

Executive Committee

Meeting No.	26	Contact	Patsy Morris, Committee Administrator
Meeting Date	Monday, November 10, 2008	Phone	416-392-9151
Start Time	9:30 AM	E-mail	pmorris@toronto.ca
Location	Committee Room 1, City Hall	Chair	Mayor David Miller

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	X
Councillor Gloria Lindsay Luby	X
Councillor Giorgio Mammoliti	X
Councillor Pam McConnell	X
Councillor Joe Mihevc	R
Councillor Howard Moscoe	X
Deputy Mayor Joe Pantalone, Vice-Chair	X
Councillor Kyle Rae	X

Regrets:

Councillor Joe Mihevc

Confirmation of Minutes

On motion by Councillor Lindsay Luby, the Executive Committee confirmed the Minutes of the Meetings held on October 6, 2008 and October 31, 2008.

EX26.1	ACTION	Deferred		Ward: All
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Development Charges - Background Study and Proposed By-law

Decision Advice and Other Information

The Executive Committee:

1. Deferred consideration of the report (October 27, 2008) from the City Manager and the Acting Deputy City Manager and Chief Financial Officer, entitled "Development Charges - Background Study and Proposed By-law", to the February 2, 2009 meeting of the Executive Committee.
2. Requested the Acting Deputy City Manager and Chief Financial Officer:
 - i. to report to the February 2, 2009 meeting of the Executive Committee respecting the comments and submissions received at the November 10, 2008 meeting, and any recommended changes to the proposed 2009 Development Charges By-law;
 - ii. in the interim, to meet with representatives of the development industry and other stakeholders to clarify and respond to their concerns;
 - iii. to discuss with the representatives of the development Industry the manner in which Development Charges are passed on to a purchaser; and
 - iv. to present a new schedule for the 12 month reprieve as close to the original proposed schedule as possible;
3. Referred the submission by Homeownership Alternatives and Options for Homes respecting provision of relief of development charges to affordable home ownership initiatives, to Deputy City Manager Sue Corke and the Acting Deputy City Manager and Chief Financial Officer for review and report back to the Executive Committee in 2009 as part of the development of the Housing Opportunities Toronto ten year housing plan; and
4. Noted that when this issue is again considered at its meeting scheduled to be held on February 2, 2009, this matter will be submitted to the February 23, 2009 meeting of Council for final approval.

Mr. Joe Pennachetti, City Manager and Mr. Joe Farag, Director, Special Projects, Finance Division, provided a presentation to the Executive Committee on the Development Charges - Background Study and Proposed By-law, and filed a copy of their presentation.

Notice of the Public Meeting to consider the Development Charges – Background Study and Proposed By-law was placed in the Toronto Star on October 17, 2008, and also posted on the City's website.

Note: The City of Toronto 2008 Development Charge Background Study, dated October 23, 2008, and the 2008 Proposed Development Charge By-law, referred to in the report (October 27, 2008) from the City Manager and the Acting Deputy City Manager and Chief Financial Office, was distributed to all Members of Council and select officials on October 23, 2008, by the Finance Division, a copy of which is posted on the City's website and is also on file in the office of the City Clerk, City Hall.

Origin

(October 27, 2008) Report from the City Manager and the Acting Deputy City Manager and Chief Financial Officer

Summary

The City of Toronto collects development charges from new construction to pay for a portion of municipal growth-related capital costs. The City's existing Development Charge By-law expires on July 27, 2009. A new Development Charge Background Study has been prepared, as required by the Development Charges Act, 1997. The purpose of this report is to present the City of Toronto 2008 Development Charge Background Study and the proposed Development Charge By-law for consideration at a statutory public meeting.

The charges calculated in the Background Study are the maximum charges that could be imposed under the Development Charges Act, 1997. These represent significant increases over current rates and are the result of expanded capital programs, inflation, legislative changes affecting cost recovery for the Toronto-York Spadina subway extension, refinement of the methodology for calculating the charge, and the inclusion of new services.

Given the recent weakness in the global economy, it was considered inappropriate to introduce a large increase in development charges at this time. Therefore, the phase-in provisions in the proposed by-law contain a freeze in development charges until January 31, 2010, and provide a four-year phase-in of the rest of the allowable increase, only if housing construction meets the thresholds as set out in the by-law

The proposed by-law continues many of the current residential and non-residential exemptions, including exemptions for affordable rental housing and industrial development. Employment uses qualifying under the recently-approved Imagination, Manufacturing, Innovation and Technology Financial Incentives Program are proposed to be eligible for a full exemption. For other non-exempt, non-residential uses, it is proposed that development charges apply to the ground floor area only. In addition, a partial development charge rebate is proposed for developments that meet Tier 2 of the Toronto Green Standard. These and other definitional changes in the proposed by-law are unaffected by the phase-in provisions, which apply only to the level of the charge, and shall be effective from the date that the proposed by-law comes into force.

After the November 10, 2008 statutory public meeting of Executive Committee, staff will report directly to Council on any recommended changes to the proposed Development Charge By-law resulting from public comments and Committee direction.

Background Information

Development Charges - Background Study and Proposed By-law

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16627.pdf>)

City of Toronto 2008 Development Charge Background Study - Watson & Associates Economists Ltd.

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16718.pdf>)

City of Toronto 2008 Development Charge By-law Review - Presentation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17433.pdf>)

Communications

(October 31, 2008) letter from George Milbrant, Co-Chair, FoNTRA (EX.Supp.EX26.1.1)

(November 5, 2008) letter from Leo DelZotto, President, Tridel Builders Inc. (EX.Supp.EX26.1.2)

(November 4, 2008) submission from Sander Gladstone, Managing Director, ArchiMed Consultants Inc. (EX.Supp.EX26.1.3)

(November 6, 2008) e-mail from Ron Forbes (EX.Supp.EX26.1.4)

(November 6, 2008) letter from Alan Menkes, President, Menkes Developments Ltd. (EX.Supp.EX26.1.5)

(November 6, 2008) e-mail from George Milbrandt, Co-Chair, FoNTRA (EX.Supp.EX26.1.6)

(November 6, 2008) e-mail from Patrick Daly (EX.Supp.EX26.1.7)

(November 6, 2008) e-mail from Dorothy Pestell (EX.Supp.EX26.1.8)

(November 6, 2008) e-mail from Tim Russell, Vice President, Manager Toronto Office, Montrusco Bolton Investments Inc. (EX.Supp.EX26.1.9)

(November 6, 2008) e-mail from John F. Crean (EX.Supp.EX26.1.10)

(November 6, 2008) e-mail from T. J. West, President, Don Mills Residents Inc. (EX.Supp.EX26.1.11)

(November 6, 2008) e-mail from Wendy Santi (EX.Supp.EX26.1.12)

(November 6, 2008) e-mail from Ian Tedford (EX.Supp.EX26.1.13)

(November 6, 2008) e-mail from John T. McCord (EX.Supp.EX26.1.14)

(November 6, 2008) e-mail from G. N. M. Currie (EX.Supp.EX26.1.15)

(November 6, 2008) e-mail from L. Jane Stanley (EX.Supp.EX26.1.16)

(November 6, 2008) e-mail from Geeske Cruickshank (EX.Supp.EX26.1.17)

(November 6, 2008) e-mail from Wolfgang Kaufmann, President, York Mills Mansions Ratepayers MTCC 1077 (EX.Supp.EX26.1.18)

(November 6, 2008) e-mail from Richard Booth (EX.Supp.EX26.1.19)

(November 7, 2008) e-mail from Leslie Erdosy (EX.Supp.EX26.1.20)

(November 6, 2008) fax from Andy Manahan, Executive Director, Residential and Civil Construction Alliance of Ontario (EX.Supp.EX26.1.21)

(November 7, 2008) e-mail from Tom Smith VP, Development, Smart Centres (EX.Supp.EX26.1.22)

(November 7, 2008) e-mail from Paul Clifford, President, UNITE HERE Local 75 (EX.Supp.EX26.1.23)

(November 7, 2008) e-mail from Thomas Mueller, President & CEO, Canada Green Building Council (EX.Supp.EX26.1.24)

(November 7, 2008) fax from Jane Marco, Executive Director, Toronto Children's Care Inc. (EX.Supp.EX26.1.25)

(November 6, 2008) fax from H. Reis-Smart, Secretary, Teddington Park Residents Association Inc. (EX.Supp.EX26.1.26)

(November 7, 2008) e-mail from Irving and Ann Shendroff (EX.Main.EX26.1.27)
 (November 7, 2008) e-mail from Jamie James, Windmill Development Group (EX.Main.EX26.1.28)
 (November 9, 2008) e-mail from Terry Bryk (EX.Main.EX26.1.29)
 (November 7, 2008) e-mail from Councillor Palacio (EX.Main.EX26.1.30)
 (November 10, 2008) fax from M. Filice (EX.Main.EX26.1.31)
 (November 10, 2008) e-mail from Chris Sherriff-Scott, Senior Vice-President, Minto (EX.Main.EX26.1.32)
 (November 9, 2008) e-mail from Peter Dennis (EX.Main.EX26.1.33)
 (November 9, 2008) e-mail from Barb and Dan Andersen (EX.Main.EX26.1.34)
 (November 8, 2008) e-mail from Mr. and Mrs. K. Gillis (EX.Main.EX26.1.35)
 (November 8, 2008) e-mail from Gary Sills (EX.Main.EX26.1.36)
 (November 8, 2008) e-mail from W. Goslett (EX.Main.EX26.1.37)
 (November 7, 2008) e-mail from Nicholas Woodbridge (EX.Main.EX26.1.38)
 (November 10, 2008) e-mail from Alex Grenzebach (EX.Main.EX26.1.39)
 (November 10, 2008) letter from Bob Blazevski, Executive Vice-President, Diamondcorp (EX.Main.EX26.1.40)
 (November 12, 2008) e-mail from Michel Labbe, Options For Homes Non-Profit Corporation (EX.Supp.Ex26.1.41)
 (November 10, 2008) e-mail from Robin Riko (EX.Supp.EX26.1.42)

Speakers

Mr. Stephen Dupuis, CEO, Building and Land Development Assoc., Building Industry and Land Development Association (Submission Filed – EX26.1.45)
 Mr. Steve Upton, Chair, BILD Toronto Chapter
 Mr. Joe Deschenes Smith, Vice President, Partnerships, Home Ownership Alternatives (Submission Filed – EX26.1.44)
 Mr. Patrick Berne, Pemberton Group (Submission Filed – EX26.1.43)
 Mr. Sander Gladstone, Architect, on behalf of Royal Lighting and Jeniwin Ltd.
 Mr. Terry Bryk
 Mr. James McKellar, Associate Dean, Schulich School of Business, on behalf of Building a Sustainable Toronto
 Mr. David Amborski, Professor, Ryerson University, Faculty of Community Services
 Mr. Leo DelZotto, President, Tridel Corporation
 Mr. Michel Robert Labbe, Options For Homes Non-Profit Corporation
 Mr. Andy Manahan, Residential and Civil Construction Alliance of Ontario
 Mr. Michael O'Brien, Laborers' International Union of North America
 Mr. Peter Baker, Co-Chair, FoNTRA
 Mr. Niell Haggart, The Daniels Corporation
 Mr. Guled Warsame, CORD
 Mr. Lyle Shipley, Executive Director, Canada Green Building Council
 Mr. Alan Vihant
 Councillor Mike Del Grande, Ward 39, Scarborough Agincourt
 Councillor Cliff Jenkins, Ward 25, Don Valley West
 Councillor Denzil Minnan-Wong, Ward 34, Don Valley East
 Councillor Michael Walker, Ward 22, St. Paul's

Motions

Motion to Defer Item moved by Mayor David Miller (Carried)

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

Recommendation 2. i. and 2 ii.

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)

Recommendation 2. iii.

Motion to Amend Item (Additional) moved by Councillor Shelley Carroll (Carried)

Recommendation 2. iv. and Recommendation 4.

Motion to Amend Item (Additional) moved by Councillor Giorgio Mammoliti (Carried)

Recommendation 3.

Motion to Defer Item moved by Mayor David Miller on behalf of Councillor Minnan-Wong (Redundant)

That this matter be deferred to the April 7, 2009 meeting of the Executive Committee to give staff an opportunity to consult further with industry stakeholders on the detailed studies and calculations contained in the staff report and the consequences of higher development charges on the housing market and the Toronto economy.

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe on behalf of Councillor Jenkins (Redundant)

That:

1. the Development Charges fees be phased in at 50 percent in 2009 and 100 percent in 2010 and following years; and
2. Council request the Province to amend the Development Charges Act to remove the restrictive provision identified in Appendix 4.

EX26.2	ACTION	Amended		Ward: All
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Regulatory Strategy for Multi-Residential Apartment Buildings (MRABs)**Decision Advice and Other Information**

The Executive Committee:

1. Directed the Executive Director of Municipal Licensing and Standards to report back to the Executive Committee after one year of full implementation of the MRAB audit and enforcement programme, on:
 - a. the success of the audit and enforcement programme;

- b. whether the programme should be continued and, if so, make any recommendations to do so or to enhance it, as required;
 - c. the appropriateness of the establishment of a fee to fund future audits and enforcement and how such a fee would be implemented; and
 - d. any other relevant recommendations pertaining to an MRAB regulatory strategy.
2. Requested the Executive Director of Municipal Licensing and Standards:
- a. to revise the program by including in the Inspection Audit, the inspection of the interior of a number of randomly selected units, not pre-announced, and subject to the concurrence of the occupying tenant;
 - b. when deploying the mobile administration centre for an MRAB inspection, tenants of other buildings in the neighbourhood shall be notified of its availability for their complaints;
 - c. as part of this program, to audit an additional ten buildings selected at random, without pre-notification;
 - d. to ensure that in its preparation of the report to the Executive Committee, landlords, tenants and any other interested parties are consulted on the development and implementation of any regulatory strategies;
 - e. submit a report to the Executive Committee on non-profit buildings currently undergoing revitalization programs such as the Building Renewal Program (BRP), and the Building Energy Retrofit Program (BERP) which could be excluded from non-emergency repairs, and that a list of these properties be forwarded to the Executive Committee on an annual basis as part of the MRAB review;
 - f. in association with Tenant Associations and Advocates, develop an effective engagement protocol with tenants in buildings affected by the implementation of the regulatory strategy for MRAB;
 - g. request tenants and Tenant Associations to forward addresses of buildings proposed for a building audit, to the Municipal Licensing and Standards Division;
 - h. make every effort to re-direct any available resources to undertake more building audits in Wards with a larger tenant population;
 - i. continue research and development of policy options for an enhanced regulatory strategy for MRABs and submit a report to the Executive Committee the third quarter of 2009 with any recommendations; and

- j. include as part of the Audit's Enforcement program, Municipal Licensing and Standards postings of new and outstanding property standards orders in a prominent place in a common area in the audited buildings, and further, review the effectiveness of this approach and recommend alternative posting by-law requirements as necessary in his upcoming report.

