

## Executive Committee

<b>Meeting No.</b>	22	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Thursday, June 26, 2008	<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 Shelley Carroll	X
Councillor Janet Davis	X
Councillor Glenn De Baeremaeker	X
Councillor Paula Fletcher	X
Councillor Norm Kelly	
Councillor Gloria Lindsay Luby	X
Councillor Giorgio Mammoliti	X
Councillor Pam McConnell	X
Councillor Joe Mihevc	X
Councillor Howard Moscoe	X
Deputy Mayor Joe Pantalone, Vice-Chair	X
Councillor Kyle Rae	X

On motion by Councillor McConnell, the Executive Committee confirmed the Minutes of the Meeting held on June 3, 2008.

EX22.1	ACTION	Amended		Ward: All
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## **Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis**

(June 16, 2008) Report from Deputy City Manager, Richard Butts

### **Recommendations**

The Deputy City Manager whose responsibilities include Waterfront Revitalization recommends that City Council:

1. Authorize the City to act as co-proponent with Waterfront Toronto to undertake an individual environmental assessment (EA) of Waterfront Toronto's (WT) proposal that the elevated Gardiner Expressway from approximately Jarvis Street to east of the Don Valley Parkway including the remaining Lake Shore Boulevard East ramp be removed and an at-grade waterfront boulevard be created;
2. Authorize creation of a Steering Committee of WT and City officials, co-chaired by the Deputy City Manager whose responsibilities include Waterfront Revitalization, and the President and Chief Executive Officer of Waterfront Toronto, to oversee and direct all aspects of the EA process;
3. Defer the total rehabilitation of the Gardiner Expressway east from Jarvis Street, except for essential works required to provide safe operating conditions, and direct the General Manager, Transportation Services to adjust the 2009 Capital Program submission and 2010 to 2013 Capital Works Plan accordingly;
4. Direct the Executive Director, Technical Services to conduct annual, detailed condition surveys of the Gardiner Expressway east from Jarvis Street to identify the minimum maintenance required to maintain safe operating conditions, and to make appropriate adjustments to the annual maintenance spending, until such time as City Council makes its decision on the future of this section of the Expressway;
5. Request that the Waterfront Project Director, when reporting to Council in the Fall of 2008 on the updated Long Term Funding Plan for Waterfront Revitalization, ensure that:
  - a. the \$11 million currently earmarked for a Gardiner EA be advanced from 2013 to 2009; and
  - b. recommendations be made as to how funds currently earmarked for the Front Street Extension be reallocated to other approved public realm initiatives within the Waterfront in consultation with other governments and Waterfront Toronto;
6. Request the Waterfront Project Director, in partnership with Waterfront Toronto and in consultation with the government partners to report on options for funding

implementation of the preferred EA alternative at the same time as the preferred alternative is presented to Council for consideration;

7. Request that the EA address climate change, place an emphasis on place making, high quality urban design, and further analysis of traffic impacts;
8. Request that the EA address previous Council directions for east of the Don River regarding greening the median of Lake Shore Boulevard East and creating a “Grand Boulevard” and, rezoning the Parks and Open Space Area on the north side of Lake Shore Boulevard East from the Don Valley Parkway to Coxwell to “G”;
9. The EA comply with policies of the Official Plan, Central Waterfront Secondary Plan and South of Eastern Secondary Plan to support the retention of adjacent employment lands and restrict large format, stand alone retail stores and/or power centres; and
10. Authorize and direct appropriate City officials to take the necessary action to give effect thereto.

### **Financial Impact**

The Council-approved Long Term Funding Plan for Waterfront Revitalization earmarks \$11 million to undertake an EA for removal of a portion of the elevated Gardiner Expressway. In the current plan, these funds are projected to be expended in 2013. Staff recommends that the funding be brought forward to 2009 and be included in the 2009 Capital Budget submission for Waterfront Revitalization to enable immediate implementation of the proposed EA process.

The expenditure impact on the Transportation Services capital works plan is estimated to be \$4 million per year during the EA phase to maintain the structure in a safe and serviceable condition. The cost reduction as a result of recommended deferral of total rehabilitation of the Gardiner Expressway east from Jarvis Street is expected to be off-set by potential increase in maintenance of alternate traffic routes. The EA process is anticipated to last approximately three years. Future anticipated cash flows will be amended, as required, and reflected in the pending 2009-2013 capital budget submission during the third quarter of 2008. Annual inspections will be carried out to adjust maintenance and rehabilitation funding needs during the course of the EA. It is further anticipated that the recommendation for Technical Services to conduct annual surveys to identify the minimum maintenance required to achieve safe operating conditions of the Gardiner Expressway east from Jarvis Street will not have any incremental budget impact.

The cost of removing the eastern section of the elevated Expressway from Jarvis is estimated to be \$200.0 million to \$300.0 million and will be confirmed as part of the EA process. City staff, in partnership with WT officials and in consultation with the other government partners on Waterfront Revitalization, will explore funding options throughout the EA process and report to Council with recommendations at the same time as the preferred EA alternative is presented for consideration.

WT’s “Waterfront Boulevard” proposal for the Gardiner Expressway does not include the Front Street Extension which enables funds currently earmarked for Front Street Extension in the Waterfront Capital Budget to be reallocated to other approved waterfront initiatives in the

public realm. Staff will report to Council in the Fall of 2008 on proposed reallocations in the context of the updated Long-Term Funding Plan for Waterfront Revitalization.

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

## **Summary**

On June 12, 2008, the Waterfront Toronto (WT) Board of Directors approved a resolution recommending to the City that an individual environmental assessment (EA) be undertaken to remove the eastern section of the Gardiner Expressway from Jarvis Street including the remaining Lake Shore East ramp and to replace it with an at-grade 2.4 km Waterfront Boulevard through East Bayfront and the Lower Don Lands to east of the Don River. This report seeks Council authority to implement WT's recommendations.

Removal of the eastern section of the Gardiner supports the revitalization of East Bayfront, the Lower Don Lands and the West Don Lands, and the naturalization of the Don River Mouth. It creates improved streetscapes, cycling and pedestrian connections, parks and public spaces by removing the large overhead road structure that currently prevents realization of the full potential of these future waterfront communities.

The "Waterfront Boulevard" proposal is more affordable, practical and implementable than the earlier "Great Street" option proposed by WT, which saw removal of the Expressway east from Spadina Avenue.

WT's recommendation is that an individual EA be undertaken, with the City and WT acting as co-proponents in this process. Proceeding with this EA allows it to be coordinated with ongoing planning and EA initiatives associated with naturalization of the Don River and revitalization of the Lower Don Lands. Staff would report on funding for implementation of the preferred EA alternative at the same time as the preferred alternative is presented to Council.

A companion report to Executive Committee, 'Environmental Assessment for Changes to York and Bay Ramps of Gardiner Expressway', addresses ramp improvements at these locations to improve pedestrian flow and view corridors between the downtown core and the waterfront.

## **Communications**

- (June 9, 2008) e-mail from David Smiley (EX.Main.EX22.1.1)
- (June 6, 2008) e-mail from Roger Carter (EX.Main.EX22.1.2)
- (June 1, 2008) e-mail from Julie Beddoes (EX.Main.EX22.1.3)
- (June 5, 2008) e-mail from Susan Fothergill (EX.Main.EX22.1.4)
- (June 4, 2008) e-mail from Braz Menezes (EX.Main.EX22.1.5)
- (June 4, 2008) e-mail from Ulla Colgrass (EX.Main.EX22.1.6)
- (June 3, 2008) e-mail from Roger D. Wilson, Fasken Martineau DuMoulin (EX.Main.EX22.1.7)
- (June 3, 2008) e-mail from Wayne Olson (EX.Main.EX22.1.8)
- (June 2, 2008) e-mail from Bill Freeman (EX.Main.EX22.1.9)
- (June 1, 2008) e-mail from Yvonne Parti (EX.Main.EX22.1.10)
- (June 1, 2008) e-mail from Dennis Bartels (EX.Main.EX22.1.11)
- (June 2, 2008) e-mail from Laura Cooper (EX.Main.EX22.1.12)

(June 2, 2008) e-mail from Dennis Findlay (EX.Main.EX22.1.13)  
(June 2, 2008) e-mail from Sharon Howarth (EX.Main.EX22.1.14)  
(June 2, 2008) e-mail from Christine de Groot (EX.Main.EX22.1.15)  
(June 2, 2008) e-mail from Stephen Skidd, Principal, Trillium Corporate Communications Inc. (EX.Main.EX22.1.16)  
(June 2, 2008) e-mail from Rick Hay (EX.Main.EX22.1.17)  
(June 24, 2008) e-mail from Julie Beddoes, West Don Lands Committee (EX.Supp.EX22.1.18)  
(June 26, 2008) e-mail from Braz Menezes (EX.Main.EX22.1.19)

### **Speakers**

Ms. Julie Beddoes, West Don Lands Committee  
Mr. Braz Menezes, Queens Quay Harbourfront BIA (Submission Filed)  
Ulla Colgrass, Chair, YQNA  
Councillor Mike Del Grande, Ward 39, Scarborough-Agincourt  
Councillor Doug Holyday, Ward 3, Etobicoke Centre  
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Frances Nunziata, Ward 11, York South-Weston  
Councillor Adam Vaughan, Ward 20, Trinity-Spadina  
Councillor Michael Walker, Ward 22, St. Paul's

### **Committee Recommendations**

The Executive Committee recommends that:

1. Council authorize the City to act as co-proponent with Waterfront Toronto to undertake an individual environmental assessment (EA) of Waterfront Toronto's (WT) proposal that the elevated Gardiner Expressway from approximately Jarvis Street to east of the Don Valley Parkway including the remaining Lake Shore Boulevard East ramp be removed and an at-grade waterfront boulevard be created;
2. Council authorize creation of a Steering Committee of WT and City officials, co-chaired by the Deputy City Manager whose responsibilities include Waterfront Revitalization, and the President and Chief Executive Officer of Waterfront Toronto, to oversee and direct all aspects of the EA process;
3. Council defer the total rehabilitation of the Gardiner Expressway east from Jarvis Street, except for essential works required to provide safe operating conditions, and direct the General Manager, Transportation Services to adjust the 2009 Capital Program submission and 2010 to 2013 Capital Works Plan accordingly;
4. Council direct the Executive Director, Technical Services to conduct annual, detailed condition surveys of the Gardiner Expressway east from Jarvis Street to identify the minimum maintenance required to maintain safe operating conditions, and to make appropriate adjustments to the annual maintenance spending, until such time as City Council makes its decision on the future of this section of the Expressway;
5. Council request that the Waterfront Project Director, when reporting to Council in the Fall of 2008 on the updated Long Term Funding Plan for Waterfront Revitalization, ensure that:

- a. the \$11 million currently earmarked for a Gardiner EA be advanced from 2013 to 2009; and
  - b. recommendations be made as to how funds currently earmarked for the Front Street Extension be reallocated to other approved public realm initiatives within the Waterfront in consultation with other governments and Waterfront Toronto;
6. Council request the Waterfront Project Director, in partnership with Waterfront Toronto and in consultation with the government partners to report on options for funding implementation of the preferred EA alternative at the same time as the preferred alternative is presented to Council for consideration;
7. Council request that the EA address climate change, place an emphasis on place making, high quality urban design, and further analysis of traffic impacts;
8. Council request that the EA address previous Council directions for east of the Don River regarding greening the median of Lake Shore Boulevard East and creating a “Grand Boulevard” and, rezoning the Parks and Open Space Area on the north side of Lake Shore Boulevard East from the Don Valley Parkway to Coxwell to “G”;
9. The EA comply with policies of the Official Plan, Central Waterfront Secondary Plan and South of Eastern Secondary Plan to support the retention of adjacent employment lands and restrict large format, stand alone retail stores and/or power centres;
10. The Environmental Assessment for the take down of the Gardiner Expressway have due regard for:
  - i. the pedestrian realm access and safety as well as the unlocking of developable land parcels. **(Motion by Councillor McConnell)**
  - ii. plans and funding for a significant public art component. **(Motion by Councillor Moscoe)**
11. The Chief Planner be requested to submit a report to the October meeting of the Planning and Growth Committee, identifying City Building goals for the Lakeshore Blvd. vicinity associated with the takedown of the Gardiner east of Jarvis and outline a framework for comprehensive and managed land use planning for the area to meet these goals which addresses:
  - i. current zoning for the aforementioned areas;
  - ii. approximate number of hectares with a precinct plan, and other processes such as EA’s and those without;
  - iii. jurisdictional and other potential issues including land ownership which may impede City goals;

- iv. any issues which should be included in the review of the Official Plan which is required every 5 years and is anticipated for 2011; and
  - v. any other issues that the Chief Planner identifies while developing the report.  
**(Motion by Councillor Fletcher)**
12. The following motion be referred to City staff for a report to the September 8, 2008 meeting of the Public Works and Infrastructure Committee, on how the local road in the Liberty Village area can be best achieved:
- Moved by Mayor Miller on behalf of Councillor Vaughan
- “That staff bring forward the appropriate Official Plan Amendment to designate the proposed Front Street Extension as a local road and report to the Toronto and East York Community Council on possible routes, plans, designs and costs.”  
**(Motion by Deputy Mayor Pantalone)**
13. Council Authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

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

Ms. Elaine Baxter-Trahair, Director, Waterfront Secretariat, Mr. John Campbell, President and Chief Executive Officer, Waterfront Toronto, and Mr. Mark Wilson, Chair, Waterfront Toronto, provided a presentation to the Executive Committee on the Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East of Jarvis.

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Pam McConnell **(Carried)**  
Recommendation 10. i.

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe **(Carried)**  
Recommendation 10. ii.

Motion to Amend Item (Additional) moved by Councillor Paula Fletcher **(Carried)**  
Recommendation 11.

Motion to Refer Item moved by Deputy Mayor Joe Pantalone **(Carried)**  
Recommendation 12.

Motion to Adopt Item, as Amended, moved by Mayor David Miller **(Carried)**  
**Which carried on the following Recorded Vote:**

**Yeas: Carroll, Davis, De Baeremaeker, Fletcher, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae.**

**Nays: Lindsay Luby.**

Motion to Amend Item (Additional) moved by Mayor David Miller (**Redundant**)

On behalf of Councillor Vaughan:

“That the Executive Committee recommend that:

1. staff provide a report to Council detailing land use impacts the new road could have on the lands contained in the Lower Don Lands and East Bay Front planning areas;
2. the proposal explore the feasibility for sidewalks on both sides of any new roadway pay due regard to creating and/or sustaining development parcels on the north side of the road.”

Motion to Amend Item (Additional) moved by Mayor David Miller (**Lost**)

On behalf of Councillor Del Grande:

“That the Executive Committee request the Transportation Division to shut down the portion of the Gardiner Expressway from the Don Valley Parkway to Jarvis Street for one week and monitor and report directly to Council for its meeting to be held on July 15, 2008, on the impact thereof.”

**Links to Background Information**

Environmental Assessment for Creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13984.pdf>)

EX22.2	ACTION	Amended		Ward: 20, 28
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**Environment Assessment for Changes to York and Bay Ramps of Gardiner Expressway**

(June 12, 2008) Report from Deputy City Manager, Richard Butts

**Recommendations**

The Deputy City Manager whose responsibilities include the waterfront recommends that City Council:

1. Authorize the General Manager, Transportation Services to undertake a Class Environmental Assessment Study to examine potential modifications to the York/Bay/Yonge Streets eastbound off-ramp and the Bay Street eastbound on-ramp of the Gardiner Expressway;
2. Request that the Waterfront Project Director, when reporting to Council on the updated Waterfront Long Term Funding Plan in the Fall of 2008, include funding for both EA costs and the costs of implementing potential modifications to the York/Bay/Yonge Streets eastbound off ramp and Bay Street eastbound on ramp of the Gardiner Expressway, and the improvement of York Off Ramp Park; and



3. Authorize and direct appropriate City officials to take the necessary action to give effect thereto.

### **Financial Impact**

The financial impact of this report is the cost of the potential modifications to the York/Bay/Yonge Streets eastbound off ramp and the Bay Street eastbound on ramp of the Gardiner Expressway, and the improvements to York Off Ramp Park. These costs will include the environmental assessment, design, demolition, and construction to implement the ramp modifications and the upgraded York Off Ramp Park. The preliminary estimate of these costs is \$25.0 million to \$30.0 million and will be refined during the environmental assessment process.

Funds exist within the Capital Program for Waterfront Revitalization to undertake these initiatives. The Waterfront Project Director is requested to report to Council in the Fall of 2008 with an updated Long-Term Funding Plan for the Waterfront that includes funding for the York/Bay/Yonge Streets and Bay Streets ramp modifications, and for the York Off Ramp Park improvements. Transportation Services will commence the Class Environmental Assessment Study once the review of Long-Term Funding Plan for the Waterfront that includes funding for the York/Bay/Yonge Streets and Bay Streets ramp modifications has been endorsed by Council.

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

### **Summary**

The purpose of this report is to obtain Council authority for the General Manager, Transportation Services, to conduct a Class Environmental Assessment Study (Class EA) of potential modifications to the York/Bay/Yonge Streets eastbound off ramp and the Bay Street eastbound on ramp of the elevated Gardiner Expressway.

The objective of the potential modifications will be to support and enhance improvements in the pedestrian realm proposed in the York Street and Bay Street Pedestrian Promenade Plans, and to improve cycling connections, public spaces and parks.

It is anticipated that the Class EA will be completed and presented to City Council for its review and approval in twelve to eighteen months. The York and Bay Street ramp changes and any related improvements to York Off Ramp Park would be financed through the Capital Program for Waterfront Revitalization.

### **Speakers**

Ms. Ulla Colgrass, York Quay Neighbourhood Association  
Mr. Braz Menezes, Queens Quay Harbourfront BIA  
Ms. Julie Beddoes, West Don Lands Committee  
Councillor Mike Del Grande, Ward 39, Scarborough-Agincourt  
Councillor Doug Holyday, Ward 3, Etobicoke Centre  
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Frances Nunziata, Ward 11, York South-Weston

Councillor Adam Vaughan, Ward 20, Trinity-Spadina  
Councillor Michael Walker, Ward 22, St. Paul's

### **Committee Recommendations**

On motion by Councillor McConnell, the Executive Committee recommended that Council:

1. Authorize the General Manager, Transportation Services to undertake a Class Environmental Assessment Study to examine potential modifications to the York/Bay/Yonge Streets eastbound off-ramp and the Bay Street eastbound on-ramp of the Gardiner Expressway.
2. Request that the Waterfront Project Director, when reporting to Council on the updated Waterfront Long Term Funding Plan in the Fall of 2008, include funding for both EA costs and the costs of implementing potential modifications to the York/Bay/Yonge Streets eastbound off ramp and Bay Street eastbound on ramp of the Gardiner Expressway, and the improvement of York Off Ramp Park.
3. Authorize and direct appropriate City officials to take the necessary action to give effect thereto.

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

On motion by Councillor McConnell, the Executive Committee:

1. directed the General Manager, Transportation Services, to report directly to Council, for its meeting scheduled to be held on July 15, 2008, on:
  - i. the rationale for requiring an EA to shorten the York off-ramp;
  - ii. opportunities for expediting the process should an EA be necessary;
  - iii. the process for termination of the EA, should the study determine it is no longer necessary.
2. referred the recommendations of the Harbourfront BIA, as contained in the communications from Mr. Braz Menezes, to the Union Station District Staff Coordinating Committee.

Ms. Elaine Baxter-Trahair, Director, Waterfront Secretariat, Mr. John Campbell, President and Chief Executive Officer, Waterfront Toronto, and Mr. Mark Wilson, Chair, Waterfront Toronto, provided a presentation to the Executive Committee on the Environment Assessment for Changes to York and Bay Ramps of the Gardiner Expressway.

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Pam McConnell (**Carried**)  
(See Decision Advice and Other Information).

