
Executive Committee

Meeting No.	13	Contact	Patsy Morris, Committee Administrator
Meeting Date	Monday, October 29, 2007	Phone	416-392-9151
Start Time	9:30 AM	E-mail	pmorris@toronto.ca
Location	Committee Room 1, City Hall		

Executive Committee		
Mayor David Miller (Chair) Councillor Joe Pantalone (Vice-Chair) Councillor Shelley Carroll Councillor Janet Davis 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 – October 1, 2007

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

Communications/Reports

EX13.1	ACTION			Ward: All
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Various Municipal Election Related Matters

Amendments to the Election Legislation Governing the City of Toronto

(October 4, 2007) Report from the City Clerk

Recommendation

The City Clerk recommends:

1. given that the City of Toronto Act, 2006 specifies that it is “in the best interests of the Province and the City to engage in ongoing consultations with each other about matters of mutual interest” and that the Legislative Assembly recognizes that “the City is a government that is capable of exercising its powers in a responsible and accountable fashion”, Council request that the Province enact Toronto-specific election legislation that meets the unique needs of Toronto’s electors and candidates.

Financial Impact

This report has no financial implications.

However, should the Province enact amending legislation, there is the possibility of a financial impact. Should the Province enact amending legislation, then the City Clerk will produce a subsequent report outlining any specific financial implications that may arise from the legislative changes.

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

Summary

Since 1999, the City Clerk has prepared for Council’s consideration five reports on desired amendments to the Municipal Elections Act, 1996 (the MEA). In considering these reports, Council has requested that the Minister of Municipal Affairs and Housing consider a number of amendments to the MEA. A list of the 34 outstanding amendments requested by Council is attached as Appendix 1. Those requested amendments that have been enacted by the Legislative Assembly are listed in Appendix 2.

This report builds on the previous work and includes recommendations on those areas of concern that were identified during the conduct of the 2006 election; most notably the lack of an enforcement mechanism, the manner of preparation of the voters’ list and the issues identified relating to election finance reform.

Background Information

Amendments to the Election Legislation Governing the City of Toronto
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7629.pdf>)

1a Options for the Preparation of the Voters' List for Toronto's Municipal Election

(October 4, 2007) Report from the City Clerk

Recommendation

The City Clerk recommends that City Council:

1. request that the Province enact Toronto-specific election legislation that meets Toronto's unique needs by allowing the City Clerk to use Elections Ontario's Permanent Register of Electors, supplemented by information from any other relevant source, as the basis of Toronto's voters' list.

Financial Impact

There are no financial implications resulting from this report.

Summary

At its July 25, 26 and 27, 2006 meeting, Council recommended that "in view of the continuing issues surrounding [the Municipal Property Assessment Corporation's (MPAC's)] ability to prepare an accurate voters' list, the City Clerk be instructed to report to the next term of Council on other options that City Council could consider for the compilation and preparation of the City's voters' list."

The attached report provides the results of the City Clerk Office's extensive review and recommends that Council request the Province to allow the City Clerk to use Elections Ontario's Permanent Register of Electors, supplemented by information from any other relevant source, to prepare the voters' list for Toronto's municipal elections.

Background Information

Options for the Preparation of the Voters' List for Toronto's Municipal Election
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7630.pdf>)

Options Toronto's Voters' List

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7813.pdf>)

1b Integrity Commissioner's Report on Municipal Election Issues

(October 9, 2007) Report from the Integrity Commissioner

Financial Impact

This report has no financial impact.

Summary

This report draws to Executive Committee's attention the Integrity Commissioner's perspective on various issues that came to his notice during the 2006 Municipal Elections. In particular, it identifies the kinds of complaint that were filed under the Code of Conduct Complaint Protocol ("Complaint Protocol") over the course of and in the wake of the Elections and difficulties encountered with the application of the Code of Conduct for Members of Council ("Code of Conduct") in an election setting. It also draws the Committee's attention to the limits on the jurisdiction of the Integrity Commissioner over the behaviour of incumbents during a municipal election campaign. Finally, it suggests that the enforcement mechanisms in the current provincial legislation are totally inadequate as a way of dealing with complaints arising in the course of a municipal election.