Mr. Jim Hart, Executive Director, Municipal Licensing and Standards gave a presentation to the Executive Committee on the Regulatory Strategy for Multi-Residential Apartment Buildings (MRABs) and filed a copy of his presentation material.

Origin

(October 27, 2008) Report from the Executive Director, Municipal Licensing and Standards

Summary

The purpose of this report is to outline Municipal Licensing and Standards' Multi-residential Apartment Building (MRAB) audit and enforcement programme to be launched on December 1, 2008. This program, supported by a team of 12 officers and a co-ordinator with oversight by a District Manager, is intended to focus current enforcement efforts and provide immediate action on 176 of the City's most in-need buildings. Four buildings will be identified in each Ward for the initial year of the programme. Two buildings shall be selected by City staff and two additional buildings shall be selected in consultation with the local Councillor.

The report also provides an overview of other potential regulatory options for Multi-residential Apartment Buildings (MRABs) and provides a general assessment of their viability and potential impact. To this end the report provides:

- an overview of factors driving the trends in the housing sector and what they may mean in the context of establishing a regulatory strategy for MRABs;
- an overview of the regulatory options explored by staff, followed by a summary of the feedback from the public consultations;
- a summary analysis of the regulatory options and their potential implications; and
- an outline of the anticipated impact on City Divisions.

Staff recommend that the Executive Committee direct the Executive Director of Municipal Licensing and Standards to report after one full year of implementation of the MRAB audit and enforcement programme on the programme's success and on any other recommendations to enhance the programme or to introduce a fee to fund an expanded regulatory strategy.

Background Information

Regulatory Strategy for Multi-Residential Apartment Buildings (MRABs)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16628.pdf>

Regulatory Strategy for Multi-Residential Apartment Buildings (MRABs) - Presentation
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17434.pdf>

Communications

(June 20, 2007) letter from Councillor Howard Moscoe on behalf of The Rev. Canon Derwyn Shea, Chairman and Chief Executive Officer, St. Hilda's Tower Inc. (EX.Main.EX26.2.1)

- (May 30, 2007) fax from Susan DesLauriers, Executive Director, St. Matthew's Bracondale House (EX.Main.EX26.2.2)
- (June 5, 2007) fax from Stephen Cheung, Yee Hong Chinese Evergreen Non-Profit Homes (EX.Main.EX26.2.3)
- (June 5, 2007) fax from Jagoda Heilman, Property Manager, Operating Engineers Local 793 Non-Profit Housing Inc. (EX.Main.EX26.2.4)
- (June 6, 2007) fax from Paul Redlich, President, Richview Residence (EX.Main.EX26.2.5)
- (June 7, 2007) fax from Brigitte Witkowski, Executive Director, Mainstay Housing (EX.Main.EX26.2.6)
- (June 8, 2007) fax from Kosta Kostouros, Chief Executive Officer, Hellenic Home for the Aged Inc. (EX.Main.EX26.2.7)
- (June 5, 2007) letter from Ed Reed, Chair, WoodGreen Community Services (EX.Main.EX26.2.8)
- (December 11, 2007) letter from Amy Nugent, External Officer, CUPE 3902, University of Toronto (EX.Main.EX26.2.9)
- (June 19, 2008) e-mail from Karen Copeland (EX.Main.EX26.2.10)
- (June 19, 2008) e-mail from Greg Boyce (EX.Main.EX26.2.11)
- (June 19, 2008) e-mail from Nicole Mindszenty (EX.Main.EX26.2.12)
- (June 19, 2008) e-mail from Paul Capranos (EX.Main.EX26.2.13)
- (September 22, 2008) e-mail from Jeannette Gervais (EX.Main.EX26.2.14)
- (September 24, 2008) e-mail from Dale Watson (EX.Main.EX26.2.15)
- (August 9, 2008) e-mail from Troy Jackson (EX.Main.EX26.2.16)
- (August 12, 2008) e-mail from Patrick Lowney (EX.Main.EX26.2.17)
- (August 12, 2008) e-mail from Trevor Cunnington (EX.Main.EX26.2.18)
- (August 12, 2008) e-mail from Bruce Flannigan (EX.Main.EX26.2.19)
- (August 12, 2008) e-mail from Steve Venier (EX.Main.EX26.2.20)
- (August 14, 2008) e-mail from Alistair Vogan (EX.Main.EX26.2.21)
- (August 16, 2008) e-mail from Gary Dale (EX.Main.EX26.2.22)
- (August 29, 2008) e-mail from Marie Xminies (EX.Main.EX26.2.23)
- (August 12, 2008) e-mail from Eduardo Sousa (EX.Main.EX26.2.24)
- (June 20, 2008) e-mail from Patricia Clark (EX.Main.EX26.2.25)
- (June 20, 2008) e-mail from Eileen Shannon (EX.Main.EX26.2.26)
- (June 20, 2008) e-mail from Garry Anderson (EX.Main.EX25.2.27)
- (June 20, 2008) e-mail from Esmeralda Silva (EX.Main.EX26.2.28)
- (June 25, 2008) e-mail from Janette Strong (EX.Main.EX26.2.29)
- (June 27, 2008) e-mail from David Sarai (EX.Main.EX26.2.30)
- (June 27, 2008) e-mail from Marla Brown (EX.Main.EX26.2.31)
- (June 27, 2008) e-mail from Joanne Fisher (EX.Main.EX26.2.32)
- (July 5, 2008) e-mail from Aim Mujib (EX.Main.EX26.2.33)
- (June 19, 2008) e-mail from Kim Walker (EX.Main.EX26.2.34)
- (June 19, 2008) e-mail from Eduardo Sousa (EX.Main.EX26.2.35)
- (June 19, 2008) e-mail from Stacy Douglas (EX.Main.EX26.2.36)
- (June 19, 2008) e-mail from Shannon Marie (EX.Main.EX26.2.37)
- (June 19, 2008) e-mail from Mary Trapani Hynes (EX.Main.EX26.2.38)
- (June 19, 2008) e-mail from Rachel Horsley (EX.Main.EX26.2.39)
- (June 19, 2008) e-mail from Alejandro Arce (EX.Main.EX26.2.40)
- (June 20, 2008) e-mail from Arun Chatterjee (EX.Main.EX26.2.41)
- (July 8, 2008) e-mail from Ryan Singh (EX.Main.EX26.2.42)

(June 20, 2008) e-mail from Karen Dawe (EX.Main.EX26.2.43)
 (June 19, 2008) e-mail from Adam Chaleff-Freudenthaler (EX.Main.EX26.2.44)
 (August 13, 2008) e-mail from Deborah Konecny (EX.Main.EX26.2.45)
 (October 14, 2008) fax from Gertrude Armbrust (EX.Main.EX26.2.46)
 (November 10, 2008) memo from Councillor Anthony Perruzza (EX.Main.EX26.2.47)
 (November 10, 2008) submission from Patricia Smiley, Chair, South Etobicoke Tenants' Association (EX.Supp.EX26.2.48)
 (November 10, 2008) submission from Mr. Vince Brescia, President and CEO, Federation of Rental-Housing Providers of Ontario (EX.Supp.EX26.2.49)
 (November 10, 2008) submission from Mr. Bart Poesiat, Parkdale Tenant's Association (EX.Supp.EX26.2.50)

Speakers

Ms. Elinor Mahoney, Parkdale Community Legal Services, Tenant Advocacy Group
 Mr. Dan McIntyre, Federation of Metro Tenants' Association
 Mr. Vince Brescia, President and CEO, Federation of Rental-Housing Providers of Ontario
 Ms. Gertrude Armbrust
 Ms. Patricia Smiley, Chair, South Etobicoke Tenants' Association
 Mr. Brad Butt, President, Greater Toronto Apartment Association
 Mr. Bart Poesiat, Parkdale Tenant's Association
 Ms. Kay Bisnath, Toronto ACORN
 Councillor Doug Holyday, Ward 3, Etobicoke Centre
 Councillor Denzil Minnan-Wong, Ward 34, Don Valley East
 Councillor Anthony Perruzza, Ward 8, York West
 Councillor Michael Walker, Ward 22, St. Paul's

Motions

Motion to adopt Item moved by Councillor Moscoe (Carried)

Recommendation 1.

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)

Recommendation 2. a. b. and c.

Motion to Amend Item (Additional) moved by Councillor Paula Fletcher (Carried)

Recommendation 2. d. e. f. and g.

Motion to Amend Item (Additional) moved by Councillor Janet Davis (Carried)

Recommendation 2. h. i. and j.

Motion to Refer Item moved by Councillor Paula Fletcher (Out of Order)

That the Executive Committee refer the following recommendation to the Executive Director, Municipal Licensing and Standards for report thereon in his forthcoming report to the Executive Committee:

“That in their review of Landlord and Tenant policy, the Province be requested to consider the possibility of a capital reserve requirement similar to the provincially legislated condo board capital reserve requirement”.

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

Declared Interests

The following member(s) declared an interest:

Councillor Giorgio Mammoliti - Councillor Mammoliti declared an interest in that his family owns an apartment building.

EX26.3	ACTION	Adopted		Ward: 28
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Union Station Revitalization Implementation

Committee Recommendations

The Executive Committee recommended that City Council approve the following recommendations:

1. Authorize the Chief Corporate Officer to continue the design and tender documentation to implement the first stage of the Recommended Approach for the revitalization of Union Station, including the West Wing.
2. Authorize the Chief Corporate Officer, further to Council's initial direction in December, 2007, to extend the services of the following consultants/professionals (excluding GST) as indicated below:
 - a. extend the retainer of Davies Ward Phillips & Vineberg LLP for legal work on this file at a cost not to exceed \$450,000;
 - b. extend the retainer of Deloitte & Touche LLP at a cost not to exceed \$800,000;
 - c. extend the retainer of Arup Canada Inc. at a cost not to exceed \$300,000; and
 - d. extend the retainer of NORR Limited Architects & Engineers (with Fournier, Gersovitz and Moss, Architects (FGMA) as the heritage consultants) at a cost not to exceed \$6.9 million.
3. Authorize the Chief Corporate Officer to:
 - a. execute an amendment to the Building Management Agreement with The Toronto Terminals Railway Company Limited to provide for a 3% management fee increase for the period January 1, 2009 to April 30, 2009;
 - b. provide for the Agreement to terminate on April 30, 2009 and for the services and leases to be assumed by Facilities and Real Estate; and

- c. approve funding in the amount of \$13.182 million gross, \$0 net, included in the 2009 Recommended Operating Budget for Facilities and Real Estate as shown in Attachment 1 (all revenues are 100% from leases with no property tax implications).
4. Authorize the Chief Corporate Officer to carry out the following security-related initiatives:
 - a. enter into a Transit Secure Round 3 & 4 Amendment to the existing Transit Secure Agreement with Transport Canada;
 - b. implement all phases of the Transit Secure project which will include video surveillance (in accordance with the City's Security Video Policy, the proposed installation of video surveillance in high profile locations must be reported to Council) ;
 - c. subject to performance satisfactory to the Chief Corporate Officer, exercise the option(s) to renew the G4S Security Services (Canada) Ltd. Agreement for the provision of security guard services at Union Station for 2009-2010 and 2010-2011;
 - d. extend the retainer of Marshall Macklin Monaghan (with Goldsmith Borgal and Company Ltd. Architects) in the amount of \$300,000 to complete life safety projects design and contract administration for life safety projects under the Transit-Secure Agreement; and
 - e. extend the retainer of PCL Constructors Canada Inc. in the amount of \$4.8 million for the completion of the life safety projects under the Transit-Secure Agreement.
 5. Authorize the Chief Corporate Officer and the General Manager of Transportation Services to negotiate and enter into agreements with private landowners regarding tunnel connections, property requirements, security and maintenance related to the new Northwest PATH, in a form satisfactory to the City Solicitor.
 6. Authorize the Chief Corporate Officer to amend the existing Reciprocal Rights Agreement and enter into such other documentation with GO Transit, as may be necessary, to permit the atrium roof, as illustrated in Attachment 2, to encroach into the City's air space above the existing Trainshed roof, on such terms and conditions as the Chief Corporate Officer deems appropriate, and in a form satisfactory to the City Solicitor.
 7. Authorize the Chief Corporate Officer, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor to negotiate and enter into a long-term agreement of up to 20 years on a single-source basis with Enwave Energy Corporation in order to provide a Deep Lake Water Cooling system for Union Station.

Decision Advice and Other Information

Mr. Bruce Bowes, Chief Corporate Officer, Mr. Chuck Donohue, Executive Director, Facilities and Real Estate, Mr. Paul Noskiewicz, NORR Limited Architects and Engineers and Mr. Andrew McAlpine, ARUP, gave a presentation to the Executive Committee on Union Station Revitalization and filed a copy of their presentation material.

The Executive Committee received the presentation from the Chief Corporate Officer respecting Union Station Revitalization Implementation.

Origin

(October 29, 2008) Report from the Chief Corporate Officer

Summary

This report requests authority to continue with the design for the revitalization of Union Station and the Northwest PATH connection. In addition, this report seeks authority to terminate the current building management agreement with The Toronto Terminals Railway Company Limited (TTR) and transfer the duties to the City.

It is important for City Council to adopt the recommendations to allow staff to continue with the design process by extending the consultants contracts.

Further to City Council's direction respecting the implementation of the Northwest PATH, there will be continuing discussions with property owners and the establishment of funding arrangements.

At the Executive Committee on November 10, 2008, the Chief Corporate Officer will present the revitalization scheme showing plans, elevations, cross sections and the pedestrian modelling, including a video.

