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## Executive Committee

<b>Meeting No.</b>	8	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Monday, April 30, 2007	<b>Phone</b>	416-392-9151
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	pmorris@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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Executive Committee		
Mayor David Miller (Chair) Councillor Joe Pantalone (Vice-Chair) Councillor Brian Ashton Councillor Shelley Carroll	Councillor Glenn De Baeremaeker Councillor Paula Fletcher Councillor Norm Kelly Councillor Gloria Lindsay Luby Councillor Giorgio Mammoliti	Councillor Pam McConnell Councillor Joe Mihevc Councillor Howard Moscoe Councillor Kyle Rae

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**If the Executive Committee wishes to meet in closed session (privately), a motion must be made to do so, and the reason given (*City of Toronto Act, 2006*).**

**Declarations of Interest under the *Municipal Conflict of Interest Act*.**

**Confirmation of Minutes – March 26, 2007 and April 16, 2007**

**Speakers/Presentations - A complete list will be distributed at the meeting.**

**Communications/Reports**

<b>EX8.1</b>	<b>ACTION</b>		Transactional	Ward: All
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**Toronto's 2005 Performance Measurement and Benchmarking Report**

**(Presentation – 10:00 a.m.)**

(April 16, 2007) report from the City Manager

**Recommendations**

**The City Manager recommends that:**

1. in the review of Service Plans provided by City Divisions in the coming months, Standing Committees also consider applicable sections of the attached report entitled Toronto's 2005 Performance Measurement and Benchmarking Report;
2. the City's Web site continue to be used as the method to meet the provincial requirement of publicly reporting the City's annual results under the provincially-mandated Municipal Performance Measurement Program (MPMP); and
3. this and the attached report entitled Toronto's 2005 Performance Measurement and Benchmarking Report, also be posted on the City's Web site in addition to MPMP results.

**Financial Impact**

As this report deals with performance measurement results of prior years, there are no financial implications arising from this report.

**Summary**

This and the attached report entitled Toronto's 2005 Performance Measurement and Benchmarking Report, provides service level and performance measurement results in seventeen service areas. It includes up to six years of Toronto's historical data to examine internal trends, and compares results externally to fourteen other municipalities through the Ontario Municipal CAOs Benchmarking Initiative (OMBI).

This report strengthens accountability and enhances the level of transparency in the way performance measures are reported. Results show that for 91% of the service level indicators, Toronto's service levels have been maintained (stable) or have increased in recent years. In comparison to other municipalities, Toronto is higher than the OMBI median for 58% of the service level indicators.

Toronto's internal trends in performance measurement results (efficiency, customer service and community impact) indicate that 67% of the measures had results that were either improved or stable in recent years. In relation to other municipalities Toronto is better than the OMBI median for 51% of these performance measures, which is comparable to the other large single-tier municipalities in OMBI who also have responsibility for the full range of services included in this report.

[Note: Documents entitled "Attachment A - 2005 Performance Measurement and Benchmarking Report" and "Attachment B - OMBI (Ontario Municipal CAO's Benchmarking Initiative) 2005 Performance Benchmarking Report" was distributed to Members of Council and select Officials only and a copy is on file in the Office of the City Clerk.]

### **Background Information**

Toronto's 2005 Performance Measurement and Benchmarking Report  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3161.pdf>)

Attach. A - Toronto's 2005 Performance Measurement and Benchmarking Report  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3162.pdf>)

Attach. B - OMBI 2005 Performance Benchmarking Report (OMBI Joint Report)  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3163.pdf>)

Attach. C - Results compared to other Municipalities  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3164.pdf>)

<b>EX8.2</b>	Information		Transactional	Ward: All
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### **Remuneration and Expenses of Members of Council and of Council Appointees to Local Boards and Other Special Purpose Bodies for the year ended December 31, 2006**

**(Deferred from March 26, 2007 Meeting – EX6.14)**

(March 9, 2007) report from the Treasurer and City Clerk

### **Financial Impact**

There are no financial implications arising from this report.

### **Summary**

This report is submitted for information purposes as required under Section No. 284(1) of the Municipal Act (S.O. 2001) and provides a statement of Remuneration and Expenses of Members of Council and of Council Appointees to Local Boards and other Special Purpose Bodies for the year ended December 31, 2006.

## Background Information

Remuneration & Expenses of Members of Council & Special Purpose Bodies

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-2882.pdf>)

Appendix A to H - Remuneration & Benefits for Members of Council

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-2883.pdf>)

EX8.3	ACTION		Transactional	Ward: All
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## Toronto Community Housing Corporation 2007 – 2009 Community Management Plan

(Deferred from March 26, 2007 Meeting – EX6.6)

### (Presentation)

(March 9, 2007) report from the City Manager

### Recommendations

**The City Manager recommends that:**

1. City Council, in its role as Shareholder of the Toronto Community Housing Corporation, receive Toronto Community Housing Corporation's 2007 – 2009 Community Management Plan; and
2. the City Manager forward a copy of this report to the Board of Directors of the Toronto Community Housing Corporation as the City's comments.

