

## Executive Committee

<b>Meeting No.</b>	9	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Monday, May 28, 2007	<b>Phone</b>	416-392-9151
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	pmorris@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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### 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	*
Councillor Gloria Lindsay Luby	*
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

\* Regrets: Councillor Kelly, Councillor Lindsay Luby

On motion by Councillor Moscoe, the Executive Committee adopted the Minutes of the Meeting held on April 30, 2007.

EX9.1	ACTION	Amended	Policy	Ward: All
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## **Proposed Initiatives and Financing Model to Get to 70% Solid Waste Diversion by 2010**

(May 14, 2007) report from the Acting General Manager, Solid Waste Management and the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Acting General Manager of Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer recommends that:

1. Council adopt the goal of achieving 70% solid waste diversion by 2010;
2. the solid waste initiatives and programs described in Appendix A, to achieve the goal of 70% solid waste diversion by 2010, form the basis of the City's 10 year solid waste diversion plan;
3. the Acting General Manager of Solid Waste Management Services be directed to submit progress reports as part of the service planning process describing the status of the various initiatives included in the City's 10 year solid waste diversion plan;
4. a volume-based rate system be established, commencing on or about July 1, 2008, for residential solid waste management services based on the principles and directions set out in Appendix B to this report in order to generate sufficient funds to support the programs and initiatives necessary to achieve the goal of 70% solid waste diversion by 2010 and to provide residents with an incentive to reduce or divert solid waste from landfill;
5. the commencement date set out in Recommendation (4) be subject to the Province enacting a regulation to allow solid waste management service fees to have priority lien status as requested in Recommendation 6(a);
6. the Province of Ontario be requested to make the following short and long-term legislative and/or regulatory changes:
  - a. short term: to establish priority lien status for solid waste management service fees; and
  - b. long term: to allow property tax reductions or credits as deemed appropriate by City Council, despite the existence of any legislation or regulation, where the City is providing a service that is currently funded through taxes and subsequently passes a by-law establishing a user fee system to fund that service;
7. the Acting General Manager of Solid Waste Management Services in consultation with the Deputy City Manager and Chief Financial Officer and the City Solicitor, be directed and authorized to take all necessary steps to implement the volume-based rate system including the immediate purchase and distribution of residential residual waste containers upon which

- rates are to be calculated prior to the commencement date;
8. subject to the adoption of Recommendation (4), a grant program be established within the 2008 Operating Budget, Non-Program account, in a total amount equivalent to the cost of the existing programs for Solid Waste Management Services as shown in the City's 2007 Operating Budget (i.e. \$183.5 million), prorated based on the implementation date of the volume-based rate system, in order to provide residents with rebates in accordance with the principles and directions set out in Appendix B to this report;
  9. the grant program and residential rebates provided for in Recommendation (8) be considered in the interests of the City in accordance with section 83 of the *City of Toronto Act, 2006*;
  10. the Deputy City Manager and Chief Financial Officer be directed to take all necessary steps to implement the billing for the volume-based rate system as part of a water/solid waste bill, to implement the grant program in accordance with Recommendation (8) and, in consultation with the City Solicitor, to bring forward through the 2008 budget process a billing bylaw that sets out necessary billing matters, including billing frequencies, due dates, adjustments and penalties for late payments;
  11. subject to receiving the legislative/regulatory authority described in Recommendation 6(b), the Deputy City Manager and Chief Financial Officer in consultation with the Acting General Manager, Solid Waste Management Services and the City Solicitor be directed to report back on a tax adjustment program as a long-term measure to replace the grant program described in Recommendation 8;
  12. the Deputy City Manager and Chief Financial Officer direct proceeds from the volume-based rate system to the Waste Management Reserve Fund and that the Reserve Fund be utilized to fund all of Solid Waste Management Services' net operating expenses and capital requirements;
  13. the Acting General Manager of Solid Waste Management Services, in consultation with the Deputy City Manager and Chief Financial Officer and the City Solicitor, be directed to report back through the 2008 budget process on the final commencement date, the volume-based rates and the grant amounts for 2008;
  14. the 2007 approved Capital Budget for Solid Waste Management Services be amended to increase the 2007 Capital Budget by \$28.475 million in total project costs associated with purchase of approximately 500,000 residual waste containers, with 2007 cash flow of \$7.180 million funded from the Waste Management Reserve Fund, and a 2008 commitment of \$21.295 million funded by additional debt financed by the new volume-based rate system;
  15. the 2007 approved Operating Budget for Solid Waste Management Services be amended by increasing the 2007 Gross Budget by \$2.703 million funded from the Waste Management Reserve Fund, for support of various diversion initiatives;
  16. the Acting General Manager, Solid Waste Management Services be authorized to issue a Request for Proposals for the supply and delivery of kitchen containers for the multi-unit residential SSO program and replacement green bins for residential green bin program and

- any other items or equipment necessary for the implementation of SSO initiatives recommended in this report;
17. the Acting General Manager, Solid Waste Management Services be directed to expand the existing recycling cart pilot areas to include the proposed residual waste carts and that the information gathered be used to estimate city-wide cart size requirements;
  18. the Acting General Manager, Solid Waste Management Services be authorized to issue a Request for Proposals for the processing of single stream recyclable material for the tonnage forecasted to result from the implementation of the initiatives recommended in this report and from growth;
  19. the Acting General Manager, Solid Waste Management Services be authorized to issue a Request for Expressions of Interest (REOI) and, subsequently, a Request for Proposals to the three top qualified respondents from the REOI, for the processing of residual waste for the tonnage of material forecasted to result from the implementation of the initiatives recommended in this report;
  20. the following three Working Groups be established as set out Appendix C:
    - a. In-store Packaging Waste Diversion Working Group;
    - b. Multi-family Waste Diversion Working Group; and
    - c. 3Rs Working Group;
  21. the Acting General Manager, Solid Waste Management Services be directed to submit a request to the Provincial and Federal Governments asking that they take immediate steps to implement policies and programs and adopt financial mechanisms to promote, encourage and achieve source reduction or reuse of packaging and products which currently become municipal solid waste;
  22. the Acting General Manager, Solid Waste Management Services be directed to request the Province of Ontario to take immediate steps to extend the stewardship programs of Waste Diversion Ontario to include, within 24 months, the following classes of waste: green bin organics, electronics, mattresses, furniture, carpets, and sporting goods;
  23. the Acting General Manager, Solid Waste Management Services be directed to report back to the October 3, 2007 meeting of the Public Works and Infrastructure Committee on specific materials or classes of materials or products, specifically including batteries, light bulbs, paint cans, plastic bags and hot drink cups, that may be suitable for deposit-return or take-it-back programs; and
  24. the City Solicitor be directed to submit the necessary bills to Council to implement the above recommendations.

### **Financial Impact**

In order to assist in meeting the waste diversion objectives, it is proposed that the cost of the Solid Waste Management program be removed from the broad property tax base and instead, the City implement a volume-based, solid waste rate structure better related to a property's residual solid

waste needs. A volume-based rate structure would provide individuals with the opportunity and means to reduce their generation of waste and in doing so manage their household expense.

The proposal is to remove the SWM operating budget of approximately \$183.5 million from the property tax base. In its place, that amount plus an additional amount of approximately \$54 million, necessary to fund the initiatives proposed to achieve the 70% diversion goal, would be charged directly to single and multi-unit residential customers using a volume-based rate structure. It is projected that the rate would be increased annually at a rate of approximately 3.5% to offset the inflation and debt service cost pressures projected for Solid Waste Management Services. It should be noted that at this point population growth has not been included. However, this will be updated annually through the budget process.

There are currently approximately 1,008,000 million residential and multi-residential dwelling units in the City of Toronto. The removal of the \$183.5 million SWM program cost from the residential/multi-residential property classes would result in a reduction of approximately \$101 million for the residential class (approximately \$209 per household per year) and a reduction of approximately \$82.5 million for the multi-residential class (approximately \$157 per household per year). This would be rebated back to solid waste customers as a credit against the rates charged through the new volume-based solid waste bill.

Chart 1 below illustrates the average cost per household based on the proposed funding approach.

Chart 1

	Estimated Households	2007 Annual 'Base' Cost			Additional Annual Cost to fund 70% diversion initiatives		Total Annual Cost	
		% of SWM Budget	\$ M	Per household	\$ M	per household	\$ M	per household
Residential - Curb side Pickup	482,000 hh	55%	\$101 M	\$209/hh	\$30 M	\$62/hh	\$131 M	\$271/hh
Multi-Residential - Bulk Pickup	526,000 hh	45%	\$82.5 M	\$157/hh	\$24 M	\$46/hh	\$106.5 M	\$203/hh
	1,008,000 hh	100%	\$183.5 M	\$182/hh	\$54 M	\$54/hh	\$237.5 M	\$236/hh

In the alternative, keeping the SWM costs within the property tax funded programs, would result in a 2.8% tax increase on the residential property class (\$37 million annually), and a corresponding 0.9% tax increase on the non-residential property classes (commercial and industrial - \$12 million, and multi-residential - \$5 million annually) to fund the diversion initiatives.

Toronto's business sector, other than yellow bag customers, contracts with private haulers for the disposal of its residual solid waste. Given that they do not receive waste collection and disposal services, and consistent with Council's approved priority to 'Enhancing Toronto's Business Climate', the proposed volume based rate structure for residential solid waste management services

will result in a cost avoidance for Toronto’s businesses of all future cost increases for solid waste management, including higher costs of diversion of approximately \$12 million per year, as shown in Chart 2 below:

Chart 2 – Comparison of Incremental SWM Program Funding Requirements  
Tax Approach vs. User Fee Approach

	<u>Tax Approach</u>	<u>User Fee Approach</u>	<u>Difference</u>
	<u>Annual</u>	<u>Annual</u>	<u>Annually</u>
Commercial	\$ 11M	0	(\$ 11M)
Industrial	<u>\$ 1 M</u>	<u>0</u>	<u>(\$ 1 M)</u>
	\$12 M	0	(\$12 M)
Residential/Multi-Residential	<u>\$ 42 M</u>	<u>\$ 54 M</u>	<u>\$12 M</u>
Total	\$ 54 M	\$ 54 M	-

#### Regulatory and Legislative Impediments:

Despite the new broad permissive powers contained in the *City of Toronto Act, 2006* (the “Act”), the City has very little flexibility over the governance of its property tax system. The *Act*, and its associated regulations, continues the same property tax and assessment system previously governing Toronto under the *Municipal Act, 2001*. For example, the current regulations require that any tax shifts or reductions be given in proportion to the current tax ratios and in proportion to assessed property values.