Background Information

Union Station Revitalization Implementation

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16776.pdf>

Speakers

(November 10, 2008) Mr. Bryan Leslie, Director of Building Operations, Maple Leaf Sports and Entertainment

Motions

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

EX26.4	ACTION	Adopted		Ward: 27
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Relationship Framework for Yonge-Dundas Square

Committee Recommendations

The Executive Committee recommended that:

1. City Council adopt the Relationship Framework for Yonge-Dundas Square Board, attached as Appendix 1.
2. City Council authorize the City Solicitor to introduce the necessary bills to amend Chapter 636 of the Municipal Code of the City of Toronto to implement the Relationship Framework and update the Code, substantially as proposed in Appendix 2.
3. The General Manager of Economic Development Culture and Tourism Division, as represented by the Director of Business Services, be designated the City's operational liaison for Yonge-Dundas Square Board, and provide support to the Board to ensure they maintain their operations in compliance with the Relationship Framework.

Origin

(October 27, 2008) Report from the City Manager

Summary

This report recommends adoption of the Relationship Framework governing the relationship between the City and the Yonge-Dundas Square Board. It also recommends amendments to the Municipal Code required to implement the Framework.

The Relationship Framework defines the governance framework for Yonge-Dundas Square, including respective roles and responsibilities, accountabilities, expectations and requirements of the Board and the City.

Following comprehensive consultations and discussions with the members of the Yonge-Dundas Square Board and Administration, the staff of Economic Development Culture and Tourism Division, Legal Services, and Financial Planning, this Relationship Framework was developed and is attached as Appendix 1, with the proposed Municipal Code amendments as Appendix 2.

Background Information

Relationship Framework for Yonge-Dundas Square

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16629.pdf>

Appendix 1 - Relationship Framework for City of Toronto with Yonge-Dundas Square Board

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16630.pdf>

Motions

Motion to Adopt Item moved by Councillor Kyle Rae (Carried)

EX26.5	ACTION	Amended		Ward: All
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Proposed New Host Community Agreement with ICLEI

Committee Recommendations

The Executive Committee recommended that:

1. Council authorize the execution of a new proposed host community agreement between the City of Toronto and ICLEI for the remainder of 2008 and 2009 generally in accordance with the following terms and conditions as finalized to the satisfaction of the City Manager and in a form satisfactory to the City Solicitor:
 - i. the lease between the City of Toronto and ICLEI that provides office space for ICLEI in the west tower of City Hall will terminate at the end of 2008;
 - ii. ICLEI will maintain its World Secretariat (international headquarters) in Toronto until the end of 2009;
 - iii. the City of Toronto will maintain its financial support of ICLEI staff salaries and benefits in the amount of \$250,000 for 2009 while ICLEI maintains its World Secretariat in Toronto;
 - iv. ICLEI will provide the City of Toronto with support to be outlined in a 2009 work plan to be approved by the City Manager; and
 - v. after 2009 the City of Toronto will cease its cash support for ICLEI.

Origin

(October 27, 2008) Report from the City Manager

Summary

The purpose of this report is to seek City Council approval of a proposed new host community agreement between the City of Toronto and ICLEI – Local Governments for Sustainable (Management) Inc. for the remainder of 2008 and 2009.

Background Information

Proposed New Host Community Agreement with ICLEI
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16631.pdf>)

Motions

Motion to Amend Item (Additional) moved by Mayor David Miller (Carried)
Recommendation 1. i. ii. iii. iv. and v.

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

EX26.6	ACTION	Adopted		Ward: All
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Toronto 2015 Pan American/ParaPan American Games

Committee Recommendations

The Executive Committee recommended that City Council:

1. Endorse the City of Toronto's role as the host city and participant in a bid to be submitted by the Bid Corporation to host the 2015 Pan American/ParaPan American Games in Toronto and communities in the Greater Golden Horseshoe region.
2. Authorize the City Manager to negotiate, approve and execute a Bid City Agreement on behalf of the City with the Province of Ontario, Government of Canada, Canadian Olympic Committee and the Bid Corporation to define the roles and responsibilities of each of the parties, to the satisfaction of the City Manager and in a form satisfactory to the City Solicitor.

Origin

(October 27, 2008) Report from the City Manager

Summary

The Government of Ontario, with the concurrence of the Canadian Olympic Committee and the Government of Canada, has indicated its interest in submitting a bid to hold the 2015 Pan Am and ParaPan Games in Toronto and the surrounding region. The province has established a Bid Corporation to develop the bid. A formal bid to host the Games must be submitted to The Pan American Sports Organization (PASO), which owns the rights to the Pan American Games, in April 2009. To comply with bid protocols, a host city must be named in the bid. This report seeks Council agreement in principle for the City of Toronto to be identified as host city as part of a bid to be submitted by the Bid Corporation to host the Games.

As the process to develop, submit and win a bid to host the Games proceeds through all of its stages, it is contemplated that the roles, responsibilities, obligations and benefits of all parties involved will be identified in a series of formal agreements. The first such agreement is a Bid City Agreement between the Canadian Olympic Committee, the City of Toronto, The Province of Ontario and the Bid Corporation. This Agreement will identify the City of Toronto as the Bid City and will set out the roles and responsibilities of all the parties involved in the development of the bid. There will be no financial implications for the City as a consequence of entering into a Bid Agreement. As this Agreement paves the way for subsequent activities, it must be signed by the end of January 2009. This report seeks Council authority to enter into a Bid City Agreement.

A more detailed Multi-Party Agreement in June 2009 will identify a venue strategy and all commitments, obligations and benefits for contributors to a Toronto regional Pan Am Games (whether through funding or in-kind support). A Council mandate to enter into the Multi-Party Agreement will be sought in February 2009, when the City Manager will bring forward a

detailed report on aspects of the bid affecting Toronto including a venue plan and analysis of the financial, social, economic and infrastructure implications for the City.

Background Information

Toronto 2015 Pan American/ParaPan American Games Bid
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16632.pdf>

Communications

(November 7, 2008) letter from The Honourable David Peterson, Chair, Toronto 2015 Pan/Parapan American Games Bid Corporation (EX.Main.EX26.6.1)

Motions

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

EX26.7	ACTION	Adopted		Ward: All
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Timeframe for reporting on Access, Equity and Human Rights 2009-2011 Action Plans and Initiatives

Committee Recommendations

The Executive Committee recommended that:

1. beginning in 2010, Divisional Access, Equity and Human Rights Action Plans be integrated in the City's service planning process; and
2. monitoring and reporting on the City's performance in achieving its objectives be reported twice per term of Council.

Origin

(October 24, 2008) Report from the City Manager

Summary

To respond to Council's July 2008 directive to advance reporting on Access, Equity and Human Rights Action Plans for 2009-2011 to November 2008.

Background Information

Timeframe for Reporting on Access, Equity and Human Rights 2009-2011 Action Plans and Initiatives
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16633.pdf>

Motions

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

EX26.8	ACTION	Adopted		Ward: All
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Appointment to OMERS Administration Corporation Board

Committee Recommendations

The Executive Committee recommended to City Council:

1. the reappointment of Cameron Weldon to the Administration Corporation for a term of three years, subject to Section 33 of the OMERS Act, 2006.
2. that the City Manager be delegated the authority to identify and appoint a candidate who meets the required competencies on an ongoing basis for future appointments to the board, noting that Council may remove the City's appointee at any time upon written notice to that member and the Chair of the Board.

Origin

(October 9, 2008) Report from the City Manager

Summary

The City of Toronto needs to appoint a person to serve on the board of the OMERS Administration Corporation (AC) before December 31, 2008, for a term of office expiring December 31, 2011. The AC board consists of 14 members of which one is to be appointed by the City of Toronto as an Employer member. The 14 members are split evenly between the Employer and the Employee members, with each appointee having one vote.

Cameron Weldon is currently the City's representative on the AC. He was appointed by the Province, by an Order in Council, in June 2006 for a term to expire December 31, 2008. The OMERS Sponsors Corporation (SC) is currently reviewing the composition of the AC as well as the method of choosing its members. They are expected to enact a by-law respecting this matter, which would take effect no earlier than June 30, 2009.

Cameron Weldon has served on the AC for two years. There is a significant investment, both by OMERS and the individual, in ensuring that each AC member is knowledgeable in the pension plan and pension governance. It is therefore appropriate that Cameron Weldon be reappointed to the AC for the next term or until the by-law is changed by the SC, whichever is earlier.

When City Council nominated a member to the predecessor OMERS SC transitional board in May 2006, it authorized the City Manager to identify a candidate and submit the name to the Province on behalf of the City. Council recognized that this was a unique situation that does not fit the profile for our standard board appointments processes, in particular because of the specialized knowledge requirements and the need to move quickly because of time constraints.

This is a similar appointment, which also has time constraints. Because these time constraints could arise again should the City's appointee cease to be a member, it is appropriate that the City Manager be delegated the authority to identify and appoint a candidate to the OMERS AC board on an ongoing basis.

As is the case with the OMERS SC, City Council could remove the City's appointee to the OMERS AC at any time should it choose to do so.

Background Information

Appointment to Omers Administration Corporation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16634.pdf>)

Motions

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

EX26.9	Information	Received		Ward: All
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Conflict of Interest Insurance

Decision Advice and Other Information

The Executive Committee received, for information, the report (October 22, 2008) from the City Manager, entitled "Conflict of Interest Insurance".

Origin

(October 22, 2008) Report from the City Manager

Summary

The purpose of this report is to provide information regarding Conflict of Interest insurance coverage for elected officials. Currently the City of Toronto purchases Conflict of Interest insurance as an endorsement to the Public Officials Errors and Omissions liability insurance policy.

Public Officials Errors and Omissions liability insurance provides coverage for liability resulting from errors or omissions in the performance of professional duties. It may also be referred to as the municipal form of directors & officers liability insurance. It applies to elected or appointed officials, officers, members of commissions, boards, units, committees and special purpose bodies operated by and under the jurisdiction of the City of Toronto. The insurance policy also applies to the City's lawyers, architects, engineers and accountants, as well as members of the Toronto Police Service. Endorsement No.1 of this insurance policy is Conflict of Interest Insurance.

Background Information

Conflict of Interest Insurance

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16635.pdf>)

Motions

Motion to Receive Item moved by Councillor Howard Moscoe (Carried)

EX26.10	ACTION	Amended		Ward: All
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2009 Interim Operating Budget Estimates

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Council approve the 2009 Interim Operating Gross Budget Estimates totalling \$3.190 billion as detailed by City Program, Agency, Board and Commission in the attached Appendix 1.
2. Council authorize the Acting Deputy City Manager and Chief Financial Officer to make net disbursements of \$2.631 billion during the period January 1, to April 30, 2009, including cash transfers of \$553.7 million to Agencies, Boards and Commissions as detailed in the attached Appendix 1.
3. The 2009 Gross Interim Operating Budget Estimates be increased by \$1.030 million to bring the 2009 Gross Interim Budget for Parks Forestry and Recreation to \$128,445.3 million to provide funds for Tree Planting early in the year.
4. The 2009 Interim Net Cash Outflow for Parks Forestry and Recreation be increased by \$1.030 million, to \$128,445.3 million.
5. Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Origin

(November 3, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Summary

The purpose of this report is to request Council's approval of the 2009 Interim Operating Budget Estimates in order to enable City Programs and Agencies, Boards and Commissions to carry out their ongoing (base) operations during the period January 1 to April 30, 2009.

In accordance with the Financial Control By-Law, an Interim Operating Budget must be approved prior to January 1, 2009 to ensure that appropriate Council approval is granted to fund the continuance of the City's business during the period January 1st to April 30th, 2009. The 2009 Interim Operating Budget Estimates total \$3.190 billion gross; and require cash outflows of \$2.631 billion net.

Background Information

2009 Interim Operating Budget Estimates

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17095.pdf>

Appendix 1 - 2009 Interim Operating Gross Budget Estimates

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17096.pdf>

Motions

Motion to Amend Item (Additional) moved by Deputy Mayor Joe Pantalone (Carried)
Recommendation 3 and 4.

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

EX26.11	ACTION	Adopted		Ward: All
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Property Taxes: 2009 Interim Levy By-law**Committee Recommendations**

The Executive Committee recommended to City Council that:

1. the 2009 interim levy for all property classes levy property tax amounts based on 50 per cent of the total 2008 taxes billed for each property;
2. the 2009 interim levy by-law provide that the interim levy will apply to assessments added to the tax roll for 2008 that were not on the assessment roll when the by-law was passed;
3. the Interim Bill payment due dates for property tax accounts paid on the eleven (11) instalment pre-authorized payment plan be: February 17, March 16, April 15, May 15, and June 15, 2009;
4. the Interim Bill payment due date for the two (2) instalment pre-authorized payment plan be March 2, 2009;
5. the Interim Bill payment due dates for all other property tax accounts on the regular instalment option or on the six (6) instalment pre-authorized payment plan be: March 2, April 1, and May 1, 2009;
6. Council provide authority for
 - a. the collection of interim taxes;
 - b. imposing a penalty charge for non-payment of interim taxes at a rate of 1.25 per cent of taxes due and unpaid and the addition of such charges on the first day of default; and
 - c. imposing an interest charge on all outstanding taxes accruing from the first day of default at a rate of 1.25 per cent per month;
7. authority be granted for the introduction of the necessary bill in Council on December 2, 2008, providing for the levying and collection of the 2009 interim taxes prior to the adoption of the estimates for 2009, which by-law, when enacted, will be effective as of January 1, 2009; and

8. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Origin

(October 23, 2008) Report from the Acting Treasurer

Summary

This report requests Council authority to adopt the necessary by-law to levy interim property taxes for all property classes for 2009 and to prescribe applicable interim bill payment due dates. The 2009 interim levy will provide for the cash requirements of the City until such time as the 2009 Operating Budget and 2009 final property tax levy are approved by Council.

Background Information

Property Taxes: 2009 Interim Levy By-law

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16638.pdf>)

Motions

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

EX26.12	ACTION	Adopted		Ward: All
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Request for a Capital Loan Guarantee for Theatre Direct

Committee Recommendations

The Executive Committee recommended to City Council that:

1. a. The City provide a capital loan guarantee on behalf of Theatre Direct to its financial institution in the amount of \$150,000.00 (inclusive of all interest costs payable by Theatre Direct), commencing on December 1, 2008 until November 30, 2013;
- b. The City enter into an agreement with Theatre Direct with respect to the capital loan guarantee; and
- c. The City enter into a tri-party agreement with Theatre Direct and with its financial institution with respect to the capital loan guarantee.
2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as Deputy City Manager Sue Corke, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest.

3. Theatre Direct provides the Deputy City Manager and Chief Financial Officer with their 2008, 2009 and 2010 audited financial statements when they become available.
4. The guarantee be deemed to be in the interest of the municipality.
5. The appropriate officials be authorized to take the necessary action to give effect thereto.