### Financial Impact

The recommendations in this report have no financial impact.

Through the submission of its 2007 – 2009 CMP, TCHC has requested a \$7 million increase to its annual operating subsidy. The City's operating agreement with TCHC does not include a mechanism to increase annual funding for the specific items identified in the 2007 – 2009 CMP. If the agreement were to be amended to allow for these items, the Shelter, Support and Housing Administration (SSHA) operating budget would have to increase by \$7 million annually to accommodate TCHC's request. This request from TCHC will be reviewed and reported on as part of the 2007 operating budget process.

### Summary

The City's Shareholder Direction to Toronto Community Housing Corporation (TCHC) requires TCHC to submit an annual Community Management Plan (CMP) to the City for comment. The CMP is a rolling three-year business plan including long-term business strategies, key multi-year targets and financial plans, but is not a detailed activity plan. The City's comments on the CMP are to be taken into consideration in preparing detailed action plans to be approved by TCHC's Board of Directors.

A review by staff indicates that the 2007 – 2009 CMP complies with the requirements of the Shareholder Direction. The CMP is an ambitious plan that proposes to improve housing for TCHC tenants and the services and activities TCHC undertakes. Through implementing the Plan, TCHC will help deliver on the Mayor’s commitment to provide 1,000 new affordable housing units, especially through the revitalization of Regent Park. The CMP highlights the need for the City and TCHC to co-ordinate their capital programs on projects of mutual interest such as Regent Park, Lawrence Heights and the Railway lands. As part of its CMP, TCHC has requested a \$7 million annual increase to its funding. This request will be reviewed and reported on as part of the 2007 operating budget process.

### Background Information

Toronto Community Housing Corporation 2007 - 2009 Community Management Plan

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3165.pdf>)

Attach. 2 - Transmittal Letter from TCHC Chief Executive Officer

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3166.pdf>)

Attach. 3 - 2007 - 2009 TCHC Community Management Plan

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3167.pdf>)

EX8.4	ACTION		Transactional	Ward: All
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### Amendment of Federal Gas Tax Funding Agreement to Facilitate Flow of Funds Set Aside for unincorporated Areas

(April 16, 2007) report from the City Manager

### Recommendations

#### The City Manager recommends that:

1. the City of Toronto, represented by the Mayor, enter into an amending agreement with Her Majesty in Right of Canada (“Canada”), Her Majesty in Right of the Province of Ontario (“Ontario”) and the Association of Municipalities of Ontario (“AMO”) to amend the June 17, 2005 Canada-Ontario-AMO-City of Toronto Agreement for the Transfer of Federal Gas Tax Revenues under the New Deal for Cities and Communities; and
2. Council authorize the finalization of the proposed amending agreement generally in accordance with the terms and conditions outlined in this report and otherwise to the satisfaction of the City Manager and in a form satisfactory to the City Solicitor.

### Financial Impact

There are no financial implications for the City of Toronto as a result of the adoption of the recommendations in this report.

## Summary

This report seeks Council authority for the City of Toronto, represented by the Mayor, to enter into an agreement with the Federal Government, the Provincial Government and the Association of Municipalities of Ontario (AMO) for the purpose of making amendments to the Canada-Ontario-AMO-Toronto Agreement for the Transfer of Federal Gas Tax Revenues under the New Deal for Cities and Communities (June 17, 2005). The amendments will provide the framework for the Provincial Government to begin to administer the allocation of \$5.8 million in federal gas tax revenues that were set aside in the Agreement for Ontario's unincorporated areas. The amendments will have no implications for the \$407.3 million allocated to the City of Toronto over the period 2005-6 to 2009-10 under the terms of the existing Agreement.

## Background Information

Amendment of Federal Gas Tax Funding Agreement to Facilitate Flow of Funds  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3169.pdf>)

EX8.5	ACTION		Policy	Ward: All
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## Spadina Subway Extension – Update

(April 16, 2007) report from the City Manager, Deputy City Manager and Chief Financial Officer, Interim Chief General Manager, Toronto Transit Commission

## Recommendations

The City Manager, Deputy City Manager and Chief Financial Officer, and Interim Chief General Manager of the Toronto Transit Commission recommend that:

1. Council approve a project delivery structure for the implementation of the Spadina Subway Extension Project (“the Project”) as outlined in Appendix A to this report;
2. Council authorize the City Manager, Deputy City Manager and Chief Financial Officer, City Solicitor, and Interim Chief General Manager, Toronto Transit Commission, to negotiate and execute an Operating Memorandum of Understanding relating to the Spadina Subway Extension, on behalf of the City of Toronto and Toronto Transit Commission with the York Region, in a form satisfactory to the City Solicitor, on terms and conditions as outlined in Appendix B to this report;
3. Council authorize the City Manager, Deputy City Manager and Chief Financial Officer, and City Solicitor to approach the Province to seek amendment to the *City of Toronto Act, 2006*, prior to the commencement of subway operations in York Region in order to effect the terms of the above-noted Operating Memorandum of Understanding, for the reasons outlined in this report;

4. Council direct the Deputy City Manager and Chief Financial Officer, and City Solicitor to finalize for execution by the City a Project capital cost agreement on behalf of the City the capital contribution from of Toronto with the Region of York as previously directed, with amended terms and conditions in respect of the timing of receipt of a \$29.98 million one-time payment from York Region as set out in Appendix C to this report; and
5. the capital contribution from the City not exceed its share (59.96%) of the one-third funding that would be attributable to the municipal sector, and that a request be made to the Provincial and Federal Governments to provide a full two-thirds funding of actual Project capital costs.

### **Financial Impact**

This report will have no financial impact on the 2007 operating or capital budgets. The financial impact of subway operations, once they commence, will be included in annual capital and operating budgets.

However, as current Project capital cost estimates (\$2.1 billion) are only preliminary, and will be refined once additional data is available, there is a risk of higher actual costs over current estimates. Therefore, City staff intends on pursuing enhanced funding arrangements with both the Federal and Provincial governments, whereby each would commit to funding its full one-third share of Project capital funding.

Finally, City staff intends on approaching the Province to discuss the potential for receiving operating subsidies, until such a time as the subway extension line reaches full ridership.

### **Summary**

This report provides a status update to the Spadina Subway Extension Project from existing Downsview Station in Toronto, to the Vaughan Corporate Centre at Highway 7 in York Region (“the Project”), including information pertaining to a recently-announced Federal funding commitment of \$697 million.

Furthermore, this report recommends a project delivery structure for implementing the Project, along with operational and maintenance principles to be contained in a Memorandum of Understanding (MOU) between the City, the Toronto Transit Commission (TTC), and the Regional Municipality of York (“York Region”).

### **Background Information**

Spadina Subway Extension - Update

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3170.pdf>

EX8.6	ACTION			Ward: All
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## **Authority to Execute a Letter of Agreement with the Government of Ontario for Ontario Bus Replacement Program Funding**

(April 16, 2007) report from the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Deputy City Manager and Chief Financial Officer recommends that:

1. the Mayor and the Deputy City Manager and Chief Financial Officer be authorized to execute the Letter of Agreement under the Ontario Bus Replacement Program (OBRP) between the City of Toronto and the Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario, generally in accordance with the terms set out in Appendix A, and to the satisfaction of the Deputy City Manager and Chief Financial Officer and the City Solicitor.
2. the appropriate officials be authorized and directed to take necessary actions to give effect thereto.

### **Financial Impact**

Once the Ministry of Transportation has received signed copies of the Letter of Agreement, the related authorizing municipal by-law, and certified copies of agreements between the Toronto Transit Commission and the bus manufacturer, the Ministry can, in accordance with the OBRP, make arrangements for the payment of OBRP funding to the City. Funding for 2007 will be \$16,530,981. The funding for this program is assumed in the 2007-2011 Approved Capital Budget.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **Summary**

This report recommends that staff be authorized to execute a transit capital funding Letter of Agreement under the Ontario Bus Replacement Program (OBRP) between the City and the Provincial Government. The Ontario Bus Replacement Program is a provincial Ministry of Transportation program funding the replacement of transit buses. The Ministry created the OBRP in recognition of municipalities' need to replace aging transit buses to support the development of strong communities, increase public transportation reliability, reduce municipal operating costs, and invest in the renewal of transportation systems. As part of the 2007 OBRP agreement between the City and the Province, the Ministry of Transportation will provide up to a maximum of \$16,530,981 in accordance with and subject to the terms set out in the Letter of Agreement and the Guidelines and Requirements, payable after April 1, 2007.

