non-Program Operating Budget submission, for consideration with the 2007 operating budget process; and
- (6) the appropriate City Officials be authorized to take the necessary action to give effect thereto.

33. Association of Community Centres (AOCCs) – City of Toronto Relationship Framework

Report 7, Clause 17

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (August 28, 2006) from the City Manager.

Report (August 28, 2006) from the City Manager to recommend approval of the Relationship Framework for Community Centres (AOCCs).

Recommendations:

It is recommended that:

- (1) City Council approve the attached Relationship Framework between the Community Centres (AOCCs) and the City of Toronto developed in compliance with the *City of Toronto Act, 2006* and the AOCC Governance Review approved by City Council at its meeting on April 14, 15 and 16, 2003;
- (2) the Relationship Framework between the Community Centres (AOCCs) and the City of Toronto take effect when the *City of Toronto Act, 2006* comes into force and: a) the Boards of Management be directed to amend their governing documents or processes where applicable to comply with the Relationship Framework by their annual general meeting in 2007; and b) if they are not able to comply by that time they submit a plan to the City Manager for approval by spring 2007 documenting the activities they need to undertake to be compliant;
- (3) the City Solicitor be requested to report to the Policy and Finance Committee on a draft by-law to add Chapter 24, Community Centres to the Municipal Code and to amend Chapter 25 of the former City of Toronto Municipal Code as necessary under the *City of Toronto Act, 2006* and a) the draft by-law implements the recommended changes outlined in the 2003 Governance Review of Community Centres (AOCCs) approved by Council and is consistent with the Relationship Framework for Community Centres (AOCCs) and b) a working draft of the new Municipal Code chapter be provided to the Boards of Management of Community Centres for comment; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

34. Customer Service Standards Development and Implementation Plan

Report 7, Clause 18

The Policy and Finance Committee recommends that:

- (1) City Council adopt the recommendations contained in the Recommendations Section of the report (August 30, 2006) from the City Manager and Deputy City Managers; and
- (2) staff continue their work in finding a name that more clearly defines residents as citizens and customers.

Report (August 30, 2006) from the City Manager and Deputy City Managers to recommend a plan and timetable to fully develop and implement City-wide customer service standards that reflect best practices. City initiatives to-date, findings on the service quality characteristics that result in positive citizen satisfaction, and the role of the 3-1-1 Customer Service Strategy in promoting standards are presented for information. The identification of interim customer service standards for the telephone, office/counters, e-mail/Fax, and mail are recommended for immediate approval and testing.

Recommendations:

It is recommended that:

- (1) for routine public inquiries and transactions, the following key customer service standards, identified in research conducted for The Institute for Citizen Centered Service (*Citizens First 3*) and adapted for City of Toronto operations, be adopted immediately for interim use and evaluation in customer service operations selected as Pilots by the 3-1-1 Project Management Office in collaboration with the Customer Service Improvement Initiative team:
 - (i) Office/Counter wait time of 5 to 9 minutes;
 - (ii) Office/Counter service delivered through a maximum of 2 different people;
 - (iii) Telephone response/wait time of 30 to no more than 60 seconds;
 - (iv) Telephone service delivered through a maximum of 2 different people;
 - (v) E-mail response delivered by the next business day;
 - (vi) Replies to letters sent within 5 business days; and
 - (vii) Web-based, e-service initiatives continuing as high priority for development, fine-tuning and expansion;
- (2) the 3-1-1 Project Management Office undertake a phased approach to develop full City-wide customer service standards during 2007 based on the outcomes of divisional Business Process Reviews and Pilot evaluation results that will confirm

appropriate standards while considering service harmonization, complexity, regulatory and compliance requirements, and operational and budget impacts;

- (3) the Customer Service Standards Development Plan reflecting a phased approach to fully develop and implement City-wide standards be approved as per Appendix 5 to this report;
- (4) the 3-1-1 Project Management Office report to Council in the first quarter of 2007, in time to be considered within the City's Operating Budget process, on any new costs associated with training and coaching staff across the City to become fully versed in City customer service procedures, standards, policies, and service performance monitoring activities; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

35. Multilingual Services - 3-1-1 Customer Service

Report 7, Clause 82(q)

The Policy and Finance Committee:

- (1) approved the action taken by the Roundtable on Access, Equity and Human Rights contained in the communication (September 13, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights; and**
- (2) received the communication (August 16, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights.**

Communication (August 16, 2006) from the Chair, Roundtable on Access, Equity and Human Rights, advising that The Roundtable on Access, Equity and Human Rights on June 26, 2006 requested that the Chair:

- (1) advise the Policy and Finance Committee that the Roundtable on Access, Equity and Human Rights endorses the following recommendations from the Working Group on the Status of Women and Gender Equity:

“(1) that the City Manager's Office in collaboration with City researchers with demographic expertise and the City's working and advisory groups, including the Status of Women Committee and Gender Equity, the Aboriginal Affairs Committee, the Disability Issues Committee and the Roundtable on Access, Equity and Human Rights:

- (a) develop a template for the collection of demographic reporting data that would:

- (i) include sex, gender, age, race, ability/disability, language, literacy, income, period of immigration, immigration status and sexual orientation; that these minimal variables be applied routinely in all City research programmes, projects, special initiatives, consultations, open houses and working and advisory groups; and
 - (ii) provide an agreed upon mechanism for basic demographic data to be collected and alleviate the need for each task group to provide an agreed upon mechanism for basic demographic data to be collected and alleviate the need for each task group to struggle with demographics, enhance data availability and increase efficiency in the use of municipal funds.”
- (2) request the Policy and Finance Committee to endorse the recommendations of the Working Group on the Status of Women and Gender Equity and forward these recommendations to the City Manager for implementation by the Policy Coordinating Team.

35(a). Multilingual Services – 3-1-1 Customer Service

Communication (September 13, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights advising that the Roundtable on Access, Equity and Human Rights on September 5, 2006 requested that the Chair advise the Policy and Finance Committee that the Roundtable on Access, Equity and Human Rights:

- (1) received the verbal update and background information from Colleen Bell, Corporate Lead, 3-1-1 Project Management Office and Suzanne Craig, Director, Corporate Access and Privacy Office, and Susan Gapka; and
- (2) requested the Corporate Lead, 3-1-1- Project Management Office to develop a business case and legal framework for gathering data on ethnicity, language, sex, gender identity; disability, age and any other appropriate category that would be useful for planning; such data to be collected on an aggregate basis and to be used for service planning purposes for City Departments and City Agencies, Boards and Commissions.

36. Contract Language to be Included in Contracts with Potential Carbon Credits

Report 7, Clause 82(r)

The Policy and Finance Committee received the communication (August 31, 2006) from the City Solicitor.

Report (August 31, 2006) from the City Solicitor to report on the language that should be included in contracts with suppliers who provide services or technologies with potential carbon offset credits.

Recommendations:

It is recommended that this report be received for information.

37. Chair's Progress Report – Roundtable on Access, Equity and Human Rights

Report 7, Clause 19

The Policy and Finance Committee recommends that City Council receive the communication (September 1, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights

Communication (September 1, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights, providing a progress report on the activities of the Roundtable on Access, Equity and Human Rights and recommending that the progress report be accepted by the Policy and Finance Committee and forwarded to City Council.

38. United Nations Report on Canada's Compliance with the Covenant on Economic, Social and Cultural Human Rights

Report 7, Clause 20

The Policy and Finance Committee recommends that City Council adopt the recommendations contained in the communication (August 30, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights

Communication (August 30, 2006) from Councillor Joe Mihevc, Chair, Roundtable on Access, Equity and Human Rights, advising that the Roundtable on Access, Equity and Human Rights requested the Chair to follow up with appropriate Federal and Provincial officials to reiterate the importance of obligations to comply with the United Nations covenant on economic, social and cultural human rights.

Recommendation:

The Roundtable on Access, Equity and Human Rights on June 26, 2006, requested the Chair to:

- (1) request the Policy and Finance Committee to request City Council to:

- (a) receive the United Nations report and review its recommendations to determine which ones are relevant to the City of Toronto and reaffirm the continuation of disability rights; and
- (b) reaffirm its position to the Ministry of the Attorney General to implement a strong and effective human rights system as part of the current process to amend the human rights system.

39. Long Term Sub-Lease of 400 Kipling Avenue to Lakeshore Lions Arena Inc., and Capital Loan Guarantee (Ward 6 – Etobicoke-Lakeshore)

Report 7, Clause 21

The Policy and Finance Committee recommends that:

- (A) City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 5, 2006) from the General Manager, Parks, Forestry and Recreation and the Deputy City Manager and Chief Financial Officer, subject to:**

- (I) amending Recommendation (2)(ii) to read as follows:**

“(2) (ii) Maple Leaf Sport and Entertainment be required to provide the City with an irrevocable letter of credit, or similar security acceptable to the Deputy City Manager and Chief Financial Officer, in the amount of \$0.5 million for the purposes of funding any debt service deficiencies associated with the project for a seven year term, renewable annually;” said letter of credit shall be reduced annually by any residual revenues accrued to the Lakeshore Lions from MLSE in excess of \$40,000 per year, and less the cost of maintaining the letter of credit, and that such amount be placed in a cash reserve account held by the City After the expiry of the seven year letter of credit, the Lakeshore Lions shall establish and maintain a balance of \$0.5 million in the reserve for the 35 year term of project debt payments;”;

- (II) amending Recommendation (2)(vi) to read as follows:**

“(2) (vi) the Lakeshore Lions be required to dedicate on an annual basis, the following percentage of operating surpluses after required debt service payments, toward the retirement of the principal portion of the floating rate loan – 0 percent in years 1 and 2, 50 percent in year 3, 75 percent in year 4 and subsequent years;”

(III) amending Recommendation (2)(vii) to read as follows:

“(2) (vii) upon retirement of the floating rate loan facility, the Lakeshore Lions be required to establish and fund a reserve account, funded by 75 percent of all operating surpluses on an annual basis to cover any debt service deficiencies on any balance remaining on the fixed rate loan for the duration of the fixed rate loan facility to the maximum amount necessary to fully fund the remaining balance on the fixed rate loan with a review of the risk assessment on the balance of the loan in year 20;”

(IV) adding a new Recommendation (2)(viii) to read as follows:

“(2) (viii) Council establish a reserve fund called the Lakeshore Lions Area Fund to hold funds resulting from the replacement of a letter of credit with cash as a consequence of an agreement between the City, the Lakeshore Lions and Maple Leaf Sport and Entertainment Inc. in order to provide the City with security for the purposes of funding any debt service deficiencies over the term of the loan (35 years);”

Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the “Lakeshore Lions Arena Fund” to Schedule “14”;

(V) adding the following three new recommendations (10), (11) and (12):

“(10) the proceeds from the naming rights for the complex and dasher boards on two of the arena pads be split 50/50 between the Lakeshore Lions and M.L.S.E.;

(11) beginning in the 36th year of the term, the Lakeshore Lions will pay base rent in the amount of 25 percent of free cash”; and

(12) following execution of the lease with TSDB, staff continue discussions with TDSB with a view to identify alternatives that would allow City ownership or control of the Gilbey site beyond the 50 year lease term.”;

and renumbering the remaining recommendation accordingly, so that the recommendations now reads as follows:

“(1) Council authorize the execution of a long-term sub-lease to be entered into with the Lakeshore Lions for the property at 400 Kipling Avenue, to facilitate the development of a new four-pad arena complex substantially on the terms and conditions outlined in Appendix “A” to

this report and on such other terms and conditions as are acceptable to the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation and in a form acceptable to the City Solicitor;

- (2) subject to Council approval of Recommendation No. 1 above, authority be granted for the execution of a capital loan guarantee agreement, also described as a loan repayment deficiency agreement, for a principle amount not to exceed \$19 million for the fixed-rate loan facility, amortized over a 35-year term but renewable at year 10 and year 20 at the City's options as detailed in 2(iv) below, and for a principle amount not to exceed \$10 million for the floating rate loan facility, and authority be granted to enter into any other such other agreements or documents between the City, the Lakeshore Lions and the Lakeshore Lions financial institution(s) as may be required, desirable or necessary in relation to the financing arrangement to facilitate the construction of the four-pad arena at 400 Kipling Avenue, on terms satisfactory to the Deputy City Manager and Chief Financial Officer, the General Manager of Parks, Forestry and Recreation, and the City Solicitor, and subject to the following:**
- (i) the capital loan guarantee be deemed to be in the interest of the City;**
 - (ii) Maple Leaf Sport and Entertainment be required to provide the City with an irrevocable letter of credit, or similar security acceptable to the Deputy City Manager and Chief Financial Officer, in the amount of \$0.5 million for the purposes of funding any debt service deficiencies associated with the project for a seven year term, renewable annually;" said letter of credit shall be reduced annually by any residual revenues accrued to the Lakeshore Lions from MLSE in excess of \$40,000 per year, and less the cost of maintaining the letter of credit, and that such amount be placed in a cash reserve account held by the City After the expiry of the seven year letter of credit, the Lakeshore Lions shall establish and maintain a balance of \$0.5 million in the reserve for the 35 year term of project debt payments;**
 - (iii) the agreement between the City, the Lakeshore Lions, and their design-build guaranteed price contractor be limited to the proposed maximum price of \$29 million, inclusive of any applicable taxes, and be to the satisfaction of to the Deputy City Manager and Chief Financial Officer, the General Manager of Parks, Forestry and Recreation, and the City Solicitor;**

