
Executive Committee

Meeting No.	4	Contact	Patsy Morris ,Committee Administrator
Meeting Date	Monday, February 12, 2007	Phone	416-392-9151
Start Time	9:30 AM	E-mail	pmorris@toronto.ca
Location	Committee Room 1, City Hall		

Attendance

Members of the Executive Committee were present for some or all of the time periods indicated under the section headed "Meeting Sessions", which appears at the end of the Minutes.

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

On motion by Councillor Moscoe, the Executive Committee adopted the Minutes of the Meeting held on January 15, 2007 and the Special Meeting held on January 26, 2007.

EX4.1	ACTION	Amended	Policy	Wards: All
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Advisory Bodies and Working Committees

(January 29, 2007) report from Mayor David Miller

Recommendations

Mayor Miller recommends that:

1. Council approve the re-establishment or continuation of the advisory bodies and working committees as set out in Table 1, for the term of Council ending November 30, 2010, or until their work is completed within the term, under their present terms of reference, and with the reporting relationships and composition changes as noted in the table.
2. Council request staff to report, if necessary, to the relevant Standing Committee or Executive Committee with any required changes to the terms of reference for the advisory bodies and working committees in Table 1.
3. Council approve the referral of certain advisory bodies and working committees as set out in Table 2, to the Mayor or Standing Committees to determine future requirements.
4. Council request the City Clerk to canvass members for their interest in being appointed to the advisory bodies and working committees in Table 1 and report to the Striking Committee.

Financial Impact

There is no direct financial impact as a result of the recommendations in this report. Support for advisory bodies and other committees is provided through existing budgets and resources in the City Clerk's Office and relevant operating divisions.

Summary

The City Clerk has provided a list of the advisory bodies and working committees that were established during the 2003-2006 Council term. The City Clerk has advised me that all advisory bodies and working committees on this list have now come to an end with the end of the last term, with two exceptions noted in Table 1. The exceptions are where there is a statutory requirement or where terms of reference provided for continuation.

This report sets out my recommendations to re-establish or continue certain advisory bodies and working committees to operate during this Council term and their reporting relationships in the new structure. In some cases their composition or mandate requires adjustment. I have also recommended that some bodies be referred to me or to a particular Standing Committee for review and decisions about future requirements. I will report separately on the Mayor's Roundtables and their associated working groups at a later date. All other bodies will not be continued.

The process of reviewing our advisory bodies and working committees is particularly important this term because we have a new Executive Committee and Standing Committees. These Committees require time to work together and adjust to their mandates before deciding what kinds of advisory bodies and other committees they need to supplement their work. Careful consideration is particularly required to ensure new public advisory bodies are established with a view to improving civic engagement, one of my key priorities for this term

Background Information

Advisory Bodies and Working Committees

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1475.pdf>)

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Council approve the re-establishment or continuation of the advisory bodies and working committees as set out in Table 1 (*as amended*), for the term of Council ending November 30, 2010, or until their work is completed within the term, under their present terms of reference, and with the reporting relationships and composition changes as noted in the table;
2. Council request staff to report, if necessary, to the relevant Standing Committee or Executive Committee with any required changes to the terms of reference for the advisory bodies and working committees in Table 1;
3. Council approve the referral of certain advisory bodies and working committees as set out in Table 2 (*as amended*), to the Mayor or Standing Committees to determine future requirements;
4. Council request the City Clerk to canvass members for their interest in being appointed to the advisory bodies and working committees in Table 1 and report to the Striking Committee;
5. Table 1 be amended as it relates to the Community Partnership and Investment Program Appeals Sub-Committee as follows:

"New Reporting Relationship: Appeals Sub-Committee report to either the Community Development and Recreation Committee or the Economic Development Committee, depending on the nature of the funding program concerned; and

Composition Change Required: two members drawn from each of the Community Development and Recreation and the Economic Development Committees;"
6. Table 2 be amended, as it relates to the Tenant Defence Sub-Committee, to provide that the Committee be continued until such time as the review to determine future requirements has been made; (**Motion by Councillor Moscoe**) and
7. the Parc Downsview Park Operating Protocol Committee be re-established. (**Motion by Councillor Moscoe**)

1a

Communication respecting Item 1 - Advisory Bodies and Working Committees - City Clerk's Impact Statement

(January 30, 2007) letter from the City Clerk

Summary

Letter from the City Clerk providing an impact statement on the recommendations contained in the report (January 29, 2007) from Mayor David Miller respecting the continuation of the advisory bodies and working committees; and advising that at present, there is no financial impact on the City Clerk's Office as a result of the recommendations in the Mayor's report. The City Clerk's Office can support the 12 committees with existing resources.

Background Information

Communication respecting Item 1 - Advisory Bodies and Working Committees - City
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1481.pdf>)

Speakers

Mr. Martin Koob;
Ms. Janice Etter;
Councillor Cliff Jenkins, Ward 25-Don Valley West; and
Councillor Michael Walker, Ward 22-St. Paul's.

EX4.2	ACTION	Amended	Policy	Wards: 19
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Financial Assessment of Proposed Conference Centre Development at Exhibition Place

(January 26, 2007) report from the Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1. the recommendations in the report (Jan. 2, 2007) from the General Manager & CEO of The Board of Governors of Exhibition Place be adopted subject to the following:
 - a. the deletion of recommendation 3(c) respecting the proposed financing lease/sub-lease arrangement with National Hotel Corporation;
 - b. amendment of recommendation 3(d) increasing the principal amount of the loan from the City from \$9.2 million to \$21.2 million; and
 - c. in the event that recommendations 1(a) and (b) above are adopted by Council, that recommendation 4 be deleted as the designation of the renovated building as a municipal capital facility is no longer required.
2. the terms of the proposed confidential Letter of Intent as attached to the General Manager's report be amended as required to reflect the above.

3. the Board of Governors of Exhibition Place be directed to place the revenues from the Direct Energy Centre naming rights agreement and any revenues from any future naming rights agreement for the new conference centre into a single-purpose interest bearing City reserve account from which any shortfalls in the City loan payments can be directly funded
4. the terms of the City loan to the Board of Governors of Exhibition Place be to the satisfaction of the Deputy City Manager and Chief Financial Officer.