Background Information

Report on Municipal Election Issues

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7631.pdf>

1c Municipal Election 2006 - Review of Financial Filings by Members of City of Toronto Council

(Deferred from the September 4, 2007 meeting – Ex11.22)

(June 26, 2007) Member Motion from Councillor Holyday, seconded by Councillor Del Grande

Recommendations

That City Council adopt the following recommendations contained in the attached report dated June 14, 2007 from the Auditor General:

1. Members of Toronto City Council, in preparing their financial statements, utilize the City's Electronic Financial Filing System. Any errors identified during this process be corrected prior to filing financial statements with the City Clerk.
2. City Council request the Province to amend the Municipal Elections Act, 1996 to provide that all candidates seeking election to Toronto City Council be required to use the City's Electronic Financial Filing System to file their financial statements.
3. City Council request the Province to amend the Municipal Elections Act, 1996 to allow candidates the opportunity, within certain criteria, to correct errors or omissions in financial statements which have been filed with the City Clerk.
4. City Council request the Province to amend the Municipal Elections Act, 1996 pertaining to the nomination filing fee, to clarify the manner in which the fee is to be accounted for in the candidate's financial statement.

Financial Impact

There are no financial implications resulting from this report.

Summary

City Council at its meeting of September 28, 29, 30 and October 1, 2004, considered the recommendations of the Toronto Election Finance Review Task Force. As a result of these deliberations, Council recommended the following:

“That should the Province fail to enact the appropriate changes to the Municipal Elections Act, 1996 prior to the 2006 election, the Auditor General, as part of his 2006/2007 work plan, review the financial statements filed by Members of Council after the 2006 election and report to Council, through the Audit Committee, on any other irregularities or inconsistencies contained therein.”

In accordance with Council’s directive, this review was included in the Auditor General’s 2007 work plan. Although the directive stated that the report should be directed to Council through the Audit Committee, one of the possible outcomes of the results of the review is that a compliance audit of a candidate’s financial filing could be requested. The deadline for requesting a compliance audit is July 2, 2007. It was not possible to complete the review, submit the report to the Audit Committee and have it before Council to meet this deadline, therefore, we are submitting the Auditor General’s report through this Motion Without Notice.

Background Information

Municipal Election 2006 - Review of Financial Filings by Members of City of Toronto Council
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7625.pdf>)

Municipal Election 2006 - Review of Financial Filings by Members of City of Toronto Council
- Report

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7626.pdf>)

Municipal Election 2006 - Review of Financial Filings by Members of City of Toronto Council
- Appendix 1

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7627.pdf>)

Observations From the Review of Financial Filings by Members of City of Toronto Council -
Attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7628.pdf>)

1d Feasibility of Establishing a Fund to Reimburse Candidate Compliance Audits Expenses

(October 4, 2007) Report from the City Clerk

Recommendation

The City Clerk recommends that Toronto City Council:

1. request that the Province enact Toronto-specific election legislation that meets Toronto's unique needs to establish a fund to reimburse candidate compliance audit expenses.

Financial Impact

There are no financial impacts arising from this report.

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

Summary

At its July 16, 17, 18 and 19, 2007 meeting, Council requested that the City Clerk, in consultation with the Auditor General and the City Solicitor, report on the feasibility of establishing a mechanism that would reimburse all candidates for legitimate expenses associated with an application for an audit of the candidate's election campaign finances.

Municipal election campaign financing is governed by the Municipal Elections Act, 1996 (the Act) which is provincial legislation. Any request for amendments to the Act must be made to the province.

Given the provisions of the Municipal Elections Act, 1996 and the City of Toronto Act, 2006 (the COTA) it is not feasible to establish a fund to reimburse candidate compliance audit expenses at this time. A legislative amendment would be required to alter the municipal election campaign period and contribution provisions.

Background Information

Feasibility of Establishing a Fund to Reimburse Candidate Compliance Audits Expenses
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7632.pdf>)

EX13.2	Information			Ward: All
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Development Charges Act – Proposed Amendments

(Deferred from the September 4, 2007 meeting – EX11.7)

(August 20, 2007) Report from the Deputy City Manager and Chief Financial Officer

Financial Impact

The 2004 Development Charge Background Study, prepared in accordance with the provisions and requirements of the *Development Charges Act, 1997*, calculated the maximum permissible rates that could have been charged by type of development.

However, Council elected to reduce the residential charge, maintain the exemption for non-residential development, and introduced the calculated charge for retail uses. This resulted in a reduction of almost \$20 million in estimated annual development charge revenues as compared to at the rates calculated in the background study. It is currently not possible to estimate the increase in development charge revenues resulting from the inclusion of all services. However, the elimination of the historical cap and the statutory 10 percent reduction would have led to at least an additional \$25 million in estimated annual development charge revenues at Council-adopted rates.

Summary

This report responds to Council's direction for a report pertaining to a motion seeking amendments to the Development Charges Act, 1997 (the "Act"), to permit full recovery of growth-related capital costs through development charges. The motion sought the removal of the following constraints currently imposed by the Act:

1. use of historical service level averages to estimate increase in need;
2. statutory 10 percent reduction of capital costs; and
3. exclusion of specified municipal services from development charge calculations.