- (iv) **the Lakeshore Lions negotiating with their financier an interest rate for the proposed 35-year \$19 million fixed-rate debt facility commensurate with the City’s loan guarantee and credit rating to a maximum of 1.0 percent above the yield on the Government of Canada 30-year benchmark bond, inclusive of agents fee, and to the satisfaction of the Deputy City Manager and Chief Financial Officer;**
- (v) **the proposed 35-year \$19 million fixed-rate debt facility include a provision for renewal or early retirement, at the City’s option and without any prepayment penalties, at the end of year 10 and year 20 of the loan, at interest rates again commensurate with the City’s loan guarantee and credit rating at those times to a maximum of 1.0 percent above the yield on the Government of Canada 30-year benchmark bond inclusive of any agents fees, and to the satisfaction of the Deputy City Manager and Chief Financial Officer;**
- (vi) **the Lakeshore Lions be required to dedicate on an annual basis, the following percentage of operating surpluses after required debt service payments, toward the retirement of the principal portion of the floating rate loan – 0 percent in years 1 and 2, 50 percent in year 3, 75 percent in year 4 and subsequent years;”**
- (vii) **upon retirement of the floating rate loan facility, the Lakeshore Lions be required to establish and fund a reserve account, funded by 75 percent of all operating surpluses on an annual basis to cover any debt service deficiencies on any balance remaining on the fixed rate loan for the duration of the fixed rate loan facility to the maximum amount necessary to fully fund the remaining balance on the fixed rate loan with a review of the risk assessment on the balance of the loan in year 20;”**
- (viii) **Council establish a reserve fund called the Lakeshore Lions Area Fund to hold funds resulting from the replacement of a letter of credit with cash as a consequence of an agreement between the City, the Lakeshore Lions and Maple Leaf Sport and Entertainment Inc. in order to provide the City with security for the purposes of funding any debt service deficiencies over the term of the loan (35 years); Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the “Lakeshore Lions Arena Fund” to Schedule “14”;**

- (3) Council make an exception to its policy for Capital Loan and Line of Credit Guarantees for cultural and community organizations, as amended in February 2005, which establishes the total limit for all loan guarantees to \$10 million, to allow for this loan guarantee without affecting the limit of the policy;
- (4) in the event that any loan repayment deficiency not be remedied by the Lakeshore Lions within the remedy period,

 - (i) the Deputy City Manager and Chief Financial Officer be authorized to draw upon the letter of credit up to and including the full amount required to meet any initial loan repayment deficiency not remedied by the Lakeshore Lions; and
 - (ii) the General Manager of Parks Forestry and Recreation report forthwith to the appropriate Standing Committee(s) relative to any recreational operating deficiencies associated with this arena;
- (5) the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation be authorized to administer and manage the lease agreements, including the provision of any consents, approvals (including approvals in relation to sub-leases), and notices (including termination) provided that the Chief Corporate Officer and General Manager of Parks, Forestry and Recreation may, at any time, refer consideration of any such matters (including their content) to City Council for its consideration and direction;
- (6) the City Solicitor be authorized to complete the transaction(s) on behalf of the City, deliver any notices (including termination), pay any expenses and amend the commencement date or other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, considers reasonable;
- (7) the proposed four-pad arena complex be declared to be a municipal capital facility for the purposes of the municipality and public use pursuant to section 110 on the *Municipal Act, 2001*, and a by-law be passed to authorize the entering into of an agreement for the provision of the facility, and provide for a property tax exemption for the portions of the facility operated or sub-leased by the Lakeshore Lions at 400 Kipling Avenue for charitable and not-for-profit purposes, and request the City Clerk to give notice of the municipal capital facility by-law as required under the *Municipal Act, 2001*;
- (8) the by-law referred to in Recommendation (7) exempting the arena complex, or portions of the arena complex, from taxation for

municipal and school purposes, which tax exemption is to be effective from the latest of the following dates:

- (i) **the commencement date of the lease between the City and the TDSB of 400 Kipling Avenue;**
 - (ii) **the date the municipal capital facilities agreement is signed; or**
 - (iii) **the date the tax exemption by-law is enacted;**
- (9) authority be granted to enter into a lease termination agreement with the Lakeshore Lions, and if required, the Toronto District School Board and the Lakeshore Lions Arena Corporation, to terminate the lease for the existing arena in the Don Russell Memorial Park on terms and conditions acceptable to the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation and in a form acceptable to the City Solicitor; and**
- (10) the proceeds from the naming rights for the complex and dasher boards on two of the arena pads be split 50/50 between the Lakeshore Lions and M.L.S.E.;**
- (11) beginning in the 36th year of the term, the Lakeshore Lions will pay base rent in the amount of 25 percent of free cash;**
- (12) following execution of the lease with TSDB, staff continue discussions with TDSB with a view to identify alternatives that would allow City ownership or control of the Gilbey site beyond the 50 year lease term;**
- (13) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in City Council of any bills necessary to give effect thereto; and**
- (B) the whole site, especially with regards to the parking lot, be landscaped in consultation with Forestry and Urban Design and built in a manner consistent with the Toronto Green Development Standard and the City's Environmental objectives.**

Report (September 5, 2006) from the General Manager, Parks, Forestry and Recreation and the Deputy City Manager and Chief Financial Officer seeking authority to enter into a long-term sub-lease and capital loan guarantee with the Lakeshore Lions Arena Incorporated (the "Lakeshore Lions") for the property at 400 Kipling Avenue to facilitate the development of a new four-pad arena complex. This report responds to the directions of Council to negotiate and facilitate the development of this multi-pad arena facility at the site.

Recommendations:

It is recommended that:

- (1) Council authorize the execution of a long-term sub-lease to be entered into with the Lakeshore Lions for the property at 400 Kipling Avenue, to facilitate the development of a new four-pad arena complex substantially on the terms and conditions outlined in Appendix “A” to this report and on such other terms and conditions as are acceptable to the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation and in a form acceptable to the City Solicitor;
- (2) subject to Council approval of Recommendation No. 1 above, authority be granted for the execution of a capital loan guarantee agreement, also described as a loan repayment deficiency agreement, for a principle amount not to exceed \$19 million for the fixed-rate loan facility, amortized over a 35-year term but renewable at year 10 and year 20 at the City’s options as detailed in 2(iv) below, and for a principle amount not to exceed \$10 million for the floating rate loan facility, and authority be granted to enter into any other such other agreements or documents between the City, the Lakeshore Lions and the Lakeshore Lions financial institution(s) as may be required, desirable or necessary in relation to the financing arrangement to facilitate the construction of the four-pad arena at 400 Kipling Avenue, on terms satisfactory to the Deputy City Manager and Chief Financial Officer, the General Manager of Parks, Forestry and Recreation, and the City Solicitor, and subject to the following:
 - (i) the capital loan guarantee be deemed to be in the interest of the City;
 - (ii) the Lakeshore Lions be required to provide the City with an irrevocable letter of credit, or similar security acceptable to the Deputy City Manager and Chief Financial Officer, in the amount of \$0.5 million for the purposes of funding any debt service deficiencies associated with the project for the duration of the loan term;
 - (iii) the agreement between the City, the Lakeshore Lions, and their design-build guaranteed price contractor be limited to the proposed maximum price of \$29 million, inclusive of any applicable taxes, and be to the satisfaction of to the Deputy City Manager and Chief Financial Officer, the General Manager of Parks, Forestry and Recreation, and the City Solicitor;
 - (iv) the Lakeshore Lions negotiating with their financier an interest rate for the proposed 35-year \$19 million fixed-rate debt facility commensurate with the City’s loan guarantee and credit rating to a maximum of 1.0% above the yield on the Government of Canada 30-year benchmark bond, inclusive of agents fee, and to the satisfaction of the Deputy City Manager and Chief Financial Officer;

- (v) the proposed 35-year \$19 million fixed-rate debt facility include a provision for renewal or early retirement, at the City's option and without any prepayment penalties, at the end of year 10 and year 20 of the loan, at interest rates again commensurate with the City's loan guarantee and credit rating at those times to a maximum of 1.0 percent above the yield on the Government of Canada 30-year benchmark bond inclusive of any agents fees, and to the satisfaction of the Deputy City Manager and Chief Financial Officer;
 - (vi) the Lakeshore Lions be required to dedicate on an annual basis, commencing in year 3 of operations, all operating surpluses, after required debt service payments, toward the retirement of the principal portion of the floating rate loan; and
 - (vii) upon the retirement of the floating rate loan facility, the Lakeshore Lions be required to establish and fund a reserve account, funded by all operating surpluses on an annual basis, to cover any debt service deficiencies on any balances remaining on the fixed rate loan for the duration of the fixed rate loan facility to the maximum amount necessary to fully fund the remaining balance on the fixed rate loan;
- (3) Council make an exception to its policy for Capital Loan and Line of Credit Guarantees for cultural and community organizations, as amended in February 2005, which establishes the total limit for all loan guarantees to \$10 million, to allow for this loan guarantee without affecting the limit of the policy;
- (4) in the event that any loan repayment deficiency not be remedied by the Lakeshore Lions within the remedy period,
- (i) the Deputy City Manager and Chief Financial Officer be authorized to draw upon the letter of credit up to and including the full amount required to meet any initial loan repayment deficiency not remedied by the Lakeshore Lions; and
 - (ii) the General Manager of Parks Forestry and Recreation report forthwith to the appropriate Standing Committee(s) relative to any recreational operating deficiencies associated with this arena;
- (5) the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation be authorized to administer and manage the lease agreements, including the provision of any consents, approvals (including approvals in relation to sub-leases), and notices (including termination) provided that the Chief Corporate Officer and General Manager of Parks, Forestry and Recreation may, at any time, refer consideration of any such matters (including their content) to City Council for its consideration and direction;

- (6) the City Solicitor be authorized to complete the transaction(s) on behalf of the City, deliver any notices (including termination), pay any expenses and amend the commencement date or other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, considers reasonable;
- (7) the proposed four-pad arena complex be declared to be a municipal capital facility for the purposes of the municipality and public use pursuant to section 110 on the *Municipal Act, 2001*, and a by-law be passed to authorize the entering into of an agreement for the provision of the facility, and provide for a property tax exemption for the portions of the facility operated or sub-leased by the Lakeshore Lions at 400 Kipling Avenue for charitable and not-for-profit purposes, and request the City Clerk to give notice of the municipal capital facility by-law as required under the *Municipal Act, 2001*;
- (8) the by-law referred to in Recommendation (7) exempting the arena complex, or portions of the arena complex, from taxation for municipal and school purposes, which tax exemption is to be effective from the latest of the following dates:
 - (i) The commencement date of the lease between the City and the TDSB of 400 Kipling Avenue;
 - (ii) the date the municipal capital facilities agreement is signed; or
 - (iii) the date the tax exemption by-law is enacted;
- (9) authority be granted to enter into a lease termination agreement with the Lakeshore Lions, and if required, the Toronto District School Board and the Lakeshore Lions Arena Corporation, to terminate the lease for the existing arena in the Don Russell Memorial Park on terms and conditions acceptable to the Chief Corporate Officer and the General Manager of Parks, Forestry and Recreation and in a form acceptable to the City Solicitor; and
- (10) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in City Council of any bills necessary to give effect thereto.

40. Feasibility of Enacting a “Quality of Life” By-law to Address Panhandling

Report 7, Clause 82(s)

The Policy and Finance Committee:

- (1) **referred the report (September 6, 2006) from the City Solicitor to the City Manager for report to the appropriate committee, on specific measures that can be undertaken within the existing by-law; such report to include an analysis of the harmonization of the existing City policy with respect to this issue; and**

- (2) **requested the City Manager to consider a comprehensive approach in dealing with panhandling and homelessness.**

Report (September 6, 2006) from the City Solicitor responding to a request from City Council for the City Solicitor to report on the feasibility of enacting a “Quality of life” by-law that would include a provision to address panhandling.

Recommendation:

It is recommended that this report be received for information.

- 41. Reappointment of Members to Community Preservation Panels and the Toronto Preservation Board after Having Served Two Consecutive Terms
All Wards**

Report 7, Clause 22

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 6, 2006) from the Chief Planner and Executive Director, City Planning Division, subject to deleting Recommendation (2) and inserting the following Recommendation (2):

- “(2) the Chief Planner and Executive Director, City Planning Division, be requested to consult with members of the Toronto Preservation Panel and Community Preservation Panels before preparation of a report to Planning and Transportation Committee recommending a policy and process for citizen nominations and membership on the Toronto Preservation Board and Community Preservation Panels, including reappointment limits;”**

Report (September 6, 2006) from the Chief Planner and Executive Director, City Planning Division advising that this report discusses Council's policy regarding reappointment of members of the Community Preservation Panels and the Toronto Preservation Board after having served two consecutive terms; indicates that such members may be reappointed under current policy and recommends that the Chief Planner make recommendations that would govern such situations in the future.

Recommendations:

It is recommended that:

- (1) Council confirm that the present Policy for Citizen Nomination to City Agencies, Boards, Commissions and Corporations (ABCCs) does not restrict service on the Toronto Preservation Board or the Community Preservation Panels to a maximum of two terms; and

- (2) the Chief Planner and Executive Director be directed to prepare a report to Planning and Transportation Committee recommending a policy and process for citizen nominations and membership on the Toronto Preservation Board and Community Preservation Panels, including reappointment limits; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

42. Confidential Information in Staff Reports

Report 7, Clause 23

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 5, 2006) from the City Clerk.

Report (September 5, 2006) from the City Clerk recommending changes to the way confidential information is reported to Committee and Council to improve accountability and transparency in the City's decision-making process.

Recommendations:

It is recommended that:

- (1) whenever possible, all staff reports be prepared as public reports and any confidential information be reported in a confidential attachment to the staff report;
- (2) all staff reports containing confidential information include:
 - (a) a precise reason why the information must be confidential within the context of the *City of Toronto Act, 2006* requirements;
 - (b) a recommendation stating the date and circumstances when some or all of the confidential information can be made public or the reason why such information must remain confidential and not be made public; and
- (3) staff take the necessary actions to give effect to these recommendations.

43. Phase Two Implementation of the Policy on City-Owned Space Provided at Below-Market Rent – All Wards

Report 7, Clause 24

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 1,

2006) from the Executive Director, Social Development, Finance and Administration Division.

Report (September 1, 2006) from the Executive Director, Social Development, Finance and Administration Division, reporting on Phase Two implementation of the Policy on City-Owned Space Provided at Below-Market Rent.

Recommendations:

It is recommended that:

- (1) the service agreement template for tenants of City-Owned Space at Below-Market Rent, as presented in Appendix C, be approved;
- (2) the lease terms and conditions for tenants of City-Owned Space at Below-Market Rent, as presented in Appendix E, be approved;
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

**44. Toronto Waterfront Revitalization Initiative
Status of District Energy in Waterfront**

Report 7, Clause 82(t)

The Policy and Finance Committee received the report (August 31, 2006) from Deputy City Manager Fareed Admin.

Report (August 31, 2006) from Deputy City Manager Fareed Admin, providing an update on business and infrastructure plans for district and community energy systems in the Waterfront.

Recommendation:

It is recommended that this report be received for information.