These constraints give rise to two difficulties in implementing a volume-based rate structure for residential solid waste services where the residential/multi-residential property classes are given a property tax credit for the current total costs of solid waste management services: (i) the City is precluded from removing the entire \$183.5 million SWM program cost from the residential/multi-residential property classes; and (ii) any property tax reduction on the residential class must be given in proportion to assessed value, meaning that some properties would receive tax reductions that are much greater and some properties will receive tax reductions that are much smaller than the average fee for base solid waste services.

#### Possible Solutions:

##### Short-Term – Grant Program:

In the short-run, the City has the ability in the current legislation to provide a grant program whereby every residential property could be provided a flat rate rebate to offset the \$183.5 million in taxes collected as the solid waste portion of the budget. The use of rebates does not require any legislative or regulatory change, with the exception of a minor regulatory change to allow the City to add outstanding solid waste fees to the property tax bill and to collect them as a priority lien. The rebates would be included on a proposed utility style bill which would include both a water billing and a solid waste billing.

#### Longer-Term – Broad Legislative Authority:

As indicated above, currently, the City cannot remove the Solid Waste Management cost from the property tax supported program, and provide an equivalent flat reduction per household in property tax.

In the longer term, the City needs the flexibility to remove the Solid Waste Management costs from the property tax base outside of the assessment-based property tax system and replace it with user fees, while at the same time allowing for broad authority to allow for such property tax credits or adjustments as the City believes to be appropriate. This could take the form of an adjustment to the tax calculation which would reduce the tax bill on a consistent basis for similar types of residential and multi-residential units.

It is therefore recommended that the Province of Ontario be requested to make the necessary legislative and/or regulatory changes to the property tax system to provide broad authority to the City for implementation of the recommended rate structure or similar service rate structures in the future.

#### Solid Waste 2007 Operating & Capital

As outlined in Appendix D, the 2007 approved Capital Budget for Solid Waste Management Services is being increased by \$28.475 million in total project costs associated with purchase of 500,000 “Residual Waste Containers”, with 2007 cash flow of \$7.180 million funded from the Waste Management Reserve Fund Account, and a 2008 commitment of \$21.295 million funded by additional debt financed by the new Solid Waste rate structure.

Also as outlined in Appendix D, the 2007 approved Operating Budget for Solid Waste Management Services is also being amended by increasing the 2007 Gross Budget by \$2.703 million funded from the Waste Management Reserve Fund Account. This includes supporting various diversion initiatives which were deferred as part of the 2007 Budget process pending a report back on innovative funding options to support the City’s diversion initiatives. The additional diversion operating costs totalling \$2.703 million in 2007 include:

1. Implementation of the Volume-Based Rate System – advertising, systems development, container maintenance, & administration (\$1.500 million);
2. Education, Outreach, and Enforcement of Waste Diversion By-Law (\$0.417 million);
3. Curbside Waste & Recyclable Collection for Townhomes (\$0.400 million);
4. Improved Single Family Recycling Capacity - new Blue Recycling Carts (\$0.332 million);
5. Source Reduction - Promotion, Education, Awards, & Contests (\$0.048 million);
6. Introduction of New Recycling Materials - add polystyrene, and plastic film (\$0.006 million).

## Summary

In order to assist in meeting the waste diversion objectives, it is proposed that the cost of the Solid Waste Management program be removed from the broad property tax base and instead, the City implement a volume-based, solid waste rate structure better related to a property's residual solid waste needs. A volume-based rate structure would provide individuals with the opportunity and means to reduce their generation of waste and in doing so manage their household expense.

This report recommends that Council adopt a goal of achieving 70% solid waste diversion by 2010, and recommends a number of programs and initiatives necessary to achieve the 70% diversion goal.

The report also recommends the establishment of a volume-based rate structure for solid waste services for single and multi-unit residential customers to raise the funds necessary to achieve the 70% diversion goal.

## Communications

(May 24, 2007) e-mail from Lee Doran, Vice Chair, Community Environmental Assessment Team

(May 27, 2007) e-mail from Ms. Miriam Harris, The Richmond Energy/Conservation Committee

(May 27, 2007) e-mail from Ms. Gayle Murphy

(May 28, 2007) from Brian Cochrane, President, Toronto Civic Employees Union, Local 416

Mr. Geoff Rathbone, Acting General Manager, Solid Waste Management Services, delivered a presentation to the Executive Committee respecting proposed initiatives and financing model to get to 70 per cent solid waste diversion by 2010 and filed a copy of his presentation.

## Speakers

Mr. Rod Muir, Founder, Waste Diversion Toronto, and filed a written submission with respect thereto;

Ms. Sheryl Faith, Grade 5 Teacher, The York School, and filed a written submission with respect thereto;

Ms. Lauren Clarfield, The York School;

Mr. Aaron Shafton, The York School;

Mr. Rod Muir, Founder, Waste Diversion Toronto;

Mr. Brad Butt, President and CEO, Greater Toronto Apartment Association;

Ms. Lara Roberts; and filed a written submission with respect thereto;

Ms. Sharon Howarth;

Mr. Tony O'Donohue, Environmental Probe Ltd.;

Councillor Mike Del Grande, Ward 39, Scarborough-Agincourt;

Councillor Denzil Minnan-Wong, Ward 34, Don Valley East;

Councillor Cesar Palacio, Ward 17, Davenport;

Councillor Gord Perks, Ward 14, Parkdale-High Park;

Councillor Karen Stintz, Ward 16, Eglinton-Lawrence; and

Councillor Michael Walker, Ward 22, St. Paul's.

### **Committee Recommendations**

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

1. Council adopt the goal of achieving 70% solid waste diversion by 2010;
2. the solid waste initiatives and programs described in Appendix A, to achieve the goal of 70% solid waste diversion by 2010, form the basis of the City's 10 year solid waste diversion plan;
3. the Acting General Manager of Solid Waste Management Services be directed to submit progress reports as part of the service planning process describing the status of the various initiatives included in the City's 10 year solid waste diversion plan;
4. a volume-based rate system be established, commencing on or about July 1, 2008, for residential solid waste management services based on the principles and directions set out in Appendix B to this report in order to generate sufficient funds to support the programs and initiatives necessary to achieve the goal of 70% solid waste diversion by 2010 and to provide residents with an incentive to reduce or divert solid waste from landfill;
5. the commencement date set out in Recommendation (4) be subject to the Province enacting a regulation to allow solid waste management service fees to have priority lien status as requested in Recommendation 6(a);
6. the Province of Ontario be requested to make the following short and long-term legislative and/or regulatory changes:
  - a. short term: to establish priority lien status for solid waste management service fees; and
  - b. long term: to allow property tax reductions or credits as deemed appropriate by City Council, despite the existence of any legislation or regulation, where the City is providing a service that is currently funded through taxes and subsequently passes a by-law establishing a user fee system to fund that service;
7. the Acting General Manager of Solid Waste Management Services in consultation with the Deputy City Manager and Chief Financial Officer and the City Solicitor, be directed and authorized to take all necessary steps to implement the volume-based rate system including the immediate purchase and distribution of residential residual waste containers upon which rates are to be calculated prior to the commencement date;
8. subject to the adoption of Recommendation (4), a grant program be established within the 2008 Operating Budget, Non-Program account, in a total amount equivalent to the cost of the existing programs for Solid Waste Management Services as shown in the City's 2007 Operating Budget (i.e. \$183.5 million), prorated based on the implementation date of the volume-based rate system, in order to provide residents

with rebates in accordance with the principles and directions set out in Appendix B to this report;

9. the grant program and residential rebates provided for in Recommendation (8) be considered in the interests of the City in accordance with section 83 of the City of Toronto Act, 2006;
10. the Deputy City Manager and Chief Financial Officer be directed to take all necessary steps to implement the billing for the volume-based rate system as part of a water/solid waste bill, to implement the grant program in accordance with Recommendation (8) and, in consultation with the City Solicitor, to bring forward through the 2008 budget process a billing bylaw that sets out necessary billing matters, including billing frequencies, due dates, adjustments and penalties for late payments;
11. subject to receiving the legislative/regulatory authority described in Recommendation 6(b), the Deputy City Manager and Chief Financial Officer in consultation with the Acting General Manager, Solid Waste Management Services and the City Solicitor be directed to report back on a tax adjustment program as a long-term measure to replace the grant program described in Recommendation 8;
12. the Deputy City Manager and Chief Financial Officer direct proceeds from the volume-based rate system to the Waste Management Reserve Fund and that the Reserve Fund be utilized to fund all of Solid Waste Management Services' net operating expenses and capital requirements;
13. the Acting General Manager of Solid Waste Management Services, in consultation with the Deputy City Manager and Chief Financial Officer and the City Solicitor, be directed to report back through the 2008 budget process on the final commencement date, the volume-based rates and the grant amounts for 2008;
14. the 2007 approved Capital Budget for Solid Waste Management Services be amended to increase the 2007 Capital Budget by \$28.475 million in total project costs associated with purchase of approximately 500,000 residual waste containers, with 2007 cash flow of \$7.180 million funded from the Waste Management Reserve Fund, and a 2008 commitment of \$21.295 million funded by additional debt financed by the new volume-based rate system;
15. the 2007 approved Operating Budget for Solid Waste Management Services be amended by increasing the 2007 Gross Budget by \$2.703 million funded from the Waste Management Reserve Fund, for support of various diversion initiatives;
16. the Acting General Manager, Solid Waste Management Services be authorized to Issue a Request for Proposals for the supply and delivery of kitchen containers for the multi-unit residential SSO program and replacement green bins for residential green bin program and any other items or equipment necessary for the implementation of SSO initiatives recommended in this report;