Financial Impact

It is estimated that the total construction cost for the proposed conference centre will be \$29 million. The Board of Governors of Exhibition Place has proposed that the construction of the centre be financed as shown below:

Summary of Capital Funding (\$ millions) - Proposed by the Board of Exhibition Place	
Financing Sub-Lease with National Hotel Corporation (NHC)	12.00
City Loan	9.20
Food Services Provider Contribution Towards Food and Beverage Fixtures and Equipment	4.00
Exhibition Place Capital Reserve fund	1.94
Exhibition Place 2007 and 2008 Capital Budgets	1.86
Total:	29.00

If the recommendations in the report currently before Council from the Board of Exhibition Place are accepted, the City will contribute to the capital funding of the project through the pre-approval of \$1.86 million in spending from the Board's 2007 and 2008 Capital Budgets, a City loan to Exhibition Place of \$9.2 million, and through a guarantee of the Board's rental payments on the proposed financing sub-lease from National Hotel Corporation ("NHC") of \$12.0 million. The proposed financing sub-lease is effectively the same as a mortgage loan.

The pre-approval of \$1.86 million in spending from the Board's 2007 & 2008 capital budgets and the use of \$1.94 million in funding from the Exhibition Place Capital Reserve will not result in a net budget impact as the proposed project will eliminate the need for \$4 million in required state-of-good-repair expenditures identified in a 2005 condition audit of the Automotive Building.

According to the pro-forma income statements, the various direct and indirect revenues generated by the project over the twenty-year financing term will fall \$3.0 million short (\$2.9 million in present value terms) of the total combined amounts required to pay the sub-lease rental payments to NHC and the loan payments to the City. However, after twenty years the Board will have full control of a facility with an original construction cost of \$29 million.

The Board has proposed that any shortfalls in the project revenues be funded using revenues derived from the Board's \$7 million Direct Energy Centre naming rights agreement and any naming rights agreement reached for the conference centre. The Direct Energy Centre naming rights revenues are currently allocated by the Board to environmental sustainability initiatives at Exhibition Place. Reconstruction of the Automotive Building to "LEEDS Gold" energy

efficiency standards as part of the proposed conference centre development has been deemed to be an environmental sustainability initiative by the Board.

The sensitivity analysis suggests that competition from other facilities may result in shortfalls that are greater than the shortfalls identified in the Board's proformas. Under the financing arrangement proposed by the Board, competition from other facilities for the hosting of average and small-sized events may lead to shortfalls that exceed the value of the revenues from the current Direct Energy Centre naming rights agreement.

This risk of larger than forecast financial shortfalls must be weighed against the benefits that the project will bring through its contribution to the City's overall attractiveness as a major trade and consumer show destination.

The scale of any potential shortfalls could be significantly reduced through the substitution of a larger City loan for the proposed lease financing arrangement. As such, a City loan would be considerably less expensive to service than the financing lease. On a \$12 million loan amortized over twenty years, the absence of a rate premium would reduce the debt service by \$170,000 annually or \$3.4 million over the twenty-year term. With these savings, the revenues from the current Direct Energy Centre naming rights contract would be sufficient to fund the shortfall resulting from the most extreme of the sensitivity analysis scenarios examined in the City staff analysis.

Summary

This report provides a financial assessment of the proposed Conference Centre development at Exhibition Place. This project is described in detail in a report from the Board of Governors of Exhibition Place that is currently before the Executive Committee.

As the Board of Governors is currently recommending a proposal which would include a "financing lease" arrangement as defined under the new City of Toronto Act, 2006 (the "Act") and associated regulations, this analysis is required under that statute and must be considered by Council prior to acting on the Board's recommendations.

The Board of Governors has proposed that the City contribute to the funding of this project by guaranteeing the payments on a financing sub-lease arrangement (principal amount of \$12 million) and by directly loaning Exhibition Place \$9.2 million. According to the project pro-forma prepared by the Board's staff, the revenues generated by the proposed conference centre over the twenty-year financing period will be insufficient to fund the proposed financing sub-lease payments and to fund repayment of the proposed City loan. Board staff have identified revenues from the Board's naming rights agreement for the Direct Energy Centre that will be available to fund this shortfall. At the end of the twenty-year financing period the Board will have full control of a facility with an original construction cost of \$29 million.

The sensitivity analysis suggests that competition from other facilities may result in shortfalls that are greater than the shortfalls identified in the Board's proformas. The risk that the project will generate larger-than-forecast shortfalls must be weighed against the economic benefits that the project will bring through its contribution to the City's overall attractiveness as a major trade and consumer show destination. The actual shortfalls resulting from the proposed project

can be significantly reduced if a larger City loan is substituted for the financing sub-lease.

Under the alternative financing arrangement proposed in this report, the revenues from the current Direct Energy Centre naming rights contract would be sufficient to fund the shortfall resulting from the most extreme of the sensitivity analysis scenarios examined in this analysis. Economic Development, Culture and Tourism staff have been consulted during the preparation of this report and they have indicated their support for the conference centre project

Background Information

Financial Assessment of Proposed Conference Centre Development at Exhibition Place
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1476.pdf>)

Motion to Meet in Closed Session

On motion by Councillor Kelly, the Executive Committee recessed its public session to meet in closed session to consider the confidential attachment to the report (January 26, 2007) from the Deputy City Manager and Chief Financial Officer on the Financial Assessment of Proposed Conference Centre Development at Exhibition Place, a matter relating to the security of the property of the municipality or local board.

Committee Recommendations

On motion by Deputy Mayor Pantalone, the Executive Committee recommended that City Council:

1. authorize The Board of Governors of Exhibition Place (the “Board”) to enter into a Letter of Intent (“LOI”) with Servomation Inc. (Centerplate) and The National Hotel Corporation (NHC) (together herein called “FSP”) contemplating a food services agreement substantially on the terms and conditions contained in Attachment 1 to the report (January 2, 2007) of the General Manager & CEO of the Board for an exclusive catering agreement with the FSP in the Conference Centre proposed for the renovated Automotive Building, and such further terms and conditions as may be satisfactory to the Board’s General Manager & CEO, the City’s Deputy City Manager & Chief Financial Officer and the City Solicitor;
2. direct that the terms of the proposed confidential Letter of Intent as attached to the General Manager’s report be amended as required to delete the proposed financing lease/sub-lease arrangement with NHC;
3. authorize the Board’s General Manager & CEO, in conjunction with the City Solicitor and the City’s Deputy City Manager & Chief Financial Officer, to negotiate and finalize the agreement as required under the LOI, as amended;
4. provide funding for the Conference Centre project in an amount estimated to be \$29.0 Million for the cost of construction and furniture and fixtures for the Conference Centre project to be incorporated into the 2007 Capital Budget for Exhibition Place as follows:
 - a. expenditure of all funds held by City in the name of the Exhibition Place Capital Reserve Fund estimated as of December 31, 2006 to be in the range of \$1.94 million;