Motion to Adopt Item, as Amended, moved by Councillor Pam McConnell (**Carried**)  
**Which carried unanimously on the following Recorded Vote:**

**Yeas: Carroll, Davis, De Baeremaeker, Fletcher, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae.**

**Nays: None.**

### **Links to Background Information**

Environmental Assessment for Changes to York and Bay Ramps of Gardiner Expressway  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13985.pdf>)

<b>EX22.3</b>	<b>ACTION</b>	Amended		Ward: All
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### **City Participation in Phase 2 Review of Provincial Integrated Power System Plan and Procurement Processes**

(June 12, 2008) Report from Deputy City Manager, Richard Butts

### **Recommendations**

Deputy City Manager Richard Butts recommends that:

1. the City continue to participate as an intervenor in Phase 2 of the Ontario Energy Board (“Board”) review of the Integrated Power System Plan (“IPSP”) and Ontario Power Authority (“OPA”) procurement process (“Phase 2”), anticipated to conclude in 2009;
2. Council authorize Deputy City Manager Richard Butts to co-ordinate the preparation and submission of the City’s submissions and representations in Phase 2 based upon the issues and concerns set out in Appendix “B”, in consultation with the City Solicitor and Deputy City Manager and Chief Financial Officer and other appropriate City officials, to instruct the City Solicitor and external legal counsel in the proceedings, including attendance, before the Board;
3. external legal and technical consulting services be retained, up to a maximum gross amount of \$600,000, with the expense of such services, net of any cost awards by the Board be charged to Facilities and Real Estate’s 2008 Operating Budget on an interim basis and that the costs be passed on proportionately to City divisions (cited in the Financial Implications section of this report), Toronto Community Housing Corporation and Toronto Transit Commission based on their proportionate use of electricity;
4. Council ratify and approve the retainer of the firm of Macleod Dixon LLP for the provision of external legal services to the City during Phase 2;
5. through its participation in Phase 2, the City advocate that the OPA accommodate the City’s priorities and views (including those articulated in the City’s Official Plan and its Climate Change, Clean Air and Sustainable Energy Action Plan) in the further development work proposed to address the City’s electricity reliability needs in the mid-

term and in order to preserve technically and financially viable options, which may include distributed generation, renewable energy projects, conservation and improvement of the existing short-circuit capacity rating, as measures impacting demand estimates giving rise to Toronto transmission requirements and as alternatives to the proposed Toronto Third Supply Line Option - North Parkway Station to Hearn Station; and

6. the appropriate City staff be authorized to take any action necessary to give effect to the above recommendations.

### **Financial Impact**

An accurate estimate of the amount required to fund needed external technical and legal consulting services cannot be determined until further on in the proceedings when the nature of the issues that the City needs to address are better defined. Funding of up to \$50,000 to address external legal services utilized in preparing and filing the City's written interrogatories on May 21<sup>st</sup> will come from a Toronto Environment Office account.

Further funding of up to \$600,000 for outside legal and consulting services as may be required to assist staff in representing the City in the balance of the Phase 2 review of the IPSP will be provided in the following amounts by allocation to the following business units:

\$35,600	from Facilities and Real Estate
\$37,800	from Parks, Forestry and Recreation
\$7,000	from Solid Waste Management
\$42,400	from Transportation Services
\$189,000	from Toronto Water
\$137,700	from TCHC
\$150,500	from TTC

The net legal and technical consulting expenses will be invoiced to the above participants through the consolidated power purchase billing service provided to the City of Toronto by Toronto Hydro Energy Services Inc.

The Board has issued an order determining that the City is eligible to apply to the Board for recovery of a portion of its costs reasonably incurred in the course of its intervention in this proceeding under the Board's Practice Direction on Cost Awards. The net technical legal and technical consulting services costs will be allocated to the business units described above. The Board makes no guarantee as to the extent of awards for costs incurred by intervenors, however, at the conclusion of Phase I the City's total external legal costs were \$50,368.55, for which the Board awarded the City \$34,188.69 in cost recoveries.

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

### **Summary**

This report seeks Council's authorization for (i) the City's continued participation as an intervenor in Phase 2 of the Ontario Energy Board's review of the Integrated Power System Plan and Ontario Power Authority procurement process; and (ii) the retention and funding of

external technical and legal consulting services to assist in such participation.

## **Communications**

(June 26, 2008) e-mail from David MacLeod, President, Transforming Toronto (EX.Main.EX22.3.1)

## **Committee Recommendations**

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

1. The City continue to participate as an intervenor in Phase 2 of the Ontario Energy Board (“Board”) review of the Integrated Power System Plan (“IPSP”) and Ontario Power Authority (“OPA”) procurement process (“Phase 2”), anticipated to conclude in 2009.
2. Council authorize Deputy City Manager Richard Butts and the Deputy City Manager and Chief Financial Officer to jointly co-ordinate the preparation and submission of the City’s submissions and representations in Phase 2 based upon the issues and concerns set out in Appendix “B”, in consultation with the City Solicitor and other appropriate City officials, to instruct the City Solicitor and external legal counsel in the proceedings, including attendance, before the Board. **(Motion by Deputy Mayor Pantalone)**
3. External legal and technical consulting services be retained, up to a maximum gross amount of \$600,000, with the expense of such services, net of any cost awards by the Board be charged to Facilities and Real Estate’s 2008 Operating Budget on an interim basis and that the costs be passed on proportionately to City divisions (cited in the Financial Implications section of this report), Toronto Community Housing Corporation and Toronto Transit Commission based on their proportionate use of electricity.
4. Council ratify and approve the retainer of the firm of Macleod Dixon LLP for the provision of external legal services to the City during Phase 2.
5. Through its participation in Phase 2, the City advocate that the OPA accommodate the City’s priorities and views (including those articulated in the City’s Official Plan and its Climate Change, Clean Air and Sustainable Energy Action Plan) in the further development work proposed to address the City’s electricity reliability needs in the mid-term and in order to preserve technically and financially viable options, which may include distributed generation, renewable energy projects, conservation and improvement of the existing short-circuit capacity rating, as measures impacting demand estimates giving rise to Toronto transmission requirements and as alternatives to the proposed Toronto Third Supply Line Option - North Parkway Station to Hearn Station.
6. As part of advocating the City’s priorities and views (including those in the City’s Official Plan and its Climate Change, Clean Air and Sustainable Energy Action Plan) include a request to the Ontario Power Authority and Ontario Energy Board to allow the Toronto Hydro rate to support its conservation and renewable energy objectives (e.g., energy efficiency measures such as those taking place in Austin, Texas, absorbing costs

of connecting renewable energy technologies to the grid, incentives for installation of green roofs, etc.). **(Motion by Deputy Mayor Pantalone)**

7. The appropriate City staff be authorized to take any action necessary to give effect to the above recommendations.

### **Motions**

Motion to Amend Item (Additional) moved by Deputy Mayor Joe Pantalone **(Carried)**  
Recommendations 2. and 6.

Motion to Adopt Item, as Amended, moved by Deputy Mayor Joe Pantalone **(Carried)**

### **Links to Background Information**

City Participation in Phase 2 Review of Provincial Integrated Power System Plan and Procurement Processes

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13841.pdf>)

EX22.4	ACTION	Adopted		Ward: All
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### **Climate Change Adaptation Strategy**

(May 13, 2008) Report from the Toronto Environment Office

### **Recommendations**

The Parks and Environment Committee:

1. endorsed the recommendations in the report (May 13, 2008) from the Director, Toronto Environment Office, addressed to the Executive Committee, on Climate Change Adaptation Strategy; and
2. requested that the report, copies of the presentations and submissions received at its special meeting on May 21, 2008, be forwarded to the Executive Committee for consideration.

### **Financial Impact**

There are financial impacts associated with the adoption of the recommendations in this report. Potential Short-term Climate Adaptation Actions recommended by City Divisions, outlined in Appendix C, represent significant costs to the City. A methodology will be required to prioritize the list of Potential Short-term Climate Adaptation Actions recommended by City Divisions. City Agencies, Boards, Commissions, Corporations and Divisions will report out through the 2009 Budget cycle process on financial impacts of climate change mitigation and adaptation measures.

The Deputy City Manager and Chief Financial Officer will report out on the establishment of an Extreme Weather Reserve through the 2009 budget process.

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

### **Summary**

In July 2007 Toronto City Council unanimously adopted the Climate Change, Clean Air and Sustainable Energy Action Plan (the “Climate Change Action Plan”). The central focus of the plan is the reduction of greenhouse gases released to the atmosphere by curbing the burning of fossil fuels to help fight global warming.

The Climate Change Action Plan includes many commitments including: energy conservation and efficiency measures; increased use of renewable energy sources such as wind and solar; sustainable transportation practices, such as increased public transit through new streetcar lines; doubling the tree canopy; and promoting the purchase of food grown locally to reduce the distance that our food travels from the field to our kitchen tables. Activities like these, whose primary goal is to reduce greenhouse gas emissions, are referred to as climate change “mitigation”.

In adopting the Climate Change Action Plan, City Council also directed that a plan be established to reduce the negative impacts of unavoidable changes to climate that are already underway, including: extreme heat; more intense storms; floods and droughts; damaging insects; and newly introduced diseases. Activities intended to reduce the effects of unavoidable climate change are referred to as climate change “adaptation”.

Climate change involves a long-lasting shift in weather patterns. Our infrastructure and buildings will need to withstand weather that is different from the past. In addition, climate change has the potential to significantly affect many civic programs and services such as public health, water supply, storm water management and urban parks, forests and ecosystems. Special attention will be required for isolated seniors, the homeless and others who are particularly vulnerable to extreme weather. This staff report responds to Council’s direction that a climate change adaptation strategy be developed. It is intended to lay the foundation for a comprehensive climate change adaptation strategy, which will strive to prevent or minimize the negative effects of unavoidable climate change and take advantage of potential opportunities.

In keeping with the direction of the Climate Change Action Plan, the adaptation strategy is aimed at both City services and the larger Toronto community. It is designed to help protect the health of Torontonians, introduce measures to strengthen our infrastructure and building stock, help protect the natural environment from the negative effects of climate change, and support a resilient economy.

### **Communications**

(June 26, 2008) Booklet titled “Ahead of the Storm: Preparing Toronto for Climate Change” (EX.Main.EX22.4.1)

(June 26, 2008) e-mail from Violie Balayo (EX.Main.EX22.4.2)

### **Committee Recommendations**

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

1. In order to adapt to the long-lasting change in weather patterns due to climate change, City Council direct that climate change mitigation measures and explicit goals for adaptation of infrastructure and buildings be incorporated into Toronto's Official Plan and request that the Chief Planner report on the amendments appropriate to the Official Plan incorporating such measures;
2. City Agencies, Boards, Commissions, Corporations and Divisions likely to be strongly affected by climate change also be requested to incorporate climate change mitigation measures and explicit goals for adaptation in their plans, programs, strategies and assessment procedures;
3. City Council request all City Agencies, Boards, Commissions, Corporations and Divisions to incorporate climate change concerns into planning for 2009, and identify in their 2009 budget submissions specific actions and programs they plan to undertake regarding climate change mitigation and adaptation, including, but not limited to the Council direction provided through the adoption of the Climate Change, Clean Air and Sustainable Energy Action Plan;
4. The Deputy City Manager and Chief Financial Officer report back on a funding strategy for climate change adaptation planning and actions, including the creation of an Extreme Weather Reserve, the purpose of which is to mitigate the expenditure impacts arising from extreme weather conditions by providing funding at the end of the year to offset wholly or partly a budget shortfall resulting from unbudgeted and uninsured extreme weather-related costs incurred during the year;
5. The Director of the Toronto Environment Office support the work of the Deputy City Manager and Chief Financial Officer cited above in Recommendation No. 4, by establishing, in consultation with the Climate Change Adaptation Steering Group, a methodology to prioritize short-term Climate Change Adaptation actions recommended by City Divisions prior to the 2009 Budget Cycle process;
6. The Director of the Toronto Environment Office establish a process for the development of a longer-term, comprehensive adaptation strategy, that: identifies key vulnerabilities to climate change of the City, including financial vulnerability; prioritizes risks; identifies, assesses and implements adaptation actions that will reduce vulnerability; and takes advantage of opportunities presented by a changing climate; and
7. To support co-operation, communications and research among Federal, Provincial and Municipal governments, universities, colleges and non-governmental organizations on climate change mitigation and adaptation actions and strategies relevant to the City of Toronto and other urban centres, City Council authorize the Director of the Toronto Environment Office to co-ordinate City staff participation in the establishment and development of the proposed Urban Climate Change Network.



## Motions

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (**Out of Order**)  
That the Executive Committee recommend that:

1. the Director, Municipal Licensing and Standards, in consultation with the Director, Toronto Environment Office, the Chair of Standards and the Faculty of Environmental Studies at York University be requested to review and update the City's Idling By-law and submit a report to the Parks and Environment Committee no later than the October 17, 2008 meeting.

Motion to Adopt Item, moved by Councillor Howard Moscoe (**Carried**)

## Links to Background Information

Climate Change Adaptation Strategy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13842.pdf>)

Change is in the Air - Brochure

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13957.pdf>)

EX22.5	ACTION	Amended		Ward: All
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## Policy Changes to the Lobbyist Registry

(June 12, 2008) Report from the Lobbyist Registrar

## Recommendations

The Lobbyist Registrar recommends the following:

1. Council approve policy changes to the lobbyist registry as outlined in Schedules 1 and 2 of this report, and Municipal Code Chapter 140 be amended as necessary.
2. Executive Committee authorize implementation of necessary system changes to take effect July 7, 2008, and Council retroactively authorize the policy changes in Schedule 1 to take effect on that date.
3. The policy changes in Schedule 2 come into effect on a date to be determined by the Lobbyist Registrar.
4. The Lobbyist Registrar be authorized to temporarily close access to the lobbyist registration system as necessary to allow for system changes and migration of data to implement the policy changes in the registry.
5. The Lobbyist Registrar be authorized to migrate data in the registry system as necessary and in a manner and form that the Registrar determines appropriate, including removal of data incompatible with the new registration requirements.

6. Any data in the Lobbyist Registry that will be incompatible under the new registration requirements be disposed of under Transitory and Duplicate Records By-law No. 635-2000 (now § 217-12 of the Municipal Code) -law No. 635.
7. The City Solicitor be authorized to introduce the necessary Bills in Council.

### **Financial Impact**

There are no financial impacts arising from this report.

### **Summary**

This report proposes changes in policy for the operation of the lobbyist registry, which was implemented February 11, 2008 in compliance with Municipal Code Chapter 140.

The proposed changes will simplify lobbyist registration requirements to ensure that public office holders and the means of communication have actually occurred and to prevent inaccurate information from appearing on the public registry. The proposed changes will also simplify the registration process for disclosure of third-party funding, grassroots lobbying and committees of a business, industry, trade or professional organization. Other technical amendments will be included in a Bill to Council.

### **Speakers**

Mr. John Campey, Executive Director, Community Social Planning Council (Submission Filed)

Mr. Rob Howarth, Toronto Neighbourhood Centre

Ms. Sharon Howarth (Submission Filed)

### **Committee Recommendations**

The Executive Committee recommended to City Council that:

1. Council approve policy changes to the lobbyist registry as outlined in Schedules 1 and Schedule 2, as amended, of this report, and Municipal Code Chapter 140 be amended as necessary.
2. Schedule 2 be amended by deleting Part 3, entitled "Simplify the information required for non-government funding". **(Motion by Councillor McConnell)**
3. Council retroactively approve the action taken by the Executive Committee in authorizing the policy changes in Schedule 1 effective July 7, 2008. **(Motion by Mayor Miller)**
4. The policy changes in Schedule 2 come into effect on a date to be determined by the Lobbyist Registrar.
5. The Lobbyist Registrar be authorized to temporarily close access to the lobbyist registration system as necessary to allow for system changes and migration of data to implement the policy changes in the registry.

6. The Lobbyist Registrar be authorized to migrate data in the registry system as necessary and in a manner and form that the Registrar determines appropriate, including removal of data incompatible with the new registration requirements.
7. Any data in the Lobbyist Registry that will be incompatible under the new registration requirements be disposed of under Transitory and Duplicate Records By-law No. 635-2000 (now § 217-12 of the Municipal Code).
8. The Lobbyist Registrar be requested to:
  - a. Consult with the non-profit community services sector on difficulties arising during the registration process and possible solutions;
  - b. Report back to the Executive Committee on whether the non-profit community services sector should be exempted from the registry, or means by which the registry can be amended to make the registration less onerous for the non-profit community sector, and
  - c. Suspend registry for the non-profit community services sector until the report dealing with these organizations is approved by Council. **(Motion by Councillor McConnell)**
9. The City Solicitor be authorized to introduce the necessary Bills in Council.

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

The Executive Committee authorized implementation of the necessary system changes to the Lobbyist Registry policy contained in Schedule 1, effective July 7, 2008, and recommended that Council retroactively approve the foregoing action.

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Pam McConnell **(Carried)**  
Recommendations 2. and 8.

Motion to Amend Item (Additional) moved by Mayor David Miller **(Carried)**  
Recommendation 3.

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe **(Lost)**  
That the Executive Committee recommend that City Council adopt the recommendations contained in the report (June 12, 2008) from the Lobbyist Registrar, subject to amending the Policy to require that the Office of the Councillor, or staff person, notify by e-mail, the Lobbyist Registrar, of who is meeting with the Councillor or staff, and for what purpose, so that the preliminary information can be posted immediately on the Lobbyist Registry.

Motion to Adopt Item as Amended moved by Mayor David Miller **(Carried)**

### Links to Background Information

Policy Changes to the Lobbyist Registry

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13843.pdf>)

EX22.6	ACTION	Adopted		Ward: All
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### Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol

(June 16, 2008) Report from the Integrity Commissioner

#### Recommendations

The Integrity Commissioner recommends that Council:

1. Approve the two Codes of Conduct for members of local boards (restricted definition) set out in Appendices I and II of this report;
2. Approve the Code of Conduct for Members of Council set out in Appendix III of this report;
3. Approve the Code of Conduct Complaint Protocol for Members of Local Boards (Restricted Definition) including Adjudicative Boards set out in Appendix IV of this report;
4. Approve the Code of Conduct Complaint Protocol for Members of Council set out in Appendix V of this report;
5. Direct the City Manager to submit a report to the Executive Committee on extending the Indemnification Policy for Members of Council and Management and Excluded Staff adopted by Council on November 24, 2005 to members of local boards;
6. Not proceed at this time with the proposal to include a general conflict of interest provision in the Members Code of Conduct;
7. Not adopt the motion repealing Article XIII of the Code of Conduct (“Conduct Respecting Lobbyists”);
8. Approve the inclusion of a provision in the Code of Conduct Complaint Protocol for Members of Council placing a moratorium on the filing of Code of Conduct complaints against Members seeking re-election from Labour Day in an election year until the new Council is sworn in;
9. Approve as part of the policy governing Members’ use of their Office Expense Budget that Members of Council who are the subject of an Integrity Commissioner investigation be entitled to charge against that budget the cost of an initial legal

consultation but restricted to one hour and a maximum value of \$500;

10. Approve the following addition to item (f) in the list of permissible gifts and benefits:

...or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity.
11. Approve the following addition to the list of permissible gifts and benefits provided for in Article IV of the Code of Conduct:
  - i. sponsorships and donations for community events organized or run by a member or a third party on behalf of a member, subject to the limitations set out in the Policy on Council Member-Organized Community Events.
12. Adopt the following Policy on Council Member-Organized Community Events:
  - a. Donations must be for specific community events held on a specific date or a specific series of dates. Members of Council should not seek donations in money or in kind for ongoing or new programs that have been or could be offered through City programs, and which have a separate donations policy.
  - b. Support for the events (whether in money or in kind) shall not exceed \$10,000 annually (whether for a single event or multiple events). (This amount does not include moneys or goods collected at any event in support of a charity or other cause if those donations go directly to the charity or cause.)
  - c. A member of Council or a third party acting on behalf of the member shall neither solicit nor accept support in any form from those registered as lobbyists with the City, or developers with any pending planning, conversion, demolition or sign variance application. This prohibition extends to the negotiation of community benefits outside of the formal section 37 processes.
  - d. Members of Council must report to the Director, Council and Support Services, in a manner and form prescribed by the City Clerk, on the source, details and value of all donations for community events prior to the event (if it is anticipated that the value of donations will exceed \$500) and a statement of accounts subsequent to the event if the value of the donations has exceeded \$300). This report shall include a genuine estimate of the value of in-kind donations. All donations and expenses paid for by donations are subject to the same administration, accounting and disclosure requirements as expenses charged to Office Expense Budgets.
  - e. All donation cheques should be made out to the City of Toronto and accounted through the City Clerk's Office. Members of Council or third parties acting on behalf of members should not hold or administer donations in separate personal accounts.