17. the Acting General Manager, Solid Waste Management Services be directed to expand the existing recycling cart pilot areas to include the proposed residual waste carts and that the information gathered be used to estimate city-wide cart size requirements;
18. the Acting General Manager, Solid Waste Management Services be authorized to issue a Request for Proposals for the processing of single stream recyclable material for the tonnage forecasted to result from the implementation of the initiatives recommended in this report and from growth;
19. the Acting General Manager, Solid Waste Management Services be authorized to issue a Request for Expressions of Interest (REOI) and, subsequently, a Request for Proposals to the three top qualified respondents from the REOI, for the processing of residual waste for the tonnage of material forecasted to result from the implementation of the initiatives recommended in this report;
20. the following three Working Groups be established as set out in Appendix C:
  - a. In-store Packaging Waste Diversion Working Group, include the Chairs of the Public Works and Infrastructure Committee, the Licensing Standards Committee and the Vice Chair of Parks and Environment Committee or their designates;  
**(Motion by Councillor Moscoe)**
  - b. Multi-family Waste Diversion Working Group; and
  - c. 3Rs Working Group;
21. the Acting General Manager, Solid Waste Management Services be directed to submit a request to the Provincial and Federal Governments asking that they take immediate steps to implement policies and programs and adopt financial mechanisms to promote, encourage and achieve source reduction or reuse of packaging and products which currently become municipal solid waste;
22. the Acting General Manager, Solid Waste Management Services be directed to request the Province of Ontario to take immediate steps to extend the stewardship programs of Waste Diversion Ontario to include, within 24 months, the following classes of waste: green bin organics, electronics, mattresses, furniture, carpets, and sporting goods;
23. the Acting General Manager, Solid Waste Management Services be directed to report back to the October 3, 2007 meeting of the Public Works and Infrastructure Committee on specific materials or classes of materials or products, specifically including batteries, light bulbs, paint cans, plastic bags and hot drink cups, that may be suitable for deposit-return or take-it-back programs;
24. goods be directed only to charitable organizations that process them directly as opposed to charitable organizations that sell or lease their names to commercial operators for a fee; **(Motion by Councillor Moscoe)**

25. prior to adding new plastics to the recycling program, that staff be requested to submit a report to the Public Works and Infrastructure Committee on costs, diversion efficiency, material contamination and material end use for each proposed plastic; (**Motion by Councillor Carroll on behalf of Councillor Perks**)
26. the Acting General Manager, Solid Waste Management Services and related staff be requested to continue to meet with Local 416 to discuss and formulate ways to achieve the 70 per cent waste diversion initiatives; (**Motion by Councillor De Baeremaeker**)
27. the Acting General Manager, Solid Waste Management Services be requested to submit a report to the Executive Committee on the requirement of a privacy impact assessment of the data management component of the bin programme; (**Motion by Councillor Ashton**)
28. the Acting General Manager, Solid Waste Management Services:
  - i. meet with Councillors from the Downtown pilot areas to examine the lessons learned in the study areas; and
  - ii. design an education kit suitable for community education meetings, and a specific presentation for multi-residential buildings; (**Motion by Councillor McConnell**)
29. the Acting General Manager, Solid Waste Management Services be requested to submit a report to the Public Works and Infrastructure Committee on:
  - a. measures to curb illegal dumping in parks and other public areas related to the proposed new system; and
  - b. potential of using new levy for recycling and composting in Toronto parks; (**Motion by Councillor Fletcher**) and
30. the City Solicitor be directed to submit the necessary bills to Council to implement the above recommendations.

### **Decision Advice and Other Information**

The Executive Committee:

1. requested the Acting General Manager, Solid Waste Management Services, to report directly to Council for its meeting scheduled to be held on June 20, 2007:
  - i. on any additional recommendations needed to address the special needs of multi-residential buildings and the size of containers in these unique neighbourhoods; (**Motion by Councillor McConnell**) and

- ii. on the feasibility of establishing a system that would allow residents to trade up or down on bin sizes without having to purchase new bins; (**Motion by Councillor Moscoe**)
2. referred the following motion to the Deputy City Manager and Chief Financial Officer, the City Solicitor and the Acting General Manager, Solid Waste Management Services, for consideration:

Moved by Councillor Mammoliti on behalf of Councillor Palacio

“That the Executive Committee recommend that:

1. the proposed grant program and subsequent billing system include a provision for seniors and low-income residents, similar to the City’s property tax increase cancellation program and property tax increase deferral program;
2. staff bring forward a report on a plan for bringing residential units above commercial establishments into the City’s recycling programs;
3. staff bring forward a report that makes recommendations on the legal and legislative mechanisms necessary to prohibit or tax the sale of certain non-recyclable items and materials sold in the City of Toronto;
4. staff bring forward a report that makes recommendations on the possibility of banning, taxing or more strictly licensing private garbage collection companies operating in the City of Toronto, who undercut City recycling and garbage collection programs;
5. staff bring forward a report that quantifies the amount of garbage that is currently collected through private collection companies in the City of Toronto, as well as the amount of waste that is expected to be redirected out of the City system, by building owners switching to private collection, as a result of these new waste diversion initiatives;
6. staff bring forward a report that discusses the impacts of extending transfer station hours to allow for dumping to take place 24/7, thereby reducing illegal dumping;
7. the City of Toronto provide a copy of its Waste Diversion Strategy to the Council of every municipality in Ontario, urging them to adopt a similarly ambitious approach to waste diversion and recycling." (**Motion by Councillor McConnell**)

### **Links to Background Information**

Proposed Initiatives & Financing to Get to 70% Solid Waste Diversion by 2010  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3799.pdf>)

EX9.2	ACTION	Amended	Policy	Ward: All
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## **Water Rate Restructuring - Results of Public Consultation and Recommended Rate Structure**

(May 14, 2007) report from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water

### **Recommendations**

The Deputy City Manager and Chief Financial Officer and the General Manager of Toronto Water recommends to Council that:

1. Council approve in principle the use of water pricing as an economic development tool for the purpose of retaining and supporting the growth of existing businesses using water for processing purposes, ensuring their competitiveness with other jurisdictions and attracting new manufacturing businesses to the City;
2. Council endorse a single domestic-use rate structure for all water consumers, with a second lower process-use rate available for properties in the Industrial tax class applicable on their volume of water consumed above 6,000 m<sup>3</sup>/yr (500 m<sup>3</sup>/mo), as embodied under Option (3) in this report;
3. the second lower block process-use rate for properties in the Industrial tax class applicable on volume of water consumed above 6,000 m<sup>3</sup>/yr (500 m<sup>3</sup>/mo), referred to in recommendation (2) above, be:
  - a. initially set at a rate reflecting a 20% reduction from the general first block rate, effective commencing January 1, 2008, and
  - b. a further reduction be phased-in at a rate of one-third of any increase in the general first domestic-use block rate until the target of a 30% reduction in the process block two rate is achieved;
4. to be eligible for the industrial process block two rate, industrial process water users must be in compliance with the City's sewer-use by-law to the satisfaction of the General Manager of Toronto Water;
5. a program to provide for a rebate on the water bill be adopted for low income seniors and low income disabled persons, homeowners who meet the eligibility criteria under the City's property tax relief programs for low income seniors and low income disabled persons, and further:
  - a. the rebate be initially set at a rate reflecting a 20% reduction from the general first block rate, effective commencing July 1, 2008; and

- b. a further reduction be phased-in at a rate of one-third of any increase in the general first domestic-use block rate until the target of a 30% reduction from the general first block rate is achieved; and
  - c. to be eligible, the property must be in the residential class and must be metered; and
  - d. the rebate shall only apply if the household consumption is less than 300 cubic metres per year, prorated for the billing period; and
  - e. the Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor, report back, as part of the 2008 Water and Wastewater Program Budget and Rate Setting Process, on any details necessary to commence implementation of this rebate program commencing in 2008;
6. the Deputy City Manager and Chief Financial Officer, in consultation with the Deputy City Manager responsible for Toronto Water, report back, as part of the 2008 Water and Wastewater Program Budget and Rate Setting Process, on any details necessary to commence implementation of this rate structuring in 2008;
  7. the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer, develop and implement further water conservation programs, as may be deemed appropriate as part of the annual review of the City's Water Efficiency Plan, for residential and business domestic water users in concert with the climate change initiative under the direction of the Deputy City Manager Richard Butts;
  8. the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer, be directed to further consult with stakeholders for the purpose of identifying fixed-cost elements of the Water and Wastewater program that would be appropriate to charge as a fixed-charge on the water rate bill, and to report back to Council as part of the 2009 Water and Wastewater Program Budget and Rate Setting Process, on any modifications necessary to implement such a charge;
  9. the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer and City Solicitor, investigate the legal and financial implications of fixed term contracts with large water consumers, and to report back to the appropriate standing committee on the feasibility of such contracts;
  10. the provision for providing a rebate to eligible consumers for the portion of water not returned to the City's sewer system be amended by updating the applicable rebate rate to be set at 57% of the retail combined water and sewer service rate applicable to the consumer, effective January 1, 2008; and
  11. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

## Financial Impact

The strategy recommended in this report continues to provide full funding for the water and wastewater operations through the water and sewer rates and is revenue neutral for the City. As such, the property tax supported budget is not impacted. The recommended rate strategy described under Option (3) of this report provides for a simpler, more equitable, transparent, and fairer structure for the City, encourages water conservation, and ensures competitive pricing for the City's manufacturing base.

The following chart illustrates the anticipated average annual effects of the strategy recommended in this report across the following users.

Type of user	Annual Impact	
Avg. Residential 315 m <sup>3</sup>	\$13.36	2.9%
Small Retail 1,000 m <sup>3</sup>	\$17.40	1.2%
Large Commercial 250,000 m <sup>3</sup>	\$3,361	0.9%
Industrial 250,000 m <sup>3</sup>	(\$72,548)	-19.9%
Large Industrial 1,000,000 m <sup>3</sup>	(\$238,459)	-17.0%

It should be emphasized that, while these recommendations would shift a somewhat greater cost burden onto the residential users, the potential loss of industrial process water users out of the City would have essentially the same effect of shifting of the cost burden onto residential users.

## Summary

This report presents a review of current practices and rate structures respecting the water and wastewater program, and an analysis of a number of options to provide for a new water rate structure that is fairer, transparent and conducive to improving the City's industrial and manufacturing base.

The current seven-block volume based rate structure, a product of amalgamation, is complex, benefits few consumers without any real focus, and results in similar consumers paying different rates.

A comparison of the water and wastewater rates and rate structures of the surrounding municipalities and other major cities showed water and wastewater costs to be generally lower in Toronto for residential customers. However, such is not the case for large-volume users, where this difference becomes more evident at higher consumptions. The City's larger industrial employers would find costs to be as much as 20%-25% lower in Peel, Durham, Vaughan and Hamilton, and 35% lower in London, Ontario.

Guiding principles adopted for this rate structure review during the consultative process included: rates should be equitable across customer sectors; rates should encourage water efficiency; rates should position the city competitively; the rate structure should be simple and

transparent; rates should ensure the sustainability of the water system; and, rates must meet regulatory requirements.

The recommended option recognizes that manufacturing and process needs for water is different than domestic needs. It provides for a single rate for all users, with a second available block for industrial/manufacturing consumption on the volumes above 6,000 m<sup>3</sup> per year. By being focused, this option is intended to assist as many industrial and manufacturing employers as possible and not necessarily just high volume users and industrial process water users must be in compliance with the City's sewer-use by-law. This option was most widely supported at the public and individual meetings.