The cap imposed by the use of historical service levels on eligible growth-related capital costs, used in the 2004 Development Charge Background Study, had a significant negative impact on the amount recoverable through development charges. The effect of the statutory reduction of 10% of the capital costs is relatively minor. It is currently not possible to quantify the effect of the exclusion of specified services from the development charge calculation; however, staff expects that the impact could be significant.

The City, along with other members of the Association of Municipalities of Ontario, is assisting the Ministry of Finance and the Ministry of Municipal Affairs and Housing to develop a range of options on reform of the Act.

Background Information

Development Charges Act - Proposed Amendments

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-6712.pdf>

EX13.3	ACTION			Ward: All
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Providing City-Owned Space to Community Organizations at Below-Market Rent

(October 15, 2007) Report from the Executive Director, Social Development, Finance and Administration

Recommendations

Social Development, Finance and Administration recommends that:

1. Council approve the Implementation Framework for Including Community-Use Interest in the City's Surplus Property Disposal Process as set out in Appendix A.

2. Council direct that space made available for community use at below-market rent through the City's surplus property disposal process or negotiated in Section 37 agreements be allocated through an RFP Process.
3. Council allow the following organizations to continue to occupy their respective City-owned spaces and grant authority to enter into leases for a period not to exceed 20 years at the current monthly rent, plus all taxes and operating costs, under similar terms and conditions of the existing leases and any other terms and conditions acceptable to the Chief Corporate Officer and the City Solicitor:
 - a. East Area Women's Mental Health Inc. - Margaret Frazer House (301 Broadview Avenue)
 - b. Madison Avenue Housing and Support Services (1177 King Street West)
 - c. Scarborough Hospital – Manse Road Group Home (125 Manse Road)
 - d. University Health Network - Ossington Withdrawal Management Centre (16 Ossington Avenue)
4. Council allow the following organizations to continue to occupy their respective City-owned spaces and grant authority to enter into new leases for a period of 5 years at the current monthly rent, plus all taxes and operating costs, and under similar terms and conditions as the former leases held by the Toronto Community Housing Corporation(TCHC):
 - a. Homes First Society (160 Spadina Road and 164 Spadina Road)
 - b. Madison Avenue Housing and Support Services (163 Spadina Road)
5. Where there is no negative financial impact on the City, Council grant authority to enter into leases and service agreements with existing eligible below market rent tenants (as listed in Appendix B) in accordance with the terms and conditions outlined in the Policy on City-Owned Space Provided at Below-Market Rent, and in a form acceptable to the Chief Corporate Officer, the City Solicitor and the relevant programming City Division.

Financial Impact

Including community use in the City's surplus property disposal process (Recommendation 1):

Approval of a framework to include community-use interest in the City's surplus property disposal process will provide an opportunity for sites that would otherwise be declared surplus to be used by community organizations that provide services aligned with the goals and objectives of the City and its divisions. Actual financial implications will be determined on a site-by-site basis as property is identified as potentially surplus, and will include foregone interim rental revenue and delayed sales revenue. The proposed uses will be supported by business cases that will outline funding sources and who is responsible for paying operating and capital costs for the property. In each case Council authority will be obtained to enter into the proposed lease.

Endorsing the policy direction that available space be allocated through an RFP process (Recommendation 2):

There are no financial impacts on the City.

Renewing Leases at current terms and conditions with organizations providing provincially mandated services (Recommendation 3):

There are no financial impacts on the City.

Entering into new Leases at current terms and conditions with organizations in properties formerly leased by TCHC (Recommendation 4):

There are no financial impacts on the City.

Leases with existing below-market rent tenants (Recommendation 5):

This report also requests authority to enter into leases with existing eligible below-market rent tenants (as listed in Appendix B) in accordance with the Policy on City-Owned Space Provided at Below-Market Rent, in a form acceptable to the Chief Corporate Officer, the City Solicitor and the relevant programming City Division, where there are no negative financial impacts on the City. Where the application of the Policy's terms and conditions have negative financial implications on the City, the leases will be reported to Council.

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

Summary

This report requests that Council 1. approve an implementation framework for including community-use interest in the City's surplus property disposal process; 2. direct that any space made available for community-use at below-market rent through this process or through Section 37 agreements be allocated through an RFP process; 3. allow 5 organizations providing provincially mandated services to continue to occupy their respective City-owned spaces at below-market rent; and 4. grant authority to enter into Below-market rent leases with existing below market tenants.

