
Executive Committee

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

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

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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, and the Acting General Manager of Solid Waste Management Services adjust the rate structure to decrease the cost of the two smaller bins in a revenue-neutral way, making the 75 litre bin less than \$209.00, as an incentive for avid recyclers to actually save money under this proposal.
5. The commencement date set out in Part 4, above, be subject to the Province enacting a regulation to allow solid waste management service fees to have priority lien status as requested in Part 6a.

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 Part 4, above, 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 Part 8, above, 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 Part 8, above, 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 Part 6b, above, 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 Part 8, above.
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 of 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 of 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 of 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 of 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 and Standards Committee and the Vice-Chair of the Parks and Environment Committee, and any interested Members of the Public Works and Infrastructure Committee;
 - b. Multi-family Waste Diversion Working Group; and
 - c. 3Rs Working Group.
21. The Acting General Manager of 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 of 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 of 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.
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.
26. The Acting General Manager of 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 percent waste diversion initiatives.
27. The Acting General Manager of 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.
28. The Acting General Manager of Solid Waste Management Services:
 - a. meet with Councillors from the Downtown pilot areas to examine the lessons learned in the study areas; and
 - b. design an education kit suitable for community education meetings, and a specific presentation for multi-residential buildings.
29. The Acting General Manager of 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;
 - b. potential of using new levy for recycling and composting in Toronto parks; and
 - c. amending Chapter 548 of the City of Toronto Municipal Code, Littering and Dumping of Refuse, to:

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Considered by City Council on June 19, 20 and 22, 2007

- i. provide for a maximum fine of \$100,000.00 for the dumping of waste;
 - ii. seek the maximization of the set fine for dumping up to \$1,000.00;
 - iii. provide for a maximum fine of \$10,000.00 for littering and other offences under the Chapter; and
 - iv. maximize the set fine for littering and other offences under the Chapter up to \$1,000.00.
30. When the final solid waste rates are set during the 2008 Budget process, a full review of the cost and revenue components be provided to the Budget Committee with an objective of reducing the projected estimates contained in the staff report, as well as the annualized rate of inflation increase.
31. The proposed education and communication program be expanded to include public consultation and feedback to help refine the implementation of the program.
32. The solid waste fee statement be accompanied annually with a Solid Waste Financial Statement and Diversion Report Card.
33. When residents are notified of the credit through their water bill, a properly translated explanation of the credit, using the various languages presently used by the Strategic Communications Division, be inserted into the same envelope.
34. The Acting General Manager of Solid Waste Management Services and the Director, Strategic Communications, report to the Executive Committee on a communications strategy for the roll-out of the program, particularly addressing the need for a hot line in conjunction with 3-1-1.
35. In locations where there are groups of row houses and town houses, particularly those with no street access, or houses, segments of neighbourhoods or sections of streets that have unique physical challenges in the storage or pick up of the new garbage and recycling carts (e.g., Corktown area, older areas of downtown, residences above main street commercial units such as Spadina Avenue), staff work directly with the local Councillor and residents to implement the new cart system in a way that addresses these challenges.
36. There be no charge to downsize to a smaller waste container.
37. The green bins be improved so that they can no longer be opened by raccoons.
38. An environmental award program, which recognizes individual and family contributions to residential diversion, as well as a school program to promote student ambassadors of waste diversion, be developed by the Toronto Environment Office and referred to the Toronto Green Awards for presentation annually.
39. The Deputy City Manager and Chief Financial Officer report to the Executive Committee on the financial impact on the proposed solid waste rate, of providing three amnesty days

per year.

40. The Deputy City Manager and Chief Financial Officer report on delivering a cheque to residents instead of using deductions on the water bill, and that in doing the analysis, staff separate multi-residential from single family residences.
41. The Deputy City Manager report back to Council in 12 months, through the Licensing and Standards Committee, to assess the adequacy of existing and proposed by-law enforcement officers and supervisors to ensure a reduction in illegal dumping.
42. The Executive Director, Municipal Licensing and Standards and the Acting General Manager of Solid Waste Management Services be directed to consult with affected City officials to determine those divisions which may experience short-term adverse impacts as a result of the 70 percent diversion report. The goal of these consultations is to make certain that by-law staff are made available to overcome short-term workload issues within affected divisions.
43. The Acting General Manager of Solid Waste Management Services be directed to include, as part of any multi-unit residential initiative recommended in the report, a strong public education program which addresses any multi-linguistic challenges associated with the multi-unit residential sector.
44. The Acting General Manager of Solid Waste Management Services be requested to report to the Public Works and Infrastructure Committee on the possibility of implementing "Curb Recycling Re-Use Days" where people are encouraged to put re-usable materials at curb side for free pick-up, similar to the model currently used in Burlington.
45. The Acting General Manager of Solid Waste Management Services be directed to report to the October 3, 2007 meeting of the Public Works and Infrastructure Committee on what prevents the City of Toronto from recycling wax-lined cups when tetra-pak containers are accepted, and why Hamilton and Windsor are able to do so.
46. The City Solicitor be directed to submit the necessary bills to Council to implement the above recommendations.
47. The following motions be referred to the Acting General Manager of Solid Waste Management Services for report to the November 28, 2007 Public Works and Infrastructure Committee meeting:

Moved by Councillor Davis:

"That the Acting General Manager of Solid Waste Management Services be requested to report to the October 3, 2007 meeting of the Public Works and Infrastructure Committee on the feasibility of waiving the cost for exchanging waste carts for a limited time after the introduction of the new carts."

Moved by Councillor Del Grande:

“That the maximum single bag allowance for the year be increased to 12 bags.”

Moved by Councillor Minnan-Wong

“That this Item be amended to provide that the smallest and second smallest bin be offered at the same price.”

Moved by Councillor Palacio

“That:

1. the Acting General Manager of Solid Waste Management Services bring forward a report that makes recommendations on the legal and legislative mechanisms necessary, including the new City of Toronto Act, 2006, to prohibit, tax or establish a deposit-return system for the sale of certain non-recyclable items and materials sold in the City of Toronto;
2. 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;
3. the Acting General Manager of Solid Waste Management Services bring forward a report on a plan for bringing residential units above commercial establishments along commercial strips into the City’s recycling programs;
4. residents be given the option of a cash rebate or credit to their tax account; and
5. the Acting General Manager of Solid Waste Management Services add to pilot projects in additional wards to learn to deal with the issues of homes without enough room to store these bins and homes that have a large number of steps to reach the curb.”

Moved by Councillor Perruzza

“That:

1. the rate structure for single-unit residential customers be revised so that the rebate is equivalent to the cost of the 120 litre cart (i.e., \$250 per year) and that the credit be applied to the combined water/solid waste bill; and
 2. the rate structure for multi-unit residential customers be revised so that the rebate is equivalent to the cost of 1 bag per unit (i.e., \$188 per year) and that the credit be applied to the combined water/solid waste bill.”
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(May 14, 2007) report from the Acting General Manager, Solid Waste Management and the Deputy City Manager and Chief Financial Officer

Committee Recommendations

The Executive Committee 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 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;
 - 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;
 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;

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;
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;
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;
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; and
30. 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

	2007 Annual 'Base' Cost			Additional Annual Cost to fund 70% diversion initiatives		Total Annual Cost		
	Estimated Households	% 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	\$ 1 M	0	(\$ 1 M)
	\$12 M	0	(\$12 M)
Residential/Multi-Residential	\$ 42 M	\$ 54 M	\$12 M

Total	\$ 54 M	\$ 54 M	-
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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.

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>)

Council also considered the following:

- Report (June 15, 2007) from the Acting General Manager, Solid Waste Management Services. ([EX9.1a](#))
- Presentation to Council (undated) from the Acting General Manager, Solid Waste Management Services. ([EX9.1b](#))

Communications

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

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

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

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

Speakers

Ms. Sheryl Faith, Teacher, Grade 5, The York School along with students Lauren Clarfield and Aaron Shafton, and filed a written submission with respect thereto;

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

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;

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.

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 material.

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 19, 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; 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;
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.”

EX9.2	AMENDED		Policy	Ward: All
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Water Rate Restructuring - Results of Public Consultation and Recommended Rate Structure

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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 m³/yr (500 m³/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 m³/yr (500 m³/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.
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;
 - 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;

- c. to be eligible, the property must be in the residential class and must be metered, or flat rate, if a meter has been requested and the resident has made reasonable efforts to provide the City with access to install the meter;
 - 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.
 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.
 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.
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, and report to the Executive Committee prior to July 2008.
13. The General Manager, Toronto Water 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.
14. The General Manager, Toronto Water, report to the Executive Committee, prior to July 2008, on which classes of businesses shall require effluent monitoring equipment as per Part 4, above, and which classes or businesses shall be exempt from this requirement.
15. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

Committee Recommendations

The Executive Committee recommends 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 m³/yr (500 m³/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 m³/yr (500 m³/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;
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;
 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;
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.;
13. the General Manager, Toronto Water 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;
14. 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 ³	\$13.36	2.9%
Small Retail 1,000 m ³	\$17.40	1.2%

Large Commercial 250,000 m ³	\$3,361	0.9%
Industrial 250,000 m ³	(\$72,548)	-19.9%
Large Industrial 1,000,000 m ³	(\$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 m³ 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 m³ 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.