- b. in consideration of the exclusive catering agreement, a contribution by the FSP to pay directly for the purchase of all necessary food and beverage equipment to completely outfit the food service and kitchen areas in the Conference Centre, which amount is estimated to be \$4.0 Million;
 - c. funding from the City of Toronto of \$21.2 Million to be repaid by the Board on terms and conditions to be negotiated by the City's Chief Financial Officer and Exhibition Place which repayment will be secured by the Direct Energy Centre naming rights agreement held by Exhibition Place and if a naming partner is secured for the Conference Centre then the City loan will be repaid with the proceeds of this naming rights fee; and,
 - d. within the Exhibition Place Capital Budget envelop for 2007 and 2008 of \$4.8 and \$5.0 Million respectively, include base building upgrades to the Automotive Building totalling \$1.86 Million given the requirements stated in the 2005 Building Assessment for the Automotive Building.
- 5. request that Exhibition Place staff meet with the City Heritage Preservation staff to ensure the renovations of this designated building meet the requirements of the Heritage Act;
 - 6. direct the Board of Governors of Exhibition Place to place the revenues from the Direct Energy Centre naming rights agreement and any revenues from any future naming rights agreement for the new conference centre into a single-purpose interest bearing City reserve account from which any shortfalls in the City loan payments can be directly funded;
 - 7. direct that the terms of the City loan to the Board of Governors of Exhibition Place be to the satisfaction of the Deputy City Manager and Chief Financial Officer; and
 - 8. direct that the confidential information in Attachment 1 of the General Manager's report dated January 2, 2007, not be released publicly in order to protect the competitive position of the facility and the future economic interests of the City of Toronto and The Board of Governors of Exhibition Place.

2a Conference Centre – Exhibition Place

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

(January 2, 2007) report from the Chief Executive Officer, Exhibition Place

Recommendations

It is recommended that City Council:

- 1. authorize The Board of Governors of Exhibition Place (the "Board") to enter into a

Letter of Intent (“LOI”) with Servomation Inc. (Centerplate) and The National Hotel Corporation (NHC) (together herein called “FSP”) contemplating a food services agreement, lease/sublease agreement (including a City guarantee of sublease rental payments) and funding arrangements substantially on the terms and conditions contained in Attachment 1 for an exclusive catering agreement with the FSP in the Conference Centre proposed for the renovated Automotive Building, and such further terms and conditions as may be satisfactory to the Board’s General Manager and CEO, the City’s Deputy City Manager and Chief Financial Officer and the City Solicitor;

2. authorize the Board’s General Manager and CEO, in conjunction with the City Solicitor and the City’s Deputy City Manager and Chief Financial Officer, to negotiate and finalize the agreements as required under the LOI;
3. provide funding for the Conference Centre project in an amount estimated to be \$29.0 Million for the cost of construction and furniture and fixtures for the Conference Centre project as follows:
 - a. expenditure of all funds held by City in the name of the Exhibition Place Capital Reserve Fund estimated as of December 31, 2006 to be in the range of \$1.94 million;
 - b. in consideration of the exclusive catering agreement, a contribution by the FSP to pay directly for the purchase of all necessary food and beverage equipment to completely outfit the food service and kitchen areas in the Conference Centre, which amount is estimated to be \$4.0 Million;
 - c. contribution of \$12.0 Million by NHC secured by a sublease by the Board to the NHC of the Automotive Building for 20 years with a guarantee annual rent payment equal to the cost of repayment of the \$12.0 Million contribution amortized over a 20-year period at the interest rate charged to NHC by the lending financial institution plus a premium of one percent to NHC on the payments made by the Board over the term of the NHC sublease;
 - d. funding from the City of Toronto of \$9.2 Million to be repaid by the Board on terms and conditions to be negotiated by the City’s Chief Financial Officer and Exhibition Place which repayment will be secured by the Direct Energy Centre naming rights agreement held by Exhibition Place and if a naming partner is secured for the Conference Centre then the City loan will be repaid with the proceeds of this naming rights fee; and
 - e. within the Exhibition Place Capital Budget envelop for 2007 and 2008 of \$4.8 and \$5.0 Million respectively, include base building upgrades to the Automotive Building totalling \$1.86 Million given the requirements stated in the 2005 Building Assessment for the Automotive Building.
4. a. request the City’s Deputy City Manager and Chief Financial Officer, in consultation with Exhibition Place staff, to prepare a risk/benefit analysis of the

project as required under the City of Toronto Act, 2006 regulations;

- b. after consideration of the report requested under Recommendation 4(a), declare the proposed Conference Centre to be a municipal capital facility for the purposes of the municipality and public use pursuant to section 252 of the *City of Toronto Act, 2006*, and pass a by-law to authorize the entering into of an agreement for the provision of such facility; and
 - c. direct the City Clerk to give notice of the municipal capital facility by-law as required under the *City of Toronto Act, 2006*;
5. request that staff meet with the City Heritage staff to ensure the renovations of this designated building meet the requirements of the *Heritage Act*; and
6. direct that the confidential information in Attachment 1 not be released publicly in order to protect the competitive position of the facility and the future economic interests of the City of Toronto and The Board of Governors of Exhibition Place..

Financial Impact

Based on a financial analysis completed by Horwath Horizon Consultants in September 2006, and based on the loan terms as provided in the LOI and a construction cost of \$25.0 Million, the Conference Centre project will have over a 20-year period a positive cash flow for the Board of \$34,452,863 before debt and \$13,402,131 after debt. This translates into a NPV cash flow of \$20,779,914 before debt and \$7,351,363 after debt. In the first partial year of operation (September to December 2008) and the first full year (January to December 2009), the Conference Centre operations has a negative net revenue of approximately (\$190,000) and (\$265,000) respectively after debt payments. However, from a stabilized second full year forward (January to December 2010) net cash flows are projected to be positive.

The Deputy City Manager and Chief Financial Officer is in the process of reviewing this report and supporting documents and will be submitting a separate report.

Summary

This report recommends that City Council approve a Letter of Intent (LOI) between The Board of Governors of Exhibition Place and the partnership of Servomation Inc. (Centerplate) and The National Hotel Corporation (NHC) (together herein called the “Food Service Provider” or “FSP”) regarding the redevelopment of the Automotive Building as a Conference Centre at an overall construction cost estimated to be \$25.0M excluding the cost of food and beverage equipment which will be provided at the cost of the FSP. The timeframe for redevelopment of the Automotive Building Conference Centre provides for the finalization of the construction costs by May 31, 2007; finalization of all legal agreements including any loan agreements by June 30, 2007; commencement of construction in November 2007; and reopening in September 2008.

Since the opening of the Direct Energy Centre in 1997, the addition of a conference facility at Exhibition Place was essential for the growth of the trade and consumer show business. A study in 2000 by Pannell Kerr Forster Consulting Inc. (PKF) compared the Direct Energy Centre to

other competitive facilities and found that other major trade centres had a ratio of meeting room space to event floor space in the range from 7.2% to 32.0% with the average ratio being 18%. The ratio in the Direct Energy Centre is 1.9%. In addition, all comparable facilities (except the Direct Energy Centre) had a ballroom for larger association meetings.