- f. Surpluses should be minimized with accurate estimation of event costs and requirements. Surpluses (including in-kind donations such as equipment) should be returned to donors or transferred to general Council revenue. Under no circumstances, can a surplus be used for a different community event and, in particular, in supplementation of a member's office operations. Any surplus will count against the member's \$10,000 annual limit in the year in which it is used or drawn upon. Multi-year donations are not permitted.
- g. The City Clerk, in consultation with the Treasurer, will develop detailed procedures and guidelines regarding the receipt and accounting of donations for Council member community events, including the administration of surplus funds.
- h. This policy does not affect the entitlement of a member of Council to
  - i. use her or his office expense budget to run or support community events subject to the terms of the Councillor Expense Policy;
  - ii. urge constituents, businesses and other groups to support community events staged by others in the member's Ward or elsewhere in the City;
  - iii. play an advisory or membership role in any organization staging community events in the member's Ward; and
  - iv. team with the City and its agencies in the staging of community events.
- i. Under clause (h) members of Council should not handle any funds on behalf of these organizations and should remain at arms length from the financial aspects of these external events.
- j. In an election year, a member of Council must not seek donations and sponsorships for any community event that has not been staged in the previous two years nor accept donations or stage any community event supported by donations and sponsorships after he or she has filed nomination papers for election to any office in the City of Toronto.

A community event is considered to have been staged in the previous two years if it meets the following criteria:

- has a very similar, if not the same, event name/title
  - takes place at approximately the same time
  - has the same general purpose
- 13. Approve the removal from the Code of Conduct of the Schedule ("Role and Responsibilities of the Council Members and Staff") and the two appendices on Acts governing conduct.
  - 14. Authorize the Integrity Commissioner in consultation with the City Manager and City Solicitor to make additional technical amendments as necessary to the Codes of Conduct and Complaint Protocols to ensure a consistent style and to reflect the additional amendments authorized in the above recommendations and future

amendments to these documents.

## **Financial Impact**

The adoption of the recommendations in this Report will have no additional financial impact.

## **Summary**

Council has referred a number of aspects of the Code of Conduct for Members of Council and Local Boards (Restricted Definition) (“Code of Conduct”) to the Integrity Commissioner: the possibility of including a general conflict of interest provision, a motion for the suspension of investigations in the six months leading up to a Municipal Election, a motion that Members who are the target of a complaint should be entitled to recover the costs of an initial consultation with a lawyer, and a request for recommendations for a policy permitting Members to accept donations and sponsorships for community events that they are organizing. Council has also referred to the Executive Committee a motion for the repeal of Article XIII of the Code of Conduct (“Conduct Respecting Lobbyists”).

In addition, there were a number of issues arising out of City Council’s adoption in 2006 of various revisions to the Code of Conduct. Most of these flowed from the work of the Bellamy Recommendations Steering Committee (“Steering Committee”), and the passage of the City of Toronto Act, 2006 (“COTA”): whether to update and retain the original Schedule as part of the Code of Conduct, and whether there should be a separate Code of Conduct for members of local boards (restricted definition). Finally, as this Report is being presented at the same time as the Report on the Councillor Expense Policy, it became necessary to ensure that the provisions of the Code of Conduct were consistent with the recommendations in that Report.

This report deals with those matters. Its advice to Council is that there are legal impediments to inserting a general conflict of interest provision in the Code of Conduct. It also rejects the proposal for the repeal of Article XIII (“Conduct Respecting Lobbyists”). However, it does recommend that there be a moratorium on the filing of Code of Conduct complaints against Members of Council in an election year from Labour Day until the new Council is sworn in. It also recommends that Council approve an addition to the Code of Conduct Complaint Protocol (“Complaint Protocol”) allowing Members who are the subject of a complaint to charge their Members Office Expense Budget for the cost of an initial hour long consultation with a lawyer to a maximum value of \$500.

The report also proposes the adoption of separate Codes of Conduct for members of local boards (restricted definition) – one general and one applicable to boards that adjudicate, as well as a separate Complaint Protocol for complaints against members of local boards (restricted definition). However, while the report favours the updating and distribution of the Schedule to the Code of Conduct, it recommends that it no longer be a part of the Code of Conduct but a separate stand alone document readily available for informational purposes and guidance to Members, their staff, City Staff and the general public. To ensure consistency with the recommendations in the Report on the Councillor Expense Policy, this Report recommends that Council approve a further addition to the list of permissible gifts and benefits: costs paid by conference, seminar and event organizers at which a member is a speaker or is attending in an official capacity. Finally, the Report contains a series of proposals for giving effect to Council’s policy that Members be allowed to solicit and receive donations and sponsorships for community events that they are holding in their Ward, subject to specific limitations.

### **Committee Recommendations**

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

1. Approve the two Codes of Conduct for members of local boards (restricted definition) set out in Appendices I and II of this report.
2. Approve the Code of Conduct for Members of Council set out in Appendix III of this report.
3. Approve the Code of Conduct Complaint Protocol for Members of Local Boards (Restricted Definition) including Adjudicative Boards set out in Appendix IV of this report.
4. Approve the Code of Conduct Complaint Protocol for Members of Council set out in Appendix V of this report.
5. Direct the City Manager to submit a report to the Executive Committee on extending the Indemnification Policy for Members of Council and Management and Excluded Staff adopted by Council on November 24, 2005 to members of local boards.
6. Not proceed at this time with the proposal to include a general conflict of interest provision in the Members Code of Conduct.
7. Not adopt the motion repealing Article XIII of the Code of Conduct (“Conduct Respecting Lobbyists”).
8. Approve the inclusion of a provision in the Code of Conduct Complaint Protocol for Members of Council placing a moratorium on the filing of Code of Conduct complaints against Members seeking re-election from Labour Day in an election year until the new Council is sworn in.
9. Approve as part of the policy governing Members’ use of their Office Expense Budget that Members of Council who are the subject of an Integrity Commissioner investigation be entitled to charge against that budget the cost of an initial legal consultation but restricted to one hour and a maximum value of \$500.
10. Approve the following addition to item (f) in the list of permissible gifts and benefits:

...or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity.
11. Approve the following addition to the list of permissible gifts and benefits provided for in Article IV of the Code of Conduct.
  - i. sponsorships and donations for community events organized or run by a member or a third party on behalf of a member, subject to the limitations set out in the Policy on Council Member-Organized Community Events.



12. Adopt the following Policy on Council Member-Organized Community Events:
- a. Donations must be for specific community events held on a specific date or a specific series of dates. Members of Council should not seek donations in money or in kind for ongoing or new programs that have been or could be offered through City programs, and which have a separate donations policy.
  - b. Support for the events (whether in money or in kind) shall not exceed \$10,000 annually (whether for a single event or multiple events). (This amount does not include moneys or goods collected at any event in support of a charity or other cause if those donations go directly to the charity or cause.)
  - c. A member of Council or a third party acting on behalf of the member shall neither solicit nor accept support in any form from those registered as lobbyists with the City, or developers with any pending planning, conversion, demolition or sign variance application. This prohibition extends to the negotiation of community benefits outside of the formal section 37 processes.
  - d. Members of Council must report to the Director, Council and Support Services, in a manner and form prescribed by the City Clerk, on the source, details and value of all donations for community events prior to the event (if it is anticipated that the value of donations will exceed \$500) and a statement of accounts subsequent to the event if the value of the donations has exceeded \$300). This report shall include a genuine estimate of the value of in-kind donations. All donations and expenses paid for by donations are subject to the same administration, accounting and disclosure requirements as expenses charged to Office Expense Budgets.
  - e. All donation cheques should be made out to the City of Toronto and accounted through the City Clerk's Office. Members of Council or third parties acting on behalf of members should not hold or administer donations in separate personal accounts.
  - f. Surpluses should be minimized with accurate estimation of event costs and requirements. Surpluses (including in-kind donations such as equipment) should be returned to donors or transferred to general Council revenue. Under no circumstances, can a surplus be used for a different community event and, in particular, in supplementation of a member's office operations. Any surplus will count against the member's \$10,000 annual limit in the year in which it is used or drawn upon. Multi-year donations are not permitted.
  - g. The City Clerk, in consultation with the Treasurer, will develop detailed procedures and guidelines regarding the receipt and accounting of donations for Council member community events, including the administration of surplus funds.

- h. This policy does not affect the entitlement of a member of Council to
  - i. use her or his office expense budget to run or support community events subject to the terms of the Councillor Expense Policy;
  - ii. urge constituents, businesses and other groups to support community events staged by others in the member's Ward or elsewhere in the City;
  - iii. play an advisory or membership role in any organization staging community events in the member's Ward; and
  - iv. team with the City and its agencies in the staging of community events.
- i. Under clause (h) members of Council should not handle any funds on behalf of these organizations and should remain at arms length from the financial aspects of these external events.
- j. In an election year, a member of Council must not seek donations and sponsorships for any community event that has not been staged in the previous two years nor accept donations or stage any community event supported by donations and sponsorships after he or she has filed nomination papers for election to any office in the City of Toronto.

A community event is considered to have been staged in the previous two years if it meets the following criteria:

- has a very similar, if not the same, event name/title
  - takes place at approximately the same time
  - has the same general purpose.
- 13. Approve the removal from the Code of Conduct of the Schedule ("Role and Responsibilities of the Council Members and Staff") and the two appendices on Acts governing conduct.
  - 14. Authorize the Integrity Commissioner in consultation with the City Manager and City Solicitor to make additional technical amendments as necessary to the Codes of Conduct and Complaint Protocols to ensure a consistent style and to reflect the additional amendments authorized in the above recommendations and future amendments to these documents.

## **Motions**

Motion to Amend Item moved by Councillor Howard Moscoe (**Lost**)

"That the Executive Committee recommend to City Council the adoption of the report (June 16, 2008) from the Integrity Commissioner subject to amending Recommendation 12. c. to read as follows:

- 12. c. A member of Council or a third party acting on behalf of the member shall neither solicit not accept nor shall any party offer support in any form from those registered as

lobbyists with the City, or developers with any pending planning, conversion, demolition or sign variance application. This prohibition extends to the negotiation of community benefits outside of the formal Section 37 processes.”

Motion to Adopt Item moved by Mayor David Miller (**Carried**)

### **Links to Background Information**

Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13844.pdf>)

Appendices I to VI

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13845.pdf>)

## **6a Report on Congruence between Lobbying By-law and Obligations under Members Code of Conduct - Executive Committee Item 19.7**

(May 2, 2008) Letter from the City Clerk

### **Summary**

City Council on April 28 and 29, 2008, adopted this Item as amended, and in so doing, referred the following motion to the Executive Committee for consideration when further amendments to the lobbying by-law are brought forward in June 2008: Moved by Councillor Hall: That: 1. Executive Committee Recommendation 1 be deleted. 2. Part XIII of the Members’ Code of Conduct, headed “Conduct Respecting Lobbyists” be deleted.

### **Links to Background Information**

Report on Congruence between Lobbying By-law and Obligations under Members Code of Conduct - Executive Committee Item 19.7

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14534.pdf>)

<b>EX22.7</b>	<b>ACTION</b>	Amended		Ward: All
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## **Councillor Expense Policy**

(June 12, 2008) Report from the City Clerk

### **Recommendations**

The City Clerk recommends that:

1. City Council approve the Councillor Expense Policy in Attachment 1 and rescind previous policy and reports related to Councillor expenses, in Attachment 2.

2. The City Clerk update the Councillor Expense Policy pursuant to City Council's decision on the Integrity Commissioner's report dated June 16, 2008 and titled "Report on Issues Arising out of Operation of Members Code of Conduct and Complaint Protocol" and the joint report by the City Manager and City Solicitor, dated June 6, 2008 and titled "Review of Indemnification Policy for Members of Council".
3. The Councillor Expense Policy come into effect immediately upon City Council approval. All Councillor expenses incurred after the approval of the Councillor Expense Policy must be in compliance with the new Policy. Councillors who have incurred expenses prior to City Council approval of the Councillor Expense Policy will have until September 30, 2008 to submit these expenses for reimbursement or payment in accordance with previous policies and documentation requirements. On and after October 1, 2008, reimbursement and payment of all Councillor expenses, irrespective of the date the expense was incurred, will be in compliance with the new Policy.

### **Financial Impact**

There are no financial impacts from the adoption of the recommendations of this report.

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

### **Summary**

The report recommends a Councillor Expense Policy that provides consistent, clear and easy-to-understand requirements and procedures related to expenses payable from each Councillor's \$53,100 discretionary office expense budget. The Policy facilitates the diverse roles of Councillors in performing their duties and reflects the role of City Council as the decision-making body of the City of Toronto. The Councillor Expense Policy is independent of the policies that apply to the Administration. The City Clerk is clearly responsible for administering the Councillor Expense Policy.

### **Speakers**

Councillor Doug Holyday, Ward 3, Etobicoke Centre  
Councillor Ron Moeser, Ward 44, Scarborough East

### **Committee Recommendations**

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

1. City Council approve the Councillor Expense Policy in Attachment 1 and rescind previous policy and reports related to Councillor expenses, in Attachment 2.
2. The City Clerk update the Councillor Expense Policy pursuant to City Council's decision on the Integrity Commissioner's report dated June 16, 2008 and titled "Report on Issues Arising out of Operation of Members Code of Conduct and Complaint Protocol" and the joint report by the City Manager and City Solicitor, dated June 6, 2008 and titled "Review of Indemnification Policy for Members of Council".

3. The Councillor Expense Policy come into effect immediately upon City Council approval. All Councillor expenses incurred after the approval of the Councillor Expense Policy must be in compliance with the new Policy. Councillors who have incurred expenses prior to City Council approval of the Councillor Expense Policy will have until September 30, 2008 to submit these expenses for reimbursement or payment in accordance with previous policies and documentation requirements. On and after October 1, 2008, reimbursement and payment of all Councillor expenses, irrespective of the date the expense was incurred, will be in compliance with the new Policy.
4. The Council Expense Policy as it pertains to Travel – Conferences, Seminars and Business Trips be amended by adding the following to the conditions:
 

“- Claims by Councillors for travel shall be paid within 10 business days after submission to staff, and if not, Councillors shall be entitled to any interest charges to their credit cards that may result from late payment by the City.”

**(Motion by Councillor Moscoe)**

### Links to Background Information

Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13846.pdf>)

Attachment 1: Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13847.pdf>)

Attachment 2: Previous Council-approved reports and policies related to Councillor expenses superseded by the Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13848.pdf>)

Attachment 3: Summary of research: Legislative Assembly of Ontario, House of Commons, and six Canadian Municipalities

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13849.pdf>)

### Declared Interests

The following member(s) declared an interest:

Councillor Giorgio Mammoliti - declared his interest in this matter in that he has been the subject of a compliance audit application.

EX22.8	ACTION	Amended		Ward: All
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### Review of Indemnification Policy for Members of Council

(June 6, 2008) Report from the City Manager and the City Solicitor

### Recommendations

The City Manager recommends:

1. The adoption of the amendments to the Councillor Indemnification Policy set out in Appendix B to this report.

### **Financial Impact**

The number of instances and costs per instance that might occur during the course of a year as a result of this Policy cannot be estimated. However, as the City Council budget has historically been under spent, it is recommended that any costs incurred related to the Indemnification Policy be absorbed within the annual City Council operating budget and charged against the Council general expense budget.

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

### **Summary**

The purpose of this report is to provide recommendations to amend the Indemnification Policy for Members of Council (the “Councillor Policy”) to facilitate the payment of legal expenses of Councillors. The Deputy City Manager/Chief Financial Officer was consulted in the preparation of this report.

This report recommends amendments to the Councillor Indemnification Policy in order to alleviate the financial burden that may be experienced by a councillor awaiting the outcome of a legal proceeding and to facilitate obtaining independent legal advice.

### **Committee Recommendations**

The Executive Committee recommended to Council:

1. The adoption of the amendments to the Councillor Indemnification Policy set out in Appendix B to this report.
2. That the City Manager and the City Solicitor be requested to submit a report to the Executive Committee on indemnifying councillors for legal advice/support on defamation actions. **(Motion by Councillor Moscoe)**
3. That the City Manager, in consultation with the City Clerk and other appropriate officials, be requested to report to the Executive Committee on the establishment of a Public Official Defender to provide assistance to Members of Council on legal matters in their capacity as public office holders. **(Motion by Councillor Mammoliti)**

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe **(Carried)**  
Recommendation 2.

Motion to Amend Item (Additional) moved by Councillor Giorgio Mammoliti **(Carried)**  
Recommendation. 3.

Motion to Adopt Item as Amended moved by Councillor Howard Moscoe **(Carried)**

### **Links to Background Information**

Review of Indemnification Policy for Members of Council  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13850.pdf>)

EX22.9	Information	Deferred		Ward: All
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### **Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application**

(June 12, 2008) Report from the City Solicitor

### **Financial Impact**

There are no direct financial impacts of this report.

### **Summary**

City Council has invited members of Council who have incurred legal expenses as a result of compliance audits to submit an application for reimbursement of these legal expenses. City Council has also directed me to report on the reasonableness of the expenses. This report relates to an application made by Councillor Heaps.

The report refers to advice set out in a report dated November 9, 2007 from me to City Council. That report explained that courts have established that municipalities lack jurisdiction to reimburse councillors for legal expenses incurred outside of the office of councillor such as expenses incurred as a candidate for municipal council.

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

On motion by Councillor Moscoe, the Executive Committee deferred, for debate at its meeting scheduled to be held on September 2, 2008, the report (June 12, 2008) from the City Solicitor, entitled " Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application".

### **Motions**

Motion to Defer Item moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13851.pdf>)

EX22.10	ACTION	Adopted		Ward: All
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## **Toronto Community Housing Corporation - Annual Report to Shareholder, 2007 Audited Consolidated Annual Financial Statements and Annual General Meeting**

(June 5, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends that City Council:

1. appoint the Deputy City Manager for Cluster A or her designate as the City's proxy for the purposes of the 2008 annual shareholder meeting of the Toronto Community Housing Corporation and any adjournment thereof and direct the proxy holder to attend same and vote as follows:
  - a. approve the minutes of the previous Annual General Meeting held on December 14, 2007;
  - b. receive, for information the annual audited financial statements of the Corporation for the period ended December 31, 2007, together with the auditor's report thereon;
  - c. reappoint Ernst & Young LLP, Chartered Accountants, as the Corporation's auditors until the next annual general meeting; and,
  - d. use her or his discretion to vote on such other matters as may properly on the agenda of the Meeting or any adjournment thereof;
2. authorize and direct the Deputy City Manager and Chief Financial Officer and the City Clerk to execute on behalf of the City the common share proxy substantially in the form of Attachment 1 to this report;
3. receive Toronto Community Housing Corporation's 2007 Annual Report (included as Attachment 2 to this report) comprising the letter from the Corporation's Chief Executive Officer dated April 23, 2008 and related appendices; and
4. refer Toronto Community Housing Corporation's 2007 audited annual consolidated financial statements and the auditor's report thereon dated March 28, 2008, to the City Audit Committee for its information.

### **Financial Impact**

There are no financial impacts to the City or Toronto Community Housing Corporation as a result of approving the recommendations in this report.

The Deputy City Manager and Chief Financial Officer has reviewed TCHC's financial statements and his summary and comments are contained in Attachment 4 to this report.



## Summary

Pursuant to the Ontario Business Corporations Act, Toronto Community Housing Corporation (TCHC) is required to hold an annual general meeting. TCHC plans to hold its Annual General Meeting outside of a City Council meeting. For this meeting to take place, the City, as TCHC's sole shareholder, must appoint and provide direction to a proxy holder to act on its behalf at the meeting.