This report recommends that the new structure be adopted, commencing January 1, 2008, with the second available rate block for industrial/manufacturing consumption on the volumes above 6,000 m<sup>3</sup> per year to be initially set at a rate reduction of 20%, and with further reduction to be phased-in at a rate of one-third of any increase in the general first block until the target of a 30% reduction in the process block two rate is achieved.

### **Communications**

(May 24, 2007) e-mail from Piero Rocca

(May 25, 2007) e-mail from Councillor Gord Perks, City Councillor, Ward 14, Parkdale-High Park

### **Speakers**

Mr. Al Brezina, Chair, Toronto Industry Network (TIN);  
Councillor Anthony Perruzza, Ward 8, York West;  
Councillor Gord Perks, Ward 14, Parkdale-High Park; and  
Councillor Michael Walker, Ward 22, St. Paul's.

### **Committee Recommendations**

The Executive Committee recommended to City Council that:

1. Council approve in principle the use of water pricing as an economic development tool for the purpose of retaining and supporting the growth of existing businesses using water for processing purposes, ensuring their competitiveness with other jurisdictions and attracting new manufacturing businesses to the City;
2. Council endorse a single domestic-use rate structure for all water consumers, with a second lower process-use rate available for properties in the Industrial tax class applicable on their volume of water consumed above 6,000 m<sup>3</sup>/yr (500 m<sup>3</sup>/mo), as embodied under Option (3) in this report;
3. the second lower block process-use rate for properties in the Industrial tax class applicable on volume of water consumed above 6,000 m<sup>3</sup>/yr (500 m<sup>3</sup>/mo), referred to in recommendation (2) above, be:
  - a. initially set at a rate reflecting a 20% reduction from the general first block rate, effective commencing January 1, 2008, and

- b. a further reduction be phased-in at a rate of one-third of any increase in the general first domestic-use block rate until the target of a 30% reduction in the process block two rate is achieved;
4. to be eligible for the industrial process block two rate, industrial process water users must be in compliance with the City's sewer-use by-law to the satisfaction of the General Manager of Toronto Water; and must install and maintain effluent monitoring equipment if determined that it is required by the General Manager, Toronto Water, which is easily accessible to city staff on a 24 hour basis in a manner acceptable to the General Manager of Toronto Water; (**Motion by Councillor Moscoe**)
5. a program to provide for a rebate on the water bill be adopted for low income seniors and low income disabled persons, homeowners who meet the eligibility criteria under the City's property tax relief programs for low income seniors and low income disabled persons, and further:
  - a. the rebate be initially set at a rate reflecting a 20% reduction from the general first block rate, effective commencing July 1, 2008; and
  - b. a further reduction be phased-in at a rate of one-third of any increase in the general first domestic-use block rate until the target of a 30% reduction from the general first block rate is achieved; and
  - c. to be eligible, the property must be in the residential class and must be metered; and
  - d. the rebate shall only apply if the household consumption is less than 300 cubic metres per year, prorated for the billing period; and
  - e. the Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor, report back, as part of the 2008 Water and Wastewater Program Budget and Rate Setting Process, on any details necessary to commence implementation of this rebate program commencing in 2008;
6. the Deputy City Manager and Chief Financial Officer, in consultation with the Deputy City Manager responsible for Toronto Water, report back, as part of the 2008 Water and Wastewater Program Budget and Rate Setting Process, on any details necessary to commence implementation of this rate structuring in 2008;
7. the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer, develop and implement further water conservation programs, as may be deemed appropriate as part of the annual review of the City's Water Efficiency Plan, for residential and business domestic water users in concert with the climate change initiative under the direction of the Deputy City Manager Richard Butts;
8. the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer, be directed to further consult with stakeholders for the purpose of identifying fixed-cost elements of the Water and Wastewater program that

would be appropriate to charge as a fixed-charge on the water rate bill, and to report back to Council as part of the 2009 Water and Wastewater Program Budget and Rate Setting Process, on any modifications necessary should it be decided to implement such a charge; **(Motion by Councillor Moscoe)**

9. the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer and City Solicitor, investigate the legal and financial implications of fixed term contracts with large water consumers, and to report back to the appropriate standing committee on the feasibility of such contracts;
10. the provision for providing a rebate to eligible consumers for the portion of water not returned to the City's sewer system be amended by updating the applicable rebate rate to be set at 57% of the retail combined water and sewer service rate applicable to the consumer, effective January 1, 2008; and
11. to be eligible for the continued industrial process block two rate, industrial process water users must:
  - a. be in compliance with the City's Sewer Use Bylaw to the satisfaction of the General Manager of Toronto Water; and
  - b. have submitted a comprehensive water conservation plan, to the satisfaction of the General Manager of Toronto Water, by July, 2008, which includes:
    - i. a corporate policy committing to water conservation and efficiency;
    - ii. undertaken a water use audit to identify measures to be implemented which will result in more efficient use of water, such as, but not limited to water loss management strategies, water reclamation and recycling strategies, regular meter testing and calibration, implementing best available technologies for process water conservation, providing employee training and implementing best management practices for water conservation procedures within the property;
    - iii. an implementation timetable of measures identifying the water use audit findings along with target dates and expected water use reductions; and
    - iv. an evaluation process to track the effectiveness of the company's plan implementation; and
  - c. submit an annual progress report to the satisfaction of the General Manager of Toronto Water until such time as the General Manager of Toronto Water provides written notification that such annual reports are no longer required;  
**(Motions by Councillor Rae on behalf of Councillor Perks)**
12. staff be requested to review the rates paid by the ten largest industrial users in their

plants located in other municipalities so that they can be compared directly with current City of Toronto charges; **(Motion by Councillor Moscoe)**

13. the General Manager, TorontoWater be requested to meet with appropriate staff from other cities dealing with water/wastewater with the intent of better co-ordinating water rates for large industrial user; **(Motion by Councillor Mihevc)**
14. 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:

1. requested the General Manager, Toronto Water, to report directly to Council for its meeting scheduled to be held on June 20, 2007, on an enforcement policy which would disqualify any industrial users from benefiting from subsidized water rates if they are in violation of the city's sewer use by-law; and
2. requested the General Manager, Toronto, to report to the June 25, 2007 Executive Committee, meeting on the water agreements with York Region.

### **Links to Background Information**

Water Rate Restructuring-Results of Public Consultation & Rate Structure  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3800.pdf>)

<b>EX9.3</b>	<b>ACTION</b>	Amended	Policy	Ward: All
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### **Strategies to Address Panhandling Within Specified Areas of the City**

(May 14, 2007) report from the City Manager and City Solicitor

### **Recommendations**

In response to complaints about the negative impact of panhandling on specific tourist destinations and recognizing the City authorities to enact and enforce a by-law to prohibit panhandling, the City Manager and the City Solicitor propose two parallel initiatives and recommend:

1. the General Manager, Shelter, Support and Housing Administration, conduct a pilot project from July 3 until September 17, 2007 in the area bounded by Spadina, Dundas, Jarvis and Queens Quay in order to:
  - a. engage passive panhandlers who are housed and work to assess and address their needs including assistance accessing services to help address their poverty and health issues;

- b. document the characteristics and needs of the passive panhandlers encountered; and
  - c. inform business owners and their employees, members of the general public and others on ways to address panhandling without requiring enforcement;
2. the General Manager, Economic Development, Culture and Tourism, be directed to engage with the Toronto Association of Business Improvement Areas (TABIA), Toronto Entertainment District Association (TEDA), and other associations and operators of major attractions in order to determine the extent to which panhandling has impacted their business including documenting financial impacts, loss of repeat customers and other indicators relevant to the impact that panhandling has on the economic well being of the City and to develop strategies to mitigate any identified impact;
  3. the Police Services Board be requested to provide Council with an assessment of their experience in enforcing the *Safe Streets Act*, including effectiveness in addressing aggressive panhandling; and
  4. the City Manager report back to Executive Committee in the spring of 2008 on the results of the pilot in recommendation 1.

### **Financial Impact**

There are no financial implications as a result of this report.

### **Summary**

This report examines the authority of the City to enact and enforce a by-law to prohibit panhandling within specified areas of the City. The report proposes the formal documentation of identified concerns related to panhandling. The report also outlines the difference between panhandling and homelessness together with alternate responses to address passive panhandling.

### **Communications**

- (May 23, 2007) e-mail from Ms. Edwina Taborsky
- (May 24, 2007) e-mail from Oriella Reia Stillo
- (May 23, 2007) e-mail from Mr. Derek Timmerman
- (May 25, 2007) e-mail from Ms Jessica Blaustein, Hannan's Belly Dance Studio
- (May 26, 2007) e-mail from Ms. Laurie Potts, Operator, Laurie Potts Design Custom Framing
- (May 27, 2007) e-mail from Mr. Richard von Erlac
- (May 25, 2007) e-mail from March Gregoroff, Artists' Network of Riverdale
- (May 24, 2007) e-mail from Mr. Graham Pryce, Beach Valu-Mart #842
- (May 25, 2007) letter from Mr. Frank Luongo, Manager, Davids
- (May 27, 2007) e-mail from Mr. Ian Ser, Yonge-Bloor-Bay Business Association

### **Speakers**

- Mr. Jim Aldridge, Chair, Toronto Entertainment District Association;
- Mr. James Robinson, Executive Director, Downtown Yonge Business Improvement Area; and

filed a written submission with respect thereto;  
 Mr. Michael Comstock, The Kitchen at St. Lawrence Market;  
 Mr. Fred Luk;  
 Ms. Paula Jessop, Director of Communications, Commensal Restaurant;  
 Mr. Tarek Aboushakka, ORO Restaurant;  
 Mr. Tonny Louie, HomeLife First Realty Inc., on behalf of Mr. Stephen Chan, Chair, Chinatown Business Improvement Area, and filed a written submission with respect thereto;  
 Gee Chung, President, GYRA - The Greater Yorkville Residents' Association and filed a written submission with respect thereto;  
 Mr. Beric German, Toronto Disaster Relief Committee;  
 Ms. Helen Armstrong on behalf of Mr. Peter Armstrong, Toronto Disaster Relief Committee, and filed a written submission from Mr. Peter Rosenthal;  
 Ms. Laurel Atkinson on behalf of Toronto Public Space Committee;  
 Ms. Susan Gapka;  
 Mr. Briar de Lange, General Manager, Bloor-Yorkville B.I.A.;  
 Ms. Nivine Shenouda, Business Owner, Tim Hortons;  
 Mr. Christopher Ross, Thirty Five Elm Restaurant;  
 Ms. Ute Blake;  
 Mr. Tony Cauch, Chair, Roncesvelles Village BIA;  
 Ms. Brigitta Gamm, President, Canadian Tour Guide Association of Toronto;  
 Mr. Farhan Basharat, local business owner;  
 Mr. Trevor Agard, Tim Hortons;  
 Mr. Jason St. Croix, Owner, Tim Hortons;  
 Ms. Janice Solomon, Fred's Not Here;  
 Ms. Monica Testolini, General Manager, Bond Place Hotel;  
 Mr. Terry Mundell, Greater Toronto Hotel Association;  
 Mr. Arron Barberian, Barberian's Steak House;  
 Mr. Eitan Tanentzap, Tim Hortons;  
 Mr. Doug Fisher, Old Cabbagetown BIA;  
 Mr. John Kiru, TABIA;  
 Ms. Cathy Crowe, Atkinson Economic Justice Fellow;  
 Councillor Case Ootes, Ward 29, Toronto-Danforth; and  
 Councillor Denzil Minnan-Wong, Ward 34, Don Valley East.