The PKF study concluded the Direct Energy Centre needed additional meeting room space in the range of 30,000 to 50,000 net sq. ft. including a 20,000 sq. ft. ballroom/banquet facility. It suggested that the utilization of the Direct Energy Centre was hindered by the lack of complementary meeting room space.

Background Information

Financial Assessment of Proposed Conference Centre Development at Exhibition Place
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1478.pdf>)

Decision Advice and Other Information

The Executive Committee requested:

1. the Deputy City Manager and Chief Financial Officer and the CEO, Exhibition Place, to prepare revised public and in-camera reports with respect to this matter to be available to Members of Council at the Council meeting scheduled to be held on March 5, 2007; (**Motion by Deputy Mayor Pantalone**) and
2. the General Manager, Economic Development, Culture and Tourism to submit a report directly to Council for its meeting to be held on March 5, 2007 on the Horvath report and their assessment of the efficacy of the report. (**Motion by Councillor Rae**)

The following motion by Deputy Mayor Pantalone was withdrawn:

The Executive Committee directed that this matter be forwarded to Council for consideration at the special meeting dealing with the Capital Budget on March 7, 2007.

2b Financial Assessment of Proposed Conference Centre Development at Exhibition Place

(January 5, 2007) letter from the President and Chief Executive, Tourism Toronto addressed to Deputy Mayor Pantalone

Summary

Communication from Tourism Toronto officially supporting the renovation plans of the Direct Energy Centre at Exhibition Place.

Speakers

Councillor Michael Walker, Ward 22-St. Paul's;
Councillor Raymond Cho, Ward 42-Scarborough-Rouge River; and

Councillor Ron Moeser, Ward 44-Scarborough East.

EX4.3	ACTION	Adopted	Transactional	Wards: All
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Multi-Year Temporary Borrowing Authority

(January 26, 2007) report from the Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1. the annual temporary borrowing limit to meet the current expenditures in each of 2008, 2009 and 2010, pending receipt of tax levies and other revenues in each of those years, be calculated using the formula in Subsection 5(1) of Ontario Regulation 610/06, and authority be delegated to the Mayor and the Deputy City Manager and Chief Financial Officer to temporarily borrow for current expenditures up to this limit in each of 2008, 2009 and 2010;
2. the annual temporary borrowing limit for capital purposes for each of 2008, 2009 and 2010 be established at \$500,000,000 per year and authority be delegated to the Mayor and the Deputy City Manager and Chief Financial Officer to temporarily borrow for capital expenditures up to this limit in each of 2008, 2009 and 2010;
3. authority be granted for the introduction of the necessary Bills in Council to give effect to the foregoing; and
4. the appropriate City of Toronto officials be authorized to take the necessary actions to give effect thereto.

Financial Impact

The following temporary borrowing limits have been established for 2007:

- (a) \$300,000,000 for current expenditures;
- (b) \$550,000,000 for capital expenditures.

If the entire authority is utilized during 2007, the maximum financial impact would be approximately \$400,000 in interest charges. The financial impact in years 2008 2009 and 2010 is contingent upon capital market conditions occurring in those years and cannot be accurately forecasted.

Summary

This report requests Council's authority to temporarily borrow funds, if required, pending the receipt of tax revenues and the issuance and sale of debentures and bank loans during the

remaining years of Council's term, 2008, 2009 and 2010.

Background Information

Multi-Year Temporary Borrowing Authority

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1482.pdf>)

Committee Recommendations

On motion by Councillor Ashton, the Executive Committee recommended to City Council that:

1. the annual temporary borrowing limit to meet the current expenditures in each of 2008, 2009 and 2010, pending receipt of tax levies and other revenues in each of those years, be calculated using the formula in Subsection 5(1) of Ontario Regulation 610/06, and authority be delegated to the Mayor and the Deputy City Manager and Chief Financial Officer to temporarily borrow for current expenditures up to this limit in each of 2008, 2009 and 2010;
2. the annual temporary borrowing limit for capital purposes for each of 2008, 2009 and 2010 be established at \$500,000,000 per year and authority be delegated to the Mayor and the Deputy City Manager and Chief Financial Officer to temporarily borrow for capital expenditures up to this limit in each of 2008, 2009 and 2010;
3. authority be granted for the introduction of the necessary Bills in Council to give effect to the foregoing; and
4. the appropriate City of Toronto officials be authorized to take the necessary actions to give effect thereto.

EX4.4	ACTION	Adopted	Transactional	Wards: 27
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Aboriginal Affordable Housing Opportunity at 244 Church St.

(January 26, 2007) report from the Deputy City Manager

Recommendations

The Affordable Housing Office recommends that:

1. City Council approve the Nishnawbe Homes Inc. proposal to operate affordable housing at 244 Church St. under the Canada Ontario Affordable Housing Program - Toronto Urban Aboriginal Initiative and agree to administer this project under the Program;
2. authority be granted for exemption from taxation for municipal and school purposes for 244 Church St. for the term of the Contribution Agreement or 25 years of this initiative, whichever is less;
3. authority be granted to the Director of Affordable Housing Development to execute, on behalf of the City, a municipal housing project facility agreement and a contribution

agreement with Nishnawbe Homes Inc. to fund this project pursuant to the Program, and such other documents as may be required to give effect to the transaction; and

4. the appropriate City officials be authorized and directed to take all necessary action to give effect to the recommendations, including the introduction in Council of any necessary By-

Financial Impact

The public benefit resulting from the proposed investment is the retention and renovation of a 62 unit rental building. It will secure 62 units of permanent housing with affordable rents that are between 50 percent and 67 percent of average market rent for Aboriginal residents.

Capital Funding Assistance: The total estimated cost for this proposal is \$3,887,592.00 and will be funded as shown in Table 1. Another City contribution to capital funding is the waiver of building permit fees, estimated at 45,000.

Table 1: Capital Funding Sources	
City Aboriginal PDF	\$10,000
CMHC SEED grant	\$10,000
Donation from Realtor	\$5,000
Canada-Ontario AHP	\$3,862,592
Total Funding	\$3,887,592

Operating Funding Assistance: The project will also receive rental assistance from the Strong Communities Housing Allowance Program – Toronto Pilot. This funding will be used to reduce the base rent of \$500 a month to average rents of approximately \$350 a month. Annual rental assistance is \$70,200 and over the three and a half years of the Pilot is worth a total rental assistance of approximately \$245,700. The net present value of the recommended City's property tax forgiveness is approximately \$344,000 over 25 years. Housing allowances and property tax waivers will result in affordable rent for residents and will assist in maintaining and managing the property.