### **Background Information**

Letter of Agreement with the Government of Ont. for Ont. Bus Replacement Program  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3210.pdf>)



EX8.7	ACTION			Ward: 11, 14, 17, 18, 20, 21, 22, 28, 29, 35
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**Affordable Housing - Funding Recommendations Request for Proposals 9155-06-7380 and TCHC - Wards 11, 14, 17, 18, 20, 21, 22, 28, 29 and 35**

(April 17, 2007) report from the Affordable Housing Committee

**Recommendations**

The Affordable Housing Committee on April 17, 2007, recommended to the Executive Committee and City Council that:

1. City Council approve the following affordable housing projects selected through the RFP and recommend submission of all project information to the Ministry of Municipal Affairs and Housing for consideration as projects to be funded under the Canada-Ontario Affordable Housing Program – Rental and Supportive Component (“the Program”):
  - a. West Toronto Support Services for Senior Citizens and the Disabled Inc. at 2335-2337 St. Clair Avenue West;
  - b. Parkdale Activity - Recreation Centre (Toronto) at 194 Dowling Avenue;
  - c. St. Clair West Affordable Housing (Ossington) Group Incorporated at 1120 Ossington Avenue;
  - d. St. Clare’s Multifaith Housing Society at 48 Abell Street (to be assigned a new municipal address on the future extension of Sudbury Street);
  - e. WoodGreen Community Housing Inc. at 270 Donlands Avenue;
  - f. St Clare’s Multifaith Housing Society at 200 Madison Avenue;
  - g. 873815 Ontario Limited, at 201-213 Vaughan Road; and
  - h. 544 Birchmount Holdings Limited at 544 Birchmount Road;
2. City Council approve the following affordable housing projects of the Toronto Community Housing Corporation and recommend submission of all project information to the Ministry of Municipal Affairs and Housing for consideration as projects to be funded under the Program:
  - a. 88 Carleton Street; and
  - b. 501 Adelaide Street East;

3. the Deputy City Manager responsible for the Affordable Housing Office be authorized and directed to submit the list of recommended projects, and any other documentation, to the Province of Ontario for consideration by the Ministry of Municipal Affairs and Housing, as required by the Program;
4. authority be granted to exempt the listed projects from taxation for municipal and school purposes for the term of the municipal capital facility agreement;
5. authority be granted for exempting all projects not subject to a waiver under the Development Charges Act, from payment of development charges;
6. authority be granted to designate the listed projects as social housing accommodation, allowing all or part of the project relief from normal parking standards, where applicable;
7. authority be granted to enter into a municipal capital facility agreement and such other agreements, licences, security and documents, with the recommended proponents of each of the listed projects, or to an other entity associated and controlled by it and acceptable to the Director of Affordable Housing Development, to provide for the development and operation of affordable housing, on such terms and conditions as the Director Affordable Housing Development considers appropriate and in a form approved by the City Solicitor;
8. the Director, Affordable Housing Office Development be authorized and directed, on behalf of the City, to execute municipal capital facility agreements and such other agreements and documents deemed necessary, on terms and conditions satisfactory to the Director, Affordable Housing Development and in a form approved by the City Solicitor;
9. authority be granted to enter into leases of the City owned properties at 200 Madison Avenue and 194 Dowling Avenue, for the purpose of developing the affordable housing projects and any ancillary uses, substantially on the terms and conditions outlined in Appendix 2 to this report and in a form acceptable to the City Solicitor, such grant by way of below market rent being in the interest of the municipality;
10. the City solicitor be authorized to complete the lease transactions for 200 Madison Avenue and 194 Dowling Avenue on behalf of the City, including payment of any necessary expenses and amending the commencement date of the lease and any other dates to such earlier or later dates and on such terms and conditions as she may from time to time consider reasonable;
11. the Chief Corporate Officer shall administer and manage the leases for 200 Madison Avenue and 194 Dowling Avenue, including the provision of any consents, approvals, waiver notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction;

12. authority be granted for the City to make or provide its consent as owner to any regulatory applications by the proponents of the projects at 200 Madison Avenue and 194 Dowling Avenue, and to grant licences for the purposes of entering onto the City owned properties to carry out pre-development activities, and that the Director, Real Estate Services, or his designate be authorized to execute the applications, consents and licences;
13. that St. Clare's Multifaith Housing Society be permitted to further encumber its existing housing projects at 25 Leonard Street and 38 Pears Avenue, in order to make funds available for the two projects being proposed by it under the Program, on such terms and conditions satisfactory to the General Manager Shelter, Support and Housing Administration in his sole discretion and in a form approved by the City Solicitor;
14. the Toronto Parking Authority be requested to look at options of purchasing property on St. Clair Avenue to address the lack of affordable public parking available for the housing proposal at 2335-2337 St. Clair Avenue West;
15. considering the increased level of funding and lower rents the program is targeted towards, persons living with mental disabilities, ex-psychiatric patients, victims of domestic violence and individuals with a dual diagnosis, that on site support service programs be confirmed on site, as required, and co-ordinated through provincial support programs; and
16. Toronto City Council urge the Provincial Minister of Municipal Affairs and Housing to immediately release the remaining \$56 million in federal/provincial funding from the Affordable Housing Program and make an additional funding allocation to Toronto to support the development of much needed new rental housing.

## Financial Impact

The funding sources to build the 800 units (10 projects) in this report under the Program are set out below and detailed in Appendices 1 and 6.

