



Decision Document

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		

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

How to Read the Decision Document:

- *Recommendations of the Committee to City Council appear after the item heading*
- *Any amendments by Committee to recommendations appearing in a staff report are italicized.*
- *Other action taken by the Committee on its own authority, which does not require Council’s approval, is listed in the decision document under the heading "Decision Advice and Other Information" .*
- *Declarations of Interest, if any, appear at the end of an item.*

Minutes Confirmed – Meeting of October 1, 2007.

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

(October 4, 2007) Report from the City Clerk, entitled “Amendments to the Election Legislation Governing the City of Toronto”

Committee Recommendations

The Executive Committee recommends that:

AMENDMENTS TO THE ELECTION LEGISLATION GOVERNING THE CITY OF TORONTO

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;

OPTIONS FOR THE PREPARATION OF THE VOTERS' LIST FOR TORONTO'S MUNICIPAL ELECTION

2. City Council request the Province to 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;

MUNICIPAL ELECTION 2006 - REVIEW OF FINANCIAL FILINGS BY MEMBERS OF CITY OF TORONTO COUNCIL

3. 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;
4. 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;
5. 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;
6. 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;

FEASIBILITY OF ESTABLISHING A FUND TO REIMBURSE CANDIDATE COMPLIANCE AUDITS EXPENSES

7. City Council request the Province to:
 - a. enact Toronto-specific election legislation that meets Toronto's unique needs to establish a fund to reimburse candidate compliance audit expenses;
 - b. *amend the Act to allow candidates to draw on campaign surpluses or a City created fund to pay legal or audit expenses that are election related after campaign accounts have been closed, and the City Clerk be requested to establish a structure for same;*

8. *that City Council request legislative and/or regulatory changes to the Municipal Elections Act (MEA) 1996, to permit reimbursement from a filed campaign surplus for campaign related legal, accounting and audit expenses incurred in meeting the requirements for submission of a complete Election Finance Statement; and further that such changes apply retroactively to the 2006 Municipal Election.*
9. *City Council congratulate City staff on running smooth and effective election days.*

Decision Advice and Other Information

The Executive Committee:

1. requested the City Solicitor to submit a report directly to Council for its meeting to be held on November 19, 2007, on the legality of establishing a grant program to which candidates in the 2006 Municipal Election may apply to cover approved extraordinary legal and audit expenses incurred relating to that election, this program to be funded from campaign surpluses returned to the City from this election; and
2. referred the following motions to the City Clerk for report, in consultation with Members of Council, to the Executive Committee by March 2008:

Moved by Councillor Davis

"That the Executive Committee:

- I. recommend to Council that the following part 7. contained in Appendix 1, entitled "Outstanding Requested Amendments to the Municipal Elections Act, 1996, the Assessment Act and Ontario Regulation 101/97", be deleted:

“7. section 39 be amended to provide that should any mayoralty candidate die during the time period beginning the day after nomination day and before the close of voting on voting day, the election for the office of mayor shall be void and a by-election shall be held to fill the office.”

and the City Clerk be requested to propose alternatives to this provision through the proposed staff/councillor Elections Working Group

- II. request the City Clerk to report back to the Executive on a policy for:
 1. extending polling hours in any polling station where a complete list or proper operating procedures cannot be provided to electors to facilitate voting during established hours; and
 2. including TCHC in the development of the voters list;
- III. request the Director, Election and Registry Services, in consultation with the City Manager’s Office, to report to the Executive Committee, at an appropriate time, on:

1. research that has been undertaken on voter participation rates in the 2006 Toronto Municipal Election, in particular, participation rates in communities with high ethno-cultural populations; and
2. the effectiveness of 2006 civic education and outreach initiatives to ethno-cultural communities, including recommendations for changes on enhancements for the 2010 Municipal Election.