Background Information

Providing City-Owned Space to Community Organizations at Below-Market Rent
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7803.pdf>)

EX13.4	ACTION			Ward: All
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Operating Budget Impacts of New Waterfront Infrastructure

(October 2, 2007) Report from the Deputy City Manager, Cluster B and the Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager whose responsibilities include Waterfront Revitalization and the Deputy City Manager and Chief Financial Officer recommend that:

1. the operating impacts of waterfront revitalization as identified in this report be referred to the Budget Committee for consideration during the 2008 and future years budget processes;
2. the Waterfront Project Director and the General Manager of Parks, Forestry and Recreation, in consultation with the Deputy City Manager and Chief Financial Officer and Waterfront Toronto, report to Executive Committee in 2008 on the preferred approach to implementing recommendations contained in the Waterfront Parks Operations and Maintenance Strategy Study;
3. the Deputy City Manager whose responsibilities include Waterfront Revitalization and the Deputy City Manager and Chief Financial Officer report every two years, commencing in 2009, with updated information and projections on the operating impact of waterfront renewal on all impacted City Agencies, Boards, Commissions and Divisions; and
4. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Summary

The purpose of this report is to estimate the Operating Budget impacts that will result from the development of new or improved infrastructure and public spaces by Waterfront Toronto. The City will be responsible for owning, operating and maintaining much of this new infrastructure - roads, water and waste water systems, transit, parks, public spaces and community facilities. Operating and maintenance costs and projected revenues through fees and subsidies have been estimated. Taxation revenues from new development are also discussed.

The program most impacted by waterfront renewal is Parks, Forestry and Recreation over the review period of 2007 to 2021. Estimates to date are based on current information for projects that are to be completed to 2011, and less detailed information for projects initiated from 2012 to 2016.

A Waterfront parks operations and maintenance funding strategy based on a consultant study commissioned by Waterfront Toronto is currently being developed by the City and Waterfront Toronto, and will be the subject of a further report to Council in 2008. Findings from the consultant's study are summarized in this report.

Waterfront renewal is a 30-year initiative. As a result it is recommended that staff update operating impact projections and report every two years on their impact on City Agencies, Boards, Commissions and Divisions (ABCDs), with the first updated report in 2009.

Background Information

Operating Budget Impacts of New Waterfront Infrastructure
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7650.pdf>)

EX13.5	Information			Ward: All
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Status - Provincial Property Tax Pass-Through for Recreational Leases in Hydro Corridor Lands

(October 9, 2007) Report from the City Manager and the Deputy City Manager and Chief Financial Officer

Financial Impact

The City currently has 65 lease agreements covering 399 acres in hydro corridors. Three agreements covering 10 acres were renewed at 50 percent pass-through for parks and recreation use resulting in property tax reimbursement from the City to the Province of \$10,276 annually, which is currently charged to the Parks, Forestry and Recreation budget as an expenditure item for property taxes.

As leases are renewed, the potential total additional annual impact of the Provincial secondary land use policy on the Parks, Forestry and Recreation Operating Budget for its current use in hydro corridors is estimated at \$371,920 annually. For each additional acre of new park in hydro lands will have an additional impact on the Parks, Forestry and Recreation Operating Budget of \$1,021 per acre per year. These expenditures will be reported on during the annual operating budget review process as they are finalized.

Summary

This report provides an update and status of the City's request to the Province to waive property taxes charged back to the City by Hydro One on hydro corridor lands leased by the City and used for parks and recreation purposes. Since 2003, after further consultation with the City of Toronto, the Association of Municipalities in Ontario (AMO) and other municipal representatives, the Province revised its secondary land use policy to require municipalities to reimburse the Province one-half of the property taxes the municipality imposes on the Province's hydro corridor lands, for those portions of lands used by the municipality for recreation purposes. The revision, from the original position of the Province that a reimbursement of all the taxes imposed by the municipality, was a compromise in recognition of the dual use on corridor land. Further discussions and correspondence with the Province over the last five-years towards repealing the 50 percent property tax-pass through policy has not yielded any further changes to this policy.

Background Information

Status - Provincial Property Tax Pass-Through for Recreational Leases in Hydro Corridor Lands

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7654.pdf>

EX13.6	Information			Ward: All
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Toronto Water Compliance Policy for High Volume Water Users – Effluent Monitoring

(October 11, 2007) Report from the General Manager, Toronto Water

Financial Impact

There is no financial impact associated with this report.