Direct capital assistance for the construction of the 800 units from all orders of government is:

<b>Government Assistance - Capital</b>	<b>Amount</b>
Affordable Housing Program federal contribution	\$ 21,466,200
Affordable Housing Program provincial contribution	\$ 35,023,800
Minimum Expected PST and GST rebates	\$ 4,032,000
Municipal Development Fees and Charges at current rates	\$ 5,519,000
Value of City Land (two projects) for mortgage purposes with development proposed, plus contribution to cost of demolition and environmental reports	\$ 2,513,000
	\$ 68,554,000 total

Private equity and mortgage financing must be obtained as set out below:

<b>Proponent Contributions - Capital</b>	<b>Approximate Amount</b>
Minimum Proponent Equity	\$ 38,000,000
Minimum Private First Mortgage Financing	\$ 53,000,000
	\$ 91,000,000 total

Therefore the total capital cost is approximately \$160m. from all sources.

Rent supplements and property tax exemptions will support the annual operating costs of the projects after construction. The current Net Present Values of these two supports are estimated as follows:

<b>Government Assistance – Operating</b>	<b>Estimated Amount</b>
Net Present Value of Rent Supplements (excluding TCHC)	\$ 13,900,000
Net Present Value of Property Tax Exemptions	\$ 8,286,000
	\$ 22,186,000 total

The Administration Agreement with the province set out the terms and rate of an Administration Fee paid to the City for the costs of delivering the Program, including selecting projects and monitoring affordability for the term of the Contribution Agreement with the recommended proponents. For the units recommended in this report, the funding received from the province is as follows:

<b>Provincial Administration Fee Paid to City</b>	<b>Amount</b>
\$100,000 for program participation plus 1.3% of federal and provincial funds above 50 units	\$ 788,870

The detailed budget implications for the current year will be reported to Budget Committee in mid 2007 and any future year budget implications associated with these projects will be reported and included in future year program budgets as development proceeds and housing units occupied.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agrees with the financial impact information.

## **Summary**

This report is for Council approval of 10 affordable housing developments which will result in approximately 800 new affordable homes in the City of Toronto. The approval includes eight affordable housing developments, with approximately 600 units, selected from proposals submitted in response to a Request for Proposals (“RFP”) issued by the City, and 200 units in two Toronto Community Housing Corporation (“TCHC”) developments. All 10 are assisted under a joint program between the City, the province of Ontario and the government of Canada.

Federal and provincial capital funding of \$70,000 per unit is available under the Canada-Ontario Affordable Housing Program – Rental and Supportive (“the Program”). City of Toronto support is in accordance with existing affordable housing policies and programs. This report recommends that the City administer the projects for terms ranging from 25 to 50 years. Contributions from the City include waiver of development fees and charges, exemption from

property taxes, the lease of two City properties and 110 rent supplements as requested by the proponents responding to the RFP.

An Administration Fee is paid to the City by the province, under the terms of an Administration Agreement with the province. The fee is accounted for in the 2007 Affordable Housing Office Budget Submission.

### **Background Information**

Affordable Housing - Funding Recommendations Request for Proposals

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3172.pdf>)

Affordable Housing Report - April 3, 2007

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3173.pdf>)

App 1 - Summary of Recommended Projects from the RFP

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3174.pdf>)

App. 2 - Major Terms and Conditions - Lease of City Land

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3175.pdf>)

App. 3 - Responses to the RFP

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3176.pdf>)

App. 4 - Report from the Fairness Monitor Consultant

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3177.pdf>)

App. 5 - Code of Conduct for Members of the RFP Selection Team

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3178.pdf>)

App. 6 - Summary of TCHC Recommended Projects

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3179.pdf>)

<b>EX8.8</b>	<b>ACTION</b>		Transactional	Ward: All
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### **Coordinated Street Furniture Program - Results of Request for Proposals (RFP) 9103-06-7316**

**(Public Notice)**

**(Presentation)**

**Confidential Attachment - The security of the property of the City and receipt of advice which is subject to solicitor-client privilege.**

(April 16, 2007) report from the Deputy City Manager and the Director, Purchasing and Materials Management

### **Recommendations**

**The Deputy City Manager and Director of Purchasing and Materials Management recommends that:**

1. City Council accept the proposal by Astral Media Outdoor LP as having achieved the highest evaluated score, to provide a coordinated street furniture program for the City of Toronto as described in the City's RFP 9103-06-7316;