## Committee Recommendations

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

1. Appoint the Deputy City Manager for Cluster A or her designate as the City's proxy for the purposes of the 2008 annual shareholder meeting of the Toronto Community Housing Corporation and any adjournment thereof and direct the proxy holder to attend same and vote as follows:
  - a. approve the minutes of the previous Annual General Meeting held on December 14, 2007;
  - b. receive the annual audited financial statements of the Corporation for the period ended December 31, 2007, together with the auditor's report thereon;
  - c. reappoint Ernst & Young LLP, Chartered Accountants, as the Corporation's auditors until the next annual general meeting; and,
  - d. use her or his discretion to vote on such other matters as may properly on the agenda of the Meeting or any adjournment thereof;
2. Authorize and direct the Deputy City Manager and Chief Financial Officer and the City Clerk to execute on behalf of the City the common share proxy substantially in the form of Attachment 1 to this report;
3. Receive, for information, Toronto Community Housing Corporation's 2007 Annual Report (included as Attachment 2 to this report) comprising the letter from the Corporation's Chief Executive Officer dated April 23, 2008 and related appendices; and
4. Refer Toronto Community Housing Corporation's 2007 audited annual consolidated financial statements and the auditor's report thereon dated March 28, 2008, to the City Audit Committee for its information.

## Motions

Motion to Adopt Item moved by Mayor David Miller (**Carried**)

## Links to Background Information

Toronto Community Housing Corporation - Annual Report to Shareholder, 2007 Audited Consolidated Annual Financial Statements and Annual General Meeting  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13852.pdf>)

Attachment 1: Common Share Proxy Form

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13853.pdf>)

Attachment 2: Letter dated April 23, 2008 from TCHC Chief Executive Officer comprising TCHC 2007 Annual Report to Shareholder

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13854.pdf>)

Appendix A: Resolutions of TCHC's Board of Directors

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13855.pdf>)

Appendix B: 2007 HC Consolidated Audited Annual Financial Statements and Auditor's Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13856.pdf>)

Attachment 3: Minutes of Annual Shareholder's Meeting held on December 14, 2007

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13857.pdf>)

Attachment 4: Report of the Deputy City Manager and Chief Financial Officer dated May 29, 1008 entitled "Toronto Community Housing Corporation Financial Statements"

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13858.pdf>)

EX22.11	ACTION	Amended		Ward: All
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## **Toronto Community Housing Corporation 2008 - 2010 Community Management Plan**

(June 5, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends that:

1. City Council, in its role as Shareholder of the Toronto Community Housing Corporation, receive Toronto Community Housing Corporation's 2008 – 2010 Community Management Plan; and
2. the City Manager forward a copy of this report to the Board of Directors of the Toronto Community Housing Corporation as the City's comments on the Plan.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

The City's Shareholder Direction to Toronto Community Housing Corporation (TCHC) requires TCHC to submit an annual Community Management Plan (CMP) to the City for comment. The CMP is a rolling three-year business plan including long-term business strategies, key multi-year targets and financial plans, but is not a detailed activity plan. The City's comments on the CMP are to be taken into consideration in preparing detailed action plans to be approved by TCHC's Board of Directors.

Toronto Community Housing's 2008 – 2010 Community Management Plan updates the priorities, outcomes and targets set out in its 2007 Plan and includes new initiatives developed as a result of that plan and complies with the requirements of the Shareholder Direction. The 2008 Plan proposes to improve TCHC's buildings and communities and highlights TCHC's efforts to align its city building plans with the City's affordable housing goals.

### **Committee Recommendations**

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

1. City Council, in its role as Shareholder of the Toronto Community Housing Corporation, receive, for information, Toronto Community Housing Corporation's 2008 – 2010 Community Management Plan.
2. The City Manager forward a copy of this report to the Board of Directors of the Toronto Community Housing Corporation as the City's comments on the Plan.
3. The Board of the Toronto Community Housing Corporation (TCHC) be requested to submit a report through the Affordable Housing Committee, on a plan to address the capital maintenance shortfall of TCHC and that this plan also include a clear expectation of what is required from other Orders of Government and a contingency plan to be applied if additional funding is not forthcoming from other Orders of Government. **(Moved by Councillor Moscoe)**
4. The Board of TCHC also be requested to consider that:
  - i. all future tower installations be the subject of public consultation in accordance with City policies; and
  - ii. the installation of commercial signage and pay parking conform to City By-laws. **(Moved by Councillor Moscoe)**

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe **(Carried)**  
Recommendations 3. and 4.

Motion to Adopt Item as Amended moved by Councillor Howard Moscoe **(Carried)**

### **Links to Background Information**

Toronto Community Housing Corporation - 2008 - 2010 Community Management Plan  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13859.pdf>)  
Attachment 2: Transmittal Letter from TCHC Chief Executive Officer  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13860.pdf>)  
Attachment 3: 2008-2010 TCHC Community Management Plan  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13861.pdf>)

EX22.12	ACTION	Amended		Ward: All
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## **Status Report - Action Plans on Access, Equity and Human Rights, 2007-2008**

(June 11, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends that:

1. City Divisions continue to develop Access, Equity and Human Rights Action Plans for 2009-2011;
2. a status report be submitted on 2008 Access, Equity and Human Rights achievements in 2009;
3. City Agencies, Boards, Commissions and Corporations (ABCC's) be requested to advise City Council on their access, equity and human rights initiatives and accomplishments in 2009.

### **Financial Impact**

Implementation of access, equity and human rights activities has been incorporated within the approved budgets and resources in City Divisions.

### **Summary**

This is the fourth status report provided by the City Manager on the achievement of City Divisions with respect to the implementation of Access, Equity and Human Rights Action Plans in 2007 and initiatives being undertaken in 2008. In 2009, Divisions will report on 2008 implementation and submit new Action Plans for 2009-2011.

The Access, Equity and Human Rights Action Plans presented in this report are based on the following strategic directions: leadership and advocacy, economic participation, public education and awareness, service delivery, building strong communities and accountability. Appendix 1 provides an Executive Summary of Action Plans and Appendix 2 provides detailed Action Plans submitted by City Divisions.

### **Committee Recommendations**

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

1. City Divisions continue to develop Access, Equity and Human Rights Action Plans for 2009-2011.
2. A status report be submitted on 2008 Access, Equity and Human Rights achievements in 2009.

3. City Agencies, Boards, Commissions and Corporations (ABCC's) be requested to advise City Council on their access, equity and human rights initiatives and accomplishments in 2009.
- \*4. The current Status Report be amended to include participation in our national FCM projects such as Cities Against Racism and the Regional Champions Campaign.
- \*5. Future status reports be modeled after the benchmarking performance report and develop and include quantitative benchmarks and results where available.
- \*6. Future status reports highlight work involving gender equity and youth, including employment, scholarships, mentoring, and empowerment.
- \*7. Regular presentations be made to the Executive Committee and Standing Committees on the access, equity, and human rights work being done in the City's Agencies, Boards, Commissions, Corporations, and Divisions, as well as the results and plans for future initiatives. **(Motion by Councillor McConnell).**

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Pam McConnell **(Carried)**  
Recommendations 4. 5. 6. and 7.

Motion to Adopt Item as Amended moved by Councillor Pam McConnell **(Carried)**

### **Links to Background Information**

Status Report - Action Plans on Access, Equity and Human Rights, 2007-2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13863.pdf>)

Cover Sheet and List of Appendices

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13881.pdf>)

Appendix A: Reporting to City Manager Shirley Hoy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13970.pdf>)

Appendix B: Reporting to Council

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13971.pdf>)

Appendix C: Reporting to Deputy City Manager Sue Corke

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13972.pdf>)

Appendix D: Reporting to Deputy City Manager Richard Butts

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13973.pdf>)

Appendix E: Reporting to Deputy City Manager and Chief Financial Officer Joe Pennachetti

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13974.pdf>)

EX22.13	Information	Received		Ward: All
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## **Status Update on the Canada-Ontario-Toronto Memorandum of Understanding (MOU) on Immigration and Settlement**

(June 11, 2008) Report from the City Manager

### **Financial Impact**

This report has no financial impact.

### **Summary**

Since its signing in September 2006, the Canada-Ontario-Toronto Memorandum of Understanding (MOU) has advanced the City's intergovernmental and partnership agendas. It has improved the City's relationships with the provincial and federal governments in the area of immigration and settlement through an effective and empowered partnership made possible by the agreement.

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

On motion by Councillor Lindsay Luby, the Executive Committee received, for information, the report (June 11, 2008) from the City Manager, entitled "Status Update on the Canada-Ontario-Toronto Memorandum of Understanding (MOU) on Immigration and Settlement".

### **Motions**

Motion to Receive Item, for information, moved by Councillor Gloria Lindsay Luby (**Carried**)

### **Links to Background Information**

Status Update on the Canada-Ontario-Toronto Memorandum of Understanding (MOU) on Immigration and Settlement  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13969.pdf>)

EX22.14	ACTION	Amended		Ward: All
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## **Council Reference Group for Animal Services**

(June 10, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends:

1. City Council establish a Council Reference Group for Animal Services for the remainder of the 2006 to 2010 term composed of three Members of Council.

2. The three Members of Council be appointed by City Council on recommendation of the Striking Committee following a canvass of Members by the City Clerk.
3. City Council approve the terms of reference for the Council Reference Group for Animal Services as outlined in Appendix A.

### **Financial Impact**

There are no financial impacts arising from this report.

### **Summary**

This report recommends that City Council establish a Council Reference Group for Animal Services to provide advice to the Executive Director, Municipal Licensing and Standards during the development and implementation of a strategic plan for Toronto Animal Services.

### **Committee Recommendations**

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

1. City Council establish a Council Reference Group for Animal Services for the remainder of the 2006 to 2010 term composed of three Members of Council and the Chair of the Licensing and Standards Committee. **(Motion by Councillor Moscoe)**
2. The three Members of Council be appointed by City Council on recommendation of the Striking Committee following a canvass of Members by the City Clerk.
3. City Council approve the terms of reference for the Council Reference Group for Animal Services as outlined in Appendix A.

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe **(Carried)**  
Recommendation 1.

Motion to Adopt Item as Amended moved by Councillor Howard Moscoe **(Carried)**

### **Links to Background Information**

Council Reference Group for Animal Services

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrrd/backgroundfile-13883.pdf>

EX22.15	ACTION	Adopted		Ward: All
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## **Toronto Appointments to the Waste Diversion Ontario Board of Directors**

(June 10, 2008) Report from the City Manager

### **Recommendations**

The City Manager recommends that

1. Toronto Council appoint the Mayor or his designate to the Board of Directors of Waste Diversion Ontario.

### **Financial Impact**

The recommendations of this report will have no financial implications.

### **Summary**

In 2005 Toronto Council asked the Province of Ontario to provide a seat on the board of directors of Waste Diversion Ontario (WDO) for a City of Toronto appointment. The Province of Ontario has recently revised the WDO governance structure and amended the Province's Operating Agreement with WDO with the effect of providing Toronto with representation in its own right.

This report recommends that the Council appoint the Mayor or his designate as the City of Toronto appointment to WDO.

### **Committee Recommendations**

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

1. Toronto Council appoint the Mayor or his designate to the Board of Directors of Waste Diversion Ontario.

### **Motions**

Motion to Adopt Item moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Toronto Appointments to the Waste Diversion Ontario Board of Directors  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13884.pdf>)



EX22.16	ACTION	Amended		Ward: All
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**Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services and Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.**

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

(June 11, 2008) Report from the Deputy City Manager and Chief Financial Officer

**Recommendations**

The Deputy City Manager and Chief Financial Officer recommends that:

1. Funds in the amount of \$5,034,643.00 to be received from Toronto Hydro Telecom Inc. as a result of the transaction contemplated in Recommendation 1 of this report be transferred to the Telecommunication Public Policy Benefits Reserve and that application of those funds be subject to the annual budget process.
2. City Council authorize the Deputy City Manager and Chief Financial Officer, Chief Information Officer and the City Solicitor to further negotiate as necessary and finalize the following:
  - a. Memorandum of Understanding with Toronto Hydro Corporation and Toronto Hydro Telecom Inc.;
  - b. Lit Fibre Data Services Agreement with Toronto Hydro Telecom Inc.;
  - c. Dark Fibre Licence Agreement with Toronto Hydro Telecom Inc.; and
  - d. Renegotiated Municipal Access Agreement with Toronto Hydro Telecom Inc.,all on the terms and conditions as set out in the Confidential Attachment to this report and such other terms as may be satisfactory to staff.
3. City Council make the following reserve account changes:
  - a. establish a new reserve account group within the Schedule 1-Corporate Reserves, called the “Telecommunications Group”, for funding of telecommunications infrastructure improvements (see Attachment #2);
  - b. transfer the existing Telecommunications Development Reserve to the new Telecommunications Reserve Group;
  - c. establish within the Telecommunications Reserve Group a new reserve account called the ‘Telecommunication Public Policy Benefits Reserve’ to support telecommunications infrastructure improvements supporting the City’s public policy benefits as may be stated from time to time (see Attachment #3); and

- d. amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the Telecommunications Group and its component reserves to Schedule #1 – Corporate Reserves.
4. City Council direct that the information in the Confidential Attachment not be disclosed in order to protect the financial interests and competitive position of the City in future negotiations with third parties.
5. City Council authorize the public release of the Memorandum of Understanding (not including the schedules), renegotiated Municipal Access Agreement and the long form dark fibre licence agreement, once fully executed by the parties.
6. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

### **Financial Impact**

The costs to the City for the use of the “Lit Data Services” are contained in the Attachment 1 – Confidential Information as outlined in the Service Agreement Terms. There are two positive financial impacts arising from the adoption of this report.

First, there will be an annualized operating budget reduction potentially totalling \$550,200 in those divisional budgets which include charges for selected monthly data telecommunications services resulting from the Lit Fibre Data Services Agreement once executed by the parties. These reductions will be addressed as part of the 2009 and 2010 Operating Budget process depending on the cutover to the Lit Services contract.

Second, the City will receive a one-time lump sum payment of \$5,034,643 CAD in full and final payment of all “Per Permit Fees” (as defined in the original Municipal Access Agreement and not including normal City permit fees and charges) to be paid by Toronto Hydro Telecom Inc. to the City under the remaining term of the original Municipal Access Agreement (MAA). This funding will help satisfy future public policy objectives relating to improvements to telecommunications infrastructure, to be addressed in future capital budgets.

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

### **Summary**

Toronto Hydro Telecom Inc. (THTI) is currently offering the City and its Agencies, Boards and Commissions a favourable competitive rate for lit fibre (i.e. activated) data services based on THTI securing a contract with both the Toronto Catholic and Toronto District School Boards.

City staff have negotiated favourable terms and conditions with Toronto Hydro Corporation which address the lit services offer (competitive long term monthly charges for high speed network services), a long-term allocation of dark fibre which means that it's available but not currently activated for City use. Toronto Hydro Telecom Inc. will provide up to four (4) strands of fibre on the current installed 500 kilometer network on a best efforts basis and will guarantee

four (4) strands of fibre on the proposed future build out of 600 kilometers for a ninety-five (95) year term. The renegotiation of THTI's municipal access agreement ("MAA") as per the renegotiation process set out in the original MAA document will provide the City a one time funding source of \$5,034,643 which will be applied to a new reserve to fund future telecommunication infrastructure requirements.

City staff believe that the recommendations contained in this report will allow the City to achieve a beneficial arrangement for the provision of lit fibre services and also provide a basis for establishing a City-controlled dark fibre network to address the City's own needs and assist in advancing public policy initiatives. Examples of public policy initiatives include Safety and Emergency Applications; Education, Knowledge and Public Good Applications; and City Administrative Applications.

The terms and conditions set out in the Memorandum of Understanding (MOU) as negotiated with Toronto Hydro Corporation (THC) and THTI shall be binding.

### **Communications**

(June 26, 2008) letter from Tracy Izzard, Kathrine Wallace, Donna Roper and Rita Oiver, Members, Save Our Structures (EX.Main.EX22.16.2)

### **Speakers**

Ms. Tracy Izzard, Tenant Representative, Save Our Structures (Submission Filed)  
Councillor Mike Del Grande, Ward 39, Scarborough-Agincourt  
Councillor Doug Holyday, Ward 3, Etobicoke Centre  
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Frances Nunziata, Ward 11, York South-Weston

### **Committee Recommendations**

The Executive Committee recommended to City Council that:

1. Funds in the amount of \$5,034,643.00 to be received from Toronto Hydro Telecom Inc. as a result of the transaction contemplated in Recommendation 1 of this report be transferred to the Telecommunication Public Policy Benefits Reserve and that application of those funds be subject to the annual budget process.
2. City Council authorize the Deputy City Manager and Chief Financial Officer, Chief Information Officer and the City Solicitor to further negotiate as necessary and finalize the following:
  - a. Memorandum of Understanding with Toronto Hydro Corporation and Toronto Hydro Telecom Inc.;
  - b. Lit Fibre Data Services Agreement with Toronto Hydro Telecom Inc.;
  - c. Dark Fibre Licence Agreement with Toronto Hydro Telecom Inc.; and
  - d. Renegotiated Municipal Access Agreement with Toronto Hydro Telecom Inc.,

all on the terms and conditions as set out in the Confidential Attachment to this report and such other terms as may be satisfactory to staff.

3. City Council make the following reserve account changes:
  - a. establish a new reserve account group within the Schedule 1-Corporate Reserves, called the “Telecommunications Group”, for funding of telecommunications infrastructure improvements (see Attachment #2);
  - b. transfer the existing Telecommunications Development Reserve to the new Telecommunications Reserve Group;
  - c. establish within the Telecommunications Reserve Group a new reserve account called the ‘Telecommunication Public Policy Benefits Reserve’ to support telecommunications infrastructure improvements supporting the City’s public policy benefits as may be stated from time to time (see Attachment #3); and
  - d. amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the Telecommunications Group and its component reserves to Schedule #1 – Corporate Reserves.
4. City Council direct that the information in the Confidential Attachment not be disclosed in order to protect the financial interests and competitive position of the City in future negotiations with third parties.
5. City Council authorize the public release of the Memorandum of Understanding (not including the schedules), renegotiated Municipal Access Agreement and the long form dark fibre licence agreement, once fully executed by the parties.
6. City Council request the Board of Directors of Toronto Hydro Corporation to declare a one time special dividend of \$75 million from the net proceeds of the sale of THTI.
7. City Council establish a new account within the State of Good Repair Discretionary Reserve Funds account, called the Toronto Community Housing Corporation State of Good Repair Reserve Fund, and accordingly:
  - a. amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the Toronto Community Housing Corporation State of Good Repair Reserve Fund to Schedule #8 - State of Good Repair Discretionary Reserve Funds;
  - b. adopt Appendix 1, which describes the purpose and administrative features of the new Reserve Fund.
8. City Council contribute one time City proceeds resulting from the sale of Toronto Hydro Telecom Inc. by Toronto Hydro Corporation to the new reserve fund as referred to in Recommendation 7.

9. City Council request TCHC to submit, to a TCHC Board meeting, a list of repairs showing where the \$75 million for the maintenance of existing housing stock, will be spent. **(Motion by Deputy Mayor Pantalone on behalf of Councillor Nunziata)**
10. City Council request TCHC, when using these funds as recommended by the Mayor, to continue the emphasis on local partnerships and local training and job creation, environmental design, including the purchase of local and environmentally sustainable products to achieve the objective of eliminating the maintenance deficit inherited by TCHC. **(Motion by Councillor Fletcher)**
11. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

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

On motion by Councillor Moscoe, the Executive Committee requested City staff to explore with Toronto Hydro Telecom Inc. (THTI) the possibility of including “MUSH” partners (i.e. Universities, Schools and Hospitals) activities within the permitted uses for the dark fibre under the agreement and submit a report directly to the July 15, 2008 Council meeting on the results of those discussions.

Mr. Joe Pennachetti, Deputy City Manager and Chief Financial Officer, Mr. Derek Ballantyne, Chief Executive Officer, Toronto Community Housing Corporation and Mr. Dave Wallace, Chief Information Officer, provided a presentation to the Executive Committee on the Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services and filed a copy of their presentation material. (EX22.16.1)

### **Motions**

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe **(Carried)**  
(See Decision Advice and Other Information).