45. Lobbyist Regulation

Report 7, Clause 25

The Policy and Finance Committee:

- (A) recommends that:**

(I) City Council adopt the following recommendations of the Bellamy Recommendations Steering Committee:

“That City Council:

- (i) adopt the staff recommendations contained in the Recommendations Section of the report (August 30, 2006) from the City Manager, subject to amending Part (19) contained in Appendix B by deleting the number “10” and inserting instead the number “5”, so that Part (19) now reads as follows:**

“(19) Fees:

A fee of \$100 per undertaking shall be remitted, no later than 5 business days from the date of registration, by lobbyists in each of the following classes:

- (a) consultant lobbyist;**
- (b) in-house lobbyist (for-profit entities); and**
- (c) voluntary lobbyist (for-profit entities);”**

- (ii) exempt members of Pension Boards from the Lobbyist Registry system;**
- (iii) request the Province of Ontario to amend legislation to allow the Toronto Public Library, the Toronto Police Services and other bodies to participate in a Lobbyist Registration System; and**
- (iv) direct that the current voluntary registration system remain in force, and in the interim, the City Manager be requested to prepare a standard form for Members of Council to use until such time as the Lobbyist Registration System takes effect in January, 2008;”;**

(II) the City Manager be directed to take the steps necessary to implement the lobbyist registry as soon as possible following proclamation of the City of Toronto Act, 2006;

(III) the City Manager be directed to immediately start the process of recruiting the Lobbyist Registrar in order to present a list of candidates to a selection panel composed of three Members of the incoming Council following the municipal election;

(IV) the Mayor-elect be authorized to appoint the members of the selection panel from among the Members-elect after the City Clerk has certified the results of the November election;

- (V) the Selection Panel be requested to make a recommendation to City Council on the appointment of a Lobbyist Registrar at the earliest possible opportunity;
 - (VI) the Registrar be requested to submit a report on the functioning of the Lobbyist Registry within a year of its implementation; and
- (B) advises that the Board of Health supports:
- (1) the inclusion of Board of Health members and appointees to advisory bodies to the Board of Health as public office holders in the proposed lobbyist registration system; and
 - (2) the exemption of not-for-profit organizations from the proposed lobbyist registration system.

Action taken by the Committee

The Policy and Finance Committee referred the following motion to the Integrity Commissioner:

Moved by Councillor Moscoe:

“That the Policy and Finance Committee recommend that City Council adopt the recommendations of the Bellamy Recommendations Steering Committee subject to refinement and review in the context of the City of Toronto Act; and that staff be requested to report on mechanisms that will provide legal assistance to Councillors and an appeal mechanism.”

The Policy and Finance Committee held a public meeting on September 18, 2006, in accordance with the *Municipal Act, 2001*, notice of the proposal that the City pass a by-law regarding imposing a fee with respect to the Lobbyist Registry System, was posted on the City’s web site for a minimum of 5 days.

a Lobbyist Registry System, and in so doing, proposing that the City pass a by-law regarding imposing a fee of \$100.00 per undertaking by lobbyists in each of the following classes:

Communication (September 6, 2006) from the Bellamy Recommendations Steering Committee advising that the Steering Committee on September 6, 2006:

- (I) recommended to the Policy and Finance Committee that City Council:
 - (i) adopt the staff recommendations contained in the Recommendations Section of the report (August 30, 2006) from the City Manager, subject to amending Part (19) contained in Appendix B by deleting the number “10” and inserting instead the number “5”, so that Part (19) now reads as follows:

“(19) Fees:

A fee of \$100 per undertaking shall be remitted, no later than 5 business days from the date of registration, by lobbyists in each of the following classes:

- (a) consultant lobbyist;
 - (b) in-house lobbyist (for-profit entities); and
 - (c) voluntary lobbyist (for-profit entities);”
- (ii) exempt members of Pension Boards from the Lobbyist Registry system;
 - (iii) request the Province of Ontario to amend legislation to allow the Toronto Public Library, the Toronto Police Services and other bodies to participate in a Lobbyist Registration System; and
 - (iv) direct that the current voluntary registration system remain in force, and in the interim, the City Manager be requested to prepare a standard form for Members of Council to use until such time as the Lobbyist Registration System takes effect in January, 2008;
- (II) requested the City Solicitor to submit an information report to the next meeting of the Policy and Finance Committee to be held on September 18, 2006, or directly to City Council for its meeting to be held on September 25, 2006, clarifying which offences the Lobbyist Registrar may consider in deciding whether to exercise the power to refund, suspend or revoke a registration under Clause No. (25) contained in Appendix B; and
 - (III) requested the City Manager and the City Solicitor to report directly to Council for its meeting scheduled to be held on September 25, 2006, on possible amendments to the lobbying control framework that would provide for registration by not for profit organizations that are funded by for profit entities to advance their interests.

45(a). Lobbyist Regulation

Communication (September 15, 2006) from the Board of Health advising that the Board of Health on September 14, 2006, recommended that the Policy and Finance Committee advise City Council that the Board supports:

- (1) the inclusion of Board of Health members and appointees to advisory bodies to the Board of Health as public office holders in the proposed lobbyist registration system; and
- (2) the exemption of not-for-profit organizations from the proposed lobbyist registration system.

46. Amendments to Code of Conduct for Members of Council

Report 7, Clause 26**The Policy and Finance Committee:**

- (1) forwarded the communication (September 6, 2006) from the Bellamy Recommendations Steering Committee to Council for consideration with the forthcoming report from the Integrity Commissioner that was requested by the Steering Committee; and**
- (2) requested the Integrity Commissioner:**
 - (i) to report directly to Council for its meeting scheduled to be held on September 25, 2006, on the definition of “family members”; and**
 - (ii) to report early in 2007, on an appeal mechanism and legal assistance for Members of Council.**

Communication (September 6, 2006) from the Bellamy Recommendations Steering Committee advising that the Steering Committee on September 6, 2006:

- (I) requested the Integrity Commissioner to:**
 - (i) amend Section VII (b) contained in the Appendix by inserting the words “staff members” after the words “family members” so that Section VII (b) shall now read as follows:**
 - “(b) that affects a member of Council, his or her family members, staff members, friends or associates, business or otherwise as one of a broad class of persons, or”**
 - (ii) finalize his proposals for amendments to the Members Code of conduct in keeping with the recommendations arising from this Committee; after further consultation with the City Solicitor and report thereon directly to the September 18, 2006 meeting of the Policy and Finance Committee, or if necessary, directly to the September 25, 2006 City Council meeting;**
 - (iii) report on amending the complaints protocol for the Code of Conduct to provide for clearer penalties and processes for violations to be recommended by the Integrity Commissioner to Council;**
- (II) referred the following motion to the Integrity Commissioner for report thereon to the Policy and Finance Committee for its meeting to be held on September 18, 2006 or the Council meeting to be held on September 25, 2006:**

Moved by Councillor LiPreti

“That the Integrity Commissioner be requested to:

- (i) amend Part III contained in the Appendix to provide that the value of gifts or benefits in any calendar year not exceed \$300; and
 - (ii) amend Part VIII by deleting the third paragraph;”; and
- (III) received the report (July 5, 2006) from the Integrity Commissioner respecting Code of Conduct and Complaint Protocol.

47. Waiving of Rental Fee for the Mobile Trailer Unit for the Wishmaker Parade - Walk for Wishes

Report 7, Clause 82(u)

The Policy and Finance Committee directed that if the Wishmaker Parade event on October 14, 2006, meets the criteria and policy for fee reduction, the General Manager, Parks, Forestry and Recreation be requested to waive the rental fee for the mobile stage unit for the event.

Communication (September 5, 2006) from Councillor Jane Pitfield forwarding a Notice of Motion (September 5, 2006) seconded by Councillor Cliff Jenkins stating that:

WHEREAS The Children’s Wish Foundation of Canada grants wishes to children coping with high-risk, life-threatening illnesses across Canada;

WHEREAS more than 12,000 children have received a wish from the Foundation since its inception in 1984;

WHEREAS the foundation has rented a portable stage system (Mobile Trailer Unit) from the City of Toronto to be used as the staging for Wishmaker Parade – Walk for Wishes, a pledge-based parade that will take place Saturday, October 14, 2006 in Sunnybrook Park;

WHEREAS Wishmaker Parade raised more than \$1 million to grant wishes last year;

WHEREAS the foundation has made a call for support for a request that City Council waive the rental fee for the Mobile Trailer Unit of \$1,800;

NOW THEREFORE BE IT RESOLVED THAT City Council waive the rental fee for the Mobile Trailer Unit of \$1,800 for the Wishmaker Parade – Walk for Wishes, on Saturday, October 14, 2006 in Sunnybrook, for this year only.

48. Metropolitan Toronto Police Benefit Fund – Actuarial Valuation for Funding Purposes as at December 31, 2005 and Revised Actuarial Valuation for Funding Purposes as at December 31, 2004

Report 7, Clause 27

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee.

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Treasurer.

Recommendations:

It is recommended that:

- (1) the "Revised Report on the Actuarial Valuation for Funding Purposes as at December 31, 2004" prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received in substitution for the original such report received by Council in 2005;
- (2) the "Report on the Actuarial Valuation for Funding Purposes as at December 31, 2005" prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received, and that:
 - (a) the existing authorization for the City to make special annual payments of \$11,389,200 to the Police Benefit Fund until 2009 to eliminate the Fund's solvency deficiency determined as of December 31, 2004, be modified by:
 - (i) reducing the payments for each of the years 2006 to 2009 to \$4,940,400 subject to discontinuation as Council may determine, if any subsequent actuarial valuation indicates the existence of sufficient excess assets in the Police Benefit Fund;
 - (b) the City make additional special annual payments to the Police Benefit Fund, as recommended by the actuary of:
 - (i) \$4,677,600 in each of the years 2006 to 2015 to eliminate the Fund's going-concern unfunded liabilities determine as of December 31, 2005; and
 - (ii) \$865,200 in each of the years 2006 to 2010 to eliminate the Fund's solvency deficiency determined as of the same date;

subject in each case to discontinuation as Council may determine, if any subsequent actuarial valuation indicates the existence of sufficient excess assets in the Police Benefit Fund;

- (c) the City designate the \$6,448,800 excess special payments made in 2005 and the \$906,000 in 2006 to be a contribution credit to be applied equally against the 2007, 2008 and 2009 funding requirements;
- (3) recommendation (2) be forwarded to the Budget Advisory Committee for its consideration during the 2007 Budget Process;
- (4) this report be forwarded to the Policy and Finance Committee for consideration; and
- (5) the appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations;

49. The Corporation of the City of York Employee Pension Plan – Actuarial Valuation for Funding Purposes as at December 31, 2005.

Report 7, Clause 28

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee.

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Treasurer.

Recommendations:

It is recommended that:

- (1) the 2005 Actuarial Report for The Corporation of the City of York Employee Pension Plan be received;
- (2) in satisfaction of its obligations under the *Pension Benefits Act* to eliminate the additional going-concern unfunded liability and the solvency deficiency of The Corporation of the City of York Employee Pension Plan as they were determined to exist at December 31, 2005, the City make the following additional special payments to the Plan:
 - (a) \$57,008.40 on October 1, 2006, in satisfaction of the minimum accrued obligations (including interest) from January 1, 2006, to and including that date in connection with both the unfunded liability and the solvency deficiency determined as of January 1, 2006;

- (b) \$5,377 per month on account of such going-concern unfunded liability from November 1, 2006, to and including December 1, 2015; and,
- (c) \$209 per month on account of such solvency deficiency from November 1, 2006, to and including December 1, 2010,

subject to earlier discontinuation of such monthly payments and/or, in the case of the unfunded liabilities, reduction, as Council may determine having regard to any subsequent actuarial valuation, if permitted under the Act;

- (3) the total 2006 payments in the amount of \$68,180.40 pursuant to Recommendation (2) above be made from the Non-Program Expenditure Budget, with funding from the Employee/Retiree Benefits Reserve Fund;
- (4) the 2006 Non-Program Expenditure Budget be increased by \$68,180.40, offset by an equal contribution from the Employee/Retiree Benefits Reserve Fund for \$0 net impact on the 2006 Operating Budget to fund the 2006 payments;
- (5) annual funding of \$67,032 for the years 2007 to 2010 and \$64,524 for the years 2011 to 2015 be included in the respective years' Non-Program Expenditure Budget submission;
- (6) recommendation (5) be forwarded to the Budget Advisory Committee for its consideration during the 2007 Budget Process;
- (7) this report be forwarded to the Policy and Finance Committee for consideration; and
- (8) the appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations; and

50. Metropolitan Toronto Pension Plan Pensioners – Provision of Full-Earnings Pension and Retirement Compensation Arrangement (RCA)

Report 7, Clause 29

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee.

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Treasurer.

Recommendations:

It is recommended that:

- (1) in future, payments to beneficiaries of the Metropolitan Toronto Pension Plan of approximately \$8,300 per year to compensate for reductions in Plan benefits flowing from the ceiling imposed by the Regulations under the *Income Tax Act* be made directly by the City from the Employee Benefits Reserve Fund and the current recipients be advised accordingly;
- (2) By-law No. 78-97 of the former Metropolitan Corporation be repealed and all agreements made thereunder between any participating employer and the Trustees of that Plan be cancelled retroactively as of their respective dates of execution on the basis of mutual release;
- (3) authority be granted for introduction of the appropriate Bill in Council to implement Recommendation (2);
- (4) the authority granted by City Council's adoption on October 29, 2002, of Clause No. 26 of Administration Committee Report No. 13 for payment of \$56,000 to the fund of the retirement compensation arrangement for members of the Metropolitan Toronto Pension Plan be rescinded;
- (5) payment in the amount of \$68,800 plus interest be made by the City from the Employee Benefits Reserve Fund to the fund of the retirement compensation arrangement established for beneficiaries of the Metropolitan Toronto Police Benefit Fund in order to reimburse it, with interest, for any payments made to members of the Metropolitan Toronto Pension Plan;
- (6) the 2006 Non-Program Expenditure Budget be increased by \$14,900 to reflect the increased cost of funding payments to MTPP members, offset by an equal contribution from the Employee/Retiree Benefits Reserve Fund for \$0 net impact on the 2006 Operating budget to fund the 2006 payments;
- (7) annual funding increases of \$8,300 for required future years payments to MTPP members be included in the respective year's Non-Program Expenditure Budget submission; and,
- (8) City staff be authorized to take all necessary steps to implement Recommendations (1) to (7).