Origin

(October 27, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Summary

This report seeks Council approval of a capital loan guarantee on behalf of Theatre Direct for the amount of \$150,000.00 from December 1, 2008 until November 30, 2013.

Background Information

Request for a Capital Loan Guarantee for Theatre Direct
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16639.pdf>

Motions

Motion to Adopt Item moved by Councillor Kyle Rae (Carried)

EX26.13	Information	Deferred		Ward: All
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Heads and Beds Levy on Institutions

Decision Advice and Other Information

The Executive Committee deferred consideration of the report (October 23, 2008) from the City Solicitor and the Acting Treasurer entitled “Heads and Beds Levy on Institutions”, until its meeting scheduled to be held on January 5, 2009.

Origin

(October 23, 2008) Report from the City Solicitor and Acting Treasurer

Summary

This report provides a review of the legislative base for taxation on Universities and Colleges, Hospitals and Correctional Facilities (Institutions).

Background Information

Heads and Beds Levy on Institutions
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16640.pdf>

Motions

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

EX26.14	ACTION	Amended		Ward: All
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Update on Adjournment to Integrated Power System Plan Hearings**Committee Recommendations**

The Executive Committee recommended to City Council that:

1. Deputy City Manager Richard Butts and the Acting Deputy City Manager and Chief Financial Officer use the IPSP hearing hiatus to pursue focussed advocacy of the City's energy sustainability goals and priorities directly with the OPA, through participation in the OPA's intervenor consultations regarding its resource review.
2. The appropriate City staff be authorized to take any action necessary to give effect to the foregoing recommendation.

Origin

(October 28, 2008) Report from Deputy City Manager, Richard Butts and the Acting Deputy City Manager and the Chief Financial Officer

Summary

On October 2nd, the Ontario Energy Board (the "Board") directed adjournment of the Integrated Power System Plan ("IPSP") hearing. The Board found that it would not be efficient to continue with the hearing or evidence and cross-examination thereon until such time as the Ontario Power Authority ("OPA") files an updated IPSP in response to the Supplementary Directive issued by the Minister of Energy and Infrastructure on September 17, 2008.

The Supplemental Directive directs the OPA to submit a revised IPSP after considering new targets in the areas of conservation and demand management, renewable energy sources, distributed generation and solutions to transmission congestion.

The OPA has advised that it will file an updated IPSP by March 16, 2009, as directed by the Minister. As an interim step, the Board has directed the OPA to submit a written update on November 30, 2008, on the status of the plan update and advising of any change to the March 16 filing date.

The OPA has advised the Board that it will consult with intervenors as it conducts the resource review directed by the Minister and updates its IPSP filing.

This report recommends that the City use the IPSP hearing hiatus to pursue focussed advocacy of the City's energy sustainability goals and priorities directly with the OPA, through participation in the OPA's intervenor consultations regarding its resource review and that when the IPSP hearings resume in 2009 the City continue to advocate positions that are supportive of and informed by the Toronto Sustainable Energy Plan recommended under a separate report.

Background Information

Update on Adjournment to Integrated Power System Plan Hearings
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16641.pdf>

Motions

Motion to Amend Item moved by Mayor David Miller (Carried)

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

EX26.15	ACTION	Adopted		Ward: 28
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Staff Due Diligence Review of the Proposed George Brown College Campus - East Bayfront

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

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Council grant authority for the City, as Landlord, to enter into a long term lease agreement (the “Lease”) with The George Brown College of Applied Arts and Technology (the “Tenant”) for that part of the EBF Lands shown as Blocks 3, 4 and 5 on Attachment 5 (the “Leased Lands”) substantially on the terms and conditions set out in Attachment 2, together with such other terms and conditions as may be deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization in consultation with the Chief Corporate Officer and in a form satisfactory to the City Solicitor, subject to Recommendation (2) of this Report;
2. Prior to the City entering into the Lease, the following matters be completed or provided for to the satisfaction of the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the City Solicitor and other City officials as appropriate:
 - a. Registration of the plan of subdivision which includes the Leased Lands;
 - b. WT and GBC having entered into the development agreements, which shall include settling the terms of all other agreements required under the development agreements including the ground floor animation agreement, energy services agreement and underground parking agreement;
 - c. GBC having agreed to sublease to GBC and WT as co-tenants, the underground portion of the Leased Lands to facilitate construction of an underground parking garage by GBC and WT and confirmation from WT that WT will make parking available to the tenant of First Waterfront Place as required under the TEDCO

lease to Corus Entertainment Inc. authorized by Council at its meeting of May 23, 24 and 25, 2008;

- d. The receipt by the City of a legal opinion in respect of the corporate status, powers and authority of the Tenant (GBC) to enter into the Lease;
 - e. An undertaking from WT to the City that all base rent received by WT from the Tenant in accordance with Recommendation (3) shall be used for re-investment in the revitalization of the waterfront in accordance with Policy and Finance Committee Report 9, Clause 1, headed “Governance Structure for Toronto Waterfront Revitalization” adopted by Council at its meeting of November 30, December 1 and 2, 2004; and
 - f. An undertaking from WT to the City that WT will circulate all GBC/WT development agreements and associated agreements to the City for consideration and will obtain the City’s input on all matters which materially affect the City’s interest as landowner.
3. Council grant authority for the City, concurrent with the City’s execution of the Lease, to direct the Tenant to pay all base rent under the Lease to WT during the first 24 year rental period in form and content satisfactory to the City Solicitor;
 4. Council authorize WT to capitalize both the base rent for the first twenty years of its operation as provided for in Recommendation (3) and the interest of WT in the underground parking structure subject to the proceeds from both endeavours being reinvested in Waterfront Revitalization;
 5. Council direct the Waterfront Project Director that the base rent which is redirected to WT from GBC as provided for in Recommendation (3), and/or any capitalization provided for in Recommendation (4) be recognized as part of the City’s overall contribution to waterfront renewal, and be reported by WT in its quarterly funding reports submitted to the three orders of government as part of the Waterfront Renewal Accounting Protocol;
 6. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the Chief Corporate Officer and City Solicitor, to negotiate and have executed the Lease, including any amendments in relation to the Lease not materially inconsistent with the major terms and conditions described in Attachment 2 to this report as approved by Council;
 7. If the Lease is not finalized and executed by December 31, 2009, the Deputy City Manager whose responsibilities include Waterfront Revitalization be directed to report back to the Executive Committee with a recommended course of action;
 8. Council grant authority to the Chief Corporate Officer, his successor / designate, in consultation with the Waterfront Project Director, to administer and manage the Lease including the provision of any consents (including but not limited to consents to any subleases, assignments, financial charges of any interests in the Lease or the Leased

Lands for the underground parking facility and the development of the Block 5 portion of the Leased Lands), approvals, waivers, notices (including notices of termination) provided that the Chief Corporate Officer may, at that time, refer consideration of such matters (including their content) to City Council for its determination and direction;

9. Subject to Recommendation (10), that the City consent to the Tenant acting as the City's agent as owner of the Leased Lands to sign any planning or development applications and agreements in furtherance of the development and construction of the Leased Lands, or alternatively that the City itself execute such documentation solely in its capacity as owner of the Leased Lands, on terms satisfactory to the Deputy City Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor;
10. All actions described in Recommendation (9) shall be taken by or on behalf of the City in its capacity as land owner and not in its capacity as a planning authority under the Planning Act, the City of Toronto Act, 2006, or otherwise and such actions are not intended to and do not fetter the City's planning and municipal rights and responsibilities;
11. City consent to WT acting as the City's agent as owner of the Leased Lands and/or any other lands within EBF, to sign any infrastructure, servicing or any other applications and agreements including agreements with Toronto Hydro, Enbridge Gas or any third party utility provider, required for the development of the Leased Lands, and/or any other lands within EBF or alternatively that the City itself execute such documentation solely in its capacity as land owner, provided WT agrees to assume all obligations including costs and liabilities under such documentation and subject to such other terms satisfactory to the Deputy Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor;
12. The Chief Corporate Officer and the Deputy City Manager whose responsibilities include Waterfront Revitalization, be authorized singularly or jointly as necessary to execute and deliver all such documentation described in Recommendations (9) and (11) of this Report, on behalf of the City;
13. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization to execute the non-binding GBC/WT/City Letter of Intent contained in Attachment 4 to this report as a basis for continued negotiations amongst the three parties regarding a joint GBC/municipal recreation facility at the base of the student residence building on Block 5, subject to any further revisions required by the City Solicitor;
14. Council direct the Waterfront Project Director, in consultation with the General Manager of Parks, Forestry and Recreation and the Director of the Office of Partnerships, that following negotiations regarding a joint GBC/municipal recreation facility, to bring forward any agreements with the parties addressing, amongst other matters, the items identified in the Letter of Intent or alternatively, a report outlining areas of disagreement;

15. Council direct the Waterfront Project Director, in consultation with the City Solicitor, to report to the Executive Committee with recommendations as to the advisability of the City entering into any successor agreement(s) with WT in respect of the East Bayfront Lands prior to the winding up of the WT corporation as provided for in the Toronto Waterfront Revitalization Corporation Act, 2002;
16. Council authorize the public release of the confidential information in Attachment 1 upon the completion of the development of the publicly-owned lands in EBF as determined by the Deputy City Manager whose responsibilities include Waterfront Revitalization; and
17. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Origin

(October 24, 2008) Report from Deputy City Manager, Richard Butts

Summary

The Toronto Waterfront Revitalization Corporation (WT), as Council's designated revitalization lead in East Bayfront (EBF), has endorsed the development of a George Brown College (GBC) waterfront campus on 0.83 ha (2.04 acres) of City-owned land, subject to the approval of Toronto City Council. The campus will house the College's Centre for Health Sciences including its academic facilities, a 500-bed student residence, recreation centre and below grade parking.

This report provides the results of City staff's due diligence review of WT's proposal and seeks authorization to enter into a long-term ground lease with GBC, the major terms of which are contained in Attachment 2. The lease term is 103 years, consisting of an initial four year design and construction period followed by a 99 year term. The ground lease addresses the City's concerns as land-owner and GBC's obligations as tenant. WT is not a party to the ground lease; however, the lease is premised on WT's designation as revitalization lead and its limited life span remaining of approximately 20 years under the TWRC Act, 2002. Following the dissolution of WT, the lands will continue to be owned by the City of Toronto.

Terms relating to the construction and development of the campus are set out in development agreements and certain other agreements between WT, as revitalization lead with responsibility for the overall coordination of waterfront projects and infrastructure, and GBC, as builder and future owner of the campus buildings. The City is not a party to these agreements. However, the agreements are premised on the satisfaction of all City regulatory processes.

This report also seeks Council's endorsement of a non-binding Letter of Intent (LOI) as a basis for negotiations with GBC and WT regarding a joint GBC/municipal recreation facility to be situated in the student residence building. The LOI is contained in Attachment 4 to this report.

The subject lands are located south of Queens Quay East between Lower Jarvis and Lower Sherbourne Streets, identified as Blocks 3, 4 and 5 on Figure 1 (Attachment 5). Block 3 will house the academic facilities of the campus. Block 5 will house the student residence facilities and recreation centre. Block 4 is a below grade parcel located under the future public road

between Blocks 3 and 5. The below grade portions of Blocks 3 and 5 together with Block 4 will form one connected underground parking facility providing parking for GBC use, the adjacent First Waterfront Place (Corus Entertainment Inc.) development and visitors to the precinct at large.

Background Information

Staff Due Diligence Review of the Proposed George Brown College Campus - East Bayfront (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16642.pdf>)

Motions

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

EX26.16	ACTION	Amended		Ward: All
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Waterfront Parks Operations and Capital State of Good Repair Funding Strategy

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Subject to approval of the Government of Canada, the primary funder of Waterfront parks and public spaces, and the Province of Ontario, Council approve creation of a Waterfront Capital Preservation Reserve Fund comprised of funds contributed by Waterfront Toronto (WT) in an amount equivalent to 10% of its capital budget for completed waterfront parks and public spaces, with this fund to be used to cover the capital state of good repair costs of Don River Park, Sherbourne Park, Jarvis public space and other waterfront parks and public spaces as they are developed for their first five years of operation.
2. Council direct the Deputy City Manager whose responsibilities include Waterfront Revitalization, and the Acting Deputy City Manager and Chief Financial Officer, to develop criteria for management and governance of the Waterfront Capital Preservation Reserve Fund, with such criteria to be subject to Council approval.
3. When reporting to Council in 2009, with updated projections on the operating impact of waterfront renewal on City programs and services, staff address:
 - a. the status of the Waterfront Capital Preservation Reserve Fund; and
 - b. strategies for addressing capital preservation of the Central Waterfront Public Realm.
4. Council request that the Waterfront Project Director, with WT, the Director of Partnerships, the General Managers of Parks Forestry and Recreation and Economic Development, Culture and Tourism, and the Acting Deputy City Manager and Chief

Financial Officer explore the following longer term strategies for financing the operating and capital state of good repair costs of waterfront parks and public spaces:

- i. development of a concession strategy;
 - ii. creation of BIAs whose contributions to the community support high quality parks and public spaces and attract customers and residents to the area;
 - iii. a special services levy, in consultation with the Province of Ontario;
 - iv. a waterfront philanthropic and sponsorship strategy that is consistent with City policy and coordinated with other City initiatives; and
 - v. include funding mechanisms identified in the Parks and Recreation's Strategic Plan, entitled "Our Common Grounds."
5. The Director, Waterfront Secretariat and the General Manager, Parks Forestry and Recreation be directed to report back to the Executive Committee on all funding options identified in Recommendation 4. for all waterfront parks.
 6. The Deputy City Manager whose responsibilities include Waterfront Revitalization recommend to Council those strategies that prove to be feasible, prior to any implementation taking place;
 7. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Origin

(October 23, 2008) Report from Deputy City Manager, Richard Butts

Summary

The purpose of this report is to recommend strategies to mitigate the financial impact of new waterfront parks and public spaces on City operating and capital state of good repair budgets. Recommendations reflect findings from the Waterfront Parks Operations and Maintenance Strategy Study, prepared for the City and Waterfront Toronto (WT) by HR&A Advisors and reported to Council in November 2007, entitled "Operating Budget Impacts of Waterfront Revitalization" (Executive Committee Report 13.4).