Motion to Amend Item (Additional) moved by Deputy Mayor Joe Pantalone **(Carried)**  
On behalf of Councillor Nunziata  
Recommendation 9.

Motion to Amend Item (Additional) moved by Councillor Paula Fletcher **(Carried)**  
Recommendation 10.

Motion to Amend Item moved by Deputy Mayor Joe Pantalone **(Lost)**  
On behalf of Councillor Holyday:  
That the Executive Committee recommend that the \$75 Million from Toronto Hydro be split as follows:

- \$25 Million for Roads;
- \$25 Million for Parks; and
- \$25 Million for Housing.

Motion to Amend Item (Additional) moved by Mayor David Miller (**Out of Order**)

On behalf of Councillor Minnan-Wong:

“That the Executive Committee recommend that City Council develop a strategy and staff be requested to submit a report this year prioritizing the distribution of funds from the sale and monitorization of the City’s assets.”

Motion to Adopt Item as Amended moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Agreement between Toronto Hydro Telecom Inc. and the City of Toronto for the Provision of Telecommunication Services

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13886.pdf>)

## **16a Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.**

(June 17, 2008) Report from the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Deputy City Manager & Chief Financial Officer Recommends that the City:

1. Request that the Board of Directors of Toronto Hydro Corporation declare a one time special dividend of \$75 million from the net proceeds of the sale of THTI.
2. Establish a new account within the State of Good Repair Discretionary Reserve Funds account, called the Toronto Community Housing Corporation State of Good Repair Reserve Fund, and accordingly:
  - a. amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the Toronto Community Housing Corporation State of Good Repair Reserve Fund to Schedule #8 - State of Good Repair Discretionary Reserve Funds;
  - b. adopt Appendix 1, which describes the purpose and administrative features of the new Reserve Fund.
3. Contribute one time City proceeds resulting from the sale of Toronto Hydro Telecom Inc. by Toronto Hydro Corporation to the new reserve fund as referred to in Recommendation 2.
4. Authorize and direct the appropriate City officials to take the necessary action to give effect thereto and grant leave for the introduction of any necessary bills in Council.

### **Financial Impact**

Consistent with the recommendations in this report it is expected that a dividend of approximately \$75 million will be attributable to the sale of THTI.

The recommendations would assist 2009 budget deliberations to help address the capital repair backlog of the Toronto Community Housing Corporation, the wholly owned subsidiary of the City of Toronto. The funds would in part offset future TCHC subsidy requirements related to debt and help reduce future capital maintenance expenditures associated with the backlog of capital maintenance.

### Summary

On Friday June 13, 2008 Toronto Hydro Corporation announced the sale of its wholly owned subsidiary, Toronto Hydro Telecom Inc. As the sole shareholder of Toronto Hydro Corporation, the sale will entitle the City to a one time increase in dividends. In keeping with Council policy and the City's fiscal objectives, the resulting funds should be invested in long term assets of the City.

The City's social housing stock has a well documented and growing backlog of capital maintenance requirements that are affecting the quality of life of the residents, and for which no viable funding source has been identified. The most recent estimate of the cost of this backlog is \$300 - \$350 million, notwithstanding the \$500 million invested from 2002 – 2007, and the planned investment of \$400 million over the next 5 years.

The use of the City's portion of the proceeds from the telecom sale for the rehabilitation of housing stock makes good financial sense for the City - reducing the impact of future debt costs and addressing important infrastructure needs. This report recommends that the City's proceeds from the sale be contributed to a new reserve fund to address the capital backlog of the Toronto Community Housing Corporation (TCHC).

The Province of Ontario has also recognized the repair of housing stock as a priority. On March 31, 2008 the Government announced a budget allocation of \$36.459 million to the City of Toronto for this purpose.

### Links to Background Information

Use of City Proceeds from Sale of Toronto Hydro Telecom Inc.  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13900.pdf>

EX22.17	ACTION	Withdrawn		Ward: All
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### Request by North York Community Council to join the Association of Municipalities of Ontario as an Associate Member

(June 11, 2008) Letter from the North York Community Council

### Recommendations

North York Community Council referred the following recommendations to the Executive Committee, for its consideration:

1. That the North York Community Council join the Association of Municipalities of Ontario as an Associate Member.
2. That the annual membership fee of \$560.00 be taken from the annual budget established for the operation of the North York Community Council.
3. That the North York Community Council be permitted to select two delegates, on an annual basis, to attend meetings and conferences on behalf of the over 600,000 residents who live in the catchment area of the North York District.
4. That Councillor Moscoe and Councillor Stintz be selected as the two North York Community Council delegates for this year.
5. That the two delegates report back at least annually on relevant issues to the North York Community Council.
6. That the first task of the North York Community Council delegates be to seek the Association of Municipalities of Ontario's support for amendments to the Elections Act that will prohibit members of Council from legal costs that arise from frivolous lawsuits related to election compliance audits.

### **Summary**

Letter from the North York Community Council forwarding a Member Motion (June 10, 2008) by Councillor Stintz, respecting North York Community Council joining the Association of Municipalities of Ontario as an Associate Member.

### **Speakers**

Councillor Karen Stintz, Ward 16, Eglinton-Lawrence

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

The Chair ruled Item EX22.17, entitled "Request by North York Community Council to join the Association of Municipalities of Ontario as an Associate Member", out of order, given the action taken by City Council on June 23 and 24, 2008, with respect to a similar matter (Item SC16.23 from the Scarborough Community Council) and stated that this matter was not properly before the Executive Committee. The Item was therefore withdrawn from the agenda.

### **Motions**

Motion to Withdraw an Item moved by Mayor David Miller (**Withdrawn**)

### **Links to Background Information**

Request by North York Community Council to join the Association of Municipalities of Ontario as an Associate Member (Item NY16.39)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13902.pdf>)

Member Motion by Councillor Karen Stintz

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13903.pdf>)



EX22.18	ACTION	Adopted		Ward: All
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## **Metropolitan Toronto Police Benefit Fund - Actuarial Report as at December 31, 2007**

(June 13, 2008) Report from the Government Management Committee

### **Recommendations**

The Government Management Committee recommends that:

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received for information.
2. The existing authorization for the City to make special annual payments of \$4,887,600 in year 2008, \$4,196,400 in 2009, \$1,707,600 in 2010 and \$842,400 in 2011 to eliminate the fund’s solvency deficiency as at December 31, 2006 be modified by reducing the payments to \$2,416,200 in 2008 and \$772,200 in 2009.
3. The City allocate the remaining credit balance of \$4,923,000 as a result of excess special payments made in 2005 and 2006 to be a contribution credit to be applied to reduce the 2008 payment to \$2,416,200.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

### **Financial Impact**

As a result of the 2006 Actuarial Valuation, the City was required to make special payments of \$7,339,200 in each of 2007 and 2008 with payments reducing to \$842,200 in 2011 with respect to the existing solvency deficiency in the Metropolitan Toronto Police Benefit Fund as required under the *Ontario Pension & Benefits Act*. In the 2007 Valuation, the going-concern deficiency was eliminated and the solvency deficiency reduced. In addition, a credit of \$4,923,000 is to be applied to the payment for the year 2008, resulting in special payments in the amount of \$2,416,200 for 2008 and \$772,200 in 2009.

The special payments in the amount of \$2,416,200 for 2008 has been provided for in the 2008 Non-Program Expenditure Budget.

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

### **Summary**

This report will present the Actuarial Valuation as at December 31, 2007 for the Metropolitan Toronto Police Benefit Fund along with a recommendation regarding the continuation of special payments to the Fund with respect to the solvency deficiency.

The 2007 valuation results of the Fund highlight the financial position and the results of its operations for the year ended December 31, 2007 and the Valuation Report appropriately does not recommend any cost-of-living increase for pensioners for 2008.

### **Committee Recommendations**

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

1. The “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2007” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund, be received for information.
2. The existing authorization for the City to make special annual payments of \$4,887,600 in year 2008, \$4,196,400 in 2009, \$1,707,600 in 2010 and \$842,400 in 2011 to eliminate the fund’s solvency deficiency as at December 31, 2006 be modified by reducing the payments to \$2,416,200 in 2008 and \$772,200 in 2009.
3. The City allocate the remaining credit balance of \$4,923,000 as a result of excess special payments made in 2005 and 2006 to be a contribution credit to be applied to reduce the 2008 payment to \$2,416,200.
4. The appropriate City officials be authorized to take the necessary action to give effect to the foregoing recommendations.

### **Motions**

Motion to Adopt Item moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Metropolitan Toronto Police Benefit Fund - Actuarial Report as at December 31, 2007 (GM15.5)

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13904.pdf>

MERCER Report - April 2008

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13905.pdf>

EX22.19	ACTION	Adopted		Ward: All
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### **Facilities and Real Estate - 2008 Capital Budget Reallocations**

(June 13, 2008) Report from the Government Management Committee

### **Recommendations**

The Government Management Committee recommends that:

1. City Council authorize the reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of \$1.008 million, as illustrated in schedule

“A” (Part 1) attached to the report (May 29, 2008) from Chief Corporate Officer, with a zero gross and net impact.

2. City Council authorize reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of \$0.177 million to the two previously approved projects, North York Civic Centre – Railing System – CCA 151-12 (\$0.030 million) and Swansea Town House Community Centre and Library – 95 Lavinia - Replace windows – CCA 159-04 (0.147 million), as illustrated in Schedule “A” (Part 2) attached to the report (May 29, 2008) from Chief Corporate Officer, with a zero gross and net impact.

### **Financial Impact**

There are no additional costs to the City as a result of approval of this report.

The approval of this report will result in the reallocation of 2008 approved cash flows in the total amount of \$1.184 million within the Facilities and Real Estate 2008 Approved Capital Budget (Schedule “A”). It will also authorize the spending in two previously approved capital projects (for a zero net impact) which had no approved cash flows in 2008, but require additional funding due to unforeseen circumstances (Schedule “A”, Part 2).

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

### **Summary**

This report requests Council’s authority to reallocate funds within the Facilities and Real Estate Division (F&RE) 2008 Approved Capital Budget. The reallocation of funds will have a zero net impact corporately and will better align 2008 cash flows with Facilities and Real Estate’s program requirements.

### **Committee Recommendations**

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

1. City Council authorize the reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of \$1.008 million, as illustrated in schedule “A” (Part 1) attached to the report (May 29, 2008) from Chief Corporate Officer, with a zero gross and net impact.
2. City Council authorize reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of \$0.177 million to the two previously approved projects, North York Civic Centre – Railing System – CCA 151-12 (\$0.030 million) and Swansea Town House Community Centre and Library – 95 Lavinia - Replace windows – CCA 159-04 (0.147 million), as illustrated in Schedule “A” (Part 2) attached to the report (May 29, 2008) from Chief Corporate Officer, with a zero gross and net impact.

## Motions

Motion to Adopt Item moved by Mayor David Miller (**Carried**)

## Links to Background Information

Facilities and Real Estate-2008 Capital Budget Reallocations (GM15.14)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13911.pdf>)

Schedule A: Facilities and Real Estate - 2008 Capital Budget Reallocations

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13912.pdf>)

EX22.20	ACTION	Adopted		Ward: 7
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## Securing the City's Interest in Affordable Homes at 2350 Finch Avenue West

(June 16, 2008) Report from the Affordable Housing Committee

## Recommendations

The Affordable Housing Committee on June 16, 2008, recommended to the Executive Committee and City Council that:

1. authority be granted to fund up to \$852,454 from the Capital Revolving Fund and \$852,454 from the Development Charges Reserve Fund as a grant by way of a forgivable loan to be used to fund construction, finishing and operating expenses (including initial vacancy losses estimated to be \$90,000) for the completion of the Ghana Amansie Project, to be expended as the Director of the Affordable Housing Office (AHO), at his sole discretion, directs from time to time;
2. authority be granted for the City to consent to and enter into an assignment of the land lease and funding agreements entered into by the City with Ghana Amansie Non-Profit Homes, to effect a transfer of the Project to TCHC, subject to approval by the Board of Directors of TCHC;
3. authority be granted for the City to pursue any legal remedies it may have under its various agreements with Ghana Amansie, including the lease and loan and grant agreement, if necessary, to acquire possession and control of the Project and to allow the City to transfer the Project to TCHC;
4. authority be granted to enter into an agreement with TCHC that sets out the terms and conditions of the transfer of the Project, on such terms and conditions, satisfactory to the Director and in a form approved by the City Solicitor;
5. authority be granted to terminate the lease for 2350 Finch Avenue West and to transfer legal title to the property to TCHC, at a later date, in keeping with the Affordable Housing Office's intention to transfer title to TCHC of the affordable housing projects developed by it on City-owned land;

6. authority be granted to amend any or all of the City Lease, Affordable Housing Agreement and the Loan and Grant Agreement and ancillary documents, to provide for the current CRF loan, in the amount of \$1,584,000 to be converted to a grant, by way of forgivable loan, and that all amended agreements also to be in keeping with the form of these agreements usually entered into between TCHC and the City for affordable housing projects and as may be required to effect to the transfer of these agreements to TCHC;
7. authority be granted to enter into any agreements that the Ministry of Municipal Affairs and Housing, First National Financial Corporation or any other parties, as may be necessary to give effect to the transfer of the Project to TCHC ;
8. authority be granted for the City to continue the sole source contract with R. Seligman Associates Inc., effective May 1, 2008, for project management services, and for any other consultants deemed necessary by the Director, for a fee not to exceed \$50,000 and on such terms and conditions satisfactory to the Director and in a form approved by the City Solicitor; and
9. the Director of the Affordable Housing Office be authorized and directed, on behalf of the City, to execute all assignments, agreements and other documents required to complete the construction and transfer of the Project at 2350 Finch Avenue West to TCHC.

### **Financial Impact**

This report recommends an increase in capital funding of \$1,704,908 through a grant of up to \$852,454 from the Capital Revolving Fund (CRF) and \$852,454 from the Development Charges Reserve Fund (DCRF) to cover additional capital requirements for the completion of the Ghana Amansie Project, and to cover operating losses (as identified in Appendix A). Upon approval of these recommendations, the approved CRF grant will be deducted from the uncommitted balance of \$7.296 million in the CRF, and the approved DCRF grant will be deducted from the uncommitted balance of \$3.069 million in the DCRF.

To facilitate the development of the Ghana Amansie Project, in August 2000, Council approved a \$576,000 grant from the CRF; in July 2005, Council approved \$1,584,000 as a loan to be paid back over 25 years with interest from the CRF. In June 2007, Council approved an additional grant of \$1,873,750 from the CRF. This report recommends that the loan for \$1,584,000 be converted to a forgivable loan to assist in providing for the long-term financial viability of the Project.

Other City benefits to the project, as outlined below, have included the contribution of surplus land valued at \$960,000, an exemption from planning fees and development charges valued at \$242,350, as well as the waiver of municipal property taxes over the term of the lease (50 years). The net present value of this waiver is estimated to be \$633,586.

Capital Funding and Contributions	2005	2007	2008 with increase
Canada-Ontario AHP Funding Provincial	\$ 192,000		\$ 192,000
Canada-Ontario AHP Funding Federal	\$ 1,200,000		\$ 1,200,000
City -CRF Loan	\$ 1,584,000		
City CRF Grant	\$ 576,000		
Contribution of City Land Value	\$ 960,000		\$ 960,000
Waved Development Charges and Fees	\$ 242,350		\$ 242,350
Mortgage Financing	\$ 6,700,000		\$ 6,927,143
CMHC PDF Funds	\$ 70,000		\$ 70,000
2007 CRF Grant Increase		\$ 1,873,750	
Total CRF Grants/Loans 2000 - 2007			\$ 4,033,750
Recommended Grant from the CRF			\$ 852,454
Recommended Grant from the DCRF			\$ 852,454
Total	\$ 11,524,350	\$13,398,100	\$ 15,330,151

Operating Funding	2007	2008 with Increase
NPV of Property Tax Exemption 50 years	\$633,586	\$633,586
Total	\$633,586	\$633,586

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

## Summary

In May 2007 the Affordable Housing Office reported that the affordable housing project (the “Project”) being developed by Ghana Amansie Canadian Non-Profit Homes (“Ghana Amansie”) on city owned land at 2350 Finch Avenue West was in substantial difficulty while still under construction. Council subsequently approved an increase in capital funding to complete the Project and provide staff the authority to intervene and manage the completion of the development.

After a very difficult year the Project, consisting of 48 apartments and four commercial spaces has now been substantially completed. A number of families and individuals moved into their new homes in late April 2008.

In spite of this progress there are a number of financial and governance issues that need immediate attention and remedial action. The extraordinary measures recommended in this Report are a first for the City, which has successfully completed some 50 affordable housing projects.

Additional funding is now required to cover necessary construction costs outside of the original contract, change orders to comply with Building Code requirements, increased construction financing costs, delay claims, and residential and commercial rent-up losses. This report recommends that these funds be provided from the City of Toronto Capital Revolving Fund (CRF) and Development Charges Reserve Fund (DCRF).

To address governance of the Project, City staff request authority to allow Ghana Amansie to assign its lease and funding agreements to Toronto Community Housing Corporation (“TCHC”). Alternatively, the report seeks authority for the City to pursue any legal remedies it may have under those agreements, to acquire possession and control of the Project in order to transfer it to TCHC.

Either course of action, will secure the Project under the control of the city’s housing agency, an experienced development/management group.

Approval of these actions will ensure that badly needed affordable housing is provided and the building is appropriately completed and viably managed by an experienced non-profit corporation.

### **Speakers**

Councillor Doug Holyday, Ward 3, Etobicoke Centre

### **Committee Recommendations**

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

1. Authority be granted to fund up to \$852,454 from the Capital Revolving Fund and \$852,454 from the Development Charges Reserve Fund as a grant by way of a forgivable loan to be used to fund construction, finishing and operating expenses (including initial vacancy losses estimated to be \$90,000) for the completion of the Ghana Amansie Project, to be expended as the Director of the Affordable Housing Office (AHO), at his sole discretion, directs from time to time;
2. Authority be granted for the City to consent to and enter into an assignment of the land lease and funding agreements entered into by the City with Ghana Amansie Non-Profit Homes, to effect a transfer of the Project to TCHC, subject to approval by the Board of Directors of TCHC;
3. Authority be granted for the City to pursue any legal remedies it may have under its various agreements with Ghana Amansie, including the lease and loan and grant agreement, if necessary, to acquire possession and control of the Project and to allow the City to transfer the Project to TCHC;
4. Authority be granted to enter into an agreement with TCHC that sets out the terms and conditions of the transfer of the Project, on such terms and conditions, satisfactory to the Director and in a form approved by the City Solicitor;
5. Authority be granted to terminate the lease for 2350 Finch Avenue West and to transfer legal title to the property to TCHC, at a later date, in keeping with the Affordable Housing Office’s intention to transfer title to TCHC of the affordable housing projects developed by it on City-owned land;

6. Authority be granted to amend any or all of the City Lease, Affordable Housing Agreement and the Loan and Grant Agreement and ancillary documents, to provide for the current CRF loan, in the amount of \$1,584,000 to be converted to a grant, by way of forgivable loan, and that all amended agreements also to be in keeping with the form of these agreements usually entered into between TCHC and the City for affordable housing projects and as may be required to effect to the transfer of these agreements to TCHC;
7. Authority be granted to enter into any agreements that the Ministry of Municipal Affairs and Housing, First National Financial Corporation or any other parties, as may be necessary to give effect to the transfer of the Project to TCHC ;
8. Authority be granted for the City to continue the sole source contract with R. Seligman Associates Inc., effective May 1, 2008, for project management services, and for any other consultants deemed necessary by the Director, for a fee not to exceed \$50,000 and on such terms and conditions satisfactory to the Director and in a form approved by the City Solicitor; and
9. The Director of the Affordable Housing Office be authorized and directed, on behalf of the City, to execute all assignments, agreements and other documents required to complete the construction and transfer of the Project at 2350 Finch Avenue West to TCHC.