**51. Sole Source Municipal License Subscription for Bentley Systems Software
(All Wards)**

Report 7, Clause 30

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee.

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 23, 2006) from the (August 16, 2006) from the Executive Director, Technical Services, and Director, Purchasing and Materials Management.

Recommendations:

It is recommended that:

- (1) an adjustment to the current approved operating budget for 2006 is required for that prorated amount of the \$305,000 yearly increase that will be needed to fund the new agreement for the remainder of the year, noting that recoveries from Toronto Hydro and the TTC will offset the increase to the 2006 budget resulting in a zero net increase;
- (2) approval be granted to enter into a three year sole source contract (commencing in 2006 and expiring in 2009) with Bentley Systems, Incorporated under Bentley's Municipal License Subscription Program for a period of three years at a cost not to exceed \$550,000.00 per year (\$1,650,000.00 over three years) including all charges and taxes;
- (3) the Executive Director of Technical Services be authorized to negotiate and execute the agreements in consultation with the City Solicitor, the Executive Director of Information and Technology and the Executive Director of Policy, Planning, Finance and Administration for the Select Program and the Municipal License Subscription Program with Bentley Systems, Incorporated for a term of three years;
- (4) this report be forwarded to the Policy and Finance Committee for the purposes of adjusting the Technical Services budget and cash flow for the years 2007, 2008 and 2009;
- (5) the e-City Committee be forwarded a copy of this report for its information; and
- (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

52. Acquisition of 49 Horsham Avenue for the North York Centre Service Road (Ward 23 – Willowdale)

Report 7, Clause 31

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee.

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006, recommended to the Policy and Finance Committee that:

- (i) City Council adopt the following staff recommendations in the Recommendations Section of the report (August 15, 2006) from the Chief Corporate Officer; and

Recommendations:

It is recommended that:

- (1) the Offer to Sell from Markar and Eliz Saraphanian (the “Owners”) to the City, for the property municipally known as 49 Horsham Avenue (the “Property”), in the amount of \$800,000.00, together with \$40,000.00 in respect of disturbance, inconvenience etc., \$7,500.00 in respect of legal fees, and \$5,605.24 in respect of appraisal fees, (with closing costs to the City in the amount of approximately \$13,800.00), be accepted substantially on the terms outlined in Appendix “A” to this report, and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City;
 - (2) the City Solicitor be authorized to complete the transaction on behalf of the City including making payment of any necessary expenses and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable;
 - (3) the report be referred to the Policy and Finance Committee for consideration and approval; and
 - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto; and
- (ii) it be noted that the property values for this area have increased significantly and had the property been acquired sooner, corresponding savings may have been achieved.

53. Adjustments to Approved Cash Flows – Facilities and Real Estate Division’s 2006 Approved Capital Budget

Report 7, Clause 32

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee.

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006 recommended to the Policy and Finance Committee that City Council adopt the staff recommendation in the Recommendations Section of the report (August 29, 2006) from the Chief Corporate Officer.

54. Yorkville Development – Municipal Carpark 215

(Confidential - Proposed or Pending Acquisition of Land for Municipal or Local Board purposes.)

Report 7, Clause 33

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Administration Committee contained in the communication (September 6, 2006) from the Administration Committee; entitled “Yorkville Development, Municipal Carpark 215”, 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 relates to proposed or pending acquisition of land for Municipal or local Board purposes.

Action taken by the Committee

The Policy and Finance Committee requested the President, Toronto Parking Authority, to submit a supplementary report directly to Council for its meeting on September 25, 2006, which includes:

- (i) a calculation of the ROI for:

 - (a) the investment of \$1.1 million for the 25 parking spaces; and**
 - (b) the total investment for municipal carpark 215; and****
- (ii) confirmation that the cost of these 25 additional spaces do not exceed \$40,000 per space.**

Communication (September 6, 2006) from the Administration Committee advising that the Administration Committee on September 5, 2006, recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the confidential report (August 21, 2006) from the President, Toronto Parking Authority; and
- (2) because the report relates to the proposed or pending acquisition of land for municipal or local board purposes, under the *Municipal Act, 2001*, discussions about this report be held in camera.

55. Project Update and Settlement Report from City of Toronto Economic Development Corporation (“TEDCO”) for 115 Unwin Avenue and City of Toronto-owned Adjacent Lands, Toronto - Toronto Danforth – Ward 30

(In Camera - Litigation or Potential Litigation)

Report 7, Clause 34

The Policy and Finance Committee recommends that City Council:

- (1) **adopt the staff recommendations contained in the recommendations Section of the confidential report (September 11, 2006) from the President and Chief Executive Officer, City of Toronto Economic Development Corporation (TEDCO) and the General Manager, Parks, Forestry and Recreation respecting a Project Update and Settlement Report from TEDCO for 115 Unwin Avenue; 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 relates to litigation or potential litigation matters; and**
- (2) **authorize staff to provide a confidential copy of this report to officials of the Ministry of the Environment involved in monitoring this site and to the President and CEO of the Toronto Waterfront Revitalization Corporation so as to expedite remediation of the lands in a timely manner.**

Confidential report (September 11, 2006) from the President and Chief Executive Officer, City of Toronto Economic Development Corporation (TEDCO) and the General Manager, Parks, Forestry and Recreation respecting update and settlement from the City of Toronto Economic Development Corporation for 115 Unwin Avenue and City of Toronto-owned lands; such report to be considered in-camera as the subject matter relates to litigation or potential litigation matters.

56. Proposed Spadina Subway Extension- Capital Cost Allocation between the City of Toronto and the Regional Municipality of York ; and Appointment of Municipal Trustee for the Move Ontario Trust - Proposed Spadina Subway Extension – All Wards

Report 7, Clause 35

The Policy and Finance Committee recommends that City Council:

- (I) adopt the following recommendations contained in the Recommendations Section of the report (September 12, 2006) from the City Manager, the Deputy City Manager and Chief Financial Officer and the Interim Chief General Manager, Toronto Transit Commission, entitled “Proposed Spadina Subway Extension- Capital Cost Allocation between the City of Toronto and the Regional Municipality of York”:**
- “(1) the Deputy City Manager and Chief Financial Officer, in consultation with the Interim Chief General Manager, Toronto Transit Commission, be authorized to negotiate and execute agreement(s) on behalf of the City of Toronto with the Region of York, relating to the allocation of capital costs for the Spadina Subway Extension project, reflecting a cost sharing of 59.96 percent City/ 40.04 percent Region, in a form satisfactory to the City Solicitor, which would give recognition to shared infrastructure as well as to municipal boundaries, and include the terms and conditions as set out in Appendix A to this report;**
- (2) (i) City Council accept a one-time payment of \$29.98 million from the Region of York on terms and conditions as set out in Appendix A to this report in recognition of investments in the subway system previously made by the City that would contribute to the extension, and**
- (ii) the Deputy City Manager and Chief Financial Officer, in consultation with the Interim Chief General Manager, Toronto Transit Commission, be authorized to negotiate and execute an agreement on behalf of the City in respect of the one-time payment, in a form satisfactory to the City Solicitor, including terms and conditions as set out in Appendix A to this report;**
- (3) the City Manager be directed to report back on the outcome of discussions with the Federal government with respect to their funding participation of the subway extension;**
- (4) the Deputy City Manager and Chief Financial Officer be directed to report back to Council through the Policy and Finance Committee with a more detailed update on the Project capital plan and cash flow financing, as part of the City’s 2007-2011 capital plan;**
- (5) Council approve an additional expenditure of up to \$200,000 by the Toronto Transit Commission relating to the City’s portion of the 1/3 municipal share of the Spadina Subway Extension – Downsview to Steeles project interim funds of \$1.3 million included in the 2006-2010 Capital Program in order to continue its ongoing preparatory work for the Project; and**

- (6) **the appropriate City staff be authorized and directed to take all necessary actions to give effect thereto”;**”
- (II) **adopt the following recommendations contained in the Recommendations Section of the report (July 5, 2006) from the City Manager and the Interim Chief General Manager, Toronto Transit Commission; entitled “Appointment of Municipal Trustee for the Move Ontario Trust - Proposed Spadina Subway Extension – All Wards “**
- “(1) **Mr. Joseph P. Pennachetti, Deputy City Manager and Chief Financial Officer, be nominated for appointment as the City of Toronto’s Municipal Trustee for the Move Ontario Trust;**
- (2) **the Deputy City Manager and Chief Financial Officer, in consultation with the Interim Chief General Manager, Toronto Transit Commission, be authorized to enter into negotiations with the Region of York to determine the appropriate allocation of the municipal portion of project costs and report back on the outcome of such negotiations;**
- (3) **the Deputy City Manager and Chief Financial Officer report back on a plan for financing the City’s share of the capital costs of the subway extension;**
- (4) **the Deputy City Manager and Chief Financial Officer, in consultation with the City's Chief Planner and Executive Director, be authorized to retain the services of a qualified and experienced consultant, to provide advisory support to the City in connection with the financing of the proposed subway extension as outlined in this report, at a cost not to exceed \$300,000 funded from the Development Charge Reserve Fund for Development-Related Studies (Account XR2030); and**
- (5) **the appropriate City staff be authorized and directed to take all necessary actions to give effect thereto;”;** and
- (III) **direct the Trustee to report to the Executive Committee on any funding proposals that would require the City to relinquish any of its planning authority.**

Report (September 12, 2006) from the City Manager, the Deputy City Manager and Chief Financial Officer and the Interim Chief General Manager, Toronto Transit Commission, addressing and seeking authorities pertaining to the capital cost allocation of the Spadina Subway Extension project (“the Project”), between the City of Toronto and the Region of York, and is presented in conjunction with a report from the City Manager, dated July 5, 2006, entitled “Move Ontario Trustee for Move Ontario Trust- Proposed Spadina Subway Extension”.

Recommendations:

It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer, in consultation with the Interim Chief General Manager, Toronto Transit Commission, be authorized to negotiate and execute agreement(s) on behalf of the City of Toronto with the Region of York, relating to the allocation of capital costs for the Spadina Subway Extension project, reflecting a cost sharing of 59.96 percent City/ 40.04 percent Region, in a form satisfactory to the City Solicitor, which would give recognition to shared infrastructure as well as to municipal boundaries, and include the terms and conditions as set out in Appendix A to this report;
- (2)
 - (i) City Council accept a one-time payment of \$29.98 million from the Region of York on terms and conditions as set out in Appendix A to this report in recognition of investments in the subway system previously made by the City that would contribute to the extension, and
 - (ii) the Deputy City Manager and Chief Financial Officer, in consultation with the Interim Chief General Manager, Toronto Transit Commission, be authorized to negotiate and execute an agreement on behalf of the City in respect of the one-time payment, in a form satisfactory to the City Solicitor, including terms and conditions as set out in Appendix A to this report;
- (3) the City Manager be directed to report back on the outcome of discussions with the Federal government with respect to their funding participation of the subway extension;
- (4) the Deputy City Manager and Chief Financial Officer be directed to report back to Council through the Policy and Finance Committee with a more detailed update on the Project capital plan and cash flow financing, as part of the City's 2007-2011 capital plan;
- (5) Council approve an additional expenditure of up to \$200,000 by the Toronto Transit Commission relating to the City's portion of the 1/3 municipal share of the Spadina Subway Extension – Downsview to Steeles project interim funds of \$1.3 million included in the 2006-2010 Capital Program in order to continue its ongoing preparatory work for the Project; and
- (6) the appropriate City staff be authorized and directed to take all necessary actions to give effect thereto

56(a). Appointment of Municipal Trustee for the Move Ontario Trust - Proposed Spadina Subway Extension – All Wards

(Deferred from the July 18, 2006 meeting)

Report (July 5, 2006) from the City Manager and the Interim Chief General Manager, Toronto Transit Commission, recommending the appointment of a permanent trustee for

the Move Ontario Trust (“the Trust”) established by the Province to fund its share of the proposed Spadina subway extension into York Region; and also providing Council with an update on the planning, operational and funding issues related to the proposed project.

Recommendations:

It is recommended that:

- (1) Mr. Joseph P. Pennachetti, Deputy City Manager and Chief Financial Officer, be nominated for appointment as the City of Toronto’s Municipal Trustee for the Move Ontario Trust;
- (2) the Deputy City Manager and Chief Financial Officer, in consultation with the Interim Chief General Manager, Toronto Transit Commission, be authorized to enter into negotiations with the Region of York to determine the appropriate allocation of the municipal portion of project costs and report back on the outcome of such negotiations;
- (3) the Deputy City Manager and Chief Financial Officer report back on a plan for financing the City’s share of the capital costs of the subway extension;
- (4) the Deputy City Manager and Chief Financial Officer, in consultation with the City's Chief Planner and Executive Director, be authorized to retain the services of a qualified and experienced consultant, to provide advisory support to the City in connection with the financing of the proposed subway extension as outlined in this report, at a cost not to exceed \$300,000 funded from the Development Charge Reserve Fund for Development-Related Studies (Account XR2030); and
- (5) the appropriate City staff be authorized and directed to take all necessary actions to give effect thereto.

57. Toronto 2015 World Expo

Report 7, Clause 36

The Policy and Finance Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (September 11, 2006) from the City Manager, Deputy City Manager and Chief Financial Officer and the President and Chief Executive Officer, TEDCO/TWEC.

Report (September 11, 2006) from the City Manager, Deputy City Manager and Chief Financial Officer and the President and Chief Executive Officer, TEDCO/TWEC reporting on the outcome of discussions with the Province of Ontario and the Government of Canada on the financial guarantee for the 2015 World Expo, the financial participation of the partners and the governance for a new Toronto 2015 World Expo

Corporation, in which Board members are appointed by each of the three orders of government.