### **Decision Advice and Other Information**

On motion by Mayor Miller, the Executive Committee direct that:

- I. the General Manager, Shelter, Support and Housing be requested to review the issue of panhandling during the period June 1, 2007 until September 30, 2007, in the area bounded by Spadina, Yorkville Avenue, Jarvis and Queens Quay, and report back to the Executive Committee in early 2008 on the results. In support of that review, the General Manager, Shelter, Support and Housing be requested to:
  - a. engage passive panhandlers who are housed and work to assess and address their needs including assistance accessing services to help address their poverty and health issues;
  - b. document the characteristics and needs of the passive panhandlers encountered;

and

- c. inform business owners and their employees, members of the general public and others on ways to address panhandling without requiring enforcement;
2. the General Manager, Economic Development, Culture and Tourism:
    - i. be directed to engage with the Toronto Association of Business Improvement Areas (TABIA), the Business Improvement Areas of the relevant areas (St. Lawrence; Downtown Yonge; Church/Wellesley; Bloor; Yorkville; Yonge/Bay/Bloor), Toronto Entertainment District Association (TEDA), and other associations and operators of major attractions to engage them as stakeholders in developing a holistic approach that addresses the concerns of businesses which maintain the rights and dignity of the urban poor; **(Motion by Councillor Mihevc)**
    - ii. be requested to include Residents' and Ratepayers' Associations in the consultation; **(Motion by Councillor Ashton on behalf of Councillor Ootes)**
    - iii. be requested to research and identify specific methods used by other Canadian cities to curb panhandling, and outline the various options and the specific existing by-laws used by these municipalities, and include this information in the report to the Executive Committee; **(Motion by Councillor Ashton on behalf of Councillor Ootes)**
  3. the Police Services Board be requested to provide the General Manager, Shelter, Support and Housing, with an assessment of their experience in enforcing the Safe Streets Act, including effectiveness in addressing aggressive panhandling; and the characteristics of the aggressive panhandler including determinants of aggressive behaviour; **(Motion by Councillor Fletcher)** and
  4. the General Manager, Shelter, Support and Housing be requested to submit a report to the Executive Committee on the root causes of street begging, and government policy changes and programs needed over the short and long term to overcome these root causes. **(Motion by Councillor Mihevc)**

The following motions by Councillor Ashton on behalf of Councillor Ootes were voted on and **lost**:

That the Executive Committee recommend that:

- I. Recommendation 2 in the staff report be amended by adding the following:
  - “a. that this consultation take place as soon as possible, with a staff report to be prepared for the November 26, 2007 meeting of the Executive Committee;
  - d. that the General Manager, Economic Culture and Tourism include

information in the report to the November 26, 2007 meeting of the Executive Committee outlining the specifics of how to designate certain areas of the City as tourist areas;

- II. Recommendation 3 in the staff report be amended to read as follows:
3. the Police Services Board be requested to provide the Executive Committee for its meeting to be held on November 26, 2007, with an assessment of their experience in enforcing the Safe Streets Act, including effectiveness in addressing aggressive panhandling; and that included in the Police Services Board’s assessment of the Safe Streets Act is a comprehensive and detailed outline on how a by-law to curb passive panhandling could be successfully implemented and enforced.  
**Which lost on the following Recorded Vote:**

**Yeas: Ashton, Carroll, De Baeremaker**

**Nays: Fletcher, McConnell, Miller, Mihevc, Rae.**

The following motion by Councillor Mihevc, on behalf Councillor Moscoe, who had left the meeting at this point, was voted on and **lost**:

That the Executive Committee recommend that City Council adopt the recommendations contained in the staff report subject to the pilot project being amended to include the panhandling that occurs in suburban locations as the off ramps of City or Provincial highways and staff consult with Councillors to identify locations for inclusion.

The following motions by Councillor Ashton, on behalf of Councillor Ootes, were ruled **Redundant**:

The Executive Committee recommends that:

- I. the preamble to Recommendation 1. in the staff report be amended to read as follows:
  - “1. the General Manager, Shelter, Support and Housing Administration, conduct a pilot project from July 3 until September 17, 2007 in the area bounded by Spadina, Yorkville Avenue, Jarvis and Queens Quay in order to;”
- II. Recommendation 4. in the staff report be amended to read as follows:
  - “4. the City Manager report back to Executive Committee at the meeting of the Executive Committee scheduled to be held on November 26, 2007, on the results of the pilot in recommendation 1.”

## Links to Background Information

Strategies to Address Panhandling Within Specified Areas of the City  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3801.pdf>

EX9.4	ACTION	Adopted	Transactional	Ward: All
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## Authorize City Manager to Enter Into Agreements for Use of Necessary Facilities, Services and Resources Before an Emergency

(April 23, 2007) report from the City Manager

### Recommendation

The City Manager recommends that:

1. the City Manager be authorized to negotiate and enter into MOU's with other organizations for the use of facilities, services and resources by the City in emergency situations, subject to approval of the MOU's as to form by the City Solicitor.

### Financial Impact

There are no immediate financial impacts as a result of this report. In the event an MOU is implemented and the necessary facilities, services or resources are used, the City might be obliged to reimburse others for the use of facilities, services and resources depending on the terms negotiated under the applicable MOU.

### Summary

The City of Toronto has an emergency management program spanning the broad scope of mitigation, preparedness, response and recovery activities, in compliance with the Emergency Management and Civil Protection Act. An important element of preparedness and response is to make arrangements that will ensure availability and access to the necessary facilities, services and resources needed by the City to initiate and sustain an effective emergency response. It may be desirable to formalize some of these arrangements through memoranda of understanding (MOU).

Such MOU's could cover, for example: the use of school facilities in various emergency situations, including as mass vaccination clinics in the event of an influenza pandemic; the use of facilities for the shelter of emergency evacuees; the use of volunteers affiliated with organizations such as St. John Ambulance or Canadian Red Cross; the use of warehouse space to accommodate an influx of donations, materials or supplies; and priority provision of goods from suppliers.

This report recommends that City Council authorize the City Manager to enter into memoranda of understanding for the use of necessary facilities, services and resources by the City before emergencies.

### Committee Recommendation

On motion by Councillor Mihevc, the Executive Committee recommended that City Council authorize the City Manager to negotiate and enter into MOU's with other organizations for the use of facilities, services and resources by the City in emergency situations, subject to approval of the MOU's as to form by the City Solicitor.

### Links to Background Information

City Manager to Enter into Agreements for use of facilities before an Emergency  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3802.pdf>

EX9.5	ACTION	Amended	Transactional	Ward: All
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### 2007 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors

(May 8, 2007) report from the Treasurer

### Recommendations

The Treasurer recommends that:

1. Council authorize the levy and collection of taxes for the 2007 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors and owned by certain power utilities, in accordance with subsection 280 (1) of the *City of Toronto Act, 2006* and subsection 257.7(1) of the *Education Act*;
2. authority be granted for the introduction of the necessary bill to give effect thereto; and
3. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Financial Impact

The 2007 levy of taxes on railway roadways and rights of way and on power utility transmission or distribution corridors will raise approximately \$7.8 million in revenues, of which the municipal share is \$6.6 million and the provincial education share is \$1.2 million.

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

### Summary

This report requests Council authority for the introduction of the by-law necessary to levy and collect taxes for the 2007 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors and owned by certain power utilities.

### Committee Recommendations

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

1. Council authorize the levy and collection of taxes for the 2007 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors and owned by certain power utilities, in accordance with subsection 280 (1) of the City of Toronto Act, 2006 and subsection 257.7(1) of the Education Act;
2. authority be granted for the introduction of the necessary bill to give effect thereto;
3. the City re-iterate its July 2006 recommendations with respect to this matter, and the Mayor's Office enter into discussions with the Province to advance our submissions re:
  - i. Regulations 387/98 and 392/98 be amended to require an annual inflationary adjustment in the "mature rate"; and
  - ii. the "mature rate" prescribed by Regulation so as to phase in rate changes that more properly reflect the market value of the land over a period of time, be review;
4. the City request that those portions of railway properties that are leased to third parties be required to pay commercial tax rates; and
5. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Links to Background Information

2007 Levy on Railway Roadways & Rights of Way & on Power Utility Corridors  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3804.pdf>

EX9.6	ACTION	Adopted		Ward: All
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### Great Lakes and St. Lawrence Cities Initiative - Authority for Toronto to Host the 2008 Annual Meeting and Conference

(May 11, 2007) report from the City Manager

### Recommendations

The City Manager recommends that:

1. Toronto host the 2008 Great Lakes and St. Lawrence Cities Initiative annual meeting and conference;

2. the total financial contribution from the City of Toronto to organize and operate the 2008 Great Lakes and St. Lawrence Cities Initiative Annual Meeting and Conference not exceed net cost to the City of Toronto of \$50,000 over 2007 and 2008 to be funded from the Corporate Fund for Hosting Expenses - International Conferences; and
3. the City Manager's Office be authorized to receive and disburse funds up to \$250,000 for the purposes of organizing and operating the 2008 Great Lakes and St. Lawrence Cities Initiative Annual Meeting and Conference.

### **Financial Impact**

The total estimated cost to organize the 2008 Great Lakes and St. Lawrence Annual Meeting and Conference is \$250,000. Of that, the City of Toronto as host city will provide \$50,000 over 2007 and 2008 with the balance of \$200,000 to be funded from participant registration and sponsors. The City's contribution of \$50,000 is to finance up-front costs associated with organizing the conference and be included in the Non-Program account Hosting Expenses – International Conferences in NP2197.

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

### **Summary**

This report recommends that Toronto host the 2008 Great Lakes and St. Lawrence Cities Initiative annual meeting and conference and that Council authorize expenditures related to hosting the event.