### **Motions**

Motion to Adopt Item moved by Councillor Giorgio Mammoliti (**Carried**)

### **Links to Background Information**

Securing the City's Interest in Affordable Homes at 2350 Finch Avenue West  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13917.pdf>

EX22.21	ACTION	Adopted		Ward: 30
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### **Conversion of 717 Broadview Avenue to Affordable Housing by Toronto Community Housing Corporation**

(June 16, 2008) Report from the Affordable Housing Committee

### **Recommendations**

The Affordable Housing Committee on June 16, 2008, recommended to the Executive Committee and City Council that:

1. Council approve TCHC as the proponent for the conversion of 717 Broadview Avenue to approximately 62 affordable homes for seniors;



2. The City of Toronto enter into an Agreement of Purchase and Sale with TCHC for the sale of 717 Broadview Avenue for the nominal consideration of One Dollar (\$1.00), substantially on the terms and conditions outlined in Appendix A to this report;
3. Each of the Executive Director of Facilities and Real Estate and the Director of Real Estate Services be authorized severally to execute such other consents, licences to enter, approvals, authorizations, directions and other documents as may be required for TCHC to complete its due diligence and pre-development processes;
4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms, as she considers reasonable;
5. Authority be granted to provide capital funding:
  - a. to a maximum of \$3,215,000 from the Capital Revolving Fund for Affordable Housing as a grant, by way of forgivable loan;
  - b. \$2,690,800 from the Provincial portion of the AHP Program through the conversion of AHP Housing Allowance/Rent Supplement funding to Rental and Supportive funding previously approved by Council; and
  - c. \$1,649,200 from the Federal portion of the AHP Program through the conversion of AHP Housing Allowance/Rent Supplement funding to Rental and Supportive funding previously approved by Council;

all to assist in the construction of the above-mentioned project, on terms and conditions satisfactory to the Deputy City Manager and which terms and conditions may be varied from time to time, as the project progresses and circumstances change;

6. Authority be granted to exempt the project from taxation for municipal and school purposes from the date of the transfer of the Property to TCHC;
7. Authority be granted for exempting the project from charges, under the Development Charges Act, from payment of development fees and charges;
8. Authority be granted to designate the Project as social housing allowing all or part of the project relief from normal parking standards;
9. Authority be granted to enter into a municipal capital facility agreement and such other agreements, licences, security and documents in a form approved by the City Solicitor; with TCHC, to provide for the development and operation of approximately 62 units of affordable housing, on such terms and conditions as the Director, Affordable Housing Office considers appropriate and to approve any changes to the Project, during its development that the Director deems to be in the best interest of the City and/or the project;

10. The Director, Affordable Housing Office be authorized and directed, on behalf of the City, to execute the municipal capital facility agreement and such other agreements and documents deemed necessary to complete the sale of the Property and the financing of the Project, on terms and conditions satisfactory to the Director Affordable Housing Office and in a form approved by the City Solicitor; and
11. The Affordable Housing Office be authorized to pay all direct and indirect costs of maintaining the building, estimated at approximately \$311,700, including, but not necessarily limited to, hydro, gas, water and security, from the date Council approves the transfer of the Property to TCHC to the date that TCHC takes title to the Property, from the Capital Revolving Fund for Affordable Housing.
12. Council request TCHC to work with other non-profit housing agencies such as Scarborough Residential Alternative, to look at providing housing opportunities within the seniors housing complex at 717 Broadview Avenue.

### **Financial Impact**

The public benefit resulting from the conveyance and conversion of the Property will be the creation of 62 new affordable rental homes for seniors.

The total capital cost for the conversion of the building to 62 units, minus the land value, is \$13.7 million. This equates to approximately \$221,000 per unit.

The capital funding as outlined in the chart below is recommended from the Canada-Ontario Affordable Housing Program, City sources and TCHC equity and financing.

The municipal property taxes waived over 25 years are estimated to have a net present value of \$613,900. The waived planning fees and development charges are valued at approximately \$320,037.

Federal-Provincial funding is from the reallocation of funds previously approved by Council from the Canada-Ontario Affordable Housing Program in the amount of \$4,340,000. This is comprised of Provincial funding of \$2,690,800 (62% of the total) and Federal funding of \$1,649,200 (38% of the total) The Provincial funding is provided by way of a 20-year affordability payment.

City sources include \$3,215,000 from the uncommitted balance of \$7.296 million in the Capital Revolving Fund (XR1058) for Affordable Housing. The TCHC contribution is approximately \$5,818,000 in equity and financing consisting of approximately \$1,889,000 in equity and approximately \$3,929,000 in financing.

Direct and indirect costs of maintaining the building from the date of Council approval to the date TCHC takes title of the Property is estimated at \$311,700 on an annualized basis (\$25,975 per month for approximately 12 months), with the property maintenance budget currently included in the Operating budget for Shelter, Support and Housing Administration.

Capital Funding for Conversion and Property Purchase	
Canada-Ontario AHP Funding Provincial portion*	\$ 2,690,800
Canada-Ontario AHP Funding Federal portion	\$ 1,649,200
City funds from the Capital Revolving Fund for Affordable Housing	\$ 3,215,000
Approximate TCHC Equity and financing	\$ 5,818,000
Waived Development Charges and Fees (approximate)	\$ 320,037
Capital Funding	\$13,693,037
Property Contribution (2002)	\$ 6,500,000
Total Capital Funding and Contributions	\$20,193,037

\* Note: Provincial funding equal to 62% of the total AHP funding is provided by way of a 20 year affordability payment.

The current appraised value of the property is \$8,300,000.

Other City Contributions	
25 year NPV of Property Tax Exemption	\$ 613,900

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

## Summary

This report seeks authority to transfer the City-owned property at 717 Broadview Avenue (the “Property”) to the Toronto Community Housing Corporation (TCHC) to support the creation of affordable housing. Once conveyed, TCHC will be able to proceed to convert the Property, a former long-term care facility, to approximately 62 self-contained affordable rental apartments for low-income seniors and compatible amenity space.

In short, the new uses ensure that a valuable City asset gets a “new lease on life” by providing affordable housing and new community uses in close proximity to public transit and public services.

To successfully convert the Property to affordable housing, the report recommends funding from the City of Toronto’s Capital Revolving Fund and other City incentives, funding from the Canada – Ontario Affordable Housing Program (AHP) and TCHC equity and financing.

The proposed conversion will help the City achieve its environmental objectives by meeting or exceeding the Toronto Green Development Standards with energy efficiency targets above the Model National Energy Code, reducing greenhouse gas emissions and reducing waste destined for landfill sites through the adaptive reuse of the existing building.

Proceeding with this proposal will contribute to Council’s goal of supporting the creation of 1,000 new affordable homes annually and is consistent with its Housing First policy. This initiative is one of the last Toronto developments to be funded under the AHP, as program funding has now been fully committed. Council is currently seeking a renewal of the AHP and other federal and provincial housing and homeless programs.

The report also provides information on the community consultation that Council directed the Affordable Housing Office to undertake and outlines the advice and input obtained from local residents, community organizations and businesses, regarding re-development of the Property as affordable housing.

## **Communications**

(June 18, 2008) e-mail from Maureen Gilroy (EX.Main.EX22.21.1)  
(June 17, 2008) e-mail from Karen Bach (EX.Main.Ex22.21.2)  
(June 24, 2008) e-mail from Sheila Hazell (EX.Main.EX22.21.3)  
(June 18, 2008) e-mail from Toulia Rubello (EX.Main.EX22.21.4)  
(June 18, 2008) e-mail from N. S. Mingo (EX.Main.EX22.21.5)  
(June 18, 2008) e-mail from David Pamentor (EX.Main.EX22.21.6)  
(June 18, 2008) e-mail from Mark Nenadovic (EX.Main.EX22.21.7)  
(June 18, 2008) e-mail from Yanzhi Chen (EX.Main.EX22.21.8)  
(June 18, 2008) e-mail from Ellen Durjancik (EX.Main.EX22.21.9)  
(June 18, 2008) e-mail from Margaret Franklin (EX.Main.EX22.21.10)  
(June 18, 2008) e-mail from Stewart Kiff (EX.Main.EX22.21.11)  
(June 18, 2008) e-mail from Laurie McGugan (EX.Main.EX22.21.12)  
(June 18, 2008) e-mail from Tony Gilroy (EX.Main.EX22.21.13)  
(June 18, 2008) e-mail from Anne Donald (EX.Main.EX22.21.14)  
(June 18, 2008) e-mail from Lillian Adamakis (EX.Main.EX22.21.15)  
(June 18, 2008) e-mail from Robert & Ilana Fawcett (EX.Main.EX22.21.16)  
(June 18, 2008) e-mail from Abby Simons (EX.Main.EX22.21.17)  
(June 18, 2008) e-mail from Gregg Lawless (EX.Main.EX22.21.18)  
(June 18, 2008) e-mail from Barbara Hirst (EX.Main.EX22.21.19)  
(June 18, 2008) e-mail from Vaune Davis (EX.Main.EX22.21.20)  
(June 18, 2008) e-mail from Claire and Bruce Shewfelt (EX.Main.EX22.21.21)  
(June 19, 2008) e-mail from Sharon Kiff (EX.Main.EX22.21.22)  
(June 19, 2008) e-mail from Elena Cherry (EX.Main.EX22.21.23)  
(June 19, 2008) e-mail from Fr. Andrew Morasse (EX.Main.EX22.21.24)  
(June 18, 2008) e-mail from Collette Skelly (EX.Main.EX22.21.25)  
(June 18, 2008) e-mail from Liz Watkinson (EX.Main.EX22.21.26)  
(June 18, 2008) e-mail from Robert van der Linde (EX.Main.EX22.21.27)  
(June 19, 2008) e-mail from Tim & Alison Binkley (EX.Main.EX22.21.28)  
(June 19, 2008) e-mail from Jane Truemner (EX.Main.EX22.21.29)  
(June 19, 2008) e-mail from Mike Dampf (EX.Main.EX22.21.30)  
(June 19, 2008) e-mail from Dan Gandy (EX.Main.EX22.21.31)  
(June 23, 2008) e-mail from Judy Stinson (EX.Main.EX22.21.32)  
(June 21, 2008) e-mail from Pauline Adams (EX.Main.EX22.21.33)  
(June 20, 2008) e-mail from Janet Solberg (EX.Main.EX22.21.34)  
(June 20, 2008) e-mail from Paul Thompson (EX.Main.EX22.21.35)  
(June 22, 2008) e-mail from Mariana Valverde (EX.Main.EX22.21.36)  
(June 20, 2008) e-mail from Lina Risi (EX.Main.EX22.21.37)  
(June 20, 2008) e-mail from Carol Kushner (EX.Main.EX22.21.38)  
(June 20, 2008) e-mail from Terri Pamentor (EX.Main.EX22.21.39)  
(June 23, 2008) e-mail from Susan Hynds (EX.Main.EX22.21.40)  
(June 20, 2008) e-mail from David Cohen (EX.Main.EX22.21.41)  
(June 20, 2008) e-mail from Barbara Cohen (EX.Main.EX22.21.42)

(June 23, 2008) e-mail from Peggy Irwin (EX.Main.EX22.21.43)  
(June 23, 2008) e-mail from Bonnie Heath (EX.Main.EX22.21.44)  
(June 23, 2008) e-mail from Elizabeth Rainsberry (EX.Main.EX22.21.45)  
(June 23, 2008) e-mail from Jennifer Volk (EX.Main.Ex22.21.46)  
(June 23, 2008) e-mail from Denise Blinn (EX.Main.EX22.21.47)  
(June 23, 2008) e-mail from Mirka Macalik (EX.Main.EX22.21.48)  
(June 24, 2008) e-mail from Elizabeth Borek (EX.Main.EX22.21.49)  
(June 24, 2008) e-mail from Catherine Currie (EX.Main.EX22.21.50)  
(June 24, 2008) e-mail from Dan Fast (EX.Main.EX22.21.51)  
(June 24, 2008) e-mail from Jean Weihs (EX.Main.EX22.21.52)  
(June 24, 2008) e-mail from Mary Anne Beamish (EX.Main.EX22.21.53)  
(June 24, 2008) e-mail from Randy Robinson (EX.Main.EX22.21.54)  
(June 24, 2008) e-mail from Nancy Huntley (Sarino) (EX.Main.EX22.21.55)  
(June 21, 2008) e-mail from Gerry Ker (EX.Supp.EX22.21.56)  
(June 26, 2008) e-mail from Rita Philipacopoulos (EX.Main.EX22.21.57)  
(June 26, 2008) e-mail from Susan Weiss (EX.Main.EX22.21.58)  
(June 26, 2008) e-mail from Claire Shewfelt (EX.Main.EX22.21.59)  
(June 25, 2008) e-mail from Daniel Kushner (EX.Main.EX22.21.60)  
(June 25, 2008) e-mail from Kathy Laird (EX.Main.EX22.21.61)  
(June 25, 2008) e-mail from Helen Lenskyj (EX.Main.EX22.21.62)  
(June 24, 2008) letter from Marilyn Wilcoxon and A. Gladstone (EX.Main.EX22.21.63)  
(June 26, 2008) e-mail from Susan Ruskin (EX.Main.EX22.21.64)  
(June 26, 2008) e-mail from Lesley Ackrill (EX.Main.EX22.21.65)  
(June 25, 2008) e-mail from Sharon Brickman (EX.Main.EX22.21.66)  
(June 25, 2008) e-mail from Helen Lenskyj (EX.Main.EX22.21.67)  
(June 25, 2008) e-mail from Kathy Laird (EX.Main.EX22.21.68)  
(June 26, 2008) e-mail from Yurgo Alexopoulos (EX.Main.EX22.21.69)  
(June 26, 2008) letter from Kam Seung Lew (EX.Main.EX22.21.70)  
(June 26, 2008) letter from Yuk Fong Wu (EX.Main.EX22.21.71)  
(June 25, 2008) letter from Diane Alexopoulos (EX.Main.EX22.21.72)  
(June 25, 2008) letter from Zoe Alexopoulos (EX.Main.EX22.21.73)  
(June 26, 2008) letter from Lesley Ackrill (EX.Main.EX22.21.74)

### **Committee Recommendations**

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

1. Council approve TCHC as the proponent for the conversion of 717 Broadview Avenue to approximately 62 affordable homes for seniors;
2. The City of Toronto enter into an Agreement of Purchase and Sale with TCHC for the sale of 717 Broadview Avenue for the nominal consideration of One Dollar (\$1.00), substantially on the terms and conditions outlined in Appendix A to this report;
3. Each of the Executive Director of Facilities and Real Estate and the Director of Real Estate Services be authorized severally to execute such other consents, licences to enter, approvals, authorizations, directions and other documents as may be required for TCHC to complete its due diligence and pre-development processes;

4. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms, as she considers reasonable;
5. Authority be granted to provide capital funding:
  - a. to a maximum of \$3,215,000 from the Capital Revolving Fund for Affordable Housing as a grant, by way of forgivable loan;
  - b. \$2,690,800 from the Provincial portion of the AHP Program through the conversion of AHP Housing Allowance/Rent Supplement funding to Rental and Supportive funding previously approved by Council; and
  - c. \$1,649,200 from the Federal portion of the AHP Program through the conversion of AHP Housing Allowance/Rent Supplement funding to Rental and Supportive funding previously approved by Council;

all to assist in the construction of the above-mentioned project, on terms and conditions satisfactory to the Deputy City Manager and which terms and conditions may be varied from time to time, as the project progresses and circumstances change;
6. Authority be granted to exempt the project from taxation for municipal and school purposes from the date of the transfer of the Property to TCHC;
7. Authority be granted for exempting the project from charges, under the Development Charges Act, from payment of development fees and charges;
8. Authority be granted to designate the Project as social housing allowing all or part of the project relief from normal parking standards;
9. Authority be granted to enter into a municipal capital facility agreement and such other agreements, licences, security and documents in a form approved by the City Solicitor; with TCHC, to provide for the development and operation of approximately 62 units of affordable housing, on such terms and conditions as the Director, Affordable Housing Office considers appropriate and to approve any changes to the Project, during its development that the Director deems to be in the best interest of the City and/or the project;
10. The Director, Affordable Housing Office be authorized and directed, on behalf of the City, to execute the municipal capital facility agreement and such other agreements and documents deemed necessary to complete the sale of the Property and the financing of the Project, on terms and conditions satisfactory to the Director Affordable Housing Office and in a form approved by the City Solicitor; and
11. The Affordable Housing Office be authorized to pay all direct and indirect costs of maintaining the building, estimated at approximately \$311,700, including, but not necessarily limited to, hydro, gas, water and security, from the date Council approves

the transfer of the Property to TCHC to the date that TCHC takes title to the Property, from the Capital Revolving Fund for Affordable Housing.

12. Council request TCHC to work with other non-profit housing agencies such as Scarborough Residential Alternative, to look at providing housing opportunities within the seniors housing complex at 717 Broadview Avenue.

### **Motions**

Motion to Adopt Item moved by Mayor David Miller (**Carried**)

### **Links to Background Information**

Conversion of 717 Broadview Avenue to Affordable Housing by Toronto Community Housing Corporation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13992.pdf>)

<b>EX22.22</b>	<b>ACTION</b>	Amended		Ward: 6
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### **Adjustment to the 2008 Parks, Forestry and Recreation Division's Capital Budget**

(June 23, 2008) Report from the General Manager, Parks, Forestry and Recreation

### **Recommendations**

The General Manager of Parks, Forestry and Recreation recommends that:

1. the following be approved: the 2008 Parks, Forestry and Recreation Capital Budget be amended to change the financial scope of the project known as South Etobicoke Community Centre Construction (Ward 6) approved December 12, 2005, to increase the project cost by \$900,000 from \$1,900,000 to \$2,800,000 with funding from Parkland Acquisition reserve funds – Etobicoke Local Development for \$35,000 (XR2038), Etobicoke City Wide Development for \$157,000 (XR2036), West District Local Development for 420,000 (XR2203), and City Wide Development for \$288,000 (XR2211) and that this additional cash flow be scheduled for 2009.

### **Financial Impact**

Approval of this report will amend the Parks, Forestry and Recreation 2008 Council approved Capital Budget to include a future year commitment of \$900,000 in 2009.

There are no increases in debt funding arising from this amendment, as funding is entirely from development related funds held by the City.

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

## Summary

The purpose of this report is to recommend an adjustment to the Council adopted 2008 Parks, Forestry and Recreation Capital Budget to include additional financial resources for an approved project.

With the approval of this report, staff will have the authority to proceed with the tendering of this project and enter into a contract to construct.

## Committee Recommendations

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

1. The 2008 Parks, Forestry and Recreation Capital Budget be amended to change the financial scope of the project known as South Etobicoke Community Centre Construction (Ward 6) approved December 12, 2005, to increase the project cost by \$900,000 from \$1,900,000 to \$2,800,000 with funding from Parkland Acquisition reserve funds – Etobicoke Local Development for \$35,000 (XR2038), Etobicoke City Wide Development for \$157,000 (XR2036), West District Local Development for 420,000 (XR2203), and City Wide Development for \$288,000 (XR2211) and that this additional cash flow be scheduled for 2009.
2. Approval of the foregoing Recommendation 1. be subject to the Toronto Catholic School Board Use Agreement being executed. **(Moved by Councillor Mammoliti)**

## Motions

Motion to Amend Item moved by Councillor Giorgio Mammoliti **(Carried)**  
Recommendation 2.

Motion to Amend Item moved by Councillor Howard Moscoe **(Redundant)**  
“That the Executive Committee recommend that:

1. construction of the South Etobicoke Community Centre (Ken Cox) be deferred and that all defined funds be put in reserve to be applied to community facilities in South Etobicoke pending a comprehensive needs assessment.
2. the needs assessment incorporate all potential partnership opportunities, including future use of the present Lakeshore Lions Arena.”

Motion to Adopt Item as Amended moved by Councillor Giorgio Mammoliti **(Carried)**

## Links to Background Information

Adjustment to the 2008 Parks, Forestry and Recreation Division's Capital Budget  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14328.pdf>)



## **22a Adjustments to the 2008 Parks, Forestry and Recreation Division's Capital Budget**

(May 2, 2008) Report from the General Manager, Parks, Forestry and Recreation

### **Financial Impact**

Approval of this report will amend the Parks Forestry and Recreation 2008 Council approved Capital Budget and future year commitments as follows ( in \$000s):

	2008	2009	2010	Total Approved Capital budget and commitments
2008 Council Approved Cash Flow	100,418	23,968	1,712	126,098
In year adjustments to date	9,527			9527
Amendments recommended in this report	450	3,005	3,000	6,455
Adjusted Cash Flow	110,395	26,973	4,712	142,080

There are no increases in debt funding arising from these amendments, as funding is entirely from development related funds held by the City or third party sources.