In managing waterfront parks, the City will have financial responsibility for capital state of good repair costs and routine operating costs, such as litter picking, grass cutting, garbage and recycling, and maintenance of washrooms, playgrounds and other facilities.

Revenues from mitigation strategies recommended in this report are intended to augment base funding provided through traditional municipal sources. In the short term, these strategies include securing a contribution from WT equivalent to 10% of its capital budget for parks and public spaces to be held in a Waterfront Capital Preservation Reserve Fund managed by the City and used to cover capital state of good repair costs of new waterfront parks and public spaces for their first five years of operation. Capital state of good repair costs include the repair

and replacement of park features and facilities.

Also in the short-term, opportunities for enhancing onsite earned revenue in a manner that allows waterfront parks to develop as year round destinations with appropriate public amenities will be explored.

In the longer term, as new waterfront communities develop adjacent to new parks and public spaces, additional strategies will be evaluated, including: creating BIAs whose mandates include supporting adjacent parks and public spaces, recognizing that these spaces will attract significant customers to the area; assessing the feasibility of a special services levy through which new development adjacent to higher-end waterfront parks may contribute to parks costs; and with WT, exploring the viability of implementing philanthropic and sponsorship strategies that support individual parks. Implementation of these initiatives, should they prove feasible, will require Council approval.

Background Information

Waterfront Parks Operations and Capital State of Good Repair Funding Strategy
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16643.pdf>

Speakers

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

Motions

Motion to Amend Item (Additional) moved by Councillor Paula Fletcher (Carried)
 Recommendation 4. v. and Recommendation 5.

Motion to Adopt Item as Amended moved by Councillor Paula Fletcher (Carried)

EX26.17	ACTION	Adopted		Ward: All
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Land Transfer Tax and Property Tax related to the Green Lane Landfill

Committee Recommendations

The Executive Committee recommended to City Council that:

1. City Council ratify the payment to the Province of Ontario in the amount of \$3,660,365.65, in accordance with a Notice of Assessment issued by the Ministry of Revenue under the Land Transfer Tax Act (the “Notice of Assessment”) and authorize the Acting Deputy City Manager and Chief Financial Officer to withdraw this amount as well as an amount up to \$0.350 million for associated legal expenses from the Waste Management Reserve Fund;
2. the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, be authorized, on behalf of the City, to object to the Notice of Assessment under the Land Transfer Tax Act, to take any other actions, and to commence any

related legal proceedings, including any claims, actions, applications or appeals, as warranted, and to discontinue or settle any such objection or legal proceeding where the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, and the Acting Deputy City Manager and Chief Financial Officer, concludes that it is reasonable to do so and to execute any documents in furtherance thereof;

3. the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, be authorized, on behalf of the City, to object to any reassessment under the Assessment Act, to take any other actions or commence any related legal proceedings, including any claims, actions, applications or appeals, as warranted, and to discontinue or settle any such objection or legal proceeding where the City Solicitor, in consultation with the General Manager, Solid Waste Management Services, and the Acting Deputy City Manager and Chief Financial Officer, concludes that it is reasonable to do so and to execute any documents in furtherance thereof;
4. subject to the adoption of Recommendation 2, the City Solicitor be authorized to retain, on a sole source basis, Stikeman Elliott LLP for up to a maximum of \$250,000.00 net of all taxes for the provision of legal services outlined in Recommendation 2;
5. subject to the adoption of Recommendation 3, the City Solicitor be authorized to retain such legal or technical expertise, for up to a maximum of \$100,000.00 net of all taxes, as is necessary to represent and/or advise the City with respect to any reassessment proposed by the Municipal Property Assessment Corporation; and,
6. the 2008 Solid Waste Management Services Capital Budget for Capital Account CSW007-01-01 (Landfill Purchase Price) be increased by \$4,010,365.65 gross, funded from the Waste Management Reserve Fund, for provincial land transfer tax on the Green Lane Landfill and the cost of retaining outside legal counsel with respect to land transfer tax and legal and/or technical expertise related to property tax assessment.

Origin

(October 24, 2008) Report from the General Manager, Solid Waste Management Services and the Acting Deputy City Manager and Chief Financial Officer

Summary

The purpose of this report is to seek authority to draw from the Waste Management Reserve Fund to pay the assessed provincial land transfer tax on the Green Lane Landfill, object to and appeal the Ministry of Revenue assessment, object to and appeal a proposed new property tax assessment, if necessary, and take whatever actions are necessary to challenge or seek revisions to these tax assessments, including the retention of outside counsel to represent and technical experts to advise the City with respect to these matters.

Background Information

Land Transfer Tax and Property Tax related to the Green Lane Landfill
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16644.pdf>)

Communications

(November 8, 2008) submission from the City Solicitor and Acting Treasurer (EX.Supp.EX26.17.1)

Speakers

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

Motions

Motion to Adopt Item moved by Councillor Glenn De Baeremaeker (Carried)

EX26.18	ACTION	Adopted		Ward: All
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Landfill Disposal Fees Delegation**Committee Recommendations**

The Executive Committee recommended to City Council that:

1. Council adopt the ranges of Green Lane Landfill waste disposal fees set out in Attachment 1 for various types of waste brought to the Green Lane landfill other than through Toronto's waste collection system.
2. Subject to the adoption of Recommendation (1), the Director, Transfer and Disposal Operations, Solid Waste Management Services, be delegated the authority to establish waste disposal fees within the ranges of fees for the types of waste set out in Attachment 1, and any similar wastes, subject to the condition that the process set out in Attachment 2 be approved as the basis upon which the Director, Transfer and Disposal Operations, Solid Waste Management Services, is authorized to establish the disposal fees.
3. The City's Internal Auditor review the exercise of the delegated authority for disposal fees at the Green Lane Landfill within the first year after its authorization and thereafter any further reviews be undertaken at the Internal Auditor's discretion.
4. The establishment of waste disposal fees in accordance with the delegated authority authorized in Recommendation 2 be specifically excluded from the interim notice policy and any future notice policy.
5. The General Manager, Solid Waste Management Services, consult regularly with the Internal Auditor and report back to the Budget Committee each year on the exercise of this delegated authority, whether the delegated authority should continue, and if so, any recommended changes to the delegated authority.

Decision Advice and Other Information

The Executive Committee approved the following Recommendation 6. contained in the report (October 27, 2008) from the General Manager, Solid Waste Management Services:

- “6. This report (October 27, 2008) from the General Manager, Solid Waste Management Services, entitled “Landfill Disposal Fees Delegation”, be forwarded to the Budget Committee of November 17, 2008 for review and comment.”

The Executive Committee held a public meeting on Monday November 10, 2008, respecting the Proposed Landfill Disposal Fees Delegation, and in accordance with City of Toronto Municipal Code Chapter 441, Fees and Charges, and any other necessary Municipal Code Chapters, as may be required to give effect thereto, Notice of the Public Meeting was posted on the City’s website for a minimum of 5 days.

Origin

(October 27, 2008) Report from the General Manager, Solid Waste Management Services

Summary

The purpose of this report is to seek approval for ranges of waste disposal fees for various types of waste brought to the Green Lane Landfill other than through Toronto’s waste collection system, and to seek authority for the delegation, to the Director, Transfer and Disposal Operations, Solid Waste Management Services, of the establishment of disposal fees within those ranges.

Background Information

Landfill Disposal Fees Delegation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16645.pdf>)

Attachment 1 - Types of Waste and Applicable Fees Ranges

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16646.pdf>)

Attachment 2 - Process for the Exercise of Discretion

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16647.pdf>)

Motions

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

EX26.19	ACTION	Referred		Ward: All
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Toronto Sustainable Energy Plan

Decision Advice and Other Information

The Executive Committee:

1. referred the report (October 24, 2008) from Deputy City Manager, Richard Butts and the Acting Deputy City Manager and Chief Financial Officer back to staff for further consideration; and

2. requested Deputy City Manager, Richard Butts and the Acting Deputy City Manager and Chief Financial Officer staff to continue to work closely with Toronto Hydro and report to the Executive Committee on an energy strategy for the City of Toronto geographical area that is consistent with the already approved directions in the City of Toronto Climate Change, Clean Air and Sustainable Energy Action Plan, such report to identify institutional and regulatory barriers to the City of Toronto realizing its greenhouse gas emissions reduction and sustainable energy goals along with concrete proposals for removing existing barriers.

Origin

(October 24, 2008) Report from the Deputy City Manager and the Acting Deputy City Manager and Chief Financial Officer

Summary

This report, which was prepared jointly by staff from the City and Toronto Hydro Corporation, makes recommendations which will help meet Council's greenhouse gas (GHG) reduction targets as spelled out in the Climate Change, Clean Air and Sustainable Energy Action Plan, Phase I (CCCASE) for stationary energy, or energy used in buildings. GHG emissions from transportation, which is the other main source of emissions in Toronto, are being addressed by City Planning, Transportation Services, and the TTC. The Toronto Environment Office will continue to coordinate and report on the City's overall GHG reduction efforts.

The report analyses the City's current status in achieving the GHG reduction targets from 1990 levels, and outlines potential strategies and measures for reaching targets in 2012 (6%), 2020 (30%), and 2050 (80%). The strategy focuses on advancing electricity conservation and demand management (CDM) programs in Toronto which assist the Province in phasing out coal-fired electricity generation by 2014, followed by an emphasis on reducing emissions from natural gas. Concurrently, the City should continue to support and advance the longer-term development of renewable energy. Codes and standards should be tightened and enacted to ensure the use of market-ready sustainable energy measures. Market penetration of more expensive sustainable energy technologies and measures should be stimulated with incentives and education programs.

The report stresses the need for improved coordination among the various agencies involved in the energy sector, in order to address Toronto's unique energy needs. Barriers to meeting Council's greenhouse gas targets are identified, and suggestions for overcoming those barriers are proposed.

Finally, the report contains specific recommendations which outline a strategy for meeting the target of purchasing 25% of the City's electricity from renewable sources.

Background Information

Toronto Sustainable Energy Plan

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16648.pdf>

Appendix A - Summary of City's Sustainable Energy Policies

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16649.pdf>

Appendix B - Barriers to Sustainable Energy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16650.pdf>)

Appendix C - Green Power Sourcing Strategy

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16651.pdf>)

Motions

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

EX26.20	ACTION	Adopted		Ward: All
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Toronto Bid for the 2009 Canadian Transportation Demand Management Summit

Committee Recommendations

The Executive Committee recommended that:

1. Council express its interest and desire, through the Toronto Environment Office, to act as the local co-hosts of the 2009 Canadian TDM Summit, in partnership with Metrolinx.

Origin

(October 27, 2008) Report from the Director, Toronto Environment Office

Summary

This report seeks Council endorsement of Toronto as the co-host of the 2009 Canadian Transportation Demand Management (“TDM”) Summit.

Background Information

Toronto Bid for the 2009 Canadian Transportation Demand Management Summit

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16652.pdf>)

Motions

Motion to Adopt Item moved by Councillor Norman Kelly (Carried)

EX26.21	ACTION	Amended		Ward: All
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Toronto Street Food Pilot

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Toronto Public Health, in consultation with Legal Services and Municipal Licensing and Standards Division, implement a one year pilot project with eligible existing street

food vendors to expand their menu selection to include healthier food choices, as described in Attachment A of this report.

2. Toronto Public Health, in consultation with Legal Services and Municipal Licensing and Standards Divisions, implement a three year “Toronto a la Cart” pilot project as described in Attachment B of this report.
3. New fees for the processing of applications, issuance of endorsements and annual license fees for the use of Toronto a la Cart vending locations be approved as set out in Attachment C of this report.
4. The “Toronto a la Cart” logo shown on Attachment D be approved as the official mark for the Pilot and any subsequent “Toronto a la Cart” program and staff be authorized to take the necessary actions to secure the exclusive rights for the City to protect and use this logo.
5. City Council accept the proposal from Crown Verity, originally submitted in response to the Request for Expressions of Interest No. 0616-08-7021 and authorize the agreement with Crown Verity on the terms described in the body of this report and Attachment E, and other terms as may be satisfactory to the Medical Officer of Health and the City Solicitor.
6. Toronto Public Health oversee the implementation and administration of the pilot projects and, in consultation with the City Manager’s Office, provide future governance recommendations as part of the project evaluation.
7. All revenues associated with the pilot projects be directed to Toronto Public Health to offset costs.
8. The Toronto Public Health 2009 Operating Budget request be increased by \$86,000 gross and \$0.0 net, and a staff increase of 1.0 temporary position, to reflect required funding for the implementation of the Toronto Street Food pilot projects.
9. Any year-end deficit resulting from the implementation of the Toronto a la Cart program be reported to the Budget Committee and funded from within Toronto Public Health's 2009 Operating Budget.
10. The Medical Officer of Health be delegated the authority for the term of the pilot project to make final decisions with respect to:
 - a. The processing of applications and issuance of endorsements to eligible existing street food vendors; and
 - b. The issuance of a request for applications document and award of agreements to selected Toronto a la Cart vendors,

and City Council retain no authority to act with respect to such matters.

11. City Council adopt the Terms of Reference as set out in Attachment F to this report, as amended by the Board of Health, and establish a Street Food Pilot Appeal Committee, and delegate the authority to consider staff recommendations and make final decisions respecting any appeal of a notice to revoke a healthier food endorsement issued to an existing vendor or a notice to terminate a licence agreement with a Toronto a la Cart vendor for the term of the pilot project to the Board, and City Council retain no authority to act with respect to such matters.
12. Toronto Public Health be directed to further explore opportunities with food-related non-governmental organizations to test the feasibility of using street food vending to enhance their ability to achieve common goals and objectives and be directed to provide further pilot program details to the Board of Health at a later date.
13. The Medical Officer of Health, in consultation with the City Solicitor be authorized to report to the next Executive Committee respecting any necessary amendments to City by-laws and the Municipal Code as required to implement and regulate the operation of the pilot projects as proposed in this report.
14. The Medical Officer of Health provide recommendations on an annual basis, beginning in the fall of 2009, with respect to the status of the Toronto a la Cart pilot project.
15. Staff be granted the authority to make adjustments in this program as may be required throughout the pilot project and these changes be reported as part of the required annual reports.
16. In the event that the City Vending By-laws are amended, the design of the “a la cart” carts (subject to the approval of the Executive Director, Municipal Licensing and Standards and the Medical Officer of Health) be adjusted to conform to the By-law changes.
17. Authority be granted to the City Solicitor to submit the bills required to:
 - a. enact a new Municipal Code Chapter entitled “Healthier Street Food Choices” substantially in the form as set out in Attachment A to this report, subject to any technical or stylistic adjustments as may be required;
 - b. amend Chapter 441, Fees, to include new fees for the processing of applications, issuance of endorsements, removal and storage charges for cart seizures and annual license fees for the use of Toronto a la Cart vending locations as set out in Attachment B of this report, subject to any technical or stylistic adjustments as may be required; and
 - c. amend the following to permit the sale of a wider variety of street foods from carts operating as part of the City’s Toronto Street Food pilot programs:
 - i. Chapter 545, Licensing;

- ii. By-law No. 18-97 of the former Borough of East York, “To establish removal zones and regulate vending on Borough roads”;
- iii. Chapter 231, Streets and Sidewalks, of the Municipal Code of the former City of Etobicoke ;
- iv. By-law No. 32-95 of the former Municipality of Metropolitan Toronto, “To establish removal zones and regulate vending on Metro roads”;
- v. By-law No. 32100 of the former City of North York , “Respecting vending on sidewalks and untravelled portions of roads of the City of North York”; and
- vi. Chapter 315, Street Vending, of the Municipal Code of the former City of Toronto,

all subject to any technical or stylistic adjustments as may be required.