Summary

The City of Toronto Sewer Use By-law (Municipal Code Chapter 681 – Sewers) regulates all discharges to the City’s sewer system. Compliance with discharge limits is mandatory. It is the responsibility of the individual owners and operators of all businesses and industries within the City to ensure that their effluent complies with the Sewer Use By-law discharge limits and to therefore install the appropriate effluent treatment and monitoring equipment. Most industries generally have established an effluent monitoring program which is economically and technically feasible to their operations in order to avoid non-compliance under the By-law. The industry can also enter into various agreements with the City to ensure compliance with the By-law is achieved. In addition, under Section 13 of the Sewer Use By-law, a Toronto Water By-law Officer can instruct any industry to carry out any monitoring and sampling within a specified timeframe of any discharge to a sewer that the Officer deems necessary to ensure compliance with the By-law.

Failure to comply with the By-law can result in fines up to \$100,000.00 per day for non-compliance. The requirements stipulated in the Sewer Use By-law (Municipal Code Chapter 681 – Sewers) apply to all persons who discharge to the sewer system, including all industries. Therefore, in order to avoid prosecution under the By-law, industries would have to take the necessary action, if required, to install and maintain the appropriate effluent monitoring equipment to ensure compliance under the By-law. No classes of industry are exempt from the Sewer Use By-law.

Background Information

Toronto Water Compliance Policy for High Volume Water Users y Effluent Monitoring
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7651.pdf>)

EX13.7	ACTION			Ward: All
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New Taxation Measures – Design Features and Implementation Authorities

(October 15, 2007) Report from the City Manager and the Deputy City Manager and Chief Financial Officer

Recommendation

The City Manager and the Deputy City Manager and Chief Financial Officer recommend that:

1. The Executive Committee consider a report from the City Manager and the Deputy City Manager and Chief Financial Officer, titled New Taxation Measures – Design Features and Implementation Authorities.

Summary

City staff are preparing to report on design features and implementation authorities for new taxation measures, should any be approved at the October 22-23, 2007 meeting of City Council.

A report will be distributed on the supplemental agenda in accordance with and subject to the decisions of City Council from its meeting of October 22 and 23, 2007 in regard to EX10.1 (a report, dated June 11, 2007 entitled “New Taxation Measures – City of Toronto Act, 2006” and a supplemental report, dated July 12, 2007 entitled “New Taxation Measures Supplemental Report – City of Toronto Act, 2006).

Background Information

New Taxation Measures - Design Features and Implementation Authorities
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7634.pdf>)

EX13.8	ACTION			Ward: All
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New Taxation Measures – Results of Further Consultations respecting Alcohol Tax

(October 15, 2007) Report from the City Manager and the Deputy City Manager and Chief Financial Officer

Recommendation

The City Manager and the Deputy City Manager and Chief Financial Officer recommend that:

1. The Executive Committee consider at its meeting on October 29, 2007a report from the City Manager and the Deputy City Manager and Chief Financial Officer, entitled “New Taxation Measures – Results of Further Consultations respecting Alcohol Tax”.

Summary

City staff are preparing a report on new taxation measures regarding the results of further consultations on economic and administrative considerations respecting alcohol tax. A report will be submitted on the supplemental agenda in accordance with and subject to the decisions of Council from its meeting of October 22 and 23, 2007 in regard to EX10.1 (including a report, dated June 11, 2007 entitled “New Taxation Measures – City of Toronto Act, 2006” and a supplemental report, dated July 12, 2007 entitled “New Taxation Measures Supplemental Report – City of Toronto Act, 2006).

Background Information

New Taxation Measures - Results of Further Consultations respecting Alcohol Tax
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7635.pdf>

EX13.9	ACTION			
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Shelter, Support and Housing Administration in Year Budget Adjustment for Federal and Provincial Funding

(October 17, 2007) Memo from the Budget Committee

Recommendation

The Budget Committee recommended to the Executive Committee that:

1. Council increase the Shelter, Support and Housing Administration 2007 Approved Operating Budget by \$23,923,400 gross and \$0 net to reflect the funding from the Supporting Communities Partnership Initiative, the Homelessness Partnering Strategy, and the Consolidated Homelessness Prevention Program.

Financial Impact

Approval of the recommendations will amend the approved 2007 operating budget of Shelter, Support and Housing Administration, from \$692,839,700 gross to \$716,763,100 gross, an increase of \$23,923,400. There is no net impact.

The funding sources are outlined in the following table:

Funding Source	Gross \$(000)	Net \$(000)
Federal Government - Homelessness Partnering Strategy (HPS)	7,511.0	0
Federal Government - Supporting Communities Partnership Initiative (SCPI)	15,229.0	0
Provincial Government - Consolidated Homelessness Prevention Program (CHPP)	1,183.4	0
Total	\$23,923.4	0

As SCPI funds have been extended beyond March 31, 2007, the approved draw from the Social Housing Stabilization Reserve Fund to fund expenditures of \$1.85 million, for the 3 month period April 1 through June 30, 2007, is no longer required.