There is no change to the Capital Plan for 2009 through 2012.

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

### **Summary**

The Executive Committee on June 3, 2008, amongst other things, deferred consideration of the following recommendation 1. contained in the letter (May 16, 2008) from the Budget Committee, to the next meeting of the Executive Committee scheduled to be held on June 26, 2008, to allow City staff to consult with members of the local community with respect thereto:

- “1. City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to change the scope of the project known as South Etobicoke Community Centre Construction (Ward 6) approved December 12, 2005, to increase the project cost by \$900,000 from \$1,900,000 to \$2,800,000 with funding from Parkland Acquisition reserve funds – Etobicoke Local Development for \$35,000 (XR2038), Etobicoke City Wide Development for

\$157,000 (XR2036), West District Local Development for \$420,000 (XR2203), and City Wide Development for \$288,000 (XR2211) and that the additional cash flow be scheduled for 2009.”

## Communications

(June 1, 2008) e-mail from Ruth Grier (EX.Main.EX22.22.1)  
 (June 26, 2008) letter from Councillor Mark Grimes (EX.Main.EX22.22.2)  
 (June 25, 2008) submission from Members of the LAMP Community Health Centre's South Etobicoke Youth Assembly (SEYA) (EX.Main.EX22.22.3)

## Speakers

Ms. Ruth Grier  
 Ms. Jasmin Earle, Lakeshore Community Centre Workgroup  
 Ms. Amber Morley, Director, SEYA (South Etobicoke Youth Assembly)  
 Mr. Gary McMayo, Barsa Kelly Care Centre Co-op  
 Councillor Doug Holyday, Ward 3, Etobicoke Centre  
 Councillor Frances Nunziata, Ward 11, York South-Weston

## Links to Background Information

Adjustments to the 2008 Parks, Forestry and Recreation Division's Capital Budget  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13919.pdf>

EX22.23	Information	Received		
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## Toronto Police Service - 2007 Parking Enforcement Unit Tag Issuance

(May 5, 2008) 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 City of Toronto - Executive Committee with the Toronto Police Service - Parking Enforcement Unit's 2007 annual report on tag issuance.

## Decision Advice and Other Information

On motion by Councillor Moscoe, the Executive Committee received, for information, the report (May 5, 2008) from the Chair, Toronto Police Services Board, entitled “Toronto Police Service - 2007 Parking Enforcement Unit Tag Issuance”.

## Motions

Motion to Receive Item, for information, moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Toronto Police Service - 2007 Parking Enforcement Unit Tag Issuance  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13920.pdf>)

<b>EX22.24</b>	Information	Deferred		
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### **Toronto Police Service – Paid Duty and Special Events Requirements, Practices and Impacts**

(May 5, 2008) 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 City of Toronto - Executive Committee with the Toronto Police Service's report on paid duty and special events requirements, practices and impacts.

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

On motion by Councillor Moscoe, the Executive Committee deferred, for debate at its meeting scheduled to be held on September 2, 2008, the report (May 5, 2008) from the Chair, Toronto Police Services Board, entitled "Toronto Police Service – Paid Duty and Special Events Requirements, Practices and Impacts".

#### **Motions**

Motion to Defer Item moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Toronto Police Service - Paid Duty and Special Events Requirements, Practices and Impacts  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13921.pdf>)

<b>EX22.25</b>	Information	Deferred		
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### **Toronto Police Service – Feasibility of Broadening the Use of the Hand-Held Parking Devices**

(May 5, 2008) 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 City of Toronto - Executive Committee and the City of Toronto - Budget Committee with the Toronto Police Service's report on the feasibility of broadening the use of the hand-held parking devices.

## Decision Advice and Other Information

On motion by Councillor Moscoe, the Executive Committee deferred, for debate at its meeting scheduled to be held on September 2, 2008, the report (May 5, 2008) from the Chair, Toronto Police Services Board, entitled "Toronto Police Service – Feasibility of Broadening the Use of the Hand-Held Parking Devices".

## Motions

Motion to Defer Item moved by Councillor Howard Moscoe (**Carried**)

## Links to Background Information

Toronto Police Service - Feasibility of Broadening the Use of the Hand-Held Parking Devices  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13922.pdf>)

EX22.26	ACTION	Withdrawn		Ward: All
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## Request Federal Government to Create New National Energy Policy

(June 3, 2008) Member Motion by Councillor Walker, seconded by Councillor Shiner

## Recommendations

1. That City Council request the Federal government to enact a newly-formed National Energy Policy that governs the production, import and export, and domestic and international price of oil, natural gas, gasoline and diesel in Canada.
2. That City Council forward this Resolution to the Prime Minister of Canada, the Premier of Ontario and the respective Leaders of the Opposition at the Provincial and Federal levels.
3. That City Council direct the City Manager to report to the September 2008 meeting of the Executive Committee on strategies and opportunities for Toronto to aid in the pursuit of stable fuel prices for our region and Canada as a whole.
4. That this Motion be forwarded to all municipalities in the Greater Toronto Area and all municipalities with populations greater than 50,000 in Canada.
5. That this Motion be deemed to be in the interests of the municipality of Toronto and by extension, all municipalities.

## **Summary**

Canadians have been experiencing very volatile gas, diesel and natural gas fuel prices for decades. In the past five years the prices have doubled, most particularly gas prices.

Canada is in the top five of worldwide oil producers and has the second largest projected oil reserves in the world.

In the recent past, in 1980, Canada had in place a National Energy Policy which regulated the country's oil production rate, as well as the wholesale and market sale prices; it was a two price system: one for domestic and one for international purchasers. Toronto and the Greater Toronto Area (GTA), as the country's economic engine, would certainly benefit by more formally regulated fuel pricing, and a lower price at that. It is important for Toronto and the GTA to join the discussion to mitigate high fuel prices since the health of our economy is so dependant upon the price of fuel. Canada needs a New National Energy Policy.

Such a New National Energy Policy would ensure Canada's, and by extension Toronto's, energy self sufficiency across the country and the best way to do this would be to connect the country coast to coast with a pipeline to immediately address shortages of domestic gas and natural gas in any part of the country.

Toronto's economy is fragile and has been absorbing inflating costs, such as doubling fuel prices, over the last few years. Today's context represents a certain threshold beyond which much of our industrial and service sectors will have to close or severely reduce their activity to withstand dwindling profits due to skyrocketing fuel costs. For example, a taxi driver is already making less than the minimum wage because he/she must spend so much on their gas.

Toronto is Canada's largest city and sixth largest government, and home to a diverse population of about 2.6 million people. It is the economic engine of Canada and one of the greenest and most creative cities in North America. In the past three years, Toronto has won more than 70 awards for quality, innovation and efficiency in delivering public services. Toronto's government is dedicated to prosperity, opportunity and liveability for all its residents. It is on these merits that we must lead the rest of Canada in calling for a New National Energy Policy which would put Canadians first in line for their own natural resources.

## **Communications**

(June 3, 2008) Member Motion from Member Motion by Councillor Walker, seconded by Councillor Shiner (EX.Main)  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7663.pdf>)

## **Speakers**

Councillor Karen Stintz, Ward 16, Eglinton-Lawrence  
Councillor Michael Walker, Ward 22, St. Paul's

## **Decision Advice and Other Information**

The Chair ruled Item EX22.26, Member Motion by Councillor Walker, seconded by Councillor Shiner, entitled "Request Federal Government to Create New National Energy Policy", as

being beyond the Committee's or Council's jurisdiction. The item was withdrawn from the agenda.

### **Motions**

Motion to Withdraw an Item moved by Mayor David Miller (**Withdrawn**)

EX22.27	ACTION	Referred		Ward: All
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### **Request Federal and Provincial Governments to Abandon Food-Based Biofuel Policy**

(June 3, 2008) Member Motion by Councillor Walker, seconded by Councillor Jenkins

### **Recommendations**

1. That City Council request the Federal and Provincial governments to cease their policies and incentive programs for food-based biofuel production (particularly from corn), and invest in alternative sources that do not conflict with Canada's or the world's consumer food-chain, such as the plant Switchgrass or other renewable resources such as hydrogen fuel cells, wind turbines, photovoltaic solar cells, geothermal wells, et cetera.
2. That City Council forward this resolution to the Prime Minister of Canada, the Premier of Ontario and the respective Leaders of the Opposition at the Provincial and Federal levels.
3. That City Council direct the City Manager and Deputy City Manager, Mr. Richard Butts, to report to the September 2008 meeting of Executive Committee regarding strategies and opportunities for fostering alternative sources of energy generation suitable in urban environment such as Toronto's.

### **Summary**

Biofuels are renewable liquid fuels made from plant matter rather than fossil fuels. Today's primary biofuels are ethanol and biodiesel. Biofuels, being derived from plant life, are generated by solar energy and photosynthesis, either on an annual basis (crops, grasses, etc.) or over a period of a number of years (trees). A drawback for biodiesel is diesel engines are prematurely damaged by the composition of biodiesel to such an extent that our industrial and service sectors would not be able to use it on a sustained basis.

Biofuels do work as a supplement or replacement for fossil fuels, but the scale of use is the main issue with them, since our over consumption of energy, particularly energy for transportation (over 50% of our total consumption), cannot be met with biofuels alone. Also, there is not enough agricultural land to replace our current use of oil so we are not going to be flying biofuel 747s.

Biofuels can help reduce toxic air emissions, greenhouse gas build-up, and dependence on imported oil, while supporting Canadian agriculture. But it's not that simple because much of our agriculture production is already needed to feed people.

Not all biofuels are created equal. Some are more energy intensive in their production than others; some, like corn-based ethanol, upset our food chain by using a food crop already in great demand by people across the world, especially for those in developing countries. Corn for fuel is particularly problematic because it uses great amounts of fuel to farm; as well corn is a staple food and an ingredient in many non-food products (i.e. cornstarch in toothpaste). Since the demand for corn for-food cannot be met, there will not be a time when corn can be reasonably used for fuel. Therefore, it should not be used for fuel.

For the “bottom billion”, the people who subsist on less than \$1 a day, who are going hungry due to North America and Europe's shortsighted switch to corn based ethanol biofuels production, the created worldwide shortage in corn for food simply cannot continue. Canada and the rest of the world cannot continue to use a food crop to produce biofuels to replace our dependence upon oil or the problems of the developing world will continue to grow exponentially.

To continue our fostering of biofuels, we can use a plant that is not a crop right now. “Switchgrass” is a plant which can be used to create biofuels. Switchgrass (*Panicum virgatum*) is a tall grass that once covered the North American prairies so it is definitely native to our growing cycles. Furthermore, one can harvest Switchgrass with common baling equipment used for wheat. There is no conflicting use for this plant and it is not labour nor resource intensive to grow for harvest. In fact, Switchgrass yields three times the energy output compared to corn.

The Provincial and Federal governments should not continue to encourage corn based biofuel production and should revisit their biofuel energy policies altogether. Their respective biofuel policies need to ensure that our national fuel production does not exacerbate the world food crisis, upset the food chain, and our Canadian economy.

## **Communications**

(June 3, 2008) Member Motion from Member Motion by Councillor Walker, seconded by Councillor Jenkins (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7664.pdf>)

## **Decision Advice and Other Information**

On motion by Deputy Mayor Pantalone, the Executive Committee referred the Member Motion (June 3, 2008) by Councillor Walker, seconded by Councillor Jenkins, to the Deputy City Manager in charge of environmental initiatives with a request that a report be submitted to the October 6, 2008 meeting of the Executive Committee.

## **Motions**

Motion to Refer Item moved by Deputy Mayor Joe Pantalone (**Carried**)

EX22.28	ACTION	Referred		Ward: 38, 39, 40, 41, 42, 43, 44
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## **Implementation of the Fiscal Review Panel's Recommendation Regarding the Streamlining of the City's Budget Process**

(June 3, 2008) Member Motion by Councillor Stintz, seconded by Councillor Parker

### **Recommendations**

1. That the City Manager and the Deputy City Manager and Chief Financial Officer prepare a report to City Council on how this recommendation will be implemented.

### **Summary**

In October 2007, as part of the compromise reached for the implementation of the Land Transfer Tax and Vehicle Registration Tax, Mayor David Miller commissioned an independent Fiscal Review Panel to investigate the operations of the City and report back in February 2008.

One of the key recommendations of the panel is that the City's budget process be streamlined. More specifically, "The CFO needs to continue to streamline the City's budget process, to complete top-down rolling five-year operating budgets, and ten year capital budgets, and to have more oversight of the 119 agencies, boards, commissions, and corporations (ABCCs) and out of sequence expenditure requests." Furthermore,

- "The CFO and staff should further refine and streamline the City's budget process and take action to address the current 'bottom-up' approach.
- The CFO and staff should complete five-year operating and ten-year capital budgets to help the City make better short and long-term financial choices.
- The CFO and staff should accelerate adoption of the PSAB Capital Asset Guideline accounting standards scheduled for 2009 to better plan and to avoid implementation difficulties.
- The CFO and staff should undertake a formal review of all assets, asset conditions, and needs, and develop an asset management plan for all major infrastructure assets.
- The CFO and staff must be involved and consulted on all financial matters having a material impact on the fiscal stability and sustainability of the City."

### **Communications**

(June 3, 2008) Member Motion from Member Motion by Councillor Stintz, seconded by Councillor Parker (EX.Main)

<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7665.pdf>

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

On motion by Mayor Miller, the Executive Committee referred the Member Motion (June 3, 2008) by Councillor Stintz, seconded by Councillor Parker to the City Manager with a request that an information report be submitted to the September 2, 2008, or October 6, 2008, meeting of the Executive Committee, on what steps are being taken to streamline the City's Budget



process for 2009 and future budget processes.

### **Motions**

Motion to Refer Item moved by Mayor David Miller (**Carried**)

EX22.29	ACTION	Adopted		Ward: All
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### **Capital Variance Report for the Four Months Ended April 30, 2008**

(June 17, 2008) Report from the Budget Committee

### **Recommendations**

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the technical and in-year budget adjustments detailed in Appendix 2 which will reduce the 2008 Approved Capital Budget by \$3.506 million, and decrease debt funding by \$10.315 million.
2. City Council approve an adjustment to the Union Station Revitalization 2009 - 2012 Capital Plan to increase the future year commitments by \$3.021 million with no incremental impact on project cost or debt as outlined in Appendix 3 and on page 18 of the report.

### **Financial Impact**

As summarized in Table 1 below, for the four months ended April 30, 2008, actual expenditures for Tax Supported Programs totalled \$232.827 million or 11.5% of a 2008 Approved Budget of \$2.027 billion. By comparison, these Programs spent 18.2% of their 2007 Approved Budget during the same period in 2007. Tax Supported Programs project a spending rate of 89.1% or \$1.805 billion by the end of 2008.

Rate Supported Programs spent \$28.713 million or 6.6% of their 2008 Approved Budget of \$436.746 million. It is projected that by year-end, expenditures will approximate \$355.388 million or 81.4% of the 2008 Approved Budget.

<p style="text-align: center;">Table 1 Corporate Capital Variance Summary for the Four Months Ended April 30, 2008 (\$000s)</p>						
	2008 Approved Budget		Actual Expenditures - January 1 to April 30, 2008		Projected Actuals to Year-End	
			\$000	%	'\$000	% of Plan
Tax Supported Programs:						
Citizen Centred Services - "A"	199,857		17,968	9.0%	154,163	77.1%
Citizen Centred Services - "B"	457,887		35,460	7.7%	412,251	90.0%
Internal Services	145,211		10,307	7.1%	119,353	82.2%
Other City Programs	54,720		4,673	8.5%	53,745	98.2%
Agencies, Boards & Commissions	1,169,552		164,419	14.1%	1,065,931	91.1%
Total - Tax Supported	2,027,226		232,827	11.5%	1,805,443	89.1%
Rate Supported Programs:						
Toronto Parking Authority	26,746		2,022	7.6%	26,746	100.0%
Toronto Water	410,000		26,691	6.5%	328,642	80.2%
Total Rate Supported	436,746		28,713	6.6%	355,388	81.4%
Total	2,463,972		261,540	10.6%	2,160,831	87.7%

## Summary

The purpose of this report is to provide the City of Toronto Capital Variance Report for the four-month period ended April 30, 2008, and projected actual expenditures to the December 31, 2008. Further, the report recommends adjustments to the 2008 Council Approved Budget in order to ensure effective delivery of the capital program.

Capital expenditures for Tax Supported Programs during the four months period ended April 30, 2008 totalled \$232.827 million, representing 11.5% of the 2008 Approved Budget of \$2.027 billion (see Appendix 1). City Operations spent \$68.408 million or 8.0% of the 2008 Approved Budget of \$857.675 million, while Agencies, Boards and Commissions spent \$164.419 million or 14.1% of their collective 2008 Approved Budget of \$1.170 billion. Rate Supported Programs spent \$28.713 million or 6.6% of the 2008 Approved Budget of \$436.746 million. The above spending levels are consistent with prior years' performance. It is noted that capital project activities tend to be concentrated in the latter half of the year; therefore, capital spending rates will accelerate during the summer months in accordance with capital project plans and schedules.

As shown in Appendix 1, projected expenditures to year end are estimated at \$2.161 billion or 87.7% of the total 2008 Approved Budget of \$2.464 billion. Tax Supported Programs estimate spending 91.1%, while Rate Supported Programs estimate spending 81.4% of their respective 2008 Approved Budget. Projected under-expenditures to year end are primarily attributed to

known delays in the completion of studies due to weather related restrictions on field investigation work; unanticipated legal and environmental issues; reduced funding support from the Province on cost-shared projects; and acquisition of property at a lower than budgeted cost.

### Committee Recommendations

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

1. City Council approve the technical and in-year budget adjustments detailed in Appendix 2 which will reduce the 2008 Approved Capital Budget by \$3.506 million, and decrease debt funding by \$10.315 million.
2. City Council approve an adjustment to the Union Station Revitalization 2009 - 2012 Capital Plan to increase the future year commitments by \$3.021 million with no incremental impact on project cost or debt as outlined in Appendix 3 and on page 18 of the report.

### Motions

Motion to Adopt Item moved by Councillor Joe Mihevc (**Carried**)

### Links to Background Information

Capital Variance Report for the Four Months Ended April 30, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13924.pdf>)

Appendix 1: Consolidated Capital Variance Report, for the Four Months ended April 30, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13925.pdf>)

Appendix 2: Budget and Technical Adjustments

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13926.pdf>)

Appendix 3: Adjustment to Future Year Commitments - Union Station

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13927.pdf>)

EX22.30	ACTION	Adopted		Ward: All
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### 2007 Final Year-End Capital Variance Report

(June 17, 2008) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the carry forward of unspent 2007 capital funds totalling \$120.087 million in order to continue work on 2007 approved capital projects as detailed in Appendix 2, and that the 2008 Approved Capital Budget be increased accordingly.
2. City Council approve the carry forward of unspent 2006 approved capital funds totalling \$15.713 million gross with a net debt reduction of \$0.049 in order to continue

work on 2006 approved capital projects as detailed in Appendix 3, and that the 2008 Approved Capital Budget be adjusted accordingly.

3. City Council approve closure of the completed capital projects detailed in Appendix 4, and that uncommitted funds from under-spent completed projects be utilized to fund overspent completed project with no incremental impact on debt, after which any remaining unspent funds be returned to the original funding source.

### Financial Impact

As shown in Table 1 below, Tax Supported Programs spent \$1.417 billion or 71% of the 2007 Approved Capital Budget of \$1.999 billion during the year ended December 31, 2007. By comparison, spending in 2005 approximated 68.1% and in 2006, 70.3% of the respective Council Approved Budgets. In compliance with prudent financial management practices, debt is issued only when needed to finance actual capital expenditures. This strategy minimizes the incurrence of debt service costs and the resultant impact on the Operating Budget.