2. the appropriate City officials be authorized to enter into negotiations as contemplated in the RFP with the recommended Vendor, finalize contract provisions and finalize an Agreement with the recommended Vendor incorporating terms and conditions substantially as set out in Attachment 3 of this report, any additional confidential direction provided by City Council in consideration of the matters contained in Confidential Attachment 4, and such other terms and conditions as may be satisfactory to the Deputy City Manager and City Solicitor;
3. the Director of Urban Design, in consultation with City officials, the Design Jury and Technical review team, negotiate with the recommended Vendor any appropriate design refinements to the preferred proposal;
4. the Deputy City Manager, in consultation with the appropriate City officials, be authorized and directed to establish a Pedestrian Realm organizational unit that shall have strategic responsibility and accountability for planning, design oversight, implementing and managing sidewalk spaces to achieve a beautiful, functional and safe pedestrian realm; more particularly this unit would comprise the functional elements of street furniture management and administration, pedestrian space policy, planning and coordination, leveraging City investment with public and private sectors through neighbourhood beautification projects and project management/coordination for capital streetscape works;
5. the Deputy City Manager and Chief Financial Officer, in conjunction with the Deputy City Manager responsible for Transportation Services, report back to the Budget Committee as soon as the agreement between the City and the recommended Vendor is finalized, on the financial implication arising from the final terms of the agreement, including the maintenance of existing revenues for affected City programs, the establishment of the Pedestrian Realm unit and the disposition of any net revenues;
6. City Council direct that the confidential information in Attachments 4 and 5 not be released publicly as it contains advice which is subject to solicitor-client privilege and confidential instructions to staff; and
7. City Council confirm that approval of advertising on street furniture as permitted under the Agreement shall constitute a deemed variance as necessary and such advertising shall, as with the City's previous agreements, not be subject to the requirement for any further approvals under the City's sign by-laws.

### **Financial Impact**

Entering into an Agreement with the recommended Vendor based on the Vendor's proposal will result in receipt by the City of guaranteed revenue of \$428.8 million (\$ current year/\$252.2 million net present value NPV) over the 20 year term of the Agreement, including an initial payment of \$36.5 million on execution of the Agreement. This initial payment comprises a lump sum amount of \$28.0 million and prepayment of the first three years guaranteed amounts. Annual payments will be made to the City based on a formula of: the greater of the minimum annual guaranteed amount or percentage of gross revenue.

The successful Vendor shall, at no cost to the City, provide the City with a capital investment in street furniture of approximately \$202.4 million (\$ current year/\$167.1 NPV) and at no cost to the City, provide ongoing maintenance estimated at \$294.3 million (\$ current year/\$168.4 million NPV) over the term. These two amounts represent expenditures which the City will avoid as a result of the Agreement.

The successful Vendor is also required to contribute \$100,000 toward the “Design Links” study as previously endorsed by Council, and \$285,000 to cover the costs of the City’s RFP process. These amounts are payable upon execution of the Agreement.

The successful Vendor is required, prior to execution of the Agreement, to provide the City with an irrevocable letter of credit in the amount of \$16 million applicable in full for the first 10 years of the Agreement and reducing incrementally thereafter, to secure the performance of the Vendor under the Agreement. The successful Vendor shall also provide an indemnity from its parent company Astral Media Inc., guaranteeing performance of the successful Vendor’s obligations under the eventual agreement.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **Summary**

This report provides information and recommendations on the results of the Coordinated Street Furniture Program Request for Proposals No. 9103-06-7316. Staff are seeking City Council’s authority to enter into negotiations with the Vendor best satisfying the requirements of the RFP, Astral Media Outdoor LP, to finalize contract provisions, incorporate technical and design refinements to the recommended family of street furniture; and enter an Agreement with the recommended Vendor.

In order to achieve the widespread benefits of beautiful, functional and safe pedestrian spaces envisioned by “Vibrant Streets”, including adequately managing the street furniture program, it will be essential to establish a dedicated organizational unit that would have strategic responsibility and accountability for planning, design oversight, implementing and managing the pedestrian realm. This can be achieved through the use of a portion of the revenues generated by the street furniture program at no new net cost to the City’s budget. In addition, substantial investment in streetscape and public realm improvements can and should be funded by revenue derived from this program.

## **Background Information**

Coordinated Street Furniture Program

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3206.pdf>

Attachment 1 - Coordinated Street Furniture Program Overview

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-2962.pdf>

Attachment 2 Report of the Fairness Commissioner

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-2963.pdf>

Attachment 3 Summary of Draft Agreement Provisions

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-2964.pdf>

## Communications

- 8a** (January 2, 2007) communication from Councillor Cesar Palacio requesting that staff report to an upcoming meeting of the Public Works and Infrastructure Committee on the feasibility of a City policy that would prohibit graffiti covered street furniture and public infrastructure from ever being placed on City streets or public places.