Moved by Councillor Kelly

"That the Executive Committee recommend to Council that Part 19 contained in Appendix 1, entitled "Outstanding Requested Amendments to the Municipal Elections Act, 1996, the Assessment Act and Ontario Regulation 101/97", be amended to read as follows:

- "19. a new subsection be added to section 1 of Ontario Regulation 101/97 to provide that for the office of mayor for the City of Toronto Council the prescribed nomination filing fee is set at \$10,000.00 and for the office of councillor for the City of Toronto Council the prescribed nomination filing fee is set at \$1,000.00;"

Moved by Councillor Lindsay Luby

"That the Executive Committee recommend that City Council urge the Province to adopt the City of Toronto's processes and procedures respecting the counting of ballots and more specifically the utilization of optical scanning technology."

Moved by Councillor Mammoliti

"That the Executive Committee request the City Clerk to submit a report to the Executive Committee on:

1. how the City currently interprets the Municipal Elections Act as it relates to the production of the voters list;
2. how proxies are distributed to electors; and
3. how oaths are administered.

Moved by Councillor Mihevc

"That:

1. the City Clerk be requested to submit a report to the Executive Committee on establishing a system to permit City of Toronto residents incarcerated in jails the right to vote; and

2. the Province of Ontario be requested to allow the City of Toronto to set its Municipal Election Day to occur between Thanksgiving and Halloween of 2010."

Moved by Councillor Moscoe

"That the Executive Committee:

- I. recommend to City Council that:
 - i. the determination of the calculation of campaign expenditure limits for candidates be based on Ward population over the age of eighteen;
 - ii. the by-law be amended to include an automatic inflationary adjustment from Election to Election and requests the City Clerk to review the current campaign allowance and recommend an appropriate amount after adjusting to account for inflation that has occurred since its original determination;
 - iii. that the City of Toronto campaign financing rules be returned to the rules that were applied to the 2003 Election, with the following exceptions:
 - a. that campaign surpluses be returned to the City of Toronto; and
 - b. that limits be placed on the ability of candidates to throw elaborate parties or to spend excessively on fund raising activities; and
 - iv. given the fundamental flaws apparent with the current Municipal Elections Act, 1996 and the fact that it fails to meet the unique needs of the City of Toronto, the City Clerk:
 - a. after receiving Council's authority be requested to negotiate the principles of Toronto specific legislation with the Province and meet with Provincial Officials to discuss a process and timetable for the legislation; and
 - b. be requested to submit a report to the January 8, 2008 Executive Committee on a proposed process and timetable to ensure that the new legislation is ready in time for the 2010 Municipal Election;
- II. request the City Clerk to report directly to Council for its meeting on November 19, 2007, on what, if any, legislative changes may be required to put these into practice and how these can most easily be accomplished, such report to include which legislative changes would be required or which legislative requests would be withdrawn if this motion were adopted; and

3. received, for information, the report (October 9, 2007) from the Integrity Commissioner, entitled "Integrity Commissioner's Report on Municipal Election Issues."

Ms. Ulli Watkiss, City Clerk, and Mr. Greg Essensa, Director, Elections and Registry Services, delivered a presentation to the Executive Committee regarding Various Municipal Election Related Matters.

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

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

Recommendation

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

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>)

Communications

(October 28, 2007) letter from Ms. Marie Heron, Executive Director, On-Track for Women (EX.New)

(October 29, 2007) letter from Mr. Larry Perlman, (EX.New)

Mayor David Miller declared an interest in Item EX13.1d "Feasibility of Establishing a Fund to Reimburse Candidate Compliance Audits Expenses", in that he has been the subject of a compliance audit.

Councillor Giorgio Mammoliti declared an interest in Item EX13.1d "Feasibility of Establishing a Fund to Reimburse Candidate Compliance Audits Expenses", in that he has been the subject of a compliance audit.

EX13.2	Information	Amended		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

Decision Advice and Other Information

The Executive Committee:

1. requested the Deputy City Manager and Chief Financial Officer to expedite the necessary studies for the new Development Charges in consultation with the development industry as appropriate;
2. requested the City Manager and Division Heads, as appropriate, to undertake the background analysis that will form the basis of the new Development Charges;
3. requested the Deputy City Manager and Chief Financial Officer to hold information sessions with Councillors upon the completion of the relevant Development Charge background study; and
4. received, for information, the report (August 20, 2007) from the Deputy City Manager and Chief Financial Officer entitled "Development Charges Act – Proposed Amendments".