The Great Lakes and St. Lawrence Cities Initiative (GLSLCI) is a bi-national organization of mayors and heads of local Councils committed to working together and with other governments and organizations to protect and restore the Great Lakes and St. Lawrence River. Mayor David Miller is currently chair of the organization.

The Great Lakes and St. Lawrence Cities Initiative (GLSLCI) holds an annual meeting and conference hosted by a member city alternating between the United States and Canada. In order for Toronto to host the event, authority is required for staff to make the necessary arrangements to prepare for the conference.

Based on previous conferences, it is expected that this event will break even financially with the expenses covered through participant registrations and sponsorships. However, in order to make the necessary arrangements such as booking venues and services as well as attracting sponsors, the City must make financial commitments and enter into contracts.

### **Committee Recommendations**

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

1. Toronto host the 2008 Great Lakes and St. Lawrence Cities Initiative annual meeting and conference;

2. the total financial contribution from the City of Toronto to organize and operate the 2008 Great Lakes and St. Lawrence Cities Initiative Annual Meeting and Conference not exceed net cost to the City of Toronto of \$50,000 over 2007 and 2008 to be funded from the Corporate Fund for Hosting Expenses - International Conferences; and
3. the City Manager's Office be authorized to receive and disburse funds up to \$250,000 for the purposes of organizing and operating the 2008 Great Lakes and St. Lawrence Cities Initiative Annual Meeting and Conference.

### Links to Background Information

Great Lakes & St Lawrence Cities Initiative-Toronto to Host 2008 Annual Conf.  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3805.pdf>

EX9.7	ACTION	Adopted	Transactional	Ward: 7
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### Affordable Housing – Request for Increased Funding for Affordable Housing Project at 2350 Finch Avenue West

(May 14, 2007) report from the Deputy City Manager

### Recommendations

The Executive Committee recommends to Council that:

1. authority be granted to fund Ghana Amansie in an amount up to one million, eight hundred and seventy three thousand, seven hundred and fifty dollars (\$1,873,750) as a grant by way of forgivable loan from the City's Capital Revolving Fund for Affordable Housing ("CRF"), the final amount to be determined by the Director, Affordable Housing Office Development (the "Director").
2. authority be granted to defer all payments of principal and interest under the City's CRF loan, for a period of five years and a repayment plan be negotiated at that time to ensure the long-term financial viability of the Project;
3. authority be granted to enter into an agreement to amend the City's Loan and Grant Agreement with Ghana Amansie ("the "Amending Agreement"). The Amending Agreement would set out the terms and conditions of the City's assistance, including the irrevocable appointment of the City as agent to act in place of Ghana Amansie to complete the Project and to ensure that a viable, long-term operating and management plan is in effect; on such terms and conditions as determined by the Director and in a form approved by the City Solicitor;
4. authority be granted for the City to assume such contracts entered into by Ghana Amansie for the Project as the Director, in her sole discretion, considers necessary and advisable for the successful completion of the Project;

5. authority be granted for the City to enter into a sole source contract with R. Seligman Associates Inc. for project management services for so long as deemed necessary by the Director for a fee not to exceed \$100,000.00 on such terms and conditions satisfactory to the Director and in a form approved by the City Solicitor;
6. authority be granted for the City to enter into any agreements or other documents required to provide assurance to the Project's first mortgagees that the project will be financed to completion;
7. authority be granted to assign the City's lease and funding agreements with Ghana Amansie if necessary, as determined by the Director, to ensure the long-term viability of the Project;
8. the Director be authorized and directed, on behalf of the City, to execute all agreements and documents set out in the above recommendations.

### Financial Impact

This report recommends that the funding for this Project be increased by up to \$1,873,750 from the CRF upon Ghana Amansie Canadian Non-Profit Homes Inc. agreeing to the terms and conditions set out in the Amending Agreement. There is currently \$8,940,700 of uncommitted funds in the CRF available for investment in future affordable housing projects.

This report also recommends that all payments of principal and interest on the existing CRF loan of \$1,584,000 be deferred for five years and a repayment plan be negotiated at that time to ensure long term financial viability of the project.

### Capital Funding

With increased capital funding from the City of \$1,873,750 and an increase in the first mortgage of \$800,000, the total capital costs for this project would be \$13,398,100, the details of which are set out in the tables below. This amount is being added to the total capital costs to address construction cost overruns to ensure the completion of the Project which is currently 60% complete.

Government Assistance - Capital	2005	2007 with increase
Federal/provincial Affordable Housing Program	\$1,392,000	\$1,392,000
CRF Loan	\$1,584,000	\$1,584,000
CRF Grant	\$ 576,000	\$ 576,000
Waived development charges and fees	\$ 242,350	\$ 242,350
Contribution of City land value	\$ 960,000	\$ 960,000
CMHC start up funds	\$ 70,000	\$ 70,000
Recommended CRF grant increase		\$1,873,750
Total	\$4,824,350	\$6,698,100



acting as its agent in all aspects of the development to ensure the project is completed and that a management plan and revised operating budget satisfactory to the Director, Development, Affordable Housing Office are put in place to ensure long term financial viability of the Project.

The financial assistance being recommended in this report will allow the Project to be completed within approximately six months and provide much needed housing for 48 low-to-moderate income families and is possible because of the co-operation of Ghana Amansie, the construction contractor and the first mortgagee.

### **Committee Recommendations**

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

1. authority be granted to fund Ghana Amansie in an amount up to one million, eight hundred and seventy three thousand, seven hundred and fifty dollars (\$1,873,750) as a grant by way of forgivable loan from the City's Capital Revolving Fund for Affordable Housing ("CRF"), the final amount to be determined by the Director, Affordable Housing Office Development (the "Director");
2. authority be granted to defer all payments of principal and interest under the City's CRF loan, for a period of five years and a repayment plan be negotiated at that time to ensure the long-term financial viability of the Project;
3. authority be granted to enter into an agreement to amend the City's Loan and Grant Agreement with Ghana Amansie ("the "Amending Agreement"). The Amending Agreement would set out the terms and conditions of the City's assistance, including the irrevocable appointment of the City as agent to act in place of Ghana Amansie to complete the Project and to ensure that a viable, long-term operating and management plan is in effect; on such terms and conditions as determined by the Director and in a form approved by the City Solicitor;
4. authority be granted for the City to assume such contracts entered into by Ghana Amansie for the Project as the Director, in her sole discretion, considers necessary and advisable for the successful completion of the Project;
5. authority be granted for the City to enter into a sole source contract with R. Seligman Associates Inc. for project management services for so long as deemed necessary by the Director for a fee not to exceed \$100,000.00 on such terms and conditions satisfactory to the Director and in a form approved by the City Solicitor;
6. authority be granted for the City to enter into any agreements or other documents required to provide assurance to the Project's first mortgagees that the project will be financed to completion;

7. authority be granted to assign the City’s lease and funding agreements with Ghana Amansie if necessary, as determined by the Director, to ensure the long-term viability of the Project; and
8. the Director be authorized and directed, on behalf of the City, to execute all agreements and documents set out in the above recommendations.

### Links to Background Information

Affordable Housing Project at 2350 Finch Ave West-Request for Funding  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3806.pdf>

EX9.8	ACTION	Adopted	Policy	Ward: All
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### Follow-up Report on the Recruitment and Selection Process for Citizen Members of the Toronto Zoo Board of Management

(May 14, 2007) report from the City Manager

#### Recommendations

The City Manager recommends that:

1. City Council amend the City’s Public Appointments Policy by replacing Appendix D.12 with the revised Appendix D.12 attached to this report that sets out the necessary qualifications and recruitment and selection processes for citizen members on the Toronto Zoo Board of Management; and
2. the residency requirement for citizen members on the Toronto Zoo Board of Management be maintained, as provided for in the Public Appointments Policy adopted by City Council in September 2006, noting that the Zoo Nominating Panel may request the Civic Appointments Committee to recommend that Council waive the residency requirement for individual nominees on a case-by-case basis.

#### Financial Impact

Costs related to advertising for the recruitment of the Zoo Board citizen members from the Toronto community at large is approximately \$5000. Funds are available in the 2007 operating budget for this type of recruitment activity. No additional funds are required.

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

#### Summary

The recommendations in this report replace the recommendations in the March 12, 2007 report from the City Manager, which was deferred by the Executive Committee on March 26, 2007. The Executive Committee directed the City Manager to report back after further discussions

with the Chair of the Toronto Zoo, Chair of the Civic Appointments Committee and interested Executive Committee members.

It is still recommended that 2 of the citizen nominees be selected by invitation by the Board of Management of the Zoo and 2 at-large members be recruited through an open advertised process. However, this report recommends that the screening and short-listing process for the 2 at-large advertised positions be conducted by the Zoo Nominating Panel rather than the Civic Appointments Committee. The Zoo Nominating Panel will recommend 4 to 6 qualified and diverse candidates and the Civic Appointments Committee will conduct the interviews and recommend the 2 nominees.

The other 2 high-profile citizen positions will be selected by the Zoo Nominating Panel through the invitation process, and submitted to the Civic Appointments Committee for recommendation to Council. The revised Appendix D.12 outlines the qualifications required for both the 2 high-profile positions selected through the invitation process and the 2 citizen positions selected through the advertised recruitment process.

Using a combination of processes will enable the recruitment of individuals with specific skills, qualifications and experience while at the same time ensuring representation on the board from the broader Toronto community. The Zoo Nominating Panel may also request that the Civic Appointments Committee recommend to Council that the residency requirement be waived for individual nominees on a case-by-case basis.

### **Committee Recommendations**

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

1. City Council amend the City's Public Appointments Policy by replacing Appendix D.12 with the revised Appendix D.12 attached to this report that sets out the necessary qualifications and recruitment and selection processes for citizen members on the Toronto Zoo Board of Management; and
2. the residency requirement for citizen members on the Toronto Zoo Board of Management be maintained, as provided for in the Public Appointments Policy adopted by City Council in September 2006, noting that the Zoo Nominating Panel may request the Civic Appointments Committee to recommend that Council waive the residency requirement for individual nominees on a case-by-case basis.

### **Links to Background Information**

Follow-up Report on the Recruitment & Selection Process for Members of Zoo Bd  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3807.pdf>)

### **8a Recruitment and Selection Process for Citizen Members of the Toronto Zoo Board of Management Deferred from the March 26, 2007 Meeting**

(March 12, 2007) report from the City Manager

## **Recommendations**

The City Manager recommends that:

1. City Council amend the City's Public Appointments Policy by replacing Appendix D.12 with the revised Appendix D.12 attached to this report that sets out the eligibility requirements, necessary qualifications, and recruitment and selection process for citizen members on the Toronto Zoo Board of Management; and
2. City Council maintain the residency requirement for citizen members on the City's Agencies, Boards and Commissions, including the Toronto Zoo Board of Management, as provided for in the Public Appointments Policy adopted by City Council in September 2006.