Rate-Supported Programs collectively spent \$258.6 million or 59.1% of their collective 2007 Approved Budget of \$437.507 million.

In accordance with the City's Carry Forward Policy, the 2008 Capital Budget, which was approved by Council at its December 11, 2007 meeting, included 2007 carry forward funding of \$305.122 million. Final year-end audited results have indicated the need for additional carry forward funding of \$135.800 million to complete projects delayed in 2007 (see Appendixes 2 and 3 attached). The authority to carry forward these funds will enable staff to continue work on capital projects which were not completed in 2006 and 2007 as planned.

Table 1 Corporate Capital Variance Summary for the Twelve Months Ended December 31, 2007 (\$000s)			
	2007 Approved Budget	Actual Expenditures	Spent %
Tax Supported Programs:			
Citizen Centred Services - "A"	196,104	106,529	54.3%
Citizen Centred Services - "B"	646,386	538,098	83.2%
Internal Services	172,972	116,535	67.4%
Other City Programs	33,220	13,414	40.4%
Agencies, Boards & Commissions	950,647	643,094	67.6%
Total - Tax Supported	1,999,329	1,417,670	70.9%
Rate Supported Programs:			
Toronto Parking Authority	27,506	6,416	23.3%
Toronto Water	410,001	252,136	61.5%
Total - Rate Supported	437,507	258,552	59.1%
Total	2,436,836	1,676,222	68.8%

Completed projects and / or projects recommended for closure are listed in Appendix 4. In accordance with the Financial Control By-law, Council's authority to close these projects is required. It is noted that uncommitted and unspent funds from these completed capital projects will be returned to their original funding sources.

### **Summary**

The purpose of this report is to provide the City of Toronto Final Capital Variance Report for the year ended December 31, 2007. This variance report was prepared using audited accounting information for the year ended December 31, 2007.

Capital expenditures for the year ended December 31, 2007 totalled \$1.676 billion or 68.8% of the Council approved budget of \$2.437 billion (see Appendix 1). The under-expenditure is primarily attributed to the inability to find or secure suitable sites in accordance with planned timeframes; delays in securing funds from cost-sharing partners; later than planned delivery of 161 buses to the Toronto Transit Commission (TTC) due to an employee strike at the bus manufacturer; a significant reduction in actual contributions to GO Transit as a result of shifting costs to the first quarter of 2008; and late delivery of garbage packers, side loaders and street sweepers as a result of challenges faced by suppliers in acquiring major components for these vehicles. It is noted that several projects were completed under-budget. In compliance with City policy, completed projects will be closed and unspent funds will be returned to the original Council approved funding source.

In accordance with the City's Carry Forward Policy, this report requests approval to carry forward funds for unspent 2007 projects not previously identified and included in the 2008 Capital Budget. The additional carry forward request is \$136.035 million as detailed in Appendices 2 and 3 attached.

### **Committee Recommendations**

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

1. City Council approve the carry forward of unspent 2007 capital funds totalling \$120.087 million in order to continue work on 2007 approved capital projects as detailed in Appendix 2, and that the 2008 Approved Capital Budget be increased accordingly.
2. City Council approve the carry forward of unspent 2006 approved capital funds totalling \$15.713 million gross with a net debt reduction of \$0.049 in order to continue work on 2006 approved capital projects as detailed in Appendix 3, and that the 2008 Approved Capital Budget be adjusted accordingly.
3. City Council approve closure of the completed capital projects detailed in Appendix 4, and that uncommitted funds from under-spent completed projects be utilized to fund overspent completed project with no incremental impact on debt, after which any remaining unspent funds be returned to the original funding source.

### **Motions**

Motion to Adopt Item moved by Councillor Shelley Carroll (**Carried**)

### Links to Background Information

2007 Final Year-End Capital Variance Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13928.pdf>)

Appendix 1: 2007 Final Year-end Capital Variance Report

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13929.pdf>)

Appendix 2: Additional 2007 Carry-forward Funding Appendix 3: Additional 2006 Carry-forward Funding

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13930.pdf>)

Appendix 4: Projects Recommended for Closure

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13931.pdf>)

EX22.31	ACTION	Adopted		Ward: All
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### 2007 Final Year-end Operating Variance Report

(June 17, 2008) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the transfer of the additional 2007 final net operating surplus of \$0.321 million to the Capital Financing Reserve Fund.

### Financial Impact

The final 2007 year-end surplus of \$95.137 million is \$0.321 million more than the surplus of \$94.816 million reported in the 2007 Preliminary Year-End Operating Variance report dated February 29, 2008. The additional surplus was due to final 2007 year-end accounting entries and adjustments made by the external auditors after the Preliminary Operating Variance report was prepared.

Chart 2	
2007 Operating Surplus - Preliminary vs Final Audited	
(\$ millions)	
Final Adjusted Year-End Surplus	95.137
Council Approved Allocation of Preliminary Surplus:	
2008 Operating Budget - Prior Year Surplus Revenue	(85.265)
Winter Control Stabilization Reserve	(9.551)
Total Preliminary Surplus Allocated	(94.816)
Additional Unallocated Year-end Surplus	0.321
Recommended Allocation of Additional Surplus:	
Capital Financing Reserve Fund	(0.321)
	(0.000)
-	

Chart 2 details the Council approved transfer of the 2007 preliminary year-end operating surplus and the recommended transfer of the additional 2007 final year-end operating surplus (details are contained in the '2007 Final Year-End Surplus Transfer' section of this report).

### Summary

The purpose of this report is to provide the City of Toronto 2007 Final Operating Variance report for the twelve-month period ended December 31, 2007 and to request approval for the disposition of the additional 2007 final operating surplus. This variance report was prepared using audited accounting information for the year ended December 31, 2007.

The 2007 Preliminary Year-End Operating Variance report dated February 29, 2008 reflected a surplus of \$94.816 million prior to completion of the 2007 year-end audit. For the year ended December 31, 2007, the final operating surplus is \$95.137 million. This results in an uncommitted additional surplus of \$0.321 million. This report recommends that Council approve this amount as contribution to the Capital Financing Reserve Fund.

### Committee Recommendations

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

1. City Council approve the transfer of the additional 2007 final net operating surplus of \$0.321 million to the Capital Financing Reserve Fund.

### Motions

Motion to Adopt Item moved by Mayor David Miller (**Carried**)

### Links to Background Information

2007 Final Year-end Operating Variance Report

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13935.pdf>

Appendix A: Net Expenditures - Appendix B: Gross Expenditures - Appendix C: Revenues

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13936.pdf>

EX22.32	ACTION	Adopted		Ward: All
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### Budget Adjustments to City Planning's 2008 Approved Operating Budget

(June 17, 2008) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.230 million gross and \$0.0 net via Section 37 contributions to

continue to undertake a King-Parliament Heritage Interpretation Master Plan and a Heritage Lighting Plan.

2. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.260 million gross and \$0.0 net, jointly funded by two applicants to undertake a Dundas Street West/Highway 427 Planning Framework Study.
3. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.156 million gross and \$0.0 net and 2 temporary staff, funded from the Capital Revolving Fund for work on the Lawrence Heights Revitalization Project.
4. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.299 million gross and \$0.0 net and 3 temporary staff, funded by third party contributions from Park Downsview Parc Inc. to undertake work on the Park Downsview Secondary Plan.
5. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.215 million gross and \$0.0 net and 2 temporary staff, funded through the Council Approved 2008 Waterfront Revitalization Initiative's Capital Budget to undertake work on the Waterfront revitalization initiatives.
6. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.013 million gross and \$0.0 net which was provided via Section 37 contributions in 2007, to complete the Bloor Corridor Visioning Study.
7. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.004 million gross and \$0.0 net from remaining 2007 collected donations for use in the Lights Out Toronto program.
8. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.020 million gross and \$0.0 net from the unspent portion of 2007 collected donations for the continued work on the Bring Back the Don program.
9. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.033 million gross and \$0.0 net which was provided via Section 37 contributions in 2007 for use in the Joy Oil Station Restoration.

### **Financial Impact**

The table below summarizes the required one-time budget adjustment of \$1.230 million gross and \$0.0 net to City Planning's 2008 Approved Operating Budget including 7 temporary positions. Details are in Attachment 1 of this report.



Budget Adjustments to the 2008 Approved Operating Budget				
	No. of Positions	Gross \$000s	Revenue \$000s	Net \$000s
2008 Confirmed Funding from Various Sources	7	1,160.0	1,160.0	0.0
2007 Unspent Funds from Various External Sources Required in 2008	0	70.2	70.2	0.0
2008 Total Budget Adjustments	7	1,230.2	1,230.2	0.0

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

### Summary

The purpose of this report is to request budget adjustments to City Planning's 2008 Council Approved Operating Budget due to the following:

- a. Confirmation of funding from various sources received after Council approval of the 2008 Operating Budget for City Planning in March 2008; and
- b. Unspent 2007 Operating funds for externally funded programs required in 2008.

### Committee Recommendations

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

1. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.230 million gross and \$0.0 net via Section 37 contributions to continue to undertake a King-Parliament Heritage Interpretation Master Plan and a Heritage Lighting Plan.
2. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.260 million gross and \$0.0 net, jointly funded by two applicants to undertake a Dundas Street West/Highway 427 Planning Framework Study.
3. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.156 million gross and \$0.0 net and 2 temporary staff, funded from the Capital Revolving Fund for work on the Lawrence Heights Revitalization Project.
4. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.299 million gross and \$0.0 net and 3 temporary staff, funded by third party contributions from Park Downsview Parc Inc. to undertake work on the Park Downsview Secondary Plan.
5. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.215 million gross and \$0.0 net and 2 temporary staff, funded through the Council Approved 2008 Waterfront Revitalization Initiative's Capital

Budget to undertake work on the Waterfront revitalization initiatives.

6. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.013 million gross and \$0.0 net which was provided via Section 37 contributions in 2007, to complete the Bloor Corridor Visioning Study.
7. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.004 million gross and \$0.0 net from remaining 2007 collected donations for use in the Lights Out Toronto program.
8. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.020 million gross and \$0.0 net from the unspent portion of 2007 collected donations for the continued work on the Bring Back the Don program.
9. City Council amend the 2008 City Planning Operating Budget to include a one-time funding increase of \$0.033 million gross and \$0.0 net which was provided via Section 37 contributions in 2007 for use in the Joy Oil Station Restoration.

### **Motions**

Motion to Adopt Item moved by Councillor Shelley Carroll (**Carried**)

### **Links to Background Information**

Budget Adjustment to City Planning's 2008 Approved Operating Budget  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13937.pdf>)

EX22.33	ACTION	Adopted		Ward: All
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### **Transportation Services - Early Construction 2008 Cashflow Reallocations and Deferrals**

(June 17, 2008) Report from the Budget Committee

### **Recommendations**

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the deferred and accelerated cash flows in the amount of \$28,020,000 detailed in Table 1 attached, which will have no net impact on the 2008 approved debt.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

## **Financial Impact**

Funding in the amount of \$28,020,000 will be deferred from various projects that for a number of reasons, as outlined in the body of this report, will be delayed. In this regard, an equivalent cash flow can be accelerated and reallocated to a number of projects that are ready to proceed. These cash flows represent debt funded projects with no net change to the approved 2008 net debt funding requirement.

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

## **Summary**

The Transportation Services Division submitted three reports in 2007 dated May 30, June 22, and September 5, 2007 to the Budget Committee recommending the reallocation of anticipated cash flow expenditures from 2007 projects that, for various reasons, needed to be deferred to other projects that were ready to proceed. As with the previous reports, 2008 cash flows are needed to be realigned to other capital program areas that are ready to proceed. This involves the deferral of 2008 approved cash flows and a corresponding acceleration of others that yield a zero net impact on the approved debt target for 2008. In view of the foregoing, Transportation staff, as part of the upcoming 2009 budget process and consistent with the pending divisional submission, will reassess all ongoing and imminent project cash flows so that approved five year debt targets will not be altered.

## **Committee Recommendations**

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

1. City Council approve the deferred and accelerated cash flows in the amount of \$28,020,000 detailed in Table 1 attached, which will have no net impact on the 2008 approved debt.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

## **Motions**

Motion to Adopt Item moved by Councillor Howard Moscoe (**Carried**)

## **Links to Background Information**

Transportation Services - Early Construction 2008 Cashflow Reallocations and Deferrals  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13938.pdf>)

Attachment: Table 1 - Transportation Services Division - Capital Budget Deferrals and Reallocation Debt Funded Programs  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13939.pdf>)

EX22.34	ACTION	Adopted		Ward: All
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## Fire Services 2008 Capital Program Change Request

(June 17, 2008) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council defer to 2009 an amount of \$0.648 million of the \$1.984 million approved 2008 capital cash flow for the Toryork Bays Extension project.
2. City Council reallocate \$0.648 million to the following projects, as a result of Recommendation 1:
  - a. \$0.350 million for the Overhaul of the Fireboat Electrical System advancing the project from 2009 to 2008;
  - b. \$0.180 million for Fire Services' share of a new project, the Fire Services Payroll Time Scheduling System Upgrade, with a 2008 cash flow and total project cost of \$0.280 million funded by \$0.180 million in debt and \$0.100 million recovered from the Pension, Payroll & Employee Benefits Capital budget; and
  - c. \$0.118 million for the 2<sup>nd</sup> year carry forward re-submission of the HUSAR/JEPP 05/06-Project - which requires a total amount of \$0.470 million, funded by \$0.118 million in debt and \$0.352 million in JEPP subsidy.
3. City Council eliminate the resulting net pressure of \$0.298 million in 2009 by reducing Fire Services' Asset Management - 2009 project by an equivalent amount.

### Financial Impact

Fire Services proposed 2008 – 2012 Capital program changes is summarized in the table below. There is no net change in the net debt position of the Program or the 5 year Capital program targets:

2008 Fire Serves Capital Program Adjustments (\$000's)	2008 Cash flow	2009 Cash flow
Defer Toryork Bays Extension - CFR059	(\$648)	\$648
Advance Overhaul of the Fireboat Medical Transportation Cabin and the Electrical System - (New Number)	\$350	(\$350)
Create Fire Services Payroll Time Scheduling System Upgrade Less: Pension, Payroll & Employee Benefits capital	\$280 (\$100)	

budget - (New WBS Number)		
Re-submit HUSAR/JEPP 05/06-Project - CFR054 Less: JEPP funding	\$470 (\$352)	
Reduce Asset Management - 2009 - (New WBS Number)		(\$298)
Net Debt Change	\$0	\$0

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

### Summary

Fire Services is requesting an adjustment to its 2008 – 2012 Capital budget. The Toryork Bays Extension project will be delayed in 2008 and as a result can release approximately \$0.648 million of the \$1.984 million 2008 cash flow for other purposes. Accordingly, Fire Services is requesting that two projects be advanced to fill the gap and that some of the deferred funding be used to offset a 2nd year carry forward on a third project. The Overhaul of the Fireboat Electrical System, a subproject of the Fireboat Medical Cabin and Electrical System Overhaul project, would be advanced from 2009 to 2008 at a project cost of \$0.350 million. A new project is being submitted as an immediate necessity for Fire Services, the Payroll Time Scheduling System Upgrade, which will replace the existing fire payroll time entry system with a projected cash flow of \$0.280 million (net \$0.180 million). The 2nd year carry forward for the HUSAR/JEPP 05/06-Project requires a re-submission for its estimated debt funding of \$0.118 million, which will be offset by the Toryork Bays Extension project funding deferral as well.

The requested changes will not impact the overall net bottom line of Fire's 2008 – 2012 program.

### Committee Recommendations

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

1. City Council defer to 2009 an amount of \$0.648 million of the \$1.984 million approved 2008 capital cash flow for the Toryork Bays Extension project.
2. City Council reallocate \$0.648 million to the following projects, as a result of Recommendation 1:
  - a. \$0.350 million for the Overhaul of the Fireboat Electrical System advancing the project from 2009 to 2008;
  - b. \$0.180 million for Fire Services' share of a new project, the Fire Services Payroll Time Scheduling System Upgrade, with a 2008 cash flow and total project cost of \$0.280 million funded by \$0.180 million in debt and \$0.100 million recovered from the Pension, Payroll & Employee Benefits Capital budget; and

- c. \$0.118 million for the 2<sup>nd</sup> year carry forward re-submission of the HUSAR/JEPP 05/06-Project - which requires a total amount of \$0.470 million, funded by \$0.118 million in debt and \$0.352 million in JEPP subsidy.
3. City Council eliminate the resulting net pressure of \$0.298 million in 2009 by reducing Fire Services' Asset Management - 2009 project by an equivalent amount.

### **Motions**

Motion to Adopt Item moved by Councillor Howard Moscoe (**Carried**)

### **Links to Background Information**

Fire Services 2008 Capital Program Change Request

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13940.pdf>)

EX22.35	ACTION	Referred		
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### **Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application**

(June 26, 2008) Letter from Councillor Giorgio Mammoliti

### **Recommendations**

1. That the Executive Committee approve and pay the legal and consultant's fees incurred once the City Solicitor has reviewed and deemed them to be reasonable.

### **Summary**

In accordance with the Policy adopted by City Council on May 26 and 27, 2008, which stated that Members of Council who incurred legal and related expenses as a result of campaign audits be invited to submit applications for reimbursement to the Executive Committee for recommendations to Council. Please accept this communication as my request that the Executive Committee hear my submission.

### **Communications**

(June 25, 2008) letter from Councillor Giorgio Mammoliti (EX.New)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7801.pdf>)

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

On motion by Councillor Moscoe, the Executive Committee referred the communication (Undated) from Councillor Mammoliti, entitled "Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application", to the City Solicitor for report to the Executive Committee for its meeting scheduled to be held on September 2, 2008.

## Motions

Motion to Refer Item moved by Councillor Howard Moscoe (**Carried**)

EX22.36	ACTION	Without Recommendation		
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## Sony Centre for the Performing Arts – Re-development Activities

(June 19, 2008) Letter from the City Clerk addressed to the CEO, Sony Centre for the Performing Arts

## Recommendations

1. That in view of the timing issues involved, staff be directed to report directly to the July 15, 2008 Council meeting on the implications of the Board's endorsement of exploring an alternative to the developer building the commercial/cultural component.

## Summary

Communication from the City Clerk (June 19, 2008) addressed to Mr. Daniel Brambilla, CEO of the Sony Centre for the Performing Arts, reporting on the Board's endorsement at its meeting held on June 18, 2008, in relation to the redevelopment activities of the Sony Centre, of exploring an alternative to the developer building the commercial/cultural component.

## Communications

(June 25, 2008) letter from City Clerk (EX.New)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7799.pdf>)

(June 19, 2008) letter from City Clerk (EX.New.EX22.36.1)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7800.pdf>)

## Committee Recommendations

On motion by Councillor Moscoe, the Executive Committee submitted this matter to Council without recommendation.

## Decision Advice and Other Information

The Executive Committee directed that in view of the timing issues involved respecting the Sony Centre for the Performing Arts redevelopment activities, the Deputy City Manager and Chief Financial Officer and the City Solicitor be requested to report directly to Council for its meeting scheduled to be held on July 15, 2008, on the implications of the Board's endorsement of exploring an alternative to the developer building the commercial/cultural component.

## Motions

Motion to forward item Without Recommendations moved by Councillor Howard Moscoe (**Carried**)

**Meeting Sessions**

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-06-26	Morning	9:40 AM	12:40 PM	Public
2008-06-26	Afternoon	1:40 PM	6:00 PM	Public

**Attendance**

Date and Time	Quorum	Members
2008-06-26 9:40 AM - 12:40 PM (Public Session)	Present	Present: Carroll, Davis, De Baeremaeker, Fletcher, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae <i>Not Present:</i> Kelly Also present (non-members): Del Grande, Holyday, Minnan-Wong, Nunziata, Stintz, Vaughan, Walker.
2008-06-26 1:40 PM - 6:00 PM (Public Session)	Present	Present: Carroll, Davis, De Baeremaeker, Fletcher, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae Not Present: Kelly Also present (non-members): Del Grande, Holyday, Minnan-Wong, Moeser, Nunziata, Vaughan.

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 Chair