Recommendations:

It is recommended that City Council:

- (1) endorse the Financial Principles outlined in Attachment 1 of this report as the basis for finalizing a Memorandum of Understanding with the Governments of Ontario and Canada on the City's participation in the capital investment and financial guarantee for the 2015 World Expo and, in doing so, reaffirm its request of May 23, 2006 that the Government of Canada submit a formal Bid to the Bureau International des Expositions (BIE) no later than November 2, 2006, to host the 2015 World Exposition in Toronto;
- (2) authorize the City Manager and the Deputy City Manager and Chief Financial Officer jointly with TEDCO/Toronto 2015 World Expo Corporation to continue discussions with both the Provincial and Federal governments to confirm the nature of the financial partnership in accordance with the above principles and to report to Council in 2007 on the outcomes of these discussions;
- (3) endorse the Governance Principles outlined in Attachment 2 of this report as the basis for finalizing a Memorandum of Understanding among the Federal, Provincial and City governments on the governance structure for a new 2015 World Expo Corporation;
- (4) endorse the proposed governance structure for the bid phase of the new 2015 Toronto World Expo Corporation generally as shown in Attachment 3 of this report including:
 - (i) A 12-member Board of Directors, plus a Chair mandated to oversee the development, submission and advancement of the Bid, preferably with four members appointed by each of the government partners in accordance with a single skills matrix, and a chair to be jointly appointed by the three governments;
 - (ii) A Board of Governors comprised of private and public sector leaders and mandated to market and promote Toronto, Ontario and Canada's Bid nationally and internationally;
 - (iii) A Domestic Outreach Committee co-chaired by a municipal elected official from the City of Toronto and senior official of the new Corporation and mandated to develop domestic support for the bid and to ensure that the bid process is transparent and reflective of a diversity of perspectives;

(iv) the following committees of the Board, with membership including both Board of Directors representatives and representatives of other stakeholder groups:

- Executive Committee
- Audit Committee
- Finance and Risk Management Committee
- Domestic Outreach Committee
- Corporate Sponsorship Committee
- Marketing Committee
- Governance Committee
- Government Relations Committee
- Waterfront Committee

- (5) authorize City staff and TEDCO with its existing Toronto 2015 World Expo Corporation to take the necessary actions to advance the new governance structure in accordance with the above principles and structures, using the Corporate vehicle recommended by the City Solicitor and to report to Council in January 2007 on the mandate of the new Corporation, the recommended municipal process for appointing directors and the skills matrix to guide the selection of Board members;
- (6) authorize TEDCO/Toronto 2015 World Expo Corporation to continue to lead in managing the bid process together with City officials, with TEDCO/TWEC funding the initiative until the next report to Council in January, 2007 and the Board of the new “Bid Corporation” is engaged.
- (7) require that a comprehensive risk management program be developed and implemented by the new 2015 Toronto World Expo Corporation, when in place, with the program to be developed in consultation with the government partners, with a view to maximizing the chances of a winning bid and ensuring that the investment in the 2015 World Expo is well managed;
- (8) that the existing and new 2015 World Expo Corporation work with its public sector partners to maximize private sector involvement in the 2015 World Expo ; and
- (9) that all City officials be authorized and directed to take the necessary actions to give effect thereto.

57(a). Communication (August 1, 2006) from David Craddock, President, Ontario Association of Architects, providing a letter of support on behalf of the Ontario Association of Architects for the Carpenter’s Union endorsement of Toronto’s bid for Expo 2015.

**58. Status of Negotiations of Proposed Sale of Surplus Property
Portions of 3326 Bloor Street West and 1226 Islington Avenue**

(Ward 5 – Etobicoke-Lakeshore)**Report 7, Clause 37**

The Policy and Finance Committee concurred with the recommendations contained in the Recommendations Section of the report (September 12, 2006) from the Chief Corporate Officer and the General Manager, Economic Development and Tourism.

Report (September 12, 2006) from the Chief Corporate Officer and the General Manager, Economic Development and Tourism to report on the status of negotiations for the proposed sale of portions of the City-owned property at 3326 Bloor Street West and 1226 Islington Avenue.

Recommendations:

It is recommended that:

- (1) the Chief Corporate Officer continue negotiations with SNC-Lavalin Group Inc. (“SNC”) on the terms and conditions of a proposed sale transaction for portions of the City-owned property known as 3326 Bloor Street West and 1226 Islington Avenue, shown as Part 3 on Sketch No. PS-2006-088, (the “Property”) and report directly to City Council at its meeting scheduled on September 25, 26 and 27, 2006 regarding the Offer to Purchase (if received); and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

59. Increase to Purchase Order (P.O.) 6013516 for Legal Services**Report 7, Clause 38**

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Planning and Transportation Committee contained in the communication (September 5, 2006) from the Planning and Transportation Committee.

Communication (September 5, 2006) from the Planning and Transportation Committee advising that the Planning and Transportation Committee on September 5, 2006, recommended to the Policy and Finance Committee, and City Council, the adoption of the following staff recommendations in the Recommendations Section of the report (August 21, 2006) from the Chief Planner and Executive Director, City Planning, City Solicitor and Director, Purchasing and Materials Management:

It is recommended that:

- (1) Council approve an increase of \$425,000.00 including GST to Purchase Order 6013516 to provide for a total of \$975,000.00 to cover the expenses of the law

firm of Ritchie, Ketcheson, Hart and Biggart associated with the approval of the Official Plan which is before the Ontario Municipal Board;

- (2) staff be authorized to increase the Purchase Order 6013516 by an additional \$275,000.00 in 2007 up to the full budget amount of \$1,250,000.00 previously approved by Council if required; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

60. Update on Funding Negotiations with Service Canada for the Provision of Youth Employment Services

Report 7, Clause 39

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (September 11, 2006) from the Community Services Committee.

Communication (September 11, 2006) from the Community Services Committee advising that the Community Services Committee on September 11, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 23, 2006) from the Executive Director, Social Development, Finance and Administration, respecting "Update on Funding Negotiations with Service Canada for the Provision of Youth Employment Services.":

It is recommended that:

- (1) the Deputy City Manager, Sue Corke, be authorized to sign:
 - (a) an agreement with Service Canada to receive funds in an amount not to exceed \$405,000.00 as its contribution of funding for the operation of Project EASE;
 - (b) an amending agreement for the YELL project for a revised total amount of up to \$2,063,794.00; and
 - (c) a renewal agreement for the YET program for a total amount of no more than \$360,000.00 in revenue and \$95,000.00 in net costs with annual budget commitments subject to City and federal budget approval processes;
- (2) the Social Development, Finance and Administration approved 2006 operating budget be increased by \$54,000.00 gross (zero net) for Project EASE; and

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

61. Update on the Progress of ‘Systems of Survival, Systems of Support: An Action Plan for Social Assistance in the City of Toronto’

Report 7, Clause 40

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (September 11, 2006) from the Community Services Committee.

Communication (September 11, 2006) from the Community Services Committee advising that the Community Services Committee on September 11, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 18, 2006) from the General Manager, Social Services, respecting “Update on the Progress of ‘Systems of Survival, Systems of Support: An Action Plan for Social Assistance in the City of Toronto’.”:

It is recommended that:

- (1) Social Services’ 2006 Operating Budget be increased by \$0.25 million gross and \$0 net, funded from the National Child Benefit Supplement Reserve Fund in 2006 and the balance of \$2.95 million gross and \$0 net, funded from the National Child Benefit Supplement Reserve Fund in 2007, be included in the respective programs 2007 Operating Budget Submissions;
- (2) Council authorize the General Manager of Social Services, or her designate, to negotiate and if negotiations are successful, to execute service agreements in a form satisfactory to the City Solicitor with non-profit community based agencies to implement the ‘Investing in Neighbourhoods’ initiative;
- (3) Council authorize the General Manager of Social Services, or her designate, to adjust funding allocation between these initiatives as may be required to ensure maximum use of these funds;
- (4) Toronto Social Services continue transferring NCBS savings to the NCBS Reserve Fund as adopted by Council, and such funds should only be used for projects that meet National Child Benefit objectives;
- (5) this report be referred to the next meeting of the Budget Advisory Committee; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

62. Withdrawal from the Social Housing Federal Reserve Fund and Approval of a Loan for Saints Peter and Paul Ukrainian Community Homes and Withdrawal from the Social Housing Stabilization Reserve Fund and Approval of a Loan for First Erdelyi Non-Profit Housing Corporation - (Ward 42 – Scarborough Rouge River and Ward 14 – Parkdale High Park)

Report 7, Clause 41

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (September 11, 2006) from the Community Services Committee.

Communication (September 11, 2006) from the Community Services Committee advising that the Community Services Committee on September 11, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 22, 2006) from the General Manager, Shelter, Support and Housing Administration, respecting “Withdrawal from the Social Housing Federal Reserve Fund and Approval of a Loan for Saints Peter and Paul Ukrainian Community Homes and Withdrawal from the Social Housing Stabilization Reserve Fund and Approval of a Loan for First Erdelyi Non-Profit Housing Corporation.”:

It is recommended that:

- (1) authority be given to the General Manager, Shelter, Support and Housing Administration, (the “General Manager”) to:
 - (a) withdraw \$1,657,000.00 from the Social Housing Federal Reserve Fund and \$1,238,000.00 from the Social Housing Stabilization Reserve Fund required for capital repairs and lend:
 - (i) \$1,657,000.00 to Saints Peter and Paul Ukrainian Community Homes at 221 Milner Avenue (Ward 42 – Scarborough Rouge River), and
 - (ii) \$1,238,000.00 to First Erdelyi Non-Profit Housing Corporation at 1624 Bloor Street West (Ward 14 – Parkdale High Park),
 - (b) for each of the above described housing projects, negotiate, execute and deliver a loan agreement, collateral security and ancillary agreements and documentation, including a mortgage and a general assignment of rents, subject to the following terms and conditions:
 - (i) each loan will be non-interest bearing and not repayable until the earlier of the date (the “Commencement Date”) (1) that the first mortgage is due to mature, or (2) such mortgage is redeemed;

- (ii) starting on the Commencement Date each loan will bear interest at a rate equal to the prime lending rate charged by the City's leading banker plus one percent and be subject to a repayment schedule that would amortize each loan over a period of 15 years, subject to the right of each housing provider to pre-pay its loan at any time without interest or penalty;
 - (iii) each interest rate and repayment schedule will be renegotiable, subject to further Council approval; and
 - (iv) such other terms and conditions that are satisfactory to the General Manager, Shelter, Support and Housing Administration, and in a form acceptable to the City Solicitor;
- (c) enter into an option agreement requiring each housing provider to provide rent supplement housing from and after the date the duty to pay a subsidy under the *Social Housing Reform Act, 2000* is terminated, for a term of up to 15 years, provided that it receives the required funding from the Service Manager;
 - (d) consent, on behalf of the City of Toronto to Saints Peter and Paul Ukrainian Community Homes mortgaging, charging or encumbering the Property in connection with the City's mortgage, as required under the Operating Agreement being administered by the City of Toronto as Service Manager pursuant to the *Social Housing Reform Act, 2000*;
 - (e) in the case of Saints Peter and Paul Ukrainian Community Homes, apply for the consent of the Minister of Municipal Affairs and Housing in connection with the City's mortgage, required under a Transfer Order made pursuant to the provisions of the *Social Housing Reform Act, 2000* and such other consents and approvals as may be necessary or convenient from other third parties, including lenders;
 - (f) in the case of First Erdelyi Non-Profit Housing Corporation, apply for the consent of the Minister of Municipal Affairs and Housing in connection with the City's mortgage, required under Section 95(3) of the *Social Housing Reform Act, 2000* and such other consents and approvals as may be necessary or convenient from other third parties, including lenders;
- (2) the two loans totalling \$2,895,000.00 be deemed to be in the interests of the City of Toronto in accordance with section 107 of the *Municipal Act 2001*, S.O. 2001, Chapter 25;
 - (3) the 2006 Operating Budget for Shelter, Support and Housing Administration be increased by \$2,895,000.00 gross and \$0 net and be funded by a withdrawal of \$1,657,000.00 from the Social Housing Federal Reserve Fund and \$1,238,000.00

from the Social Housing Stabilization Reserve Fund for required capital expenditures at two non-profit housing projects;

- (4) the Province be requested to reimburse the City of Toronto for the \$2,895,000.00 needed for capital repairs;
- (5) any reimbursement received from the Province be credited to the balance of the Social Housing Federal Reserve Fund and the Social Housing Stabilization Reserve Fund in the same proportion as loans were withdrawn from such Funds; and any repayments of principal and interest on a loan be credited, as they are received, to the balance of the Social Housing Federal Reserve Fund and the Social Housing Stabilization Reserve Fund in the same proportion such loan was withdrawn from such Funds;
- (6) this report be referred to the Policy and Finance Committee for its consideration; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

63. 2007 Funding Allocations for City of Toronto Homeless Initiatives Fund and Ministry of Community and Social Services Consolidated Homelessness Prevention Program

Report 7, Clause 42

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Community Services Committee contained in the communication (September 11, 2006) from the Community Services Committee.