## **Financial Impact**

Costs related to advertising for the recruitment of the Zoo Board citizen members from the Toronto community at large is approximately \$5000. Funds are available in the 2007 base budget for this type of recruitment activity pending approval of the 2007 operating budget. No additional funds are required.

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

## **Summary**

At its February 2007 meeting, City Council approved a change of the Board of Management of the Toronto Zoo and requested the City Manager develop the eligibility, qualifications, and recruitment and selection process in consultation with the Chief Executive Officer of the Toronto Zoo.

The previous Zoo Board composition included six members of Council, three members nominated by the Toronto Zoo Foundation Board and two scientific citizen members. The amended Zoo Board composition includes six members of Council, one member nominated by the Toronto Zoo Foundation Board and four citizen members. The total composition remains at eleven members.

The Toronto Zoo has proposed that all four citizen members be recruited by the Board of Management using the "by invitation process" to ensure the citizen members have specific skills and experience to support the Zoo in its future work and planned initiatives. The Zoo has also proposed that the residency requirement for citizen members be waived.

The City Manager is recommending that two citizen members be selected by invitation as is currently the case and two citizens be recruited through an open advertised process. Using a combination of processes will enable recruitment of individuals with specific skills, qualifications and experience while at the same time ensuring representation on the board from the broader Toronto community.

Appendix D.12 attached to this report outlines the eligibility requirements and sets out the recruitment and selection process.

## Links to Background Information

Recruitment & Selection Process for Citizen Members of the Toronto Zoo Board  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3808.pdf>

EX9.9	ACTION	Adopted	Transactional	Ward: All
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## Renewal of FCM HIV/AIDS technical partnership –Toronto/South East District Council (Botswana)

(May 9, 2007) report from the City Manager

### Recommendations

The City Manager recommends that:

1. the City of Toronto renew its partnership with the South East District in Botswana for a period of three years through the Federation of Canadian Municipalities International Centre for Municipal Development's Municipal Partnership Program, with a view to increasing the capacity of that municipality and the municipal sector to address HIV/AIDS issues in Botswana and to move towards sustainability for the initiatives undertaken through the partnership;
2. the City Manager be authorized to enter into the necessary agreement to give effect to the renewal of the partnership; and
3. the appropriate City officials be authorized to take the necessary action to give effect thereto.

### Financial Impact

There are no additional resources required for any divisional budgets for this initiative. The City of Toronto's contribution will be in-kind through staff time for the City's part of the administration for the partnership, to participate in overseas technical exchanges, and to host technical exchanges for the partners in Toronto. All direct costs for travel, accommodation and related expenses incurred by City staff will be provided by FCM's International Centre for Municipal Development. Additional in-kind contributions will continue to be leveraged from other community organizations and institutions where appropriate.

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

### Summary

This report recommends the renewal of the technical partnership between the City of Toronto and South East District, Botswana, (SEDC) under the auspices of the Federation of Canadian Municipalities, for the time period 2007-2010. The City of Toronto will continue to support SEDC in improving their capacity to address HIV/AIDS issues with particular emphasis on

helping establish a solid foundation for the South East District Youth Empowerment League (SEDYEL), a youth led soccer league which integrates HIV/AIDS awareness, health promotion, life skills, sexual health and youth leadership development.

The partnership with SEDC was established in 2002 after Stephen Lewis, the Special UN Envoy, made a plea to Canadians in 2001 to take up the HIV/AIDS challenge and FCM approached the City of Toronto to take the lead in establishing a project in Botswana which has one of the highest HIV/AIDS prevalence rates in the world. The partnership has two areas of focus: palliative care and support; and youth engagement.

### **Speaker**

Councillor Denzil Minnan-Wong, Ward 34, Don Valley East.

### **Committee Recommendations**

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

1. the City of Toronto renew its partnership with the South East District in Botswana for a period of three years through the Federation of Canadian Municipalities International Centre for Municipal Development's Municipal Partnership Program, with a view to increasing the capacity of that municipality and the municipal sector to address HIV/AIDS issues in Botswana and to move towards sustainability for the initiatives undertaken through the partnership;
2. the City Manager be authorized to enter into the necessary agreement to give effect to the renewal of the partnership; and
3. the appropriate City officials be authorized to take the necessary action to give effect thereto.

### **Links to Background Information**

Renewal of FCM HIV/AIDS Technical Partnership-Toronto/South East (Botswana)  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3809.pdf>

EX9.10	ACTION	Adopted	Transactional	Ward: All
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### **Renewal of FCM Technical Partnership – Toronto/ Soyapango (El Salvador)**

(May 9, 2007) report from the City Manager

### **Recommendations**

The City Manager recommends that:

1. the City of Toronto renew its partnership with Soyapango, El Salvador for a period of three years through the Federation of Canadian Municipalities International Centre for

Municipal Development's Municipal Partnership Program, with a view to developing and implementing improvements to Soyapango's information technology infrastructure and financial management processes;

2. the City Manager be authorized to enter into the necessary agreement to give effect to the renewal of the partnership; and
3. the appropriate City officials be authorized to take the necessary action to give effect thereto.

### **Financial Impact**

There are no additional resources required for any divisional budgets for this initiative. The City of Toronto's contribution will be in-kind through staff time for the City's part of the administration for the partnership, to participate in technical exchanges, and to host technical exchanges for the partners in Toronto. All direct costs for travel, accommodation and related expenses incurred by City staff will be provided by FCM's International Centre for Municipal Development.

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

### **Summary**

This report recommends the renewal of the technical partnership between the City of Toronto and Soyapango, El Salvador, under the auspices of the Federation of Canadian Municipalities for the time period 2007-2010. The City of Toronto will assist the City of Soyapango with developing and implementing improvements to their information technology infrastructure and financial management processes.

The City of Toronto has a long-standing partnership with the City of Soyapango dating back to 1996 when the former City of York established this technical partnership. The partnership was renewed in 1998 between Soyapango and the newly amalgamated City of Toronto. The technical partnership has focused on multiple areas for knowledge transfer and exchange, including solid waste collection and environmental education, economic development, property assessment, user fees and taxation, and information technology.

### **Speaker**

Councillor Denzil Minnan-Wong, Ward 34, Don Valley East.

### **Committee Recommendations**

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

1. the City of Toronto renew its partnership with Soyapango, El Salvador for a period of three years through the Federation of Canadian Municipalities International Centre for Municipal Development's Municipal Partnership Program, with a view to developing and implementing improvements to Soyapango's information technology infrastructure and financial management processes;

2. the City Manager be authorized to enter into the necessary agreement to give effect to the renewal of the partnership; and
3. the appropriate City officials be authorized to take the necessary action to give effect thereto.

### **Links to Background Information**

Renewal of FCM Technical Partnership-Toronto/Soyapango (El Salvador)  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3810.pdf>

EX9.11	Information	Received	Transactional	Ward: All
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### **Service Agreements Awarded and Executed by the Medical Officer of Health for 2007**

(April 16, 2007) letter from the Board of Health

#### **Recommendation**

The Board of Health forwarded the report (March 22, 2007) from the Medical Officer of Health to the Executive Committee for information.

#### **Financial Impact**

This report will have no financial impact beyond what has already been recommended by the Board of Health in the 2007 Operating Base Budget. Appendix A attached summarizes the service contracts by program for 2007.

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

#### **Summary**

The Board of Health on April 16, 2007, considered a report (March 22, 2007) from the Medical Officer of Health, providing information on the purchase of service contracts awarded and executed by the Medical Officer of Health for 2007, according to the delegation of authority by City Council.

#### **Decision Advice and Other Information**

On motion by Councillor Moscoe, the Executive Committee received the communication (April 16, 2007) from the Board of Health respecting Service Agreements Awarded and Executed by the Medical Officer of Health for 2007.

### Links to Background Information

Service Agreements Awarded & Executed by the MOH for 2007

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3811.pdf>)

Service Agreements Awarded & Executed by the MOH for 2007 - Report

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3812.pdf>)

EX9.12	ACTION	Amended	Transactional	Ward: All
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### Licensed Entertainment Facilities

(May 4, 2007) letter from the Licensing and Standards Committee

#### Recommendation

That the Executive Committee determine if Licensed Entertainment Facilities falls within the mandate of both the Licensing and Standards and Planning and Growth Committees, to permit a joint meeting, as required by Municipal Code Chapter 27, Section 134.

#### Summary

The Licensing and Standards Committee considered a letter (March 30, 2007) from Councillor Adam Vaughan requesting that the Licensing and Standards Committee request two reports from city staff with respect to licensed entertainment facilities, including planning mechanisms that can be used to allow for long-term moratoriums and appropriate density thresholds for number of facilities in any one area.

#### Decision Advice and Other Information

On motion by Mayor Miller, the Executive Committee directed that the issue of Licensed Entertainment Facilities be considered by the Planning and Growth Committee; and that members of the Licensing and Standards Committee be invited to attend the Planning and Growth Committee when this matter is being considered.

### Links to Background Information

Licensed Entertainment Facilities

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3813.pdf>)

Licensed Entertainment Facilities - letter from Councillor Adam Vaughan

(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3814.pdf>)

EX9.13	ACTION	Amended	Transactional	Ward: All
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### Joint meeting of the Parks and Environment Committee, and the Community Development and Recreation Committee

(May 9, 2007) letter from the Parks and Environment Committee

## Recommendation

The Parks and Environment Committee recommends that the Executive Committee deem the Sports Framework Strategy to be in the mandate of the Parks and Environment Committee and the Community Development and Recreation Committee in order for these two committees to hold a joint meeting to consider this matter.

## Summary

The Parks and Environment Committee on May 8, 2007, considered the report (April 20, 2007) from General Manager of Parks, Forestry and Recreation on a Parks Renaissance Strategy and made several recommendations to City Council for consideration at its meeting on May 23 and 24, 2007.

## Decision Advice and Other Information

On motion by Mayor Miller, the Executive Committee directed that the issue of the Sports Framework Strategy be considered by the Community Development and Recreation Committee; and that members of the Parks and Environment Committee be invited to attend the Community Development and Recreation Committee meeting when this matter is being considered.

## Links to Background Information

Joint meeting of the Parks & Environment and the Community Dev & Rec Cttee's  
<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3815.pdf>

EX9.14	ACTION	Noted/Filed		
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## Spadina-York Subway Extension Committee Appointments – Status Request

(May 1, 2007) Member motion from Councillor Stintz, seconded by Councillor Saundercook.