Decision Advice and Other Information

The Executive Committee held a public meeting on November 10, 2008, and in accordance with the *City of Toronto Act, 2006*, notice of the Proposed Amendments to the City of Toronto Municipal Code to establish fees in respect of the proposed Toronto Street Food Pilot Program and amendment to Toronto Municipal Code Chapter 545, Licensing, to create an exception to the restriction on the types of foods which may be sold by refreshment vehicles so as to permit the sale of a wider variety of street foods from refreshment vehicles which are operated as part of the Pilot program, was posted on the City’s web site for a minimum of 5 days.

Origin

(October 22, 2008) Report from the Board of Health

Summary

Changes to Regulation 562 of the Health Protection and Promotion Act in 2007 enable street food vendors to sell a wider variety of food items from street food vending carts. This report outlines a three stream approach to testing the impact of broadening healthier food choices available in the City from street food vendors to maximize the potential benefits from this regulatory change. The report requests authority to implement a 2009 pilot project to expand the menus of the existing street food vendors. It requests a spring 2009 pilot launch of the Toronto a la Cart program for new vendors at selected locations on City property to offer culturally diverse, nutritious menus. This report requests authority to enter into an agreement with the respondent of the previously released Request for Expressions of Interest for the production of food carts. It further outlines a future third opportunity to engage in partnerships with external food-related Non-Governmental Organizations to explore the use of street food vending to achieve common goals.

To ensure sufficient lead time for cart manufacturing and spring 2009 launch, City Council approval must be given by December 2008.

Background Information

Toronto Street Food Pilot

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16653.pdf>)

Speakers

Ms. Marianne Moroney, Street Food Vendor's Association

Mr. Nick Dimitropoulos, Lawyer

Mr. Michael Carabash, Lawyer & Lobbyist

Mr. John Kiru, Toronto Association of Business Improvements Areas

Councillor John Fillion, Ward 23, Willowdale

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

Motions

Motion to Amend Item (Additional) moved by Councillor Howard Moscoe (Carried)

Recommendations 15, 16 and 17.

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

21a Toronto Street Food Pilot - Proposed By-law Amendments

Origin

(October 27, 2008) Report from the Medical Officer of Health

Summary

This report requests authority to enact the required by-law amendments to implement the recommendations in the joint report (October 17, 2008) of the Medical Officer of Health and the Acting Director, Purchasing and Materials Management entitled “Toronto Street Food Pilot”. It is therefore recommended that a new Municipal Code Chapter entitled “Healthier Street Food Choices” be established. The implementation of this program also requires that minor amendments be made to include new fees under Chapter 441, Fees and Charges, and amend Chapter 545, Licensing, and the various City by-laws currently regulating street vending, in order to permit a wider variety of foods to be sold from carts operating as part of the City’s Toronto Street Food pilot programs.

To ensure sufficient lead time for a spring 2009 launch of the pilot programs, City Council approval of this proposed by-law regime must be given by December 2008.

Background Information

Toronto Street Food Pilot - Proposed By-law Amendments

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16654.pdf>)

Attachment A - Draft By-law - Municipal Code Chapter XXX, Healthier Street Food Choices

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16655.pdf>)

Attachment B - Proposed Fees

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16656.pdf>)

21b Toronto Street Food Pilot Implementation

Origin

(May 13, 2008) Report from the Deputy City Manager and the Acting Director Purchasing and Materials Management

Summary

This report is to address the steps taken to implement the Toronto Street Food Pilot (Pilot) project that is intended to introduce the sale of safe, healthy, nutritious and ethnically-diverse foods and to evaluate the commercial viability of an expanded program. The report includes the results of the Request for Expressions of Interest (REOI) directed by Council at its meeting of January 29 and 30, 2008, the investigation of partnership funding, the consultation process, and progress on the application for the official mark and related matters. It further requests authority to conduct the next steps, including conclusion of agreements with the Recommended Respondents, vendor selection, establishing an expert selection panel, approval and allocation of locations, institution of location fees (rents), and a schedule required to implement the Pilot, which would operate for a five year term. An evaluation of the Pilot would be conducted after a full year of operation.

Background Information

Toronto Street Food Pilot Implementation

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16657.pdf>)

Attachment C - Proposed Vendor Locations

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16658.pdf>)

Communications

(June 2, 2008) letter from James L. Robinson, Executive Director, Downtown Yonge Business Improvement Area (EX.Main.EX26.21.1)

Motions

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

EX26.22	ACTION	Adopted		Ward: All
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Lobbyist Registry - Registration of Non-Profit Community Services

Committee Recommendations

The Executive Committee recommended to City Council that:

1. The non-profit community services sector be exempted from the registry.
2. The City Solicitor be authorized to introduce the necessary Bill in Council amending Chapter 140 of the Toronto Municipal Code.

Origin

(October 21, 2008) Report from the Lobbyist Registrar

Summary

In accordance with Council’s resolution of July 15, 2008, the Lobbyist Registrar suspended the registry; consulted with the non-profit community services sector on difficulties arising in the registration process; and now reports 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 this sector.

Background Information

Registration of Non-Profit Community Services

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16659.pdf>)

Motions

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

EX26.23	Information	Received		Ward: All
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2007 Development Charge Reserve Fund Statement**Decision Advice and Other Information**

The Executive Committee received, for information, the report (October 27, 2008) from the Acting Deputy City Manager and Chief Financial Officer, entitled “2007 Development Charge Reserve Fund Statement.”

Origin

(October 27, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Summary

This report provides a statement of the development charge reserve funds for the year ended December 31, 2007, as required by the *Development Charges Act, 1997*.

Background Information

2007 Development Charge Reserve Fund Statement

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16660.pdf>)

Attachments A1, A2 and B

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16661.pdf>)

Motions

Motion to Receive Item moved by Councillor Shelley Carroll (Carried)

EX26.24	ACTION	Referred		Ward: 41
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Complaint Pursuant to Section 20 of the Development Charges Act, 1997 - 3700 Midland Avenue

Decision Advice and Other Information

The Executive Committee referred the report (May 16, 2008) from the Deputy City Manager and Chief Financial Officer and Deputy City Manager Richard Butts back to staff; and directed that they submit to the February 2, 2009 Executive Committee meeting, a draft Development Charge Credit Agreement recognizing Kreadar's contribution to construction of Silver Star Boulevard as a fully serviced Collector Road; such report to be in consultation with the City Solicitor, to ensure that any agreement reached does not create a policy change or a negative precedent for the City, which carried on the following **Recorded Vote**:

Yeas: Carroll, De Baeremaeker, Kelly, Lindsay Luby, Mammoliti, and Rae.

Nays: Fletcher, Pantalone, Miller, Moscoe.

Origin

(May 16, 2008) Report from the Deputy City Manager and Chief Financial Officer and Deputy City Manager Richard Butts

Summary

The purpose of this report is to provide staff recommendations in response to a complaint filed pursuant to Section 20 of the Development Charges Act, 1997 (the "Act"). The complainant, Kreadar Enterprises Ltd. (Kreadar), claims that it is entitled to development charge credits for the cost of constructing a portion of Silver Star Boulevard and related sanitary sewer works.

Staff have reviewed the complaint and recommend that the complaint be dismissed. The Act provides that a development charge credit can only be granted where there is an agreement between the municipality and the developer providing that a credit will be given in return for the construction of a development charge service. Since there is no such agreement between Kreadar and the City, Kreadar has no legal entitlement to a development charge credit.

Background Information

Complaint Pursuant to Section 20 of the Development Charges Act, 1997 - 3700 Midland Ave. (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16316.pdf>)

Development Charges Complaint Letter - Cassels Brock & Blackwell LLP (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16317.pdf>)

Communications

(November 10, 2008) letter from Mr. Stanley Makuch, Solicitor, Cassels Brock & Blackwell LLP (EX.New.EX26.24.1)

Speakers

Mr. Stanley Makuch, Solicitor, on behalf of Kreadar Enterprises Ltd.

Motions

Motion to Refer Item moved by Councillor Glenn De Baeremaeker (Carried)

24a Development Charge Complaint for 3700 Midland Avenue**Origin**

(November 5, 2008) Report from the Acting Deputy City Manager and Chief Financial Officer

Summary

Executive Committee has previously deferred consideration of this complaint in order to allow the complainant to arrange further discussions with staff. A number of meetings have since been held and a further written submission made by the complainant.

After very careful and thorough review of the complaint, which focussed on both technical and public policy considerations, staff continue to recommend that the complaint be dismissed.

Background Information

Development Charge Complaint for 3700 Midland Avenue
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17286.pdf>

EX26.25	ACTION	Amended		Ward: All
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Removing the Restriction on Chairs of Community Councils and Special Committees Serving Consecutive Half-Terms**Committee Recommendations**

The Executive Committee recommended that:

1. City Council delete the following section 27-132(B) of the Council Procedures:
 - “B. Members not to Chair two consecutive half-terms.

Members must not Chair the same Special Committee or Community Council in consecutive half-terms of the same Council term, except for the Mayor or his or her designate.”

Decision Advice and Other Information

The Executive Committee deferred consideration of the following motion until its meeting scheduled to be held on January 5, 2009, in order that appropriate notice can be given with respect to the following proposed amendment to Chapter 27, Council Procedures:

Moved by Councillor De Baeremaeker on behalf of Councillor Del Grande:

“That Chapter 27, Council Procedures, be amended by deleting the following from “Section II – Special Committees - B. Composition”, Part (2) (b), to provide that a Chair of a Community Council will be able to sit on the Audit Committee:

“(b) Chair of a Community Council;”.

The Executive Committee held a public meeting on November 10, 2008, and in accordance with *City of Toronto Act, 2006*, notice of the proposed amendment to Toronto Municipal Code, Chapter 27, Council procedures, was posted on the City’s web site for a minimum of 5 days.

Origin

(October 27, 2008) Memo from Mayor David Miller

Summary

Communication (October 27, 2008) from Mayor David Miller recommending that the restriction on Chairs of Community Councils and Special Committees serving consecutive half-terms be removed from the Council Procedures.

Background Information

Removing the Restriction on Chairs of Community Councils & Special Committees Serving Consecutive Half-Terms

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16662.pdf>

Motions

Motion to Defer Item moved by Councillor Glenn De Baeremaeker (Carried)

Motion to Amend Item moved by Councillor Glenn De Baeremaeker (Carried)

Motion to Adopt Item as Amended moved by Councillor Glen De Baeremaeker (Carried)

EX26.26	ACTION	Referred		Ward: All
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Standing Committee Involvement in Service Plan Development

Decision Advice and Other Information

The Executive Committee referred the letter (September 30, 2008) from the City Clerk, respecting Standing Committee involvement in Service Plan Development, to the City Manager for consideration and appropriate action.

Origin

(September 30, 2008) Letter from the City Clerk

Summary

City Council on September 24 and 25, 2008, during its consideration of Striking Committee Item 9.2, entitled "Proposed 2009 Schedule of Meetings", adopted this Item as amended, and in so doing, referred the following motion to the Executive:

Moved by Councillor Shiner:

That the City Manager and the Acting Deputy City Manager/Chief Financial Officer be requested to provide an update to the next meeting of Council [pursuant to the decision of Council at its November 19 and 20, 2007 meeting (Motion M178) that the 2009 budget process include Standing Committee involvement in the service plan development] on the dates that Standing Committee meetings are scheduled to reflect their involvement in the 2010 service plan development.

Background Information

Standing Committee Involvement in Service Plan Development
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16663.pdf>

Motions

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

EX26.27	ACTION	Referred		
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City Council Endorsement of the One Cent Now Campaign

Decision Advice and Other Information

The Executive Committee referred the letter (September 30, 2008) from the City Clerk respecting City Council Endorsement of the One Cent Now Campaign, to the Office of the Mayor for further consideration and any appropriate action.

Origin

(September 30, 2008) Letter from the City Clerk

Summary

City Council on September 24 and 25, 2008, referred the Administrative Inquiry from Councillor Michael Walker (IA24.1) regarding Executive Committee EX23.23 Member Motion, entitled "City Council Endorsement of the One Cent Now Campaign," and the Answer from Mayor David Miller (IA24.1a), to the Executive Committee.

Background Information

City Council Endorsement of the One Cent Now Campaign
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16664.pdf>

Speakers

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

Motions

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

EX26.28	ACTION	Deferred		
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Woodbine Slot Revenue Agreement**Decision Advice and Other Information**

The Executive Committee deferred consideration of the Member Motion (September 30, 2008) from Councillor Palacio, seconded by Councillor Moscoe, entitled "Woodbine Slot Revenue Agreement", until such time as Woodbine Entertainment Group approaches the City of Toronto with a further proposal.

Origin

(September 30, 2008) Member Motion from Councillor Palacio, seconded by Councillor Moscoe

Summary

The City of Toronto has an agreement with the Ontario Lottery and Gaming Corporation (OLG) to share in the net proceeds from the slot machine revenues at Woodbine Racetrack. The current agreement provides for revenue sharing on the basis of the number of slot machines: 5 percent for the first 450 machines and 2 percent for any balance over 450. The City's effective share of the revenues is 2.693 percent, given the number of machines at Woodbine based on the number of slot machines as at December 31, 2006.