EX8.9	ACTION		Transactional	Ward: All
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## Enwave Energy Corporation 2007 Annual General Shareholders Meeting

**Confidential Attachment - The security of the property of the City and receipt of advice which is subject to solicitor-client privilege.**

### Recommendations

**The City Manager recommends that City Council:**

1. appoint the City Manager or her designate as the City's proxy holder to attend and vote the common shares of Enwave Energy Corporation ("Enwave") owned by the City at the annual meeting of the shareholders of Enwave to be held on May 30, 2007 or any adjournment of that meeting;
2. direct the proxy holder to vote as follows at the Annual Shareholders' Meeting:
  - a. to approve the minutes of the Annual Meeting of Shareholders of February 13, 2006 and Special Shareholders Meeting of July 5, 2006;
  - b. to receive the annual financial statements of the Corporation for the period ended October 31, 2006 together with the auditor's report thereon;
  - c. to receive the un-audited financial statements for the first quarter ended January 31, 2007;
  - d. to reappoint the auditors, Ernst & Young LLP, Chartered Accountants, and to authorize the directors to fix their remuneration;
  - e. to reappoint John McManus as a director of Enwave to hold office until the second annual meeting of the shareholders of the Corporation to be held after the May 30, 2007 annual shareholders meeting, or until his successor is elected or appointed, and
  - f. to transact such other business as may properly come before the Meeting or any adjournment or adjournments thereof;
3. authorize and direct the Deputy City Manager and Chief Financial Officer and the City Clerk to execute on behalf of the City the common share proxy substantially in the form of Attachment 2 to this report; and
4. that the contents of Confidential Attachment 5 to this report remain confidential in their entirety after the consideration of this report by Council.



## Financial Impact

The recommendations in this report have no financial impact.

## Summary

This report recommends that the City Manager or her designate be appointed the proxy holder for the City at the Annual Shareholders' Meeting of Enwave Energy Corporation to be held on May 30, 2007 or any adjournment thereof, and to obtain instructions as to how the proxy holder is to vote at the Meeting.

## Background Information

Enwave Energy Corporation 2007 Annual General Shareholders Meeting  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3196.pdf>)  
Attachments - Enwave Energy Corporation  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3197.pdf>)

EX8.10	ACTION		Policy	Ward: All
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## New Municipal Code Chapter 19 - Business Improvement Areas

### (Public Notice)

(April 11, 2007) report from the Economic Development Committee

### Recommendations

The Economic Development Committee recommends to the Executive Committee and Council that:

1. Council adopt a new City of Toronto Municipal Code, Chapter 19, "Business Improvement Areas" generally in accordance with Attachment No. 1;
2. Council dissolve all existing Business Improvement Area Boards, as listed in Attachment No. 2, and re-establish them as City boards under Section 141 of the Act;
3. Council delegate to the appropriate community councils the authority to establish new BIA Boards following the designation of the BIA, unless the BIA is located within the boundaries of more than one community council, in which case new BIA Boards shall continue to be established by Council;
4. Municipal Code Chapter 27, Council Procedures, be amended to delegate to the community councils the authority to establish new BIA Boards unless the BIA is located within the boundaries of more than one community council; and

5. authority be granted to the City Solicitor to submit any bills required to enact the new Municipal Code Chapter 19 and to amend Municipal Code Chapter 27, generally in accordance with the report recommendations and Attachment No. 1 of this report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and City Clerk, and any other bills required to give effect to these recommendations.

## **Financial Impact**

These recommendations will have no financial impact on the City.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **Summary**

This report recommends the adoption of a new City of Toronto Municipal Code, Chapter 19 (“Chapter 19”) – “Business Improvement Areas” (“BIAs”), made necessary by the enactment of the City of Toronto Act, 2006 (the “Act”).

The new Chapter 19 will provide within one document a clear set of guidelines governing the establishment of BIAs and BIA activities, and will help ensure improved BIA administration, financial management, and accountability.

The new Chapter 19 contains many of the BIA-related provisions of the Municipal Act, 2001, as well as new provisions related to financial management, the activities that BIAs are allowed to undertake, and clarifications and refinements with respect to procedures for establishing or amending the boundaries of a BIA.

It is intended that the new Code Chapter 19 shall apply to new BIAs to be created after the enactment of the Act, and to all existing BIAs previously established under the Municipal Act, 2001. To this end, it is recommended that Council dissolve all existing Boards of Management (“Boards”) and re-establish them as City Boards.

This report also recommends that Council delegate to the community councils the authority to establish new BIA Boards in order to streamline the appointment procedure for BIA Board members.

## **Background Information**

New Municipal Code Chapter 19 - Business Improvement Areas-March 19,2007 report  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3207.pdf>)

New Municipal Code Chapter 19 - Business Improvement Areas  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3200.pdf>)

EX8.11	Information			Ward: All
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## City of Toronto 2006 Investment Report

(April 16, 2007) report from the Deputy City Manager and Chief Financial Officer

### Financial Impact

Investment income earnings on the City's general funds, sinking funds, pension funds and trust funds accrue to each of the respective portfolios under management. Unrestricted earnings are allocated to a corporate revenue account in the operating budget. The following table highlights the 2006 operating budget impact.