Table 2: Operating Contributions	
Benefit	Cost
25 year NPV Property Tax Waiver	\$344,000
Housing Allowance 3.5 yrs	\$245,700

Program Administration Assistance: Under the terms of the Affordable Housing Program, the City will also receive \$50,213.70 to administer the funding and monitor Program compliance.

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

Summary

This report recommends approval of an affordable housing opportunity proposed by Nishnawbe Homes Inc. (Nishnawbe Homes) and developed in partnership with the City of Toronto, the Province of Ontario and the Government of Canada. Nishnawbe Homes has made an offer to purchase the residential property located at 244 Church Street in order to provide permanent affordable housing for 62 Aboriginal residents with low incomes.

Federal/provincial support is being made available from the Affordable Housing Program – Toronto Urban Aboriginal Initiative. This report recommends the City administer the program and waive property taxes for twenty five years to make rents more affordable and increase project viability.

Nishnawbe Homes is a well recognized and highly regarded provider of Aboriginal housing in Toronto. Provincial and City staff have worked closely in a responsive and co-operative partnership to evaluate the business case and are jointly recommending that this proposal proceed. Approval by Council will permit Nishnawbe Homes to purchase the property on March 30, 2007 and immediately begin housing members of the Aboriginal community -- while preserving this housing asset.

Background Information

Aboriginal Affordable Housing Opportunity at 244 Churst St.
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1479.pdf>)

Committee Recommendations

The Executive Committee recommended to City Council that:

1. City Council approve the Nishnawbe Homes Inc. proposal to operate affordable housing at 244 Church St. under the Canada Ontario Affordable Housing Program - Toronto Urban Aboriginal Initiative and agree to administer this project under the Program;
2. authority be granted for exemption from taxation for municipal and school purposes for 244 Church St. for the term of the Contribution Agreement or 25 years of this initiative, whichever is less;
3. authority be granted to the Director of Affordable Housing Development to execute, on behalf of the City, a municipal housing project facility agreement and a contribution agreement with Nishnawbe Homes Inc. to fund this project pursuant to the Program, and such other documents as may be required to give effect to the transaction; and
4. the appropriate City officials be authorized and directed to take all necessary action to give effect to the recommendations, including the introduction in Council of any necessary Bills.

which was carried unanimously.

Speakers

Ms. Frances Sanderson, Nishnawbe Homes Inc.; and
Councillor Michael Walker, Ward 22-St. Paul's.

4a Aboriginal Affordable Housing Opportunity at 244 Church Street

Summary

Communication (February 2, 2007) from Ms. Frances Sanderson, Executive Director, Nishnawbe Homes Inc., seeking the Executive Committee's support in providing affordable housing for the aboriginal community.

EX4.5	ACTION	Adopted	Transactional	
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Capital Variance Report for the Nine-month Period Ended September 30, 2006

(January 29, 2007) memo from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. Council approve the technical adjustments in Appendix 2 (TTC) and Appendix 3 (EMS) of the report (January 12, 2007) from the Deputy City Manager and Chief Financial Officer, to reallocate funds between projects with no incremental impact on the 2006 Approved Capital Budget; and
2. the appropriate staff be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

As shown in Table 1 below, Tax Supported Programs spent \$563.5 million or 37.1 percent of the 2006 approved cash flow of \$1.520 billion during the nine-month period ended September 30, 2006. Projected spending to year-end is estimated at \$1.251 billion or 82.3 percent of the 2006 approved cash flow. Excluding projects that are uncontrollable (defined as projects impacted by unforeseen natural or environmental factors), Tax Supported Programs' projected spending to year-end is approximately 85.8 percent.

Table 1							
Corporate Capital Variance Summary							
for the Nine-month Period Ended September 30, 2006							
(\$000s)							
	2006 Approved Budget	January to September 2006			Projection to Year End		
		Total		% of Controllable Expenditures Spent	Total		% Controllable Expenditures Spent
		Actuals YTD Sept 2006	% Spent		Actuals to Y/E	% Spent	

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Executive Committee – February 12, 2007 Minutes

Tax Supported Programs:								
Citizen Centred Services - "A"	185,126	60,042	32.4%	35.9%		110,502	59.7%	65.2%
Citizen Centred Services - "B"	440,026	109,079	24.8%	29.4%		342,760	77.9%	86.4%
Internal Services	162,023	47,257	29.2%	29.7%		95,592	59.0%	60.2%
Other City Programs	35,286	13,933	39.5%	40.9%		27,060	76.7%	77.8%
Agencies, Boards & Commissions	697,957	333,164	47.7%	47.7%		674,702	96.7%	96.7%
Total - Tax Supported	1,520,417	563,475	37.1%	39.8%		1,250,616	82.3%	85.8%
Rate Supported Programs:								
Toronto Parking Authority	39,709	7,828	19.7%	51.4%		10,902	27.5%	69.9%
Toronto Water	394,468	162,824	41.3%	44.8%		312,534	79.2%	74.8%
Total Rate Supported	434,177	170,652	39.3%	45.2%		323,436	74.5%	74.5%
Total	1,954,594	734,127	37.6%	40.6%		1,574,052	80.5%	84.3%

Rate-Supported Programs spent \$170.652 million or 39.3 percent of the 2006 approved cash flow of \$434.177 million, and project spending by year end of 74.5 percent.

In accordance with the City's Carry Forward Policy, unspent capital funds will be carried forward to 2007 in order to complete work on specific projects, where required. Based on projected spending to year-end, it is estimated that a total amount of \$380.542 million or 19.5 percent of the 2006 Council approved cash flow will be brought forward to 2007, with no incremental impact on 2007 Capital Budget and financing requirements.

Summary

Capital Variance Report for the Nine-month Period Ended September 30, 2006

Communications

(January 29, 2007) Report from the Budget Committee - EXMainex4.5
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-519.pdf>)

Committee Recommendations

On motion by Councillor Moscoe, the Executive Committee recommended that:

1. Council approve the technical adjustments in Appendix 2 (TTC) and Appendix 3 (EMS) of the report (January 12, 2007) from the Deputy City Manager and Chief Financial Officer, to reallocate funds between projects with no incremental impact on the 2006 Approved Capital Budget; and

2. the appropriate staff be authorized and directed to take the necessary action to give effect thereto.