Summary

The purpose of this report is to provide an in-year adjustment to the 2007 gross operating budget to reflect additional revenue from the Federal and Provincial Governments with zero net impact.

By approving this report, the gross budget will more accurately reflect the spending levels attributed to the provision of the programs funded by the other orders of government.

Communications

(October 17, 2007) memo from the Budget Committee (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3984.pdf>)

(October 1, 2007) report from the Budget Committee (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3985.pdf>)

EX13.10	ACTION			
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Pre-Budget Approval – Purchase of Automated Collection Vehicles

(October 16, 2007) Memo from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. Council grant authority for the pre-budget approval of the 2008 Fleet Capital Program to purchase 27 automated collection vehicles in an amount not to exceed \$7,417,087.38.
2. This report be forwarded to Public Works and Infrastructure Committee for information.

Financial Impact

The Solid Waste Management Services Division has submitted a 2008 vehicle replacement request to Fleet Services in the amount of \$12,525,325.00 for the replacement of 55 collection trucks.

Twenty-seven (27) of these vehicles are scheduled to be replaced with automated collection trucks and need to be ordered prior to Capital Budget Approval in December 2007. Due to the long delivery time and the need to have the vehicles in place by July 2008, pre-approval of \$7,417,087.38 is requested. Funding for these vehicles will be available in cost center XQ1014 (Vehicle Reserve-Solid Waste). No actual cash flow expenditures will occur until delivery in late spring of 2008.

Summary

The purpose of this report is to request pre-budget approval for the purchase of 27 automated collection vehicles associated with the implementation of the 70% Solid Waste Diversion Plan.

As a critical element of the 70% Diversion Plan, automated replacement vehicles to collect the carts are required by July of 2008, to coincide with the start of delivery of the garbage carts to single family homes. The estimated delivery time for the new collection equipment is approximately 9 months.

Funding for these replacement vehicles will come from the Solid Waste Management Vehicle Replacement Reserve

Communications

(October 16, 2007) memo from the Budget Committee (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3987.pdf>)

(September 27, 2007) report from General Manager, Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3988.pdf>)

EX13.11	ACTION			
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Toronto Police Service – Time Resource Management System Upgrade

(October 16, 2007) Memo from the Budget Committee

Recommendations

The Budget Committee:

1. forwarded the report (September 25, 2007) from the Chair, Toronto Police Services Board to the Executive Committee without recommendation; and
2. requested staff to submit a Briefing Note to the Executive Committee on the following:
 - a. the impact on the other two projects (Human Resources Management System Upgrade and Additional Functionality Project, and the Intelligence/Special Investigation Services Facility Renovation Project);
 - b. detailed description of equipment changes in Appendix 1 under “Additional Equipment”; and
- c. more information on the position identified in the report.

Financial Impact

If the Budget Committee approves the recommendation contained in this report, funds in the total amount of \$0.98M will be required to complete the TRMS upgrade and will be achieved by transferring funds within the Toronto Police Service’s 2007-2011 capital program.

Summary

The Budget Committee on October 16, 2007 considered the report (September 25, 2007) from the Chair, Toronto Police Services Board, regarding Toronto Police Service – Time Resource Management System Upgrade.

Communications

(October 16, 2007) memo from the Budget Committee (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3989.pdf>)

(September 25, 2007) report from the Budget Committee (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3990.pdf>)

EX13.12	ACTION			
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Wilson Yard – Fleet Accommodation Authorization of Funds

(October 16, 2007) Memo from the Budget Committee

Recommendation

The Budget Committee recommended to the Executive Committee that Council:

1. authorize TTC staff to reallocate from the approved 2007 capital budget in order to incur costs for the completion of construction, electrification and signalization of three storage tracks at Wilson Yard in the maximum amount of \$1,100,000 in 2007, noting that this amount includes staffing resources required to complete the work.

Summary

The Budget Committee on October 16, 2007 considered the letter (September 21, 2007) from the General Secretary, Toronto Transit Commission, regarding Wilson Yard – Fleet Accommodation Authorization of Funds.

Communications

(October 16, 2007) memo from the Budget Committee (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3991.pdf>)

(September 21, 2007) report from the General Manager, Toronto Transit Commission (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-3992.pdf>)

EX13.13	ACTION			
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Request for a Waiver of the Encroachment Fee of \$2,400 – Expansion of Tunnel Connecting 26 and 38 Shuter Street – St. Michael’s Hospital

(October 16, 2007) Memo from the Budget Committee

Recommendation

The Budget Committee recommended to the Executive Committee that Council waive the encroachment fee in the amount of \$2,400 relating to the expansion of a tunnel connecting 26 and 38 Shuter Street – St. Michael’s Hospital.