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	Amended		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

Committee Recommendations

The Executive Committee 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; *and Council recognize that for space secured through Section 37 that the RFP process will not be required for community agencies that exist on the site and may be displaced or impacted as a result of the proposed development, or in the event that a community agency is identified as part of the development proposal prior to the negotiation of the Section 37 agreement, provided that in both circumstances the agency(s) meet the BMR's criteria;*

3. *Council allow the following organization to continue to occupy its City-owned space and grant authority to enter into a lease 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 lease and any other terms and conditions acceptable to the Chief Corporate Officer and the City Solicitor, and that the circumstances pertaining to the lease of this facility be brought to the attention of the Provincial Panel reviewing downloading and the City re-iterate its request that the Province assume the responsibility for paying rent at market value for organizations providing provincial services:*
 - a. *East Area Women’s Mental Health Inc. - Margaret Frazer House (301 Broadview Avenue);*
4. *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 5 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; and that the circumstances pertaining to the lease of these facilities be brought to the attention of the Provincial Panel reviewing downloading and the City re-iterate its request that the Province assume the responsibility for paying rent at market value for organizations providing provincial services:*
 - a. *Madison Avenue Housing and Support Services (1177 King Street West)*
 - b. *Scarborough Hospital – Manse Road Group Home (125 Manse Road)*
 - c. *University Health Network - Ossington Withdrawal Management Centre (16 Ossington Avenue);*
5. 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 (140 Spadina Road and 164 Spadina Road);*
 - b. *Madison Avenue Housing and Support Services (163 Spadina Road);*
6. *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; and*
7. *staff be directed to consider Opera Atelier (located at St. Lawrence Hall) under the criteria outlined in the Below Market Rent Report, and if this organization meets the criteria, then staff be authorized to enter into a 5 year lease at the rent currently being paid.*

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	Amended		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

Committee Recommendations

The Executive Committee recommends 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;
4. *Waterfront Toronto be requested to ensure that during the design process of Waterfront Parks, that the City Parks, Forestry and Recreation Division and the Waterfront Secretariat be fully integrated into the design process; and that the operating, maintenance and environmental requirements be identified and costs estimated in the design process; and*
5. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The cumulative incremental gross cost to the City over the 15 year period for all impacted programs is estimated at \$324.1 million. Estimated revenue collected by programs from user fees and subsidies (excluding tax revenues) is estimated at \$117.3 million. The majority of revenue will be generated by TTC, Children's Services, Solid Waste and Toronto Water. This

results in a total net operating impact of \$206.8 million to the City (excluding tax revenues) by 2021.

A preliminary forecast of cumulative incremental City tax revenues for the West Don Lands and East Bayfront suggests additional tax revenues by 2021 of approximately \$185.4 million.

The impact of new waterfront parks and public realm will begin most significantly in the 2007 to 2011 period. Estimates indicate that the Parks, Forestry and Recreation program may require in the order of \$23.7 million for increased operating costs by 2011. This is largely driven by the construction of Don River Park, Mimico Park, the Port Lands Transition Sports Fields, Leslie Greening, Tommy Thompson Park, Sherbourne Park and progress on the Central Waterfront public realm. Parks, Forestry and Recreation is preparing Business Cases for 2008 for Mimico, Central Waterfront (Spadina Slip), and Waterfront Planning, Design and Development that total \$0.55 million based on actual construction progress by Waterfront Toronto.

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	Received		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

Decision Advice and Other Information

The Executive Committee received, for information, the report (October 9, 2007) from the City Manager and the Deputy City Manager and Chief Financial Officer, entitled "Status - Provincial Property Tax Pass-Through for Recreational Leases in Hydro Corridor Lands".

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	Received		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

Decision Advice and Other Information

The Executive Committee deferred consideration of the report (October 11, 2007) from the General Manager, Toronto Water, entitled "Toronto Water Compliance Policy for High Volume Water Users – Effluent Monitoring", until its meeting scheduled to be held on November 26, 2007.