2006 Budget	2006 Actual	Earnings in Excess of Budget
\$62.0 million	\$75.6 million	\$13.6 million

In addition to the above income realization, the City's general funds also outperformed their respective industry bench mark indices by a combined \$11.333 million in market value appreciation. The City's general funds have added more than \$80 million in cumulative market value in excess of the established industry benchmarks since 1999.

### Summary

This report provides a review of the City of Toronto's 2006 investment returns for all internally managed portfolios, including required disclosure of transactions in the City's own debt.

### Background Information

City of Toronto 2006 Investment Report  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-2941.pdf>)

EX8.12	Information			Ward: All
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## City Objectives in Shareholder Direction to Toronto Hydro Corporation

(April 16, 2007) report from the City Manager

### Financial Impact

Receipt of this report has no financial impact.

### Summary

In response to a request by the Executive Committee, the City Manager consulted with other City and Hydro staff in reviewing the Shareholder Direction to Toronto Hydro Corporation

(THC) and has concluded that the Direction still fairly articulates the City's goals and objectives for THC. The Direction has been amended a number of times since its initial approval in July 1999. Staff are not aware of any issue that would require amendment at this time.

### **Background Information**

City Objectives in Shareholder Direction to Toronto Hydro Corporation  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3203.pdf>

<b>EX8.13</b>	Information			
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### **Comparison of New York City's Comstat System to the Toronto Police Service's Data Systems in Crime Prevention**

(March 15, 2007) report from the Chair, Toronto Police Services Board

#### **Summary**

The purpose of this report is to provide the Executive Committee with the Toronto Police Service's (TPS) response to the City of Toronto's request for a report regarding the comparison of New York City's Comstat system to the Toronto Police Service's data systems in crime prevention.

### **Background Information**

Comparison of New York City's Comstat System to the Toronto Police Service's  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3204.pdf>

<b>EX8.14</b>	Information			
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### **Toronto Police Service: 2006 Hate/Bias Crime Statistical Report**

(April 12, 2007) report from the Chair, Toronto Police Services Board

#### **Summary**

The purpose of this report is to submit a copy of the Toronto Police Service 2006 Hate/Bias Crime Statistical Report.

### **Background Information**

Toronto Police Service: 2006 Hate/Bias Crime Statistical Report  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3205.pdf>

EX8.15	ACTION			Ward: All
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## **Occupational Health and Safety Report Fourth Quarter and End of Year - 2006**

(March 22, 2007) report from the Employee and Labour Relations Committee

### **Recommendations**

#### **The Employee and Labour Relations Committee recommends that:**

1. the Corporate Occupational Health and Safety Policy, as amended by the Occupational Health and Safety Co-ordinating Committee for the period from April 2007 – April 2008, be endorsed and forwarded to City Council for approval;
2. as an overall goal, the City adopt a target of zero lost time workplace injuries;
3. as part of the City's internal responsibility system the City adopt a measurable target of 20 percent reduction in lost time injuries for 2008 and the City Manager report back to the Employee and Labour Relations Committee on recommended targets for subsequent years;
4. the City Manager report back to the Employee and Labour Relations Committee on the targets which each direct report to the City Manager is required to meet as part of their performance plan; and
5. the City Manager include information on Recommendations 2, 3 and 4 in every quarterly report to the Employee and Labour Relations Committee.

### **Financial Impact**

There are no financial implications to this report beyond what have already been approved in the current year's budget.

### **Summary**

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the fourth quarter of 2006. Information regarding performance during the year 2006, relative to previous years, is also provided. There was a significant decrease in the number of lost time injuries, medical aid injuries and recurrences in the fourth quarter of 2006, as well as throughout 2006 relative to the previous three years. Also included, for approval, is a revised corporate occupational health and safety policy for the period from April 2007 – April 2008. Revisions to the current policy have been made in response to recommendations of the Occupational Health and Safety Co-ordinating Committee (OHSCC). Updates on OHSCC, Ministry of Labour (MOL) and Workplace Safety and Insurance Board (WSIB) initiatives are also provided.

**Background Information**

Occupational Health and Safety Report Fourth Quarter and End of Year - 2006

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3099.pdf>

Occupational Health and Safety Report Fourth Quarter and End of Year - 2006

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3100.pdf>

EX8.16	ACTION			Ward: All
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**Staff Assessment of the proposed “Project Symphony” Office Building Development – Ward 28**

Note: A report from the Deputy City Manager and Chief Financial Officer respecting this matter will be distributed as soon as it is available.