At its meeting of January 29 and 30, 2008, Council adopted Executive Committee Item 16.7, headed "Revenue Sharing Fairness of Woodbine Slots", which recommended among other things that:

"The Mayor and staff negotiate a change in the Racetrack Municipality Contribution Agreement with the Ontario Lottery and Gaming Corporation with respect to revenue sharing with the objective of increasing the City's share to be the same as other non-government stakeholders, i.e., 10 percent of the Net Win as defined by the existing agreement; and that these negotiations take place on a political, as well as staff-to-staff level."

The Woodbine facility (racetrack and slot operations) is owned by Woodbine Entertainment Group and the slot operations are operated by OLG.

Background Information

Woodbine Slot Revenue Agreement

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16665.pdf>

Motions

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

EX26.29	ACTION	Referred		
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Creation of a Disaster Relief Reserve Fund**Decision Advice and Other Information**

The Executive Committee referred the Member Motion dated September 30, 2008, from Councillor Del Grande, seconded by Councillor Ford, entitled “Creation of a Disaster Relief Reserve Fund”, to the City Manager for report thereon to the Executive Committee.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Summary

The City needs to have a Disaster Relief Reserve Fund.

In a large City, many kinds of disasters and disruption to the City can occur through medical, fire, explosions and natural occurrences, such as flooding, industrial accidents and terrorism, to name a few.

Recently, the City has experienced two major disruptions in the lives of its citizens, such as the Secord Fire and the Sunrise Propane Explosion.

There have been some serious personal hardships that have resulted, where insurance was not adequate or where deductibles provided a hardship.

The City has demonstrated in the past that, for specific events like the Beaches sewage back up and the flooding in the northern part of the City, funds were made available through a reserve fund which has been depleted.

It is time that the City undertakes a more comprehensive policy approach.

Background Information

Creation of a Disaster Relief Reserve Fund

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16666.pdf>

Motions

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

EX26.30	ACTION	Referred		
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Report on Emergency Preparedness

Decision Advice and Other Information

The Executive Committee referred the Member Motion dated September 30, 2008, from Councillor Del Grande, seconded by Councillor Ford, entitled “Report on Emergency Preparedness”, to the City Manager for report thereon to the Executive Committee.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Summary

The City budgets for Emergency Preparedness through Toronto Police Service/Emergency Services/Fire Services and other bodies, including other Provincial and Federal bodies.

We have a disaster emergency control centre which co-ordinates these activities.

We have had a major occurrence with Sunrise Propane

Background Information

Report on Emergency Preparedness
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16667.pdf>

Motions

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

EX26.31	ACTION	Referred		
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Report on Follow-up Procedures After a Disaster - the Second Fire and Sunrise Propane Explosion

Decision Advice and Other Information

The Executive Committee referred the Member Motion dated September 30, 2008, from Councillor Del Grande, seconded by Councillor Ford, entitled “Report on Follow-up Procedures After a Disaster - the Second Fire and Sunrise Propane Explosion”, to the City Manager for report thereon to the Executive Committee.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Summary

The City has experienced two major traumas on its citizens, namely the Secord Fire and the Sunrise Propane Explosion.

The City has an Emergency Preparedness Plan but it is unclear whether that plan has a follow through after a disaster is addressed.

For example, in the Propane scenario what after help was provided? Was there a central co-ordinating activity to bring resources, both City and private/public, in a one-stop help format?

Background Information

Report on Follow-up Procedures After a Disaster - the Secord Fire and Sunrise Propane Explosion

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16668.pdf>)

Motions

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

EX26.32	ACTION	Referred		
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Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster

Decision Advice and Other Information

The Executive Committee referred the Member Motion dated September 30, 2008, from Councillor Del Grande, seconded by Councillor Ford, entitled “Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster”, to the City Manager for report thereon to the Executive Committee.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Summary

Both the Provincial and Federal Governments have provided relief for disasters that have occurred here and abroad.

One such recent example was the massive flooding in Peterborough where Provincial and Federal help was provided.

Toronto has had its share as well, with costs on such occurrences as storm flooding exceeding those of Peterborough. Toronto is continually ignored by the other levels of government when our disasters are comparable.

This Motion formally asks for disaster relief for the City and its residents, surrounding the Sunrise Propane Disaster.

Background Information

Request to the Provincial and the Federal Governments for Resident Relief Disaster Assistance for the Sunrise Propane Disaster

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16669.pdf>)

Motions

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

EX26.33	ACTION	Referred		
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Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion

Decision Advice and Other Information

The Executive Committee referred the Member Motion dated September 30, 2008, from Councillor Del Grande, seconded by Councillor Ford, entitled “Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion”, to the City Manager for report thereon to the Executive Committee.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Summary

The Sunrise Propane Explosion revealed a number of shortcomings.

Initially, there was a lot of finger pointing as to who was responsible for allowing this facility to operate.

In the past, the pre-amalgamated Cities of York and Toronto undertook to legislate propane facilities, but were challenged by the industry with the support of the Provincial Government.

The Provincial Government is responsible for safety issues through the Technical Standards and Safety Authority and we are now finding out all types of new information which indicate significant shortcomings of this Provincial body.

All orders of Government are responsible for good government and the protection of its citizens.

Clearly this has not happened and there are more questions than answers.

Background Information

Requesting a Public Inquiry Surrounding the Circumstances of the Sunrise Propane Explosion
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16670.pdf>

Motions

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

EX26.34	ACTION	Referred		
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Community Recommendations - Downsview Explosion and Blast**Decision Advice and Other Information**

The Executive Committee referred the letter (October 2, 2008) from Councillor Maria Augimeri respecting Community Recommendations - Downsview Explosion and Blast, to the City Manager for report thereon to the Executive Committee.

Origin

(October 2, 2008) Letter from Councillor Maria Augimeri

Summary

Letter (October 2, 2008) from Councillor Maria Augimeri, forwarding community recommendations with respect to the Downsview Explosion and Blast.

Background Information

Downsview Explosion and Blast

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16671.pdf>

Motions

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

EX26.35	ACTION	Referred		Ward: All
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Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario's Municipalities**Decision Advice and Other Information**

The Executive Committee referred the Member Motion (September 30, 2008) from Councillor Walker, seconded by Councillor Ootes, entitled “Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario’s Municipalities”, to the City Manager for consideration and any action deemed necessary.

Origin

(September 30, 2008) Member Motion from Councillor Walker, seconded by Councillor Ootes

Summary

The Federal sales tax, or Goods and Services Tax (GST), rate is 5 percent. The GST has been reduced from 7 percent over the last two years by the Federal Government.

Over the past few years, there has been discussion and a public campaign for Canada's major cities to acquire one percent of the GST, in order to rectify some of the inequalities in the historical imbalance in revenue and funding flow to and from Canada's major cities and the Federal Government. In the City of Toronto's case, billions of taxpayer dollars flow out of our City into the Federal Government's coffers which are not reinvested in our City. In effect, Cities like Toronto enable the Federal Government to report billion-dollar surpluses every year because it does not reinvest in our major cities at the rate it should.

The Provincial sales tax (PST), or Ontario Retail Sales Tax (ORST), rate is 8 percent. The PST rate has never been reduced.

In fiscal year 2007-2008, the Provincial government collected \$16.9 billion in PST revenue. PST revenues have increased by 60 percent in the last decade.

Similar to the revenue/funding imbalance between the Federal Government and the City of Toronto, a parallel imbalance exists between the Provincial Government and the City of Toronto. There is a multi-billion-dollar deficit between the amount of taxes the City of Toronto taxpayers pay out to the Provincial Government and how much funding comes back as reliable and permanent income to the City. In effect, Cities like Toronto enable the Provincial Government to report billion-dollar surpluses every year because it does not reinvest in Ontario's major cities at the rate it should.

Strangely, there is not a discussion or campaign from Ontario's major cities to acquire 1 percent of the 8 percent PST in order to address the historical inequity and urgent requirements for reliable and permanent funding. If Ontario's major cities were given 1 percent of the 8 percent PST, this would supply a city like Toronto with the permanent, reliable funding we need to properly plan our long-term financial future. The viability and the sustainability of the City of Toronto and other cities in Ontario depend on such reliable and permanent funding. Our infrastructure deficit (i.e. bridges, roads, transit and waterfront) and City building initiatives (i.e., housing and environmental protection) require funding to be guaranteed every year – not hoped for each year. The Provincial social services and decrepit housing portfolios that were downloaded a decade ago have not yet been formally uploaded back to the Province and are not likely to be in the foreseeable future, as Premier McGuinty announced on August 25, 2008, at the Association of Municipalities of Ontario (AMO) annual meeting another postponement in uploading and funding of responsibilities to the Province of Ontario. The City of Toronto requires stable funding to address the increasing cost of these downloaded Provincial responsibilities as well.

This stable funding could come in the form of a legislative change in the calculation and distribution of the PST revenue in Ontario. Ontario's municipalities need access to 1 percent of

the 8 percent PST. We, as Torontonians and Ontarians, need to start this discussion to make this happen.

Background Information

Petition Provincial Government to Transfer One Percent of Provincial Sales Tax (PST) to Ontario's Municipalities

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16672.pdf>)

Speakers

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

Motions

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

EX26.36	ACTION	Withdrawn		Ward: All
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To Discontinue the Practice of Providing Confidential Information to Members of Council

Decision Advice and Other Information

The Mayor ruled Item EX26.36, entitled “To Discontinue the Practice of Providing Confidential Information to Members of Council” as being out of order, given that there are legal requirements for Council to consider confidential matters. The item was withdrawn from the agenda.

Origin

(September 30, 2008) Member Motion from Councillor Moscoe, seconded by Councillor Jenkins

Summary

The Privacy Commissioner for the Province of Ontario has expressed the opinion that Members of Council are not considered to be officers of the Corporation of the City of Toronto and, as such, are not to be trusted with confidential information.

In the regular course of business, the City of Toronto currently provides confidential documents attached to City reports to Members of Council. These are provided on purple paper and are designed to assist Councillors to better do their jobs. In fact, this year to date, the Clerk's Office has used 108,200 sheets of purple paper for printing confidential reports for Council and Committee meetings.

If we are to accept Madam Cavoukian's determination that Members of Council are not to be trusted with confidential information, we then have an obligation to immediately cease the practice of providing confidential information to Members of Council.

Background Information

To Discontinue the Practice of Providing Confidential Information to Members of Council
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16673.pdf>

Motions

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

EX26.37	ACTION	Referred		Ward: All
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Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2 year Freeze

Decision Advice and Other Information

The Executive Committee referred the Member Motion by Councillor Fletcher, seconded by Councillor Davis, entitled “Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2 year Freeze”, to the City Manager and the Acting Deputy City Manager and Chief Financial Officer for appropriate consideration and report back to the Executive Committee.

Origin

(September 30, 2008) Member Motion from Councillor Fletcher, seconded by Councillor Davis

Summary

In the beginning of 2006, Ontario Ombudsman André Marin released a scathing report, called "Get it Right", on the Municipal Property Assessment Corporation (MPAC) and the entire system of property assessment and appeals. The Ombudsman outlined how "never in the 30 year history of (the Ombudsman) office have so many complaints been received in so short a period about a single public agency". Subsequent to his finding, the Ombudsman issued 22 recommendations to overhaul the current assessment and appeals system.

This report was well received by the City of Toronto, who had been arguing for some time that the property tax assessment had been creating numerous problems for the City and residents. In late June of 2006, City Council passed a motion endorsing the 22 recommendations and requesting that MPAC consult the City prior to the implementation of any of the recommendations.

Just following this, the Ontario Liberal government announced the cancellation of property tax reassessments for 2006 and 2007. This two year 'freeze' was supposed to have given MPAC time to review and implement the recommendations made by the Ombudsman.

At the time, much concern was expressed around the impact that the freeze would have on property taxes have once it was lifted. Two years after “Get it Right” the anxiety over the impact of the freeze remains (particularly in older, established neighbourhoods) while the extent to which the system has been changed to reflect the widespread concerns of Ontario residents remains uncertain.

Background Information

Evaluating and Mitigating Impacts of Property Assessments Following the Lift of the 2 year Freeze

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16674.pdf>)

Motions

Motion to Refer Item moved by Councillor Paula Fletcher (Carried)

EX26.38	ACTION	Referred		
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Review of Organizational Vacation Practices of the Mayor and Deputy Mayor

Decision Advice and Other Information

The Executive Committee referred the Member Motion by Councillor Del Grande, seconded by Councillor Ford, entitled “Review of Organizational Vacation Practices of the Mayor and Deputy Mayor”, to the Office of the Mayor for consideration and appropriate action.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Ford

Summary

In any organization, vacations and vacation planning are the hallmarks of good organizational structure and practices. It should be no different in the public sector, including Toronto City Hall.

The Sunrise Propane experience had many Torontonians asking who is in charge.

The Mayor in his mandate chooses a Deputy Mayor to represent him when he is unavailable to represent himself.

The Mayor is the representative face of Toronto and his Deputy Mayor is the second representative face of Toronto.

Both the Mayor and Deputy Mayor took vacations at the same time which has shown is not a best practice model.

Background Information

Review of Organizational Vacation Practices of the Mayor and Deputy Mayor

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16675.pdf>)

Motions

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

EX26.39	ACTION	Referred		
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Requesting a Ban of Water Bottle Sales on City Property**Decision Advice and Other Information**

The Executive Committee referred the Member Motion (September 30, 2008) by Councillor Del Grande, seconded by Councillor Di Giorgio, entitled “Requesting a Ban of Water Bottle Sales on City Property”, to the Public Works and Infrastructure Committee for consideration at its meeting scheduled to be held on November 12, 2008, when the Public Works and Infrastructure Committee gives consideration to the report (October 31, 2008) from the General Manager, Solid Waste Management Services, entitled “Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles”.

Origin

(September 30, 2008) Member Motion from Councillor Del Grande, seconded by Councillor Di Giorgio

Summary

The City is trying to be a leader in the green movement.

Bottled water is seen as an unnecessary product that produces a significant amount of waste.

The City has already passed a motion that bottled water should not be used in Council and Committee meetings, as well as other City meetings.

Toronto’s Municipal water system is constantly inspected and tested and the water is of high quality, which means there is no need to waste resources shipping bottles to consumers in Toronto.

London, Ontario is moving in this direction as well as other Cities like, Kitchener, Charlottetown, St. John’s, Vancouver, Nelson, B.C., as well as the Ottawa and Toronto Public School Boards.