## Recommendations

1. that the Chair of the Striking Committee include membership to the Spadina-York Subway Extension Committee on the agenda for the next Striking Committee meeting; and
2. that the Chair of the Striking Committee be requested to write to the Clerk of the City of Vaughan to provide an update on the status of Toronto's involvement on the Spadina-York Subway Extension Committee.

## Summary

City Council on April 23 and 24, 2007, referred the following Motion to the Executive Committee:

M35 Spadina-York Subway Extension Committee Appointments – Status Request  
Moved by Councillor Stintz, seconded by Councillor Saundercook

**SUMMARY:**

The Spadina–York Subway Extension Committee was created in 2004 to promote the subway extension project and assist in its implementation. In a letter dated February 2, 2007 to Ulli Watkiss, the City of Vaughan’s Clerk requested that the City of Toronto continue to participate on the Committee.

On February 13, 2007, the City Clerk’s Office circulated the canvassing chart for the Spadina-York Subway Extension Committee, as a result of the request from the City of Vaughan. The results of the canvass showed that 5 Councillors were interested in participating on the Committee, including Councillors Augimeri, Moscoe, Perruzza, Saundercook and Stintz.

The February 26, 2007, Striking Committee agenda had included the Spadina York Subway Extension Committee, Item ST3.1 <http://www.toronto.ca/legdocs/mmis/2007/st/agendas/2007-02-26-st03-ar.pdf> . This meeting was canceled as a result of a lack of quorum. The Committee was rescheduled for March 26, 2007, however the agenda excluded the Spadina-York Subway Extension Committee.

Members of Council and the City of Vaughan were not advised of the confidential decision made by the Chair of the Striking Committee to forego Toronto’s involvement on the Spadina-York Committee. As there are a number of important decisions still left to be made with respect to the subway expansion, it is critical that Toronto Councillors continue to participate on this Committee.

Furthermore, the decision whether or not the City should participate on this Committee should be made by City Council in a public forum, not by the Chair of the Striking Committee in private.

**Communication**

(May 24, 2007) e-mail from Mr. Andy Manahan, Executive Director, Residential & Civil Construction Alliance

**Speaker**

Councillor Karen Stintz, Ward 16, Eglinton-Lawrence.

**Decision Advice and Other Information**

On motion by Councillor Moscoe, the Executive Committee noted and filed the Member Motion by Councillor Stintz, seconded by Councillor Saundercook respecting Spadina-York Subway Extension Committee Appointments – Status Request.

**Links to Background Information**

Spadina-York Subway Extension Committee Appointments - Status Request  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3816.pdf>)

EX9.15	ACTION	Referred		
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**Delivery Vehicles – Downtown Entry Restriction: 7:00 a.m. – 10:00 a.m. and 3:00 p.m. to 6:00 p.m., Monday to Friday**

(May 1, 2007) Member Motion from Councillor Walker, seconded by Councillor Thompson.

**Recommendation**

Toronto City staff report on the feasibility of prohibiting delivery vehicles from entering the Downtown Core during the hours of 7:00 a.m. – 10:00 a.m. and 3:00 p.m. – 6:00 p.m., Monday to Friday, for a six month trial basis at which point the item will be reviewed for its effectiveness.

**Summary**

City Council on April 23 and 24, 2007, referred the following Motion to the Executive Committee:

M40 Delivery Vehicles – Downtown Entry Restriction: 7:00 a.m. – 10:00 a.m. and 3:00 p.m. to 6:00 p.m., Monday to Friday

Moved by Councillor Walker, seconded by Councillor Thompson

**SUMMARY:**

For the purposes of this motion, “Downtown Core” will be defined as “both sides of Jarvis Street, Bloor Street, Spadina Road and all areas that fall between these boundaries, south to Lake Ontario”.

Local and commuter traffic in the downtown core during normal rush-hours is severely crowded creating grid-lock and all major delivery services have admittedly factored the price of no parking/no-stopping infractions into the cost of doing business.

The Toronto Police Service currently employs our Parking Enforcement Personnel and we afford them no power to restrict delivery vehicles from blocking public roadways, short of giving them a ticket for the infraction, which does not solve the problem. Toronto’s Downtown Core is the business district with employees traveling in from areas such as Oakville, Brampton, Barrie, Peterborough, Pickering and beyond.

These commuters mixed with residents of the City of Toronto are constantly stranded in heavy traffic, largely in part due to lane blockages and other controllable obstructions. One delivery truck stopped on a 2-lane street blocks 50% of the capacity of that street.

The cities of New York, USA, and London, UK, have already utilized restrictions on truck deliveries with great success throughout the day and night, respectively.

Traffic congestion is a known cause of smog and other toxic greenhouse emissions which our City can ill-afford to increase. The Kyoto Protocol is the only global mechanism with targets to reduce greenhouse gas (GHG) emissions. A reduction in traffic congestion will result in a measurable lowering of Toronto's toxic greenhouse gas emissions and will help to reduce the daytime Smog Alerts in the City of Toronto.

### **Communications**

(May 25, 2007) e-mail from Mr. Anthony van Heyningen, Executive Director, Refreshments Canada

(May 25, 2007) e-mail from Marija Jevric, Urban Design Coordinator, Bloor-Yorkville BIA

(May 25, 2007) e-mail from Ms. Catherine Abel, Manager, Public Policy & Government Relations, Food & Consumer Products of Canada

(May 26, 2007) e-mail from Ms. Jennifer Wray, Coordinator, Events & Sponsorship, Canadian Council of Grocery Distributors

(May 28, 2007) e-mail from Mr. James L. Robinson, Executive Director, Downtown Yonge BIA

### **Speakers**

Mr. David Turnbull, Canadian Courier & Logistics Association; and  
Councillor Michael Walker, Ward 22, St. Paul's.

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

That the Executive Committee request staff to report on the feasibility of prohibiting delivery vehicles from entering the downtown core during the hours of 7:00 a.m. to 10:00 a.m. and 3:00 p.m. to 6:00 p.m., Monday to Friday, for a six month trial basis at which point the item will be reviewed for its effectiveness.

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

That the Executive Committee note and file the Member motion by Councillor Walker, seconded by Councillor Thompson.

Given that the foregoing motions lost, Councillor McConnell moved that this matter be re-opened for further consideration, **which carried**.

### **Decision Advice and Other Information**

On motion by Councillor Ashton the Executive Committee referred the Member Motion by Councillor Walker, seconded by Councillor Thompson, to the General Manager of Transportation for consideration.

### **Links to Background Information**

Delivery Vehicles - Downtown Entry Restrictions

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3817.pdf>

EX9.16	ACTION	Referred		
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### **Provincial Uploading to be a “Council Mandate”**

(May 1, 2007) Member motion from Councillor Minnan-Wong, seconded by Councillor Stintz.

#### **Recommendations**

1. That Toronto City Council establish, as a Council Mandate, a campaign to successfully lobby the Provincial government of Ontario to assume the over \$500 million downloaded to the City of Toronto by previous governments.
2. That a Committee of Councillors and staff be assembled to develop a campaign strategy to be introduced immediately and continue throughout 2007.
3. That the City approach other municipal stakeholders, like the Toronto Board of Trade, the Toronto City Summit Alliance and the Association of Municipalities of Ontario, to participate in this campaign.

#### **Summary**

City Council on April 23 and 24, 2007, referred the following Motion to the Executive Committee:

M37 Provincial Uploading to be a “Council Mandate”  
Moved by Councillor Minnan-Wong, seconded by Councillor Stintz

#### **SUMMARY:**

The downloading of services by previous Provincial governments of Ontario has contributed to the City of Toronto’s inability to provide efficient services to the people of Toronto.

The assumption or “uploading” of these services would resolve some of the City’s budget challenges and assist in the City’s efforts to sustain and improve the services it provides. This would eliminate the need to continually ask the province for bailouts every budget year and would also provide clarity and transparency to our budget process.

The recent provincial budget failed to address the issue of uploading.

Establishing a campaign to upload some specific services that are currently funded by municipalities is consistent with the principle of accountable and transparent government, in which the order of government that collects the taxes is also responsible for its service delivery.

Uploading has broad support in the public and recently found wider support from the Board of Trade and the participants of the Toronto City Summit Alliance.

**Speakers**

Councillor Denzil Minnan-Wong, Ward 34, Don Valley East;  
Councillor Karen Stintz, Ward 16, Eglinton-Lawrence; and  
Councillor Michael Walker, Ward 22, St. Paul's.

**Decision Advice and Other Information**

On motion by Mayor Miller, the Executive Committee referred the Member Motion by Councillor Minnan-Wong, seconded by Councillor Stintz to the Mayor's Office for consideration as part of the Intergovernmental Affairs agenda.

**Links to Background Information**

Provincial Uploading to be a "Council Mandate"  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3818.pdf>)

EX9.17	Information	Received		
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**Comparison of New York City's Comstat System to the Toronto Police Service's Data Systems in Crime Prevention**

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

**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) response to the City of Toronto's request for a report regarding the comparison of New York City's Comstat system to the Toronto Police Service's data systems in crime prevention.

**Speaker**

Councillor Michael Walker, Ward 22, St. Paul's.

**Decision Advice and Other Information**

On motion by Councillor Moscoe, the Executive Committee received the report (March 15, 2007) from the Chair, Toronto Police Services Board.

**Links to Background Information**

Comparison of New York City's Comstat System to the Toronto Police Data Systems  
(<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3819.pdf>)

EX9.18	Information	Received		
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### **Tower Renewal Project (Presentation - 1:30 P.M.)**

(May 16, 2007) report from Mayor David Miller

#### **Summary**

ERA Architects will present this holistic non-siloed approach to sustainability at the Executive Committee meeting on May 28, 2007. The goal is to be able to lay out the policy framework to be able to implement projects by 2010.

#### **Speakers**

Mr. Michael McClelland and Mr. Graeme Stewart, both from ERA Architects, delivered a presentation respecting the Tower Renewal Project.

#### **Decision Advice and Other Information**

The Executive Committee received the communication (March 15, 2007) from Mayor David Miller, and the presentation from Mr. Michael McLelland and Mr. Graeme Stewart, from ERA Architects, respecting the Tower Renewal Project.

#### **Links to Background Information**

Tower Renewal Project

<http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-3841.pdf>

#### **Meeting Sessions**

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-05-28	Morning	9:35 AM	12:40 PM	Public
2007-05-28	Afternoon	1:45 PM	7:15 PM	Public

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Chair