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	Amended		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

Committee Recommendations

The Executive Committee recommends that:

1. Council adopt the administrative design features for the *Municipal Land Transfer Tax* (MLTT) mirroring the existing provincial land transfer tax (including all provincial rebates and exemptions), as set out in Appendix A of this report, with the following key distinctive features unique to the MLTT:
 - i. The MLTT will have rates and rate thresholds unique to the MLTT, as adopted by Council at its meeting of October 22 and 23, 2007;
 - ii. The MLTT includes exemptions for the Crown, Crown agents and various other public bodies as required by the *City of Toronto Act, 2006* (COTA) which differ from the Crown exemptions from the provincial land transfer tax;
 - iii. The MLTT will include various rebates and exemptions adopted by Council at its meeting of October 22 and 23, 2007 and set out in Appendix A which are unique to the MLTT;
 - iv. As an interim measure, until an appropriate amendment to COTA is made, the City's appeal and dispute resolution mechanism under the MLTT by-law will operate through the Government Management Committee to Council; *and that the procedural by-law 27-126 C(2), "Delegated Duties of Standing Committees", be amended to permit the Government Management Committee to hold hearings to consider appeals specific to the City's MLTT;*
 - v. The MLTT will attract interest rates and penalties which may differ from those imposed on the provincial land transfer tax, as set out in Appendix A; and
 - vi. The City may use collection and enforcement mechanisms in the collection of the MLTT that may differ from the Land Transfer Tax Act as set out in Appendix A;

2. Council authorize and direct appropriate City officials to enter into any necessary agreements with Teranet Inc. and the Province, pursuant to which Teranet would be named the City's exclusive authorized MLTT collection agent for all electronically registered transactions, develop systems to apply appropriate MLTT exemptions and rebates for the City, and temporarily assist with manual MLTT rebates administration until such time as they can be handled electronically through the Teraview system, all in accordance with the terms and conditions set out in Confidential Attachment 1 and in a form acceptable to the City Solicitor; and the Province would share information relevant

- to the MLTT and/or to collect the MLTT on behalf of the City in respect of land transfer transactions which are handled outside the Teranet system;
3. Council request the Province to make regulations under the City of Toronto Act, 2006 allowing the City to add any outstanding MLTT pertaining to a property to the property tax roll for that property and collect it in the same manner as property taxes;
 4. Council request the Province to amend the City of Toronto Act, 2006 to allow the City:
 - a. priority lien status on uncollected MLTT; and
 - b. to incorporate the current Land Transfer Tax Act appeal right to the Superior Court of Justice;
 5. Council request the Province to make any necessary legislative or regulatory amendments to allow the Minister to refuse the issuance and validation of personal vehicle permits unless the City's PVT is paid in full;
 6. The Deputy City Manager and Chief Financial Officer report back to Council in early 2008 on the progress of discussions with the Province on an agreement to collect and administer the Personal Vehicle Tax (PVT);
 7. Deputy City Manager and Chief Financial Officer be granted authority to recruit and hire the necessary staff required for the implementation and on-going administration of the MLTT;
 8. Council request the Federal Government to amend any federal regulations necessary to extend the GST exemption, which is currently in place for the provincial land transfer tax and land transfer taxes imposed by municipalities outside of Ontario, to the MLTT and PVT;
 9. The Deputy City Manager and Chief Financial Officer report directly to Council on outstanding items contained in this report; and
 10. The City Solicitor be authorized to introduce the necessary bills to give effect to the MLTT and the appropriate officials be authorized and directed to take necessary actions to give effect thereto.