Background Information

Requesting a Ban of Water Bottle Sales on City Property
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16676.pdf>

Communications

(October 29, 2008) e-mail from Joe Cressy, Polaris Institute (EX.Main.EX26.39.1)

Motions

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

EX26.40	ACTION	Referred		Ward: 25
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The Aphasia Institute, 75 Scarsdale Road - Grant Request**Decision Advice and Other Information**

The Executive Committee referred the Member Motion (October 10, 2008) from Councillor Jenkins, entitled “The Aphasia Institute, 75 Scarsdale Road - Grant Request”, to the City Manager and the Acting Deputy City Manager and Chief Financial Officer for consideration and report back to the Executive Committee as appropriate.

Origin

(October 10, 2008) Member Motion from Councillor Jenkins

Summary

Aphasia is an acquired disorder caused by an injury to the brain that affects a person's ability to communicate. It is most often the result of stroke or head injury.

The Aphasia Institute is an internationally recognized Canadian resource that works in partnership with communities and others to break down language barriers, build communication ramps and rebuild lives for those affected by aphasia.

The organization’s vision statement reads: “To awaken hope and inspiration for all individuals and families affected by aphasia, through service, education and research.”

For over twenty five years, the Aphasia Institute has anticipated and adapted to the needs of people affected by aphasia and the community at large -- spearheading new initiatives to support those affected by aphasia.

To support this important function, the Aphasia Institute relies on funding, fundraising, but also heavily relies on the City’s Property Tax Rebate Program for Registered Charities (the “Rebate Program”). The deadline to apply for the Rebate Program is legislated by the Province of Ontario through section 329 (3) (7) of the *City of Toronto Act, 2006* as “no later than the last day of February of the following year”.

Unfortunately, because of circumstances beyond their control, the Institute missed the application deadline for the 2007 taxation year.

For this Charitable Organization, missing this deadline means a revenue shortfall of \$19,784.80 (40% of total 2007 property taxes – municipal share is \$11,464.80 and education share is \$8,320.00). This will have a profound impact on their ability to provide services. People with aphasia face severe communication challenges and without support are often not able to access activities that most of us take for granted. The current funding base does not cover all that the

Aphasia Institute tries to deliver and staff work extremely hard for every extra dollar in order to ensure that they never have to turn people away.

It should be noted that, like this organization, other charitable organizations may similarly miss the deadline to apply for a tax rebate under the Rebate Program due to extenuating circumstances. They too are faced with the similar challenge of managing operations with unexpected funding shortfall in any given year.

Background Information

The Aphasia Institute, 75 Scarsdale Road - Grant Request
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16677.pdf>)

Motions

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

EX26.41	ACTION	Adopted		Ward: All
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Occupational Health and Safety Report - Second Quarter, 2008

Committee Recommendations

The Executive Committee recommended that:

1. City Council receive, for information, the Occupational Health and Safety Report, Second Quarter, 2008.

Origin

(September 29, 2008) Report from the Employee and Labour Relations Committee

Summary

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the first two quarters of 2008. There was a decrease of 9.5% in the number of lost time injuries relative to the same period in 2007. Information is provided where there have been significant changes in accident experience and costs within divisions, as well as specific actions being taken to improve health and safety performance.

New information about the Ministry of Labour's *Safe at Work Ontario* strategy is provided.

Background Information

Occupational Health and Safety Report - Second Quarter, 2008
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16678.pdf>)

Appendix A - WSIB Claims Data, by Division (January - June)
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16679.pdf>)

Appendix B - LTI Frequency (Up to End of Second Quarter)
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16680.pdf>)

Appendix C - Summary of WSIB Costs for all Firm Numbers

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16681.pdf>)

Appendix D(i) - WSIB Invoiced Costs by Division (January - June) (Costs <\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16682.pdf>)

Appendix D(ii) - WSIB Invoiced Costs by Division (January - June) (Costs >\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16683.pdf>)

Motions

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

EX26.42	ACTION	Adopted		Ward: All
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Public Health Nursing Leadership Initiatives

Committee Recommendations

The Executive Committee recommended that:

1. City Council increase Toronto Public Health's 2008 Council Approved Operating Budget by \$60,000 gross and \$0.0 net to reflect 100% funding received from St. Elizabeth Health Care for Nursing Leadership Development Initiatives.
2. City Council authorize the Medical Officer of Health to send two Toronto Public Health staff to the Dorothy M. Wylie Nursing Leadership Institute and two Toronto Public Health staff to the Health Leaders Institute in Toronto for leadership development training at a cost of up to \$3,900 per employee at a total cost of up to \$15,600.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

The purpose of this report is to secure Council approval to increase Toronto Public Health's 2008 Operating Budget to reflect funding of \$60,000 from St. Elizabeth Health Care for nursing leadership development initiatives and obtain authorization for four management staff to attend a leadership development training at a cost of up to \$3,900 each for a total cost of \$15,600 to be funded 100% from the nursing leadership development initiatives.

Toronto Public Health is collaborating with St. Elizabeth Health Care and Women's College Hospital on an innovative project to create and sustain nursing leadership throughout the health care system through effective succession planning strategies.

St. Elizabeth Health Care, on behalf of the project received \$300,000 from the Ministry of Health, Healthforce Ontario. Of this amount, Toronto Public Health received \$60,000 for nursing leadership development initiatives. Healthforce Ontario is the province's strategy to ensure that Ontarians have access to the right number and mix of qualified healthcare providers, now and in the future.

The leadership development training is for two Toronto Public Health managers at the Dorothy M. Wylie Leadership Institute and two Toronto Public Health managers at the Health Care Leaders Institute amounting to approximately \$15,600 that will be funded 100% from the \$60,000 received from St. Elizabeth Health Care.

Background Information

Public Health Nursing Leadership Initiatives

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16684.pdf>

Motions

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

EX26.43	ACTION	Adopted		Ward: All
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Toronto Public Health 2008 Operating Budget Adjustment (Funding from the Ministry of Health Promotion)

Committee Recommendations

The Executive Committee recommended that:

1. City Council approve increasing the Toronto Public Health 2008 base Operating Budget by \$115.0 thousand gross and \$0.0 net, and a staff increase of 1.0 permanent position, to reflect confirmed funding from the Ministry of Health Promotion.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

The purpose of this report is to request a budget adjustment to Toronto Public Health's (TPH) 2008 Operating Budget due to confirmation of additional base funding from the Ministry of Health Promotion.

Background Information

Toronto Public Health 2008 Operating Budget Adjustment (Funding from the Ministry of Health Promotion)

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16685.pdf>

Motions

Motion to Adopt Item moved by Councillor Gloria Lindsay Luby (Carried)

EX26.44	ACTION	Adopted		Ward: All
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Toronto Public Health 2008 Operating Budget Adjustments (Funding from the Ministries of Health and Long Term Care and Children and Youth Services)

Committee Recommendations

The Executive Committee recommended that:

1. City Council approve increasing the Toronto Public Health 2008 Operating Budget by \$740.0 thousand gross and \$0.0 net, and a staff increase of 2 permanent and 28 temporary positions, to reflect confirmed funding from the Ministries of Health and Long-Term Care and Children and Youth Services.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

The purpose of this report is to request budget adjustments to Toronto Public Health's (TPH) 2008 Operating Budget due to confirmation of funding from two Provincial ministries.

Background Information

Toronto Public Health 2008 Operating Budget Adjustments (Funding from the Ministries of Health and Long-Term Care and Children and Youth Services)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16686.pdf>)

September 16, 2008 letter to the Board of Health from the Board of Health Budget Sub-Committee

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16687.pdf>)

Motions

Motion to Adopt Item moved by Councillor Gloria Lindsay Luby (Carried)

EX26.45	ACTION	Adopted		Ward: 11
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Transfer of Funds from the Eglinton Flats Reserve Fund (XR3204)

Committee Recommendations

The Executive Committee recommended that:

1. City Council grant authority to the appropriate City officials to apply \$22,500 from the Eglinton Flats Reserve Fund (XR3204) to the Parks, Forestry and Recreation Division's operating budget to allow for the payment to Tennex Systems Inc. for the resurfacing of the six north quadrant tennis courts at Eglinton Flats Park.

2. City Council increase the Parks, Forestry and Recreation 2008 Operating Budget by \$22,500 gross, 0 net, fully funded from the Eglinton Flats Reserve Fund (XR3204), with a corresponding reversal in 2009, for this is a one time occurrence.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

Parks, Forestry and Recreation (“PFR”) has a reserve fund in place that is dedicated by agreement to aggregate an annual fixed amount from the Eglinton Flats Winter Tennis operation. The purpose of the reserve fund is for resurfacing of tennis courts and other tennis related state of good repair works.

Authority is being requested to transfer \$22,500 from the Eglinton Flats Reserve Fund (XR3204) to the PFR Division’s operating funds to pay for resurfacing of six tennis courts at Eglinton Flats Park.

Background Information

Transfer of Funds from the Eglinton Flats Reserve Fund (XR3204)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16688.pdf>

Motions

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

EX26.46	ACTION	Adopted		Ward: All
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Establishment of a Reserve Fund for the Purpose of Funding a Seniors' Exchange Program Between Toronto, Ontario and Paris, France

Committee Recommendations

The Executive Committee recommended that:

1. Authority not be granted to establish a reserve fund using \$10,000 from the French Committee’s 2008 and \$10,000 from its 2009 Operating Budgets for the purpose of funding a senior’s exchange program between Toronto, Ontario and Paris, France.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

Report (October 24, 2008) from the Budget Committee advising that the Budget Committee on October 24, 2008, considered the following:

- i. Report (October 20, 2008) from the Acting Deputy City Manager and Chief Financial Officer, entitled "Establishment of a Reserve Fund for the Purpose of Funding a Seniors' Exchange Program between Toronto, Ontario and Paris, France".
- ii. Letter (October 23, 2008) from Councillor Adam Giambrone, Ward 18 Davenport.

Background Information

Establishment of a Reserve Fund for the Purpose of Funding a Seniors' Exchange Program between Toronto, Ontario and Paris, France

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16691.pdf>

Letter (October 23, 2008) from Councillor Adam Giambrone

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16692.pdf>

Communications

(November 7, 2008) submission from Dan Brignoli, Chair, CFVT (EX.Supp.EX26.46.1)

Speakers

Mr. Dan Brignoli, President, City of Toronto French Committee

Ms. Monique Waknine, Interpreter

Motions

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

EX26.47	ACTION	Adopted		Ward: All
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2009 Federal Homelessness Funding: Authority to Negotiate a New Federal Agreement and Manage the Transition to the New Program

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Consistent with the position of the Federation of Canadian Municipalities, Toronto City Council request the incoming federal government, on an urgent basis, to maintain existing levels of federal homelessness funding beyond March 2009 as a bridge to a long-term national housing strategy that is ongoing, sustainable and indexed to the cost of living, and that includes a clear commitment to end homelessness.
2. The General Manager, Shelter, Support and Housing Administration, in consultation with the City Solicitor, be authorized to enter into a contribution agreement with Service Canada or related entity for funding under a renewal of the Homelessness Partnering Strategy, or any new federal homelessness funding program.
3. The General Manager, Shelter, Support and Housing Administration, be authorized to undertake appropriate measures to develop funding priorities for any renewal of the

Homelessness Partnering Strategy, or other similar federal funding program, including seeking input from community consultation, and bring forward the funding priorities for approval by Council.

4. Once the contribution agreement with Service Canada or related entity is in place, the General Manager, Shelter, Support and Housing Administration, be authorized to enter into agreements with other City divisions, project sponsor agencies, and/or private expertise to deliver projects in line with the terms and conditions of the federal agreement, other than new housing development projects, which will be approved through the Affordable Housing Committee and Council.
5. Based upon a finalized contribution agreement with Service Canada or related entity, the General Manager, Shelter, Support and Housing Administration, be authorized to undertake appropriate measures to establish sound budgetary priorities, adjust funding among programs as required to ensure effective use of available federal funds, and seek and draw upon input from community consultation, new Council directions/priorities, or other circumstances as might occur in the future, requiring expenditure adjustments.
6. Any project currently funded under the Homelessness Partnership Strategy that is not completed by March 31, 2009 be approved as a priority for funding under any new funding contract entered into under Recommendation 2.
7. In the event that the current Homelessness Partnering Strategy is not extended beyond March 31, 2009 by the last day of the City Council meeting in March 2009, the General Manager, Shelter, Support and Housing Administration, be authorized to fund existing HPS service-related projects delivered by community agencies, as outlined in Appendix B, as well as costs for administration for the three-month period April 1 through June 30, 2009, at a cost of up to \$2.9 million from the Social Housing Stabilization Reserve Fund.
8. If the Social Housing Stabilization Reserve Fund is used as set out in Recommendation 7, the General Manager, Shelter, Support and Housing Administration, seek reimbursement for this expenditure from the federal government, as part of a renewed Homelessness Partnering Strategy, new homelessness funding arrangements, or other appropriate federal funding programs, with all recovered funds to be returned to source.
9. The General Manager, Shelter, Support and Housing Administration, report directly to Council on any further implications relating to the renewal of the Homelessness Partnering Strategy or the establishment of any new federal homelessness funding program, as required.
10. In the event that the current Homelessness Partnership Strategy funding is extended beyond March 31, 2009, the General Manager, Shelter, Support and Housing Administration, be authorized to approve allocations of any unexpended HPS funding to projects and initiatives that are in line with the objectives of the HPS Community Plan, and to enter into any necessary agreements to give effect thereto.

11. The General Manager, Shelter, Support and Housing Administration, report to Budget Committee prior to March 31, 2009 on the financial implications of any renewal of the Homelessness Partnering Strategy or the initiation of any new federal homelessness funding program, upon receiving further information regarding the intentions of the incoming federal government relating to homelessness funding.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

The purpose of this report is to:

- highlight key outcomes from the current Homelessness Partnering Strategy (HPS) funding during the period April 1, 2007 to March 31, 2009;
- provide a plan for the funding of current HPS projects for the period April 1 to June 30, 2009, in the event that new federal funding is not in place by March 31, 2009; and
- seek authority for the General Manager, Shelter, Support and Housing Administration, to enter into a new contribution agreement with the federal government based on an anticipated extension to, or a replacement of, current Homelessness Partnering Strategy funding.

The current federal homelessness funding through the Homelessness Partnering Strategy ends March 31, 2009. The future of federal homelessness funding remains uncertain. This report outlines a plan to ensure that all contingencies regarding the funding