Financial Impact

There is no financial impact to the City as a result of this report.

Summary

The Budget Committee on October 16, 2007, considered the letter (September 24, 2007) from the Toronto and East York Community Council regarding the request to waive the encroachment fee of \$2,400 relating to the expansion of a tunnel connection 26 and 38 Shuter Street – St. Michael’s Hospital.

Background Information

Request for a waiver of the encroachment fee of \$2,400 - Expansion of Tunnel Connecting 26 and 38 Shuter Street - St. Michael’s Hospital - Report

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7662.pdf>

Request for a Waiver of the Encroachment Fee of \$2,400 - Expansion of Tunnel Connecting 26 and 38 Shuter Street - St. Michael’s Hospital.

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7812.pdf>

EX13.14	ACTION			Ward: All
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Extension of the Public Appointment Policy

(October 11, 2007) Letter from Councillor Gord Perks

Recommendations

1. that the City Manager’s office be directed to identify advisory bodies and committees that currently do not follow the City’s Public Appointments policy, that have a City-wide mandate, that are supported by staff and that have citizen members appointed by Committee or City Council by February 2008;
2. that the City’s Public Appointment Policy equity objectives and selection objectives be extended to include all of the City’s advisory bodies and committees noted in recommendation 1 by February 2008;
3. that the recruitment process for citizen appointments to the advisory bodies/committees noted in recommendation 1 be guided by the same recruitment process for civic appointments to Agencies, Boards and Commissions by February 2008; and
4. that the City Manager’s office be directed to conduct a diversity analysis of all bodies identified in recommendation 1 at the end of the next appointments cycle, and report their findings to Executive Committee.

Summary

Toronto has become one of the most diverse cities in the world, and has gained an international reputation for the success of its diversity.

The September 2006 City Manager staff report entitled “Policy and Processes for Public Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies” recommends that “having an explicit policy statement is important in demonstrating the City’s commitment in making citizens appointments reflect the

geographic and demographic diversity of Toronto. This policy guides all actions in the appointments process.”

The City’s Public Appointment Policy, approved by City Council in September 2006 states that its equity objective is to build capacity on City Boards to oversee services delivered within a diverse community which is addressed by:

- (a) establishing procedures and a monitoring mechanism to ensure board members reflect the diversity of the community with respect to gender, age, Aboriginal status, race, disability and sexual orientation;
- (b) ensuring that boards accommodate appointed members with disabilities or other barriers inhibiting full participation; and
- (c) providing direction and orientation for board members on the City’s objectives of providing services that respect the needs and desires of diverse communities and ensuring access to services.

Furthermore, Section 7.9 of the Policy states that all selection bodies will strive to achieve a balance of:

- (1) qualified applicants covering the range of qualifications specified for the board;
- (2) experienced and new members;
- (3) geographic representation; and
- (4) representation of the diversity and demographics of the community including age, gender, sexual orientation, aboriginal status, race and disability.

There are several types of bodies that do not generally fall under the Public Appointments Policy, including some appointments to advisory bodies established by Committee or Council. As such, there is no standard monitoring process for ensuring diversity on these advisory bodies and/or committees.

Background Information

Extension of the Public Appointment Policy

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7666.pdf>

EX13.15	ACTION			Ward: All
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Leave of Absence to Run for Provincial or Federal Office

(October 2, 2007) Member Motion from Councillor Vaughan, seconded by Councillor Del Grande

Recommendation

1. That City Council request that the Province amend the City of Toronto Act, 2006, to require Members of Council to take a leave of absence, without pay, should they choose to become a candidate for Provincial or Federal office.

Summary

At both the Provincial and Federal level, politicians wishing to run in an election to seek another office must resign from their positions before filing their nomination papers. There is no such provision for politicians at the municipal level.

Since amalgamation, at least 12 Councillors have run for either Provincial or Federal office. Of these Councillors, 2 resigned and 8 took a leave of absence, without pay, while campaigning.

Given the time demands required to run a credible election campaign, Councillors should be required to take a leave of absence, without pay, while they are actively seeking another position.

Background Information

Leave of Absence to Run for Provincial or Federal Office

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7656.pdf>)

EX13.16	ACTION			Ward: All
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To Support the City of Hamilton in Advocating the Province of Ontario to Make Changes to the Labour Relations Act, 1995

(October 2, 2007) Member Motion from Councillor Stintz, Seconded by Councillor Ootes

Recommendations

1. That the City Manager write to the Province of Ontario in support of the City of Hamilton advocating the Province to make the necessary changes to the Labour Relations Act, 1995, section 126, by defining municipalities as non-construction employers.