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>)

7a New Taxation Measures - Report on Design Features and Implementation Authorities

Confidential Attachment - The security of the property of the municipality or local board

(October 26, 2007) Report from the City Manager and the Deputy City Manager and Chief Financial Officer

Recommendations

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

1. Council adopt the administrative design features for the *Municipal Land Transfer Tax* (MLTT) mirroring the existing provincial land transfer tax (including all provincial rebates and exemptions), as set out in Appendix A of this report, with the following key distinctive features unique to the MLTT:
 - i. The MLTT will have rates and rate thresholds unique to the MLTT, as adopted by Council at its meeting of October 22 and 23, 2007;
 - ii. The MLTT includes exemptions for the Crown, Crown agents and various other public bodies as required by the *City of Toronto Act, 2006* (COTA) which differ from the Crown exemptions from the provincial land transfer tax;
 - iii. The MLTT will include various rebates and exemptions adopted by Council at its meeting of October 22 and 23, 2007 and set out in Appendix A which are unique to the MLTT;
 - iv. As an interim measure, until an appropriate amendment to COTA is made, the City's appeal and dispute resolution mechanism under the MLTT by-law will operate through the Government Management Committee to Council; *and that the procedural by-law 27-126 C(2), "Delegated Duties of Standing Committees", be amended to permit the Government Management Committee to hold hearings to consider appeals specific to the City's MLTT;*
 - v. The MLTT will attract interest rates and penalties which may differ from those imposed on the provincial land transfer tax, as set out in Appendix A; and
 - vi. The City may use collection and enforcement mechanisms in the collection of the MLTT that may differ from the Land Transfer Tax Act as set out in Appendix A;
2. Council authorize and direct appropriate City officials to enter into any necessary agreements with Teranet Inc. and the Province, pursuant to which Teranet would be named the City's exclusive authorized MLTT collection agent for all electronically registered transactions, develop systems to apply appropriate MLTT exemptions and rebates for the City, and temporarily assist with manual MLTT rebates administration

until such time as they can be handled electronically through the Teraview system, all in accordance with the terms and conditions set out in Confidential Attachment 1 and in a form acceptable to the City Solicitor; and the Province would share information relevant to the MLTT and/or to collect the MLTT on behalf of the City in respect of land transfer transactions which are handled outside the Teranet system;

3. Council request the Province to make regulations under the City of Toronto Act, 2006 allowing the City to add any outstanding MLTT pertaining to a property to the property tax roll for that property and collect it in the same manner as property taxes;
4. Council request the Province to amend the City of Toronto Act, 2006 to allow the City:
 - a. priority lien status on uncollected MLTT; and
 - b. to incorporate the current Land Transfer Tax Act appeal right to the Superior Court of Justice;
5. Council request the Province to make any necessary legislative or regulatory amendments to allow the Minister to refuse the issuance and validation of personal vehicle permits unless the City's PVT is paid in full;
6. The Deputy City Manager and Chief Financial Officer report back to Council in early 2008 on the progress of discussions with the Province on an agreement to collect and administer the Personal Vehicle Tax (PVT);
7. Deputy City Manager and Chief Financial Officer be granted authority to recruit and hire the necessary staff required for the implementation and on-going administration of the MLTT;
8. Council request the Federal Government to amend any federal regulations necessary to extend the GST exemption, which is currently in place for the provincial land transfer tax and land transfer taxes imposed by municipalities outside of Ontario, to the MLTT and PVT;
9. The Deputy City Manager and Chief Financial Officer report directly to Council on outstanding items contained in this report; and
10. The City Solicitor be authorized to introduce the necessary bills to give effect to the MLTT and the appropriate officials be authorized and directed to take necessary actions to give effect thereto.

Financial Impact

The administrative programs required for MLTT rebate processing, compliance audits, enforcement, dispute resolution mechanisms and customer service would cost the City an estimated \$1.7 million per year, and \$2.5 million in 2008 until certain rebate functions are automated. Details of these costs will be included in the 2008 operating budget. The immediate portion of these costs in the 2007 fiscal year is expected to be nominal and any impacts will be reported through the normal variance process.