Background Information

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

Council also considered the following:

- Report (June 19, 2007) from the General Manager, Toronto Water. ([EX9.2a](#))

Communications

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

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

Speakers

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

Mr. Joseph Pennachetti, Deputy City Manager and Chief Financial Officer, Mr. Len Brittain, Director, Corporate Finance, and Mr. Lou Di Gironimo, General Manager, Water and Wastewater, delivered a presentation to the Executive Committee regarding the water rate restructuring – results of public consultation and recommended rate structure and filed a copy of their presentation material.

Decision Advice and Other Information

The Executive Committee:

1. requested the General Manager, Toronto Water, to report directly to Council for its meeting scheduled to be held on June 19, 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 Water, to report to the June 25, 2007 Executive Committee meeting on the water agreements with York Region.

EX9.4	AMENDED		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

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. 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.

2. The City Manager include the Toronto Catholic District School Board in agreements for use of necessary facilities, services and resources before an emergency.

(April 23, 2007) report from the City Manager

Committee Recommendations

The Executive Committee recommends 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.

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.

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	NO AMENDMENT		Transactional	Ward: All
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2007 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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:
 - a. Regulations 387/98 and 392/98 be amended to require an annual inflationary adjustment in the "mature rate"; and
 - b. 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.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

(May 8, 2007) report from the Treasurer

Committee Recommendations

The Executive Committee recommends 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.

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.

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	NO AMENDMENT			Ward: All
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Great Lakes and St. Lawrence Cities Initiative - Authority for Toronto to Host the 2008 Annual Meeting and Conference

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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 a net cost to the City of Toronto of \$50,000.00 over 2007 and 2008 to be funded from the Corporate Fund for Hosting Expenses - International Conferences.
3. The City Manager's Office be authorized to receive and disburse funds up to \$250,000.00 for the purposes of organizing and operating the 2008 Great Lakes and St. Lawrence Cities Initiative Annual Meeting and Conference.

(May 11, 2007) report from the City Manager

Committee Recommendations

The Executive Committee recommends 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.

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.

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	AMENDED		Transactional	Ward: 7
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Affordable Housing – Request for Increased Funding for Affordable Housing Project at 2350 Finch Avenue West

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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 (\$1,873,750.00) 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.
9. Ghana Amansie be required to fundraise \$250,000.00 and, in the event that the group is unable to raise that money, Deputy City Manager Corke be requested to report to the Executive Committee and Council to seek further direction.
10. The Auditor General be requested to conduct a forensic audit on the project.
11. Deputy City Manager Sue Corke be requested to report to the Affordable Housing Committee on the feasibility of ensuring that, if tenants' incomes increase, the rent can be adjusted to a minimum of 30% of gross family income.

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

Committee Recommendations

The Executive Committee recommends 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

This report recommends that Council approve up to \$1,873,750 from the City's Capital Revolving Fund for Affordable Housing to be allocated for use in ensuring the completion of the construction of the Project and that an agreement be entered into with Ghana Amansie that sets out the terms and conditions of the City's additional assistance. These terms and conditions are to include Ghana Amansie irrevocably agreeing to the City's Affordable Housing Office 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.

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	NO AMENDMENT		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

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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.
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.

(May 14, 2007) report from the City Manager

Committee Recommendations

The Executive Committee recommends 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.

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.

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

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.

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	NO AMENDMENT		Transactional	Ward: All
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Renewal of FCM HIV/AIDS Technical Partnership –Toronto/South East District Council (Botswana)

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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.
3. The appropriate City officials be authorized to take the necessary action to give effect thereto.

(May 9, 2007) report from the City Manager

Committee Recommendations

The Executive Committee recommends 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.

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.

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>)

Speaker

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

EX9.10	NO AMENDMENT		Transactional	Ward: All
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Renewal of FCM Technical Partnership – Toronto/ Soyapango (El Salvador)

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

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.
3. The appropriate City officials be authorized to take the necessary action to give effect thereto.

(May 9, 2007) report from the City Manager

Committee Recommendations

The Executive Committee recommends 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.

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.

Background Information

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

Speaker

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

Noted and Filed Item:

The Executive Committee noted and filed the following agenda item:

EX9.14 Spadina-York Subway Extension Committee Appointments – Status Request

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

*Submitted Monday, May 28, 2007
Mayor David Miller, Chair, Executive Committee*