Communication (September 11, 2006) from the Community Services Committee advising that the Community Services Committee on September 11, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 23, 2006) from the General Manager, Shelter, Support and Housing Administration, respecting “2007 Funding Allocations for City of Toronto Homeless Initiatives Fund and Ministry of Community and Social Services Consolidated Homelessness Prevention Program.”:

It is recommended that:

- (1) the General Manager, Shelter, Support and Housing Administration, be authorized to enter into service agreements with and allocate funds for:
 - (a) street outreach services to ten community agencies in the amounts shown in Appendix A, for a total allocation of \$1,909,257.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program;

- (b) housing help services within shelters to 28 purchased service shelters/community agencies and six City managed shelters in the amounts shown in Appendix A, for a total allocation of \$6,360,858.00 gross and \$1,184,300.00 net from the 2007 Consolidated Homelessness Prevention Program;
 - (c) housing help services outside of shelters to 39 community agencies in the amounts shown in Appendix A, for a total allocation of \$4,034,511.00 gross and \$2,196,900.00 net. This amount comprises funds from both the 2007 Consolidated Homelessness Prevention Program (\$1,837,611.00 gross and \$0 net) and the 2007 City of Toronto Homeless Initiatives Fund (\$2,196,900.00 gross and net);
 - (d) supports to Daily Living services to 11 alternative housing providers in the amounts shown in Appendix A, for a total allocation of \$3,298,627.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program;
 - (e) drop-in services to 28 community agencies in the amounts shown in Appendix A, for a total allocation of \$1,859,321.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program;
 - (f) special projects to 20 community agencies in the amounts shown in Appendix A, for a total allocation of \$740,022.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program; and
 - (g) the Toronto Enterprise Fund to the United Way of Greater Toronto, for an allocation of \$250,000.00 gross and net from the 2007 City of Toronto Homeless Initiatives Fund;
- (2) the General Manager, Shelter, Support and Housing Administration be delegated authority to enter into service agreements as appropriate and to allocate:
- (a) up to \$170,000.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program to deliver street outreach services substantially in the area bounded by St. Clair Avenue, Ossington Avenue, the Don Valley Parkway and Lakeshore Boulevard, but excluding the area south of Bloor Street between Bathurst Street and Jarvis Street;
 - (b) up to \$445,708.48.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program to implement service plans to address the potential conclusion of the Supports to Daily Living projects of All Saints Church Community Centre and Canrise Non-Profit Housing Inc., and re-invest the funds in Supports to Daily Living services as and when appropriate;

- (c) up to \$143,580.00 gross and \$0 net from the 2007 Consolidated Homelessness Prevention Program to implement service plans to address the potential conclusion of the drop-in project of All Saints Church Community Centre, and re-invest the funds in drop-in services as and when appropriate; and
 - (d) up to \$100,000.00 from the 2007 Consolidated Homelessness Prevention Program for a Health and Safety fund consistent with the terms set out in Appendix B;
- (3) Council designate up to \$37,000.00 gross and net from the 2007 City of Toronto Homeless Initiatives Fund for appeals of all projects recommended in this report;
 - (4) the 2007 Interim Operating Budget (Estimates) be adjusted to include the funding required for the period between January through March 2007 for the City of Toronto Homeless Initiatives Fund within the Community Partnership Investment Program (\$1,498,889.00 gross and net) and for the Consolidated Homelessness Prevention Program within the Shelter, Support and Housing Administration Program (\$5,767,453.00 gross and \$292,445.00 net);
 - (5) Provincial funds totalling \$7,361,500.00 gross (\$0 net) within the City of Toronto Homeless Initiatives Fund within the Community Partnership Investment Program approved 2006 operating budget be transferred to the Consolidated Homelessness Prevention Program within the Shelter, Support and Housing Administration Program. The City of Toronto Homeless Initiatives Fund of \$2,483,900.00 is 100 percent funded by the City, and would remain in the CPIP budget;
 - (6) the 2006 approved budgets of Shelter, Support and Housing Administration and CPIP be adjusted to reflect these transfers; and
 - (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Note: A copy of Appendix D, entitled “Summary Sheets – 2007 Homelessness Programs, Street Outreach Services: Partnership Program”, was forwarded to all Members of Council with the September 11, 2006 agenda of the Community Services Committee and a copy thereof is also on file in the office of the City Clerk, City Hall.

64. Mayor's Roundtable on Seniors Housing Report: "Housing Toronto Seniors-- Planning for the Future"

Report 7, Clause 43

The Policy and Finance Committee recommends that City Council adopt the recommendations contained in the communication (September 11, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors.

Communication (September 11, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors advising that at its meeting on September 7, 2006, the Mayor's Roundtable on Seniors requested that the "Housing Toronto Seniors – Planning for the Future" report be forwarded to the September 18, 2006, meeting of the Policy and Finance Committee; and directed:

"That the Policy and Finance Committee recommend that City Council:

- (1) endorse the report from the Mayor's Roundtable on Seniors titled, "Housing Toronto Seniors - Planning for the Future"; and
- (2) forward the executive summary and report for consideration to Service Canada, Canada Mortgage and Housing Corporation, the Ministry of Municipal Affairs and Housing, the Ministry of Health and Long-Term Care, the Ontario Seniors' Secretariat, all five Local Health Integration Networks (LHINs) in Toronto, the Federation of Canadian Municipalities, Toronto Community Care Access Centres and other relevant community partners."

65. 2003-2006 Highlights and Accomplishments: Mayor's Roundtable on Seniors and Toronto Seniors' Forum

Report 7, Clause 44

The Policy and Finance Committee recommends that City Council:

- (1) receive, for information, the communication (September 7, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors;
- (2) support the advocacy and outreach efforts of the Toronto Seniors Forum during the 2007 budget debate; and the following recommendations outlined in the presentation to the Roundtable be referred to the appropriate City Divisions for their information:
 - (i) **Public Health: Dental services:**
 - (a) **Change financial Statistics Canada Low Income Cut-off (LICO) to \$20,778 for one senior or \$25,867 for two seniors;**

- (b) **add prevention dental programs to emergency dental services; and**
- (c) **expand denture marking programs in Homes for the Aged to not-for-profit Homes in the community;**
- (ii) **Toronto Transit Commission: (Fares)**
 - (a) **Freeze seniors fare for next term of Council; and**
 - (b) **Create a seniors return ticket; and**
- (iii) **Parks, Forestry and Recreation: (Fees)**
 - (a) **Create and implement a Welcome Policy quota for seniors in the four sectors of the City.**

Communication (September 11, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors advising that at its meeting on September 7, 2006, the Mayor's Roundtable on Seniors requested that the report on the highlights and accomplishments during the first term of the Mayor's Roundtable on Seniors and the Toronto Seniors' Forum be submitted to the Policy and Finance Committee meeting on September 18, 2006, with the following suggestion:

“That the Policy and Finance Committee recommend that Council receive, for information, the communication (September 7, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors, headed “Seniors Issues in the City of Toronto,” on the highlights and accomplishments during the first term of the Mayor's Roundtable on Seniors and the Toronto Seniors' Forum.”

66. Seniors Issues in the City of Toronto

Report 7, Clause 82(v)

The Policy and Finance Committee received the communication (September 7, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors.

Communication (September 7, 2006) from Councillor Gay Cowbourne, Chair, Mayor's Roundtable on Seniors advising that at its meeting on September 7, 2006, the Mayor's Roundtable on Seniors recommended that this report respecting Seniors Issues in the City of Toronto, be received for information and forwarded to the September 18, 2006 meeting of the Policy and Finance Committee for consideration.

67. Status Report on 2006 City of Toronto Clean Air Action Plan

Report 7, Clause 45

The Policy and Finance Committee recommends that City Council adopt the recommendations contained in the communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment.

Communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment and Toronto Tree Advocate advising that the Roundtable on the Environment on September 6, 2006 recommended that:

- (1) City divisions, as well as agencies, boards and commissions, that make significant contributions to emission levels, such as Toronto Hydro and the Toronto Transit Commission, report annually to the Deputy City Manager on their energy use and greenhouse gas emissions;
- (2) Facilities and Real Estate Division provide to the Deputy City Manager an inventory of city buildings (with addresses) that have been retrofitted as part of the building retrofit program including an estimate of reductions in energy use for each retrofit along with locations of buildings scheduled for future retrofits; and
- (3) appropriate City staff:
 - (a) continue to work with external organizations to obtain significant emissions data from the community such as Enbridge and Enwave and others, as appropriate; and
 - (b) work closely with the Toronto Atmospheric Fund to support its lighting efficiency program and request funds from the Toronto Atmospheric Fund to identify the potential for deep lighting retrofits throughout the City's corporate buildings and facilities, in order to gain maximum financial incentives.

68. Making Toronto City Hall a Model of Energy Efficiency

Report 7, Clause 46

The Policy and Finance Committee recommends that City Council adopt the recommendation contained in the communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment.

Communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment, and Toronto Tree Advocate advising that the Roundtable on the Environment on September 6, 2006 recommended that the Acting Deputy City Manager undertake the feasibility study for implementing measures to make

Toronto City Hall a showcase for energy efficiency and sustainability, outlined in the August 30, 2006 briefing note from the Chief Corporate Officer to the Roundtable on the Environment, as soon as possible within existing City budgets through THESI and its findings be reported to the Policy and Finance Committee meeting of January 2007, through the Roundtable on the Environment, in time for consideration by Council of the 2007 Capital Budget.

69. Chronology of Roundtable on the Environment Achievements

Report 7, Clause 82(w)

The Policy and Finance Committee received the communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment.

Communication (September 11, 2006) from Deputy Mayor Joe Pantalone, Chair, Roundtable on the Environment, and Toronto Tree Advocate advising that the Roundtable on the Environment on September 6, 2006 recommended that the “Chronology of Roundtable on the Environment Achievements” be received for information.

70. Review of Ontario’s Workplace Safety and Insurance Act Firefighters’ Illness or Disease

Report 7, Clause 47

The Policy and Finance Committee recommends that City Council:

- (1) endorse the motion contained in the report (August 28, 2006) from the City Manager and Executive Director of Human Resources respecting the review of Ontario’s Workplace Safety and Insurance Act Firefighters’ Illness or Disease; and**
- (2) forward copies to the Government of Ontario and the WSIB.**

Communication (September 12, 2006) from the Employee and Labour Relations Committee advising that the Employee and Labour Relations Committee on September 12, 2006 received the report (August 28, 2006) from the City Manager and the Executive Director of Human Resources respecting “Review of Ontario’s Workplace Safety and Insurance Act Firefighters’ Illness or Disease” and forwarded a copy to the Policy and Finance Committee, and City Council, for information.

71. Occupational Health and Safety Report – Second Quarter, 2006

Report 7, Clause 48

The Policy and Finance Committee recommends that City Council receive the communication (September 12, 2006) from the Employee and Labour Relations Committee.

Communication (September 12, 2006) from the Employee and Labour Relations Committee advising that the Employee and Labour Relations Committee on September 12, 2006 received the report (August 28, 2006) from the City Manager and the Executive Director of Human Resources respecting “Occupational Health and Safety Report – Second Quarter, 2006” and forwarded a copy to the Policy and Finance Committee, and City Council, for information.

72. Implementation Date of the “Harmonized Short-Term Disability Plan – Management and Non-Union Employees” for Councillors’ Staff

Report 7, Clause 49

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Employee and Labour Relations Committee contained in the communication (September 12, 2006) from the Employee and Labour Relations Committee.

Communication (September 12, 2006) from the Employee and Labour Relations Committee advising that the Employee and Labour Relations Committee on September 12, 2006 recommended to the Policy and Finance Committee that City Council approve the date of March 1, 2008, as the implementation date of the “Harmonized Short-Term Disability Plan – Management and Non-Union Employees” for Councillors’ staff.

73. Ending Mandatory Retirement – Benefits Coverage for Employees Working Past Age 65

(In-Camera – labour relations or employee negotiations)

Report 7, Clause 50

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Employee and Labour Relations Committee contained in the communication (September 12, 2006) from the Employee and Labour Relations Committee, entitled “Ending Mandatory Retirement – Benefits Coverage for Employees Working Past Age 65”, which was forwarded to Members of Council under confidential cover; and 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 communication (September 12, 2006) from the Employee and Labour Relations Committee regarding Ending Mandatory Retirement – Benefits Coverage for Employees Working Past Age 65, such report to be considered in-camera as it relates to labour relations or employee negotiations.

74. Employment Standards Complaints against the City of Toronto

(In-Camera – litigation or potential litigation)

Report 7, Clause 51

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Employee and Labour Relations Committee contained in the communication (September 12, 2006) from the Employee and Labour Relations Committee, and the report (September 18, 2006) from the City Solicitor, entitled “Employment Standards Complaints against the City of Toronto”, which was forwarded to Members of Council under confidential cover; and that further, in accordance with the Municipal Act, discussions pertaining thereto be held in-camera as the subject relates to litigation or potential litigation matters.

Confidential communication (September 12, 2006) from the Employee and Labour Relations Committee regarding Employment Standards Complaints against the City of Toronto, such report to be considered in-camera as it relates to litigation or potential litigation.

74(a). Employment Standards Complaints against the City of Toronto

Confidential communication (September 18, 2006) from the City Solicitor regarding Employment Standards Complaints against the City of Toronto, such report to be considered in-camera as it relates to litigation or potential litigation.

75. Recycling Container Capacity

Report 7, Clause 52

The Policy and Finance Committee recommends that City Council adopt the recommendations of the Works Committee contained in the communication (September 11, 2006) from the Works Committee.

Communication (September 11, 2006) from the Works Committee advising that the Works Committee on September 11, 2006 recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (August 23, 2006) from the General Manager, Solid Waste Management Services;
- (2) the Provincial Government be requested to immediately review the situation regarding excess packaging, including requirements for plastics, with a view to amending Provincial regulations and legislation or the *City of Toronto Act* to reduce excess packaging; and limit plastics used in Ontario to ones that are recyclable; and
- (3) the results of the City's task force on excess packaging be forwarded to the new Public Works and Infrastructure Committee.

76. Customs-Trade Partnership Against Terrorism Requirements at City of Toronto Solid Waste Management Transfer Stations

Report 7, Clause 53

The Policy and Finance Committee recommends that City Council adopt the recommendations of the Works Committee contained in the communication (September 11, 2006) from the Works Committee.

Communication (September 11, 2006) from the Works Committee advising that the Works Committee on September 11, 2006 recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 25, 2006) from the General Manager, Solid Waste Management Services respecting Customs-Trade Partnership Against Terrorism Requirements at City of Toronto Solid Waste Management Transfer Stations:

Recommendations:

It is recommended that:

- (1) the General Manager, Solid Waste Management Services be authorized to register the City of Toronto in the C-TPAT program in co-operation with Republic Services Inc.;
- (2) up to approximately \$250,000.00 be included annually in ongoing operating costs within the operating budget of Solid Waste Management Services under Transfer Services for monitoring, data storage and security charges;
- (3) approval be given to reallocate funds within Solid Waste Management Services Transfer Station Asset Management Capital Project (Account CSW353) to install new physical security requirements at the Transfer Stations, (i.e., fencing, gates, security cameras, and associated cabling); and

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

77. F.G. Gardiner Expressway, Dowling Avenue to Highway 427 - State of Good Repair Needs and Budget Implications (Wards 5 and 6, Etobicoke-Lake Shore and Wards 12 and 14, Parkdale-High Park)

Report 7, Clause 82(x)

The Policy and Finance Committee received the communication (September 11, 2006) from the Works Committee.

Communication (September 11, 2006) from the Works Committee advising that the Works Committee on September 11, 2006 adopted staff recommendation (1) in the Recommendations Section of the report (August 24, 2006) from the General Manager, Transportation Services; and directed that the report be forwarded to the Policy and Finance Committee for information, in accordance with Recommendation (2).

78. 30 Regent Street Development - Improvements to Arnold Avenue

Report 7, Clause 54

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 11, 2006) from the Works Committee.