EX4.6	ACTION	Adopted	Transactional	
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Operating Variance Report for the Nine-month Period Ended September 30, 2006

(January 29, 2007) memo from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. Council approve the technical adjustments made to amend the 2006 Council Approved Operating Budget between Programs to ensure accurate accountability and reporting (no increase to the overall 2006 Council Approved Operating Budget) as detailed in Appendix D of the report; and
2. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Table A	Net Variances (\$ millions)	
	September 2006 Over/(Under)	Projected Y/E 2006 Over/(Under)
(1) Citizen Centred Services "A"	(5.6)	15.7
(2) Citizen Centred Services "B"	(5.9)	3.3
(3) Internal Services	(2.2)	(1.5)
(4) City Manager	(0.9)	(0.5)
(5) Other City Programs	(5.1)	(3.1)
Total - City Operations	(19.7)	13.9
Agencies, Boards and		
(6) Commissions	(12.3)	(8.5)
(7) Corporate Accounts	(6.9)	(21.4)
Sub-Total	(19.3)	(29.9)
Total Variance	(38.9)	(15.9)

Net expenditures for the nine-month period ended September 30, 2006 were \$38.9 million or 1.7 percent less than planned expenditures. Projections to year-end indicate a net operating budget surplus of \$15.9 million or 0.5 percent of the 2006 Council Approved Operating Budget. The 2006 projected surplus is attributed to a combination of lower than planned expenditures and higher than

budgeted revenues in areas which are detailed in the ‘Comments’ section below. Staff will continue to exercise cost constraints during the last quarter and will, in accordance with the City’s Surplus Policy, recommend options for disposition of any surplus as part of the 2006 Preliminary Year-end Operating Variance Report.

Summary

Operating Variance Report for the Nine-month Period Ended September 30, 2006

Communications

(January 29, 2007) Report from the Budget Committee - EXMainex4.6
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-520.pdf>)

Committee Recommendations

The Executive Committee recommended that:

1. Council approve the technical adjustments made to amend the 2006 Council Approved Operating Budget between Programs to ensure accurate accountability and reporting (no increase to the overall 2006 Council Approved Operating Budget) as detailed in Appendix D of the report; and
2. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

EX4.7	ACTION	Adopted	Policy	
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Line of Credit Guarantee for Caribana 2007

(January 29, 2007) memo from the Budget Committee

Summary

Communication from the Budget Committee advising that the Budget Committee on January 26, 2007 referred the Memo (January 26, 2007) from Councillor Joe Mihevc, Ward 21 St. Paul’s, to the Deputy City Manager and Chief Financial Officer for a report to the Executive Committee meeting on February 12, 2007.

Communications

(January 29, 2007) Report from the Budget Committee - EXMainex4-7
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-521.pdf>)

Committee Recommendations

On motion by Deputy Mayor Pantalone, the Executive Committee recommended that:

1. a. the City renew the line of credit guarantee on behalf of the Festival Management Committee (FMC) to its financial institution in the amount of \$100,000.00 (inclusive of all interest payable by the FMC), commencing on March 1, 2007

and ending on October 1, 2007;

- b. the City extend the agreement with the FMC with respect to the line of credit guarantee; and
 - c. the City extend the tri-party agreement with the FMC and with its financial institution with respect to the line of credit guarantee;
- 2. such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer and Deputy City Manager Sue Corke;
 - 3. the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest;
 - 4. the City retain the right to withhold a portion of the FMC's 2007 community investment to pay off the line of credit if it is not retired by October 1, 2007 and for the FMC to provide the DCM/CFO with their 2007 audited financial statements when they become available;
 - 5. the guarantee be deemed to be in the interest of the municipality; and
 - 6. the appropriate officials be authorized to take the necessary action to give effect thereto.

7a Toronto Caribbean Carnival Festival Line of Credit Guarantee

(February 5, 2007) report from the Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

- 1.
 - a. the City renew the line of credit guarantee on behalf of the Festival Management Committee (FMC) to its financial institution in the amount of \$100,000.00 (inclusive of all interest payable by the FMC), commencing on March 1, 2007 and ending on October 1, 2007;
 - b. the City extend the agreement with the FMC with respect to the line of credit guarantee; and
 - c. the City extend the tri-party agreement with the FMC and with its financial institution with respect to the line of credit guarantee;
- 2. such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer and Deputy City

Manager Sue Corke;

3. the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest;
4. the City retain the right to withhold a portion of the FMC's 2007 community investment to pay off the line of credit if it is not retired by October 1, 2007 and for the FMC to provide the DCM/CFO with their 2007 audited financial statements when they become available;
5. the guarantee be deemed to be in the interest of the municipality; and
6. the appropriate officials be authorized to take the necessary action to give effect thereto.

Financial Impact

Issuance of a line of credit guarantee is considered to be a financial commitment of the City. However, there is no direct cost to the City for providing this guarantee unless the organization defaults on its obligation at which time the City will withhold an appropriate portion of any City community investment.

Summary

This report seeks Council approval to renew the line of credit guarantee for the Festival Management Committee, who organizes the Toronto Caribbean Carnival Festival, in the amount of \$100,000.00 until October 1, 2007.

Background Information

Toronto Caribbean Carnival Festival Line of Credit Guarantee
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1533.pdf>)

EX4.8	ACTION	Adopted	Policy	
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Funding for Severance Costs for Councillors' and Councillors' Staff and the Establishment of a Reserve

(January 29, 2007) memo from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that the severance costs for Councillors and Councillors' staff as a result of the 2006 Municipal Election be paid from the projected year-end underspending in City Council's 2006 Approved Budget.

Financial Impact

Annual funding in the amount of \$0.175 million is required to provide contribution to the Councillor Severance Cost Reserve and is recommended to be absorbed from within the City Council Operating Budgets, beginning in 2007.

Summary

Funding for Severance Costs for Councillors' and Councillors' Staff and the Establishment of a Reserve

Communications

(January 29, 2007) Report from the Budget Committee - EXMainex4.8
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-522.pdf>)

Committee Recommendations

On motion by Councillor Moscoe, the Executive Committee recommended that the severance costs for Councillors and Councillors' staff as a result of the 2006 Municipal Election be paid from the projected year-end underspending in City Council's 2006 Approved Budget.

EX4.9	ACTION	Adopted	Policy	
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Toronto Just for Laughs Comedy Festival – Approval of Tourism Event Development Loan

(January 29, 2007) memo from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. Council authorize the approval of a Tourism Event Development Loan to the Toronto Just for Laughs Comedy Festival for \$500,000 to establish an annual Summer Comedy Festival in Toronto and that staff develop a formal agreement for the terms and conditions of the loan in a form satisfactory to the Deputy City Manager and Chief Financial Officer and the City Solicitor;
2. the General Manager of Economic Development, Culture and Tourism be directed to provide the organizers of the Just for Laughs Festival with any technical assistance and operational support and services necessary and work with all other City of Toronto Division's and Agencies who will be providing services to the organizers to establish the event in July 2007; and
3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The Tourism Event Development Loan Program was established as financial program to

assisting in bringing significant events to Toronto. The Council approved program guidelines are included as Attachment 1. The Toronto Just for Laughs Comedy Festival meets all the criteria of the Tourism Event Development Loan Program.