Allowances for annual administration costs are included in the gross proceeds estimates below, which also summarize the financial impacts of the decisions made by Council at its October 22, & 23, 2007 meeting as follows:

Tax	Description	Estimated Revenues (2008)	Estimated Revenues (fully phased-in)
Municipal Land Transfer Tax	Gross proceeds net of admin fees & costs	\$290.0	\$300.0
	Less: Grandfathering – Residential	<\$40.0>	<\$0>
	- Non-residential	<\$35.0>	<\$0>
	: Extended 1 st Time Home Buyers Rebate	<\$40.0>	<\$40.0>
	: Extend 1% rate to \$400K	<\$17.0>	<\$17.0>
	: Reduce \$40M+ rate to 1%	<\$ 3.0>	<\$ 3.0>
	Net Revenues	\$155.0	\$240.0
Personal Vehicle Tax	Estimated Net Revenues (net of administration costs)	\$20.0	\$55.0
	Total New Revenues	\$175.0	\$295.0

The figures above are based on the Council's decision to implement the MLTT effective February 1, 2008, and the staff estimate for a feasible implementation date for the PVT.

The fully phased in figures relate to the 2008 revenues on a fully annualized basis, after the impact of grandfathered transactions has run its course, which is expected to occur over about a year for commercial transfers and up to three years for residential (specifically new condominium purchases) transfers. The impact of potential changes in market volumes and prices over this period are not taken into account.

Estimates of the revenue impact are shown for the incremental impact of Council's various decisions. For example, the Extended First Time Home Buyer's Rebate is the estimated cost of extending the program to purchases of existing homes (from just newly constructed) and raising the potential amount to \$3,725 from \$2,000 under the provincial program. The cost of the rebate under the provincial program is already incorporated in the gross proceeds figure. Rebates and or exemptions with nominal impact (such as the minimum consideration exemption) are not included in the chart.

Summary

This report is submitted in accordance with 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").

The purpose of this report is to seek all necessary authorities to implement a municipal land transfer tax (MLTT) early in 2008 and a personal vehicle tax (PVT) as early as possible, including authority to enter into a municipal land transfer tax administration and collection

agreement with Teranet, and to recommend tax design features for the proposed MLTT.

The name ‘vehicle ownership tax’ used in the July 12, 2007 report has been changed to the name ‘personal vehicle tax (PVT)’ in this report, to reflect more accurately the process of issuance/ validation of permit for utilization of a vehicle on the road.

Background Information

New Taxation Measures - Report on Design Features and Implementation Authorities
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7913.pdf>)

EX13.8	ACTION	Adopted		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

Committee Recommendations

The Executive Committee recommends that the City not pursue the implementation of an 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>)

8a New Taxation Measures - Results of Further Consultations Respecting Alcohol Tax on Store Sales

(October 24, 2007) Report from the City Manager and Director, Corporate Finance

Recommendations

The Executive Committee recommends that the City not pursue the implementation of an alcohol tax.

Financial Impact

There is no financial impact from the recommendations in this report.

In an earlier report, a moderate alcohol tax of 5% on purchases by non-licensed consumers in Toronto liquor beer and wine stores was estimated to generate approximately \$44 million annually, after consideration of typical market reaction and administrative costs.

Potential collateral impacts on property tax revenue due to changing consumer patterns caused by such a tax, as discussed in this report, could partially offset this revenue.

Summary

This report provides the results of further consultations regarding a potential City alcohol tax on store sales, in accordance with 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”).

Council directed the Deputy City Manager and Chief Financial Officer to undertake further consultations in respect of alcohol tax on store sales to non-licensed consumers with Toronto-based liquor, wine and beer retailers, and government taxing authorities, and report back to the Executive Committee in the Fall of 2007 with the results.

Background Information

New Taxation Measures - Results of Further Consultations Respecting Alcohol Tax on Store Sales

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7873.pdf>

EX13.9	ACTION	Adopted		
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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

Committee Recommendations

The Executive Committee recommends 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>)

Councillor Joe Mihevc declared an interest in Item EX13.9 “Shelter, Support and Housing Administration in Year Budget Adjustment for Federal and Provincial Funding”, in that his spouse is employed by one of the agencies receiving a grant.