Communication (September 11, 2006) from the Works Committee advising that the Works Committee on September 11, 2006 recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (August 25, 2006) from the Executive Director, Technical Services:

Recommendations:

It is recommended that:

- (1) the Toronto Community Housing Corporation prepare and submit the necessary detailed design of the road improvements on Arnold Avenue, between St. David Street and the north limit of the development site at 30 Regent Street, and also between the north limit of the development site at 30 Regent Street and Dundas Street, should arrangements with Fire Services for the transfer of the necessary lands along this section of Arnold Avenue to Transportation Services' jurisdiction be successful, to the Executive Director, Technical Services for review and acceptance;

- (2) Transportation Services allocate \$300,000.00 in its 2007 Capital Budget for funding the road improvements on Arnold Avenue;
- (3) the Toronto Community Housing Corporation not tender the works for the improvements to Arnold Street until such time as the Transportation Services 2007 Capital Budget has been approved by City Council;
- (4) the City reimburse Toronto Community Housing Corporation for undertaking the road improvements on Arnold Avenue, up to a maximum of \$300,000.00, and grant the Executive Director, Technical Services, the authority to issue the necessary Purchase Orders as required to provide such reimbursement; and
- (5) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

79. Provision of Design and Construction Services for the Plant Facility Security System at the Highland Creek Wastewater Treatment Plant - Request for Proposals 9117-06-7117 (Ward 44, Scarborough East)

Report 7, Clause 55

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Works Committee contained in the communication (September 11, 2006) from the Works Committee.

Communication (September 11, 2006) from the Works Committee advising that the Works Committee on September 11, 2006 recommended to the Policy and Finance Committee that adopt the following staff recommendations in the Recommendations Section of the report (August 22, 2006) from the Executive Director, Technical Services and the Director, Purchasing and Materials Management Division:

Recommendations:

It is recommended that:

- (1) funds be reallocated within the approved 2006 Capital Budget of Toronto Water in the amount of \$1,100,000.00 net of GST from Account No. CWW031-01 - WAS Thickening Treatment to Account No. CWW007-41 - HVAC and Plant Fire Protection Services Upgrades;
- (2) subject to the approval of Recommendation (1), authority be granted to award a design-build contract for the provision of engineering and construction services for the installation of a facility security system at the Highland Creek Wastewater Treatment Plant to The Diebold Company of Canada Limited in the amount of \$2,432,700.68 including all applicable taxes, charges, and including a contingency allowance in the amount of \$254,000.00 including GST for

additional services, if necessary, and authorized by the Executive Director, Technical Services;

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

80. Options for Implementing a Mandatory Downspout Disconnection Program (City-wide)

Report 7, Clause 56

The Policy and Finance Committee recommends that City Council:

- (1) request the General Manager, Toronto Water, to submit, in the New Term of Council to the appropriate Committee, a policy and implementation report with respect to the mandatory disconnection of downspouts; and**
- (2) approve, in principle, the Works Committee recommendation contained in the communication (September 11, 2006) from the Works Committee subject to consideration in the 2007 Operating and Capital budget.**

Communication (September 11, 2006) from the Works Committee advising that the Works Committee on September 11, 2006 recommended to the Policy and Finance Committee that the staff recommendations contained in the Recommendations Section of the report from the General Manager, Toronto Water be deleted and replaced with the following:

“It is recommended that:

- (1) Council adopt Option D – ‘Mandatory Disconnection with the Provision of a Financial Incentive by the City with a Targeted Implementation,’ as outlined in this report, whereby downspouts which are presently connected to the municipal sewer system will have to be disconnected by the homeowner at their expense and where the homeowners are subsequently eligible to receive a rebate from the City to a maximum of \$300.00 per home in order to help offset the cost of undertaking the disconnection work;
- (2) the provisions of the By-law will be phased in over a 10-year period by geographical area with priority given first to Wards with basement flooding prone areas, second to Wards serviced by combined sewer systems and then followed by all other Wards;

- (3) the General Manager, Toronto Water, incorporate the costs associated with the implementation of the Mandatory Downspout Disconnection Program in the forthcoming 2007 Toronto Water Capital and Operating Budget submissions; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including introducing in Council of any Bills which may be required.

**81. Interim Procedures During Council Election
(All Wards)**

Report 7, Clause 57

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 13, 2006) from the Chief Planner and Executive Director, City Planning Division.

Report (September 13, 2006) from the Chief Planner and Executive Director, City Planning Division, temporarily amending council adopted procedures to send city staff to the Ontario Municipal Board as needed during the election hiatus.

Recommendations:

It is recommended that:

- (1) the Chief Planner and Executive Director, City Planning Division and the City Solicitor be authorized to send staff to Ontario Municipal Board hearings on matters of concern to the City, as needed, during the Council Election;
- (2) the Chief Planner and Executive Director, City Planning Division be requested to submit a status report to the Planning and Growth Management Committee and to each Community Council on the use of delegated authority during the election period;
- (3) the Chief Planning and Executive Director, City Planning Division consult with City Councillors on any Ontario Municipal Board attendance, and that individual Councillors who wish to have the City initiate an appeal, support or oppose an appeal or request a deferral, may formally file requests with the Chief Planner and Executive Director, City Planning Division on matters that are time sensitive;
- (4) that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

82. Proposed Amendments to the Energy Transfer Agreement between Enwave Energy Corporation and the City of Toronto

(In-camera – Security of the Property of the Municipality.)

Report 7, Clause 58

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (September 13, 2006) from the General Manager, Toronto Water, respecting Proposed Amendments to the Energy Transfer Agreement between Enwave Energy Corporation and the City of Toronto, 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 (September 13, 2006) from the General Manager, Toronto Water and the City Solicitor respecting Proposed Amendments to the Energy Transfer Agreement between Enwave Energy Corporation and the City of Toronto; such report to be considered in-camera as the subject matter relates to the security of the property of the Municipality.

83. Communities in Action Fund Grant for “Building Physically Active Communities”

Report 7, Clause 59

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Board of Health contained in the communication (September 15, 2006) from the Board of Health.

Communication (September 15, 2006) from the Board of Health advising that the Board of Health on September 14, 2006, recommended that Council adopt the following staff recommendations (1) and (3) in the Recommendations Section of the report (August 25, 2006) from the Medical Officer of Health:

“That:

- (1) Toronto Public Health’s 2006 Operating Budget be increased by \$54,978 thousand gross and revenue, to reflect the Communities in Action Fund 2006-2007 Grant for “Building Physically Active Communities”; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

84. Application to Amend the Zoning By-law and Draft Plan of Subdivision-05 132083 NNY 08 OZ and 05 132092 NNY 08 SB Walker Nott Dragicevic Associates Ltd. 4700 Keele Street

Report 7, Clause 60

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 7, 2006) from the General Manager Transportation Services.

Report (September 7, 2006) from the General Manager Transportation Services recommending that:

- (1) The developer be required to contribute \$500,000 towards the future maintenance of public laneway infrastructure associated with the second phase of the Tribute Communities Development; and
- (2) An amount of \$60,000 be added to the annual road operating budget of Transportation Services, starting upon occupancy of the second phase of the Tribute Communities Development.

85. Technical Report on the Release of Statutory Entitlement Funds for Former Metropolitan Toronto Housing Authority Employees to Toronto Community Housing Corporation

Report 7, Clause 61

The Policy and Finance Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 15, 2006) from the General Manager, Shelter, Support and Housing Administration.

Report (September 15, 2006) from the General Manager, Shelter, Support and Housing Administration seeking Council approval to transfer \$14,006,624.45, that was received from the Province of Ontario in 2001 as part of the social housing download, to Toronto Community Housing Corporation.

Recommendations:

It is recommended that:

- (1) City Council authorize the General Manager, Shelter, Support and Housing Administration to transfer the balance of the funds received from the Province that total \$14,006,624.45 to Toronto Community Housing Corporation, presently held in account FH40000122-SH000001, Statutory Entitlement; and

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

**86. Don and Waterfront Interceptor Trunk Capacity and CSO Control Project
(Wards 19, 20, 26, 27, 28, 29, 30, 31, 32 and 35)**

Report 7, Clause 82(y)

The Policy and Finance Committee recommends that City Council refer the following Recommendation (d) of the Works Committee (contained in Clause 39 of Report 6 of the Works Committee) respecting intergovernmental relations, to the City Manager for consideration in consultation with the Mayor's Office:

“(d) the City of Toronto seek funding for the Environmental Assessment from other orders of government.”

Report (September 1, 2006) from the General Manager, Toronto Water respecting the Don and Waterfront Interceptor Trunk Capacity and CSO Control Project submitted to the Policy and Finance Committee at the request of the Mayor.

Recommendations:

It is recommended that:

- (1) the General Manager, Toronto Water, undertake the development of a comprehensive Class Environmental Assessment study which will address the following issues:
 - (a) twinning of the Coxwell Sanitary Trunk Sewer;
 - (b) identifying the system upgrades necessary to service future growth as anticipated in the City's new Official Plan, within the Don Sanitary Trunk Sewer system;
 - (c) identifying the system upgrades necessary to service future growth as anticipated in the City's new Official Plan and Waterfront Revitalization Plan, within the Waterfront Interceptor Trunk Sewer system;
 - (d) determining the ultimate configuration and design of the Lower Don River and Inner Harbour wet weather flow control storage systems identified in the Wet Weather Flow Master Plan (WWFMP); and
 - (e) developing a system-wide dewatering and treatment strategy for wet weather flows which will be intercepted by the various underground storage systems identified in the City's Wet Weather Flow Master Plan;

- (2) the General Manager, Toronto Water, upon completion of the Class Environmental Assessment study, report to Works Committee on the adjustments which may be necessary to the WWFMP implementation schedule and the implications for Toronto Water's Capital Program Planning and Budget; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

86(a). Communication (September 8, 2006) from Margaret Buchinger, Chair, Policy and Advocacy Team, Don Watershed Regeneration Council.

86(b). Communication (September 8, 2006) from Adele Freeman, Director, Watershed Management, and Deborah Martin-Downs, Director, Ecology, Toronto and Region Conservation Authority.

86(c). Communication (September 11, 2006) from Councillor Janet Davis, Co-Chair, Wet Weather Flow Master Plan Implementation Advisory Committee (IAC), advising that the IAC is recommending that the City adopt the staff recommendation to undertake one comprehensive Class Environmental Assessment, subject to the following conditions:

- (1) the Class Environmental Assessment will examine and consider a range of options;
- (2) the Wet Weather Flow Management Implementation Advisory Committee will provide advice throughout the EA process; and
- (3) the City will seek funding for the EA from other waterfront partners.

NOTE: **The Works Committee recommended on September 11, 2006, recommended that:**

- (a) City Council adopt the staff recommendations in the Recommendations Section of the report (September 1, 2006) from the General Manager, Toronto Water;**
- (b) the Class Environmental Assessment examine and consider a range of options;**
- (c) the Wet Weather Flow Management Implementation Advisory Committee provide advice throughout the Environmental Assessment process; and**
- (d) the City of Toronto seek funding for the Environmental Assessment from other orders of government.**

87. Funding of St. Lawrence Centre for the Arts Operating Deficits for 2004 and 2005

Report 7, Clause 62

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 1, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) the City provide a total amount of \$347,865 to St. Lawrence Centre for the Arts to cover operating deficits for the years 2004 and 2005, to be offset by under-spending in the Temporary Borrowing account within the Non-Program Expenditures Budget;
- (2) as part of the 2007 Operating Budget process, the Board of Directors of the St. Lawrence Centre for the Arts report to the Budget Advisory Committee on financial controls and other measures to ensure that future years’ net expenditures are kept in line with the City’s approved operating budgets for the Centre; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

88. Funding for St. Lawrence Centre for the Arts Facility Renewal Project.

Report 7, Clause 63

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 7, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) authority be granted for the City to:
 - (a) provide a loan from its Capital Financing Reserve Fund to St. Lawrence Centre for the Arts in the amount of \$0.9 million for a four-year period starting January 1, 2007 and ending December 31, 2010; and
 - (b) enter into an agreement with St. Lawrence Centre for the Arts with respect to the loan, which agreement would specify terms such as monthly interest and a detailed repayment schedule;
- (2) such loan and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards to the satisfaction of the City Solicitor with the City being promptly advised in the event of default or delay in the payment of interest;
- (3) for the duration of the term of the loan, St. Lawrence Centre for the Arts be responsible for submitting quarterly variance reports on its cash flow forecast to the Deputy City Manager and Chief Financial Officer;
- (4) the loan be deemed to be in the interests of the City;
- (5) with respect to the St. Lawrence Centre for the Arts Reserve Fund:
 - (a) Municipal Code 227 - Administration of Reserve and Reserve Funds – be amended by transferring the St. Lawrence Centre for the Arts Reserve Fund from Schedule 3 Corporate Discretionary Reserve Funds to Schedule 13 State of Good Repair Obligatory Reserve Funds;
 - (b) St. Lawrence Centre for the Arts transfer all the funds in its Capital Improvement and Rehabilitation Reserve Fund to the City to be deposited in the City's State of Good Repair Obligatory Reserve Funds account, St. Lawrence Centre for the Arts Reserve Fund, to achieve compliance with City policy, to be consistent with the treatment of the City's two other City-Boarded theatre facilities and to earn a higher rate of return;
- (6) the Culture Division's 2006 Approved Capital Budget, which included \$3.0 million gross and \$1.5 million net for the St. Lawrence Centre for the Arts Facility Renewal Project, with cash flows of \$1.5 million gross expenditure approved for 2006 and \$1.5 million pre-approved for 2007, be increased by \$349,868 gross and zero net to reflect the increase in the total project cost; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto and that leave be granted for the introduction of any necessary bills in Council to give effect thereto."

89. Arena Boards of Management 2004 and 2005 Operating Surpluses/Deficits Settlement

Report 7, Clause 64

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, 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 5, 2006) from the Deputy City Manager and Chief Financial Officer.