Major Festivals and Events require start up capital in order to plan and execute a successful event. In the case of the Just for Laughs organization, they will be booking performance venues in central Toronto, contracting appearances for international comedy artists, booking advertising space, producing ads all prior to being able to generate revenue from event ticket sales.

The business model calls for government partners to invest in the project by providing grants, providing services and offering repayable loans in order advance Just for Laughs the necessary working capital needed. The total projected budget for the Toronto Just for Laughs Festival is project to be \$3 million.

The following organizations have been approached for financial assistance to the project: Ontario Tourism Marketing Partnership Corporation, Investment Development Office of the Ontario Ministry of Tourism and the Ontario Cultural Attraction Fund. Tourism Toronto has committed to providing financial assistance subject to confirmation of other public sector partners. Private sponsors are being actively sought.

Just for Laughs has established an Ontario not-for-profit corporation and opened an office in Toronto. The parent organization Juste Pour Rire Inc., comprised of three distinct companies, is based in Montreal and has a 24 year track record of staging professional festivals and producing comedy entertainment programming for television and international broadcast distribution.

While the Toronto Just for Laughs Comedy Festival is forecast to incur a deficit in the first years of operation, the parent organization is committed to establishing a market presence in Toronto and in prepared to cover all shortfalls. The Juste Pour Rire Group of Companies has the capacity to repay the Tourism Event Development Loan and has a sound financial record in Quebec.

The Deputy City Manager and Chief Financial Officer has reviewed this report as well as the audited financial statements of the parent organization, Juste Pour Rire Inc., and the preliminary Just for Laughs Toronto event budget and agrees with the financial impact information.

Summary

Toronto Just for Laughs Comedy Festival – Approval of Tourism Event Development Loan

Communications

(January 29, 2007) Report from the Budget Committee - EXMainex4.9
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-523.pdf>)

Committee Recommendations

The Executive Committee recommended that:

1. Council authorize the approval of a Tourism Event Development Loan to the Toronto Just for Laughs Comedy Festival for \$500,000 to establish an annual Summer Comedy Festival in Toronto and that staff develop a formal agreement for the terms and conditions of the loan in a form satisfactory to the Deputy City Manager and Chief Financial Officer and the City Solicitor;
2. the General Manager of Economic Development, Culture and Tourism be directed to provide the organizers of the Just for Laughs Festival with any technical assistance and operational support and services necessary and work with all other City of Toronto Division's and Agencies who will be providing services to the organizers to establish the event in July 2007; and
3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Decision Advice and Other Information

The following motion by Councillor Moscoe was voted on and **lost**:

That the Executive Committee recommend that Council adopt the recommendations of the Budget Committee and that the organizers of the Toronto Just for Laughs Comedy Festival consider appointing a member of Council to its Board.

EX4.10	ACTION	Adopted	Policy	
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Renaming the General Government Committee to the Government Management Committee

(January 29, 2007) memo from the General Government Committee

Recommendations

The General Government Committee recommends that:

1. the General Government Committee be renamed the Government Management Committee; and
2. the City Solicitor prepare and submit the necessary Bill to City Council to amend the Toronto Municipal Code, Chapter 27, Council Procedures.

Summary

Communication from the General Government Committee respecting its name change.

Communications

(January 29, 2007) Report from the General Government Committee - EXMainex4.10
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-524.pdf>)

Committee Recommendations

On motion by Councillor Lindsay Luby, the Executive Committee recommended that:

1. the General Government Committee be renamed the "Government Management Committee"; and
2. the City Solicitor prepare and submit the necessary Bill to City Council to amend the Toronto Municipal Code, Chapter 27, Council Procedures.

Decision Advice and Other Information

The Executive Committee held a public meeting on February 12, 2007, in accordance with the *City of Toronto Act, 2006*, and notice of the proposed amendments to the Toronto Municipal Code, Chapter 27, Council procedures, was posted on the City's web site for a minimum of 5 days.

EX4.11	Information	Referred		
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Format of Committee/Council Reports

(January 22, 2007) memo from Councillor Joe Mihevc

Recommendations

It is recommended that staff report by the end of 2007 on a revised format for Committees and Council Reports, such format to possibly include Corporate Implications, an Equity Impact Statement, a Sustainability Statement and a Healthy Public Policy Statement.

Summary

Communication (January 22, 2007) from Councillor Joe Mihevc advising that the Clerk's Office initiated a re-design of Council Reports with the beginning of this term of Council, such format to possibly include Corporate Implications, and Equity Impact Statement, a Sustainability Statement and a Healthy Public Policy Statement.

Background Information

Format of Committee/Council Reports

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1523.pdf>)

Communications

(January 22, 2007) Report from Councillor Joe Mihevc - EXMainex4.11

(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-525.pdf>)

Speakers

Councillor Michael Walker

Decision Advice and Other Information

On motion by Mayor Miller, the Executive Committee referred the communication (January 22, 2007) from Councillor Joe Mihevc to the City Clerk for consideration.

EX4.12	ACTION	Adopted	Policy	Wards: All
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Proposed 2007 Development Application Fees Adjustments – City Planning Division

(January 29, 2007) report from the Chief Planner and Executive Director

Recommendations

The City Planning Division recommends that:

1. Council amend the Toronto Municipal Code, Chapter 441, to increase all City Planning application fees listed in Schedule 16, Appendix C, which are subject to annual adjustments at a rate equal to the applicable annual wage adjustment increase, effective April 1st, commencing in 2007 and then each January 1st thereafter. In years where the wage adjustment increase is not known by January 1st, the fee would increase by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve month period ending on October 1st in the year immediately preceding the rate increase.
2. Council amend Toronto Municipal Code, Chapter 441, to increase application fees listed in Schedule 16, Appendix C, for Committee of Adjustment minor variance applications under s. 45 of the *Planning Act* related to multi-residential, which includes any development containing more than 3 dwelling units, and mixed use and non-residential properties from \$1,383.71 to \$1,850.00 per application, effective April 1st, 2007 and annually thereafter at a rate equal to the applicable annual wage adjustment increase, effective January 1st.
3. Council amend the Toronto Municipal Code, Chapter 441, to establish a user fee of \$150.00 for Committee of Adjustment research requests, effective April 1st, 2007, which is not subject to an annual adjustment.
4. Council authorize the City Solicitor to prepare the necessary changes to the Toronto Municipal Code, Chapter 441, and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The recommended fee adjustments have been reflected in the City Planning Division's 2007 Operating Budget submission and are assumed in the budgeted fees, effective April 1, 2007. If approval for these adjustments is not given at this time, operating expenditures will have to be reduced to adjust for the loss in anticipated revenues.