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

(October 16, 2007) Memo from the Budget Committee

Committee Recommendations

The Executive Committee recommends 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	Amended		
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Toronto Police Service – Time Resource Management System Upgrade

(October 16, 2007) Memo from the Budget Committee

Committee Recommendations

The Executive Committee recommends that City Council approve the transfer of capital funds from the Human Resources Management System (HRMS) Upgrade and Additional Functionality project \$0.745M and the Intelligence/Special Investigations Services Facility Renovation project \$0.235M to the Time Resource Management System (TRMS) Upgrade Project.

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>)

11a Upgrade of the Time Resource Management System

(October 26, 2007) Briefing Note from the Toronto Police Service

Summary

Briefing Note on the Upgrade of the Time Resource Management System.

Communications

(October 26, 2007) letter from the Toronto Police Service (EX.Supp)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-4095.pdf>)

(October 26, 2007) e-mail from Toronto Police Service (EX.Supp)

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-4274.pdf>)

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

(October 16, 2007) Memo from the Budget Committee

Committee Recommendations

The Executive Committee recommends 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	Adopted		
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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

Committee Recommendations

The Executive Committee recommends 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	Amended		Ward: All
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Extension of the Public Appointment Policy

(October 11, 2007) Letter from Councillor Gord Perks

Committee Recommendations

The Executive Committee recommends that:

1. 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 to the Executive Committee, through the Civic Appointment Committee, by April 1, 2008, on the committees to be included;
2. 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 April, 2008;
3. 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 April, 2008; and
4. 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, through the Civic Appointments 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	Adopted		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

Committee Recommendations

The Executive Committee recommends that:

1. 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	Information	Noted/Filed		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

Decision Advice and Other Information

The Executive Committee:

1. noted and filed the Member Motion by Councillor Stintz, seconded by Councillor Ootes, until the Provincial Government undertakes a review of the construction industry and the rights of construction workers to join a trade union of their choice; and
2. requested the City Manager to submit an information report to the Executive Committee respecting the cost of construction contracts, including a breakdown of labour costs, union/non-union, the value of training and any legal issues.

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	Information	Received		Ward: All
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Financial Implications of Provincial Party Platforms

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

Decision Advice and Other Information

The Executive Committee received, for information, the Member Motion by Councillor Vaughan, seconded by Councillor Walker, entitled "Financial Implications of Provincial Party

Platforms", given that the City Manager on September 28, 2007, provided all Members of Council with the information requested in the Member Motion, in a chart outlining platform policy positions of the major Ontario Political Parties with respect to the October 10, 2007 General Election.

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	Received		
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Toronto Police Service - 2006 Annual Report

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

Decision Advice and Other Information

The Executive Committee received, for information, the report (September 24, 2007) from the Chair, Toronto Police Services Board, entitled "Toronto Police Service - 2006 Annual Report."

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	Adopted		Ward: All
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Interactive Web-based Carbon Calculator

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

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize the execution of an agreement with Zerofootprint Inc. substantially in the form attached and otherwise on terms and conditions satisfactory to the City Manager and in a form satisfactory to the City Solicitor, which endorses the use of a web-based customized carbon calculator, provided by Zerofootprint Inc., by Toronto residents at no charge to the City of Toronto or its residents.

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>)

19a Interactive Web-based Carbon Calculator

(October 26, 2007) Report from Mr. Richard Butts, Deputy City Manager

Financial Impact

There are no financial impacts to the City of Toronto or its residents resulting from the

adoption of the recommendation in this report. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

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 and encourages residents and community groups to take action on the City's climate change objectives.

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 a customized carbon calculator to Toronto residents at no charge to the City or its residents.

This report recommends that staff be authorized to enter into an agreement with Zerofootprint. The agreement would endorse the use of the carbon calculator by Toronto residents and provide data to the City for use in its greenhouse gas reduction initiatives.

Background Information

Interactive Web-based Carbon Calculator

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7915.pdf>

Draft Agreement

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-7916.pdf>

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-10-29	Morning	9:45 AM	12:35 PM	Public
2007-10-29	Afternoon	1:45 PM	5:15 PM	Public