“It is recommended that:

- (1) surplus funds of \$290,883 (which includes a 2003 adjustment) be paid to the City of Toronto from three Arenas (George Bell, McCormick and Moss Park), and that the City fund the payments of the outstanding deficits of \$114,031.00 to five Arenas (William H. Bolton, Forest Hill, Leaside, North Toronto and Ted Reeve), as the final settlement of the net surpluses and deficits for the years 2004 and 2005, resulting in a net surplus to the City of \$176,852, as detailed in Appendix A;
- (2) of the \$176,852 net surplus funds payment to the City in 2006, \$151,153.00 be contributed to the Arena Boards of Management account XQ1705 in the Vehicle and Equipment Replacement Reserve for the future purchase of ice resurfacers and be applied proportionately among those Arenas who are in a surplus position as calculated in Appendix E;
- (3) this report 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.”

90. Toronto and Region Conservation Authority Capital and Operating Budgets Funding from Water Reserves (All Wards)

Report 7, Clause 65

The Policy and Finance Committee recommends that City Council adopt the recommendations of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the report (September 7, 2006) from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water; and
- (2) Toronto Water seek to maximize the contribution to the Toronto and Region Conservation Authority from the water rates to minimize the contribution from the tax base, within the City's policies.

91. Adjustments to 2006 Operating Budgets for Cluster B Divisions (All Wards)

Report 7, Clause 66

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 8, 2006) from Deputy City Manager Fareed Amin.

“It is recommended that:

- (1) technical adjustments as detailed in Appendix A of the report in the amount of \$4,412,775 and 55 positions be transferred from Solid Waste Management Services (SWMS) to Municipal Licensing and Standards (MLS) reflecting the transfer of enforcement function to MLS;
- (2) the City Planning 2006 Operating Budget gross expenditures and revenues each be increased by \$30,000.00 with zero net effect for the Toronto Green Development Standard Study; and
- (3) the appropriate staff be directed to take action necessary action to implement technical adjustments outlined in this report.”

92. Operating Variance Report for the Six Months Ended June 30, 2006

Report 7, Clause 67

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff Recommendations (1), (2), (3) and (5) in the Recommendations Section of the report (September 8, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer continue to monitor expenditures during the remainder of the year and institute appropriate strategies to ensure that actual net expenditures do not exceed budget at year-end;
- (2) the 2006 Council Approved Operating Budgets for the Economic Development, Culture and Tourism programs be consolidated as one Program budget to be named Economic Development, Culture and Tourism;
- (3) the technical adjustments contained in this report (Appendix D) be approved;
- (4) the Operating Variance Report for the Six Months Ended June 30, 2006 be forwarded to the Policy and Finance Committee for its consideration; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

93. Reserve and Reserve Funds Variance Report June 30, 2006

Report 7, Clause 68

The Policy and Finance Committee recommends that City Council receive the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, received the report (September 8, 2006) from the Treasurer respecting Reserve and Reserve Funds Variance Report June 30, 2006, and forwarded the report to the Policy and Finance Committee for information.

94. Toronto Transit Commission - Surface Vehicle Safety Camera System

Report 7, Clause 69

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee and City Council that:

- (1) \$2,825,000 be preapproved for the Surface Vehicle Safety Camera System, and that the Toronto Transit Commission report to City Council on September 25, 2006 if there is a price differential; and
- (2) the remainder of the funding be considered as part of the 2007 budget process, noting that the Toronto Transit Commission and City Council consider this project to be a priority.

95. Toronto Transit Commission - Funding Approval for Operator Protective Barriers on Buses and Streetcars

Report 7, Clause 70

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council:

- (1) approve capital funding in the amount of \$2,710,000 for Operator Protective Barriers on Buses and Streetcars, noting that:
 - (a) approximately \$272,000 will be spent in 2006 and will be held in TTC accounts pending approval by City Council; and
 - (b) this project will be formally submitted for approval through the TTC's 2007-2011 Capital Program budget process;
- (2) pre-approve \$600,000 for this project;

- (3) authorize the Toronto Transit Commission to adjust other projects in 2007 to fund operator protective barriers on buses and streetcars within the approved debt guidelines; and
- (4) received the communication (September 1, 2006) from the General Secretary, Toronto Transit Commission.

96. Toronto Transit Commission – Procurement Authorization Amendment – Option to Purchase 220 40-Foot Low Floor Diesel-Electric Hybrid Orion VII Buses

Report 7, Clause 71

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following Recommendations (1) to (5) contained in the communication (July 4, 2006) from the General Secretary, Toronto Transit Commission, regarding “Procurement Authorization Amendment – Option to Purchase 220 40-foot Low Floor Diesel-Electric Hybrid Orion VII Buses”, subject to the availability of Provincial funding.

- “(1) authorized staff to exercise the contract option with Orion Bus Industries of Mississauga (Orion) in an amount of \$169,472,711.92 including all taxes, bonding, manuals and training for the purchase of 220 40-foot low floor diesel-electric hybrid Orion VII buses for delivery in 2007, subject to approval by Council of the City of Toronto;
- (2) forwarded a copy of this report to City Council for approval to proceed with the award of this contract option for the purchase of 220 40-foot low floor diesel-electric hybrid Orion VII buses for delivery in 2007;
- (3) noted that this procurement is based on the approved bus fleet plan as shown in “Appendix 1” attached, and the 2006-2010 Capital budget program approved by City Council on December 12, 2005;
- (4) authorized staff to negotiate a price with Orion Bus Industries for the option to purchase up to 100 additional buses with the intent of making an award no later than March 31, 2007, for delivery in the first quarter of 2008; the request for Budget approval for this purchase will be included in the 2007 to 2011 Capital Budget submission under Capital Project 4.11 – Purchase of Buses; and

- (5) authorized staff to dispose of those buses retired as a result of the purchase of the 220 new buses in the best interest of the Commission.”

97. Toronto Transit Commission – Procurement Authorization Amendment – Option to Purchase 140 40-Foot Low Floor Diesel-Electric Hybrid Orion VII Buses

Report 7, Clause 72

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following Recommendations (1) to (4) contained in the communication (September 1, 2006) from the General Secretary, Toronto Transit Commission, regarding “Procurement Authorization Amendment – Option to Purchase One Hundred Forty 40 Foot Low Floor Diesel-Electric Hybrid Orion VII Buses”, subject to the availability of Provincial funding.

- “(1) authorized staff to extend the current contract with Orion Bus Industries of Mississauga (Orion) in amount of \$107,456,756.40 including all taxes, for the purchase of 140 40-foot low floor diesel-electric hybrid Orion VII buses for delivery in 2008 with the option to be exercised no later than September 30, 2006, subject to approval by the Council of the City of Toronto;
- (2) forwarded a copy of this report to the Council of the City of Toronto through the Budget Advisory Committee requesting project commitment and approval in September, 2006 to proceed with the award of this order, to be exercised no later than September 30, 2006;
- (3) noted that this procurement is based on the approved Bus Fleet Plan as shown in “Appendix 1” attached, and the 2006-2010 Capital Budget program approved by the Council of the City of Toronto on December 12, 2005; and
- (4) authorized staff to dispose of those buses retired as a result of the purchase of the 140 new buses in the best interest of the Commission.”

98. Toronto Transit Commission – Contract Amendment

(In-Camera – Solicitor-client privilege)

Report 7, Clause 73

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the confidential communication (September 15, 2006) from the Budget Advisory Committee, respecting Toronto Transit Commission – Contract Amendment, 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 solicitor-client privilege.

Confidential communication (September 15, 2006) from the Budget Advisory Committee forwarding confidential recommendations respecting a Toronto Transit Contract Amendment, such communication to be considered in-camera as the subject matter relates to solicitor-client privilege.

99. Expropriation Proceedings

(In-Camera – Litigation or Potential Litigation)

Report 7, Clause 74

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the confidential communication (September 15, 2006) from the Budget Advisory Committee, respecting Expropriation Proceedings, 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 solicitor-client privilege.

Confidential communication (September 15, 2006) from the Budget Advisory Committee forwarding confidential recommendations respecting Expropriation Proceedings, such recommendations to be considered in-camera as the subject relates to litigation or potential litigation matters.

100. Administrative Amendments to Reserve Fund Accounts

Report 7, Clause 75

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 8, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) the reserves, reserve funds and accounts as set out in Appendix B be established for the purpose set out in the respective Appendix A1 through A4 to this report for each reserve, reserve fund and account, and Municipal Code Chapter 227, Reserves and Reserve Funds, be amended by adding the reserves, reserve funds and accounts to their respective schedules as set out in Appendix B; and
- (2) 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.”

101. Capital Variance for the Six Months Ended June 30, 2006

Report 7, Clause 76

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt staff Recommendations (1), (2), (3) and (5) in the Recommendations Section of the report (September 8, 2006) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) 2006 debt financed cash flow of \$0.281 million for the Bloor/Gladstone District Library be deferred to 2008 and concomitantly, spending on the Dufferin/St Clair renovation project be advanced;
- (2) 2006 cash flow of \$1.500 million for the purchase of land for the Yonge/North of Finch Project funded from the Toronto Parking Authority reserve account be deferred to 2007 due to unavailability of appropriate site;
- (3) the technical and in-year adjustments to the 2006 Capital Budget with a net reduction of \$2.800 million gross and \$1.107 debt as detailed in Appendix 2 of this report, be approved;
- (4) the Capital Variance Report for the six-month period ended June 30, 2006, be forwarded to the Policy and Finance Committee for its consideration; and
- (5) appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

102. Pre-Approval of 2007 Capital Projects Commitment and Spending

Report 7, Clause 77

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006:

- (A) recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (September 8, 2006) from the Deputy City Manager and Chief Financial Officer, subject to adding Recommendation (7):
 - “(7) the Deputy City Manager responsible for Solid Waste Management Services report to the appropriate successor Committee dealing with these matters prior to awarding any contract for the project of Recycling Containers, on the result of the RFP and the financial implications of implementing this project. This will allow for a more accurate assessment of the debt impact this project would have on Solid Waste Management Services’ 5-year Capital Plan.”;
- (B) referred the communication dated July 31, 2006 (Item 20) from the City Clerk regarding Clause 40 of Report 6 of the Policy and Finance Committee, entitled “August 19, 2005 – Storm Damage Update (All Wards)”, forwarded by Council to the Budget Advisory Committee for consideration as part of the pre-approval of the Capital Budget, to the appropriate successor Committee dealing with these matters, for consideration as part of the 2007 Capital Budget process; and
- (C) requested the Deputy City Manager and Chief Financial Officer to report to the appropriate successor Committee dealing with these matters on the total expenditures of the storm event of August 2005 to the 2007 Capital Budget process, and that a copy of the report be forwarded to the Mayor’s Office for the Mayor’s Intergovernmental Affairs negotiations.

103. Revised Plan for the 2006/2007 Allocation for the Supporting Communities Partnership Initiative (SCPI)

Report 7, Clause 78

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006:

- (A) recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations contained in the Recommendations Section of the report (August 22, 2006) from the General Manager, Shelter, Support and Housing Administration, as recommended by the Community Services Committee:
- “(1) Council approve the allocation of the 2006/2007 SCPI funding of \$11.596 million across the six objectives of the Council approved plan, Building on Successes: The Community Plan for Supporting Communities Partnership Initiative (SCPI) for Toronto, 2003-2006, substantially as outlined in Appendix A; and authorize the General Manager, Shelter, Support and Housing Administration to adjust funding between these objectives as may be required to ensure maximum and appropriate use of available federal funds;
- (2) as part of the above revised Plan, Council approve up to \$600,000.00 to extend the existing service related projects, as listed in Appendix B, to February 28, 2007;
- (3) should the outstanding \$5.69 million of the 2006/07 allocation be provided to the City, the funds be allocated primarily to Objective 3 in the SCPI Community Plan – Target Investment in Shelters and Community Facilities;
- (4) the 2007 Interim Operating Budget (Estimates) for Shelter, Support and Housing Administration be adjusted to include the confirmed SCPI funding for January through March 2007 as may be required;
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and
- (B) received the report (September 15, 2006) from the General Manager, Shelter, Support and Housing Administration, for information.

104. To Confirm Funding for the Relocation and Stabilization of the Joy Oil Station Located at 1978 Lake Shore Boulevard West (Ward 13 Parkdale-High Park)

Report 7, Clause 79

The Policy and Finance Committee recommends that City Council adopt the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, recommended to the Policy and Finance Committee that City Council adopt the following staff recommendations in the Recommendations Section of the report (September 12, 2006) from the Chief Corporate Officer:

“It is recommended that:

- (1) funds in the amount of \$396,100.00 be re-allocated from within the Facilities and Real Estate 2006 Approved Capital Budget by way of a transfer from the Emergency Capital Repairs sub-project and a new sub-project – Joy Oil Station be created; subject to City Council’s approval of the relocation of the Joy Oil Station at 1978 Lake Shore Boulevard West to Sir Casimir Gzowski Park; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

105. Festival Management Committee Report on a “Governance Structure for the 2007 Carnival Festival” and 2006 Festival Audit

Report 7, Clause 80

The Policy and Finance Committee concurred with the recommendation of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006, submitted this matter to the Policy and Finance Committee and Council, without recommendation, and requested the Deputy City Manager and Chief Financial Officer to report to Council on September 25, 2006, on ways in which the Toronto Caribbean Carnival Festival may be funded over the period from October 2006 to February 2007.

106. Increase to the 2006 Toronto Public Health Operating Budget

Report 7, Clause 81

The Policy and Finance Committee recommends that City Council adopt the recommendations of the Budget Advisory Committee contained in the communication (September 15, 2006) from the Budget Advisory Committee.

Communication (September 15, 2006) from the Budget Advisory Committee advising that the Budget Advisory Committee on September 15, 2006:

- (A) recommended to the Policy and Finance Committee that City Council increase the 2006 Toronto Public Health Operating Budget as follows:
- \$481,032 gross and \$0 net for the Healthy Babies Healthy Children program;
 - \$448,166 gross and \$0 net for the Preschool Speech and Language program; and
 - \$127,360 gross and \$0 net for the Infant Hearing program.
- (B) requested the Deputy City Manager and Chief Financial Officer to exercise due diligence and report directly to Council on September 25, 2006, if necessary.

107. Mayor's Community Safety Panel Subgroup – Youth Development Through Sport Work Group

Report 7, Clause 82(z)

The Policy and Finance Committee received the communication (September 18, 2006) from Councillor Maria Augimeri; and directed that a copy thereof be forwarded to the Mayor's Panel on Community Safety for information.

Communication (September 18, 2006) from Councillor Augimeri outlining the accomplishments and future directions of the Mayor's Community Safety Panel Subgroup.