Two of the three fees noted below are existing and the recommendation is to annually increase them by annual wage adjustment increase (“COLA”), this would be effective April 1, 2007 and then each January 1st thereafter. The rate of COLA to be used for the recommended April 1, 2007 fee increase is 3.25%. The adjustment to COLA will be consistent with the annual increases related to staff costs and allow City Planning to move closer to full cost recovery for the processing of development applications.

The third fee noted below is a recommended new fee for research requests that are routinely requested from the Committee of Adjustment offices. This fee has also been assumed in the City Planning operating budget for an April 1, 2007 implementation. The fee per request will be \$150.00 which is consistent with similar fees established across the City and will mitigate the costs associated with these requests.

Type of funding	Source of funds	2007 Revenue (9 month implementation)	2008 Incremental Revenue
Application Fee	Community Planning applications	\$159,400	\$53,100
Application Fee	Committee of Adjustment applications	\$151,400	\$50,500
User Fee	Committee of Adjustment – Research Request applications	\$54,000	\$18,000

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

Summary

This report requests Council’s authority to amend the Toronto Municipal Code, Chapter 441, to adjust all City Planning application fees annually at the rate equal to the applicable annual wage adjustment increase; plus increase application fees for Committee of Adjustment minor variance applications under s. 45 of the Planning Act related to multi-residential, which includes any development containing more than 3 dwelling units, and mixed use and non-residential properties; and establish a fee for Committee of Adjustment research requests.

Background Information

Proposed 2007 Development Application Fees Adjustments - City Planning Division
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1521.pdf>)

Committee Recommendations

On motion by Councillor Ashton, the Executive Committee recommended that:

1. Council amend the Toronto Municipal Code, Chapter 441, to increase all City Planning application fees listed in Schedule 16, Appendix C, which are subject to annual adjustments at a rate equal to the applicable annual wage adjustment increase, effective April 1st, commencing in 2007 and then each January 1st thereafter. In years where the wage adjustment increase is not known by January 1st, the fee would increase by the

percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, during the twelve month period ending on October 1st in the year immediately preceding the rate increase;

2. Council amend Toronto Municipal Code, Chapter 441, to increase application fees listed in Schedule 16, Appendix C, for Committee of Adjustment minor variance applications under s. 45 of the Planning Act related to multi-residential, which includes any development containing more than 3 dwelling units, and mixed use and non residential properties from \$1,383.71 to \$1,850.00 per application, effective April 1st, 2007 and annually thereafter at a rate equal to the applicable annual wage adjustment increase, effective January 1st;
3. Council amend the Toronto Municipal Code, Chapter 441, to establish a user fee of \$150.00 for Committee of Adjustment research requests, effective April 1st, 2007, which is not subject to an annual adjustment; and that this user fee not pertain to Members of Council; (**Motion amended by Councillor Mammoliti**)
4. Council authorize the City Solicitor to prepare the necessary changes to the Toronto Municipal Code, Chapter 441, and the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Decision Advice and Other Information

On motion by Councillor Moscoe, the Executive Committee requested the Chief Planner and Executive Director, City Planning to submit a report directly to Council for its meeting scheduled to be held on March 5, 2007 providing clarification on the underlying criteria with respect to the aforementioned Committee Recommendation 3.

The Executive Committee held a public meeting on February 12, 2007, in accordance with the *City of Toronto Act, 2006*, and notice of the proposed amendments to the Toronto Municipal Code, Chapter 441, to adjust City Planning development application fees and establish a fee for Committee of Adjustment research requests was posted on the City's web site for a minimum of 5 days.

EX4.13	ACTION	Adopted	Policy	
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Amendment to By-law No. 591-2000 (Election Contracts Authority)

(February 8, 2007) report from the City Clerk

Recommendations

The City Clerk's Office recommends that City Council:

1. amend By-law 591-2000 to authorize the City Clerk to enter into agreements for the provision of election management and administration services without the City's vote-

counting equipment to other governments and organizations as substantially set out in Appendix A;

2. authorize and direct the appropriate City Officials to take whatever action is deemed necessary to implement the foregoing, including the introduction in Council of any bills.

Financial Impact

There are no financial implications from this report.

Summary

The current by-law authorizes the City Clerk to sub-lease the City's vote-counting equipment and contract the services of City staff to supervise the use of the equipment. The by-law does not specifically authorize the provision of election management and administration contracts. This by-law amendment would permit the City Clerk to enter into contracts to provide election services only.

Background Information

Amendment to By-law No. 591-2000 (Election Contracts Authority)
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-1609.pdf>)

Communications

(February 8, 2007) Report from Mayor David Miller - EXSupplementary2007-02-12-ex04-13.p
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-703.pdf>)

Committee Recommendations

On motion by Mayor Miller, the Executive Committee recommended that City Council:

1. amend By-law 591-2000 to authorize the City Clerk to enter into agreements for the provision of election management and administration services without the City's vote-counting equipment to other governments and organizations as substantially set out in Appendix A; and
2. authorize and direct the appropriate City Officials to take whatever action is deemed necessary to implement the foregoing, including the introduction in Council of any bills.

EX4.14	Information	Referred		
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Disabled Parking Permits

(February 8, 2007) from Councillor Howard Moscoe.

Recommendations

It is recommended that:

1. Toronto urge the Province of Ontario to scrap the present disabled parking permit system and replace it with one that is both socially defensible and free of abuse;
2. this report be referred to the city manager for a report back to the Executive Committee in three months;
3. in considering this matter the city manager confer with the Toronto Parking Authority, the TTC, Toronto Police Services and various city departments; and
4. that disabled permit parking holders be required to pay for metered on-street parking and in “no parking” zones that are adjacent to pay and display strips.

Summary

Seeking to have the issuing of the current Disabled Parking Permits re-evaluated.

Communications

(February 8, 2007) Report from Disabled Parking Permits - EXMain2007-ex04-14.pdf
(<http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-591.pdf>)

Decision Advice and Other Information

The Executive Committee referred the communication (February 8, 2007) from Councillor Howard Moscoe to the City Manager for report back to Executive Committee, such report to be in consultation with relevant staff.

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-02-12	Morning	9:40 AM	10:55 AM	Public
2007-02-12	Morning	11:00 AM	11:45 AM	Closed
2007-02-12	Morning	11:50 AM	12:30 PM	Public
2007-02-12	Afternoon	1:40 PM	2:35 PM	Public

Chair