Financial Impact

Council also considered a Financial Impact Statement (September 27, 2007) from the Deputy City Manager and Chief Financial Officer.

Summary

At its August 30, 2007 meeting, Hamilton City Council received a report detailing the financial benefits of amending the Labour Relations Act, 1995 through the following resolution:

“That the City Manager and General Manager of Finance and Corporate Services continue to seek changes by the Province of Ontario to the Labour Relations Act, 1995, for the City of Hamilton to be designated as a non-construction employer for the purposes of sections 126.1 to 168 thereof”

This slight amendment to the Act would ensure municipalities are not considered construction employers. This amendment would promote a fair, open and competitive procurement process

for Hamilton and similar municipalities. The Province need only change the definition of “non construction employer” in section 126 of the Act, by deeming municipalities to be non construction employers.

As the City of Toronto may recognize similar financial benefits, it is prudent that Toronto City Council support The City of Hamilton in its efforts to advocate the Province to make this change to the Labour Relations Act, 1995.

Background Information

To support the City of Hamilton in advocating the Province of Ontario to make changes to the Labour Relations Act, 1995

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7665.pdf>)

16a Let Us Help You Save More Than \$100-Million Per Year

(October 18, 2007) Letter from Mr. Jim Graham, President, Ontario Electrical League, GTA West Chapter

Summary

Letter (October 17, 2007) from Mr. Jim Graham, President, Ontario Electrical League, GTA West Chapter, advising that their organization represents hundreds of electricians and their contractors many of whom both live in the City of Toronto and work in the City of Toronto.

Communications

(October 17, 2007) letter from Mr. Jim Graham, President, Ontario Electrical League, GTA West Chapter (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-4023.pdf>)

EX13.17	ACTION			Ward: All
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Financial Implications of Provincial Party Platforms

(October 2, 2007) Member Motion from Councillor Vaughan, seconded by Councillor Walker

Recommendation

1. That the City Manager be requested to assess and publicly brief City Council on the precise financial implications of each of the major Party platforms presented during this Provincial election, the impact they could have on municipal funding in general and the City of Toronto’s finances in particular, on or before October 4, 2007.

Summary

Given the significance of Provincial policy and downloading on Toronto’s fiscal future, City Council would benefit from a comprehensive understanding of the potential impact of the major party platforms on Toronto

Background Information

Financial Implications of Provincial Party Platforms

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7667.pdf>

17a Party Platform Positions of Interest to Toronto

(October 17, 2007) Briefing Note from the City Manager's Office

Summary

Chart outlining platform policy positions of the major Ontario Political Parties with respect to the October 10, 2007 General Election, which was distributed to all Members of Council on September 28, 2007, by the Strategic and Corporate Policy Division, City Manager's Office.

Background Information

Party Policy Platforms for Ontario General Election

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7811.pdf>

EX13.18	Information			
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Toronto Police Service - 2006 Annual Report

(September 24, 2007) Report from the Chair, Toronto Police Services Board

Financial Impact

There are no financial implications in regard to the receipt of this report.

Summary

The purpose of this report is to provide the Executive Committee with the Toronto Police Service's (TPS) 2006 Annual Report.

Background Information

Toronto Police Service - 2006 Annual Report

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7633.pdf>

EX13.19	ACTION			
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Interactive Web-based Carbon Calculator

(October 19, 2007) Report from Mr. Richard Butts, Deputy City Manager

Recommendation

The Deputy City Manager, Cluster B, recommends that:

1. The Executive Committee consider a report from the Deputy City Manager titled, “Interactive Web-based Carbon Calculator”.

Summary

A major component of the City of Toronto’s Climate Change, Clean Air and Sustainable Energy Action Plan is Live Green Toronto, which will engage residents in projects on a neighbourhood basis to reduce their greenhouse gas emissions. One component of Live Green Toronto is to provide residents with an internet based tool that measures an individual’s greenhouse gas emissions based on consumption and lifestyle.

A company that specializes in the provision of this type of carbon calculator is Zerofootprint Inc., a Toronto-based firm now operating internationally. Zerofootprint has developed an interactive tool that allows participants to measure and understand the impact of their lifestyles on the environment and compare their behaviour with other individuals or groups through the “carbon calculator”.

Zerofootprint has approached the City and offered to provide its carbon calculator to Toronto residents at no charge to the City or its residents

Background Information

Interactive Web-based Carbon Calculator

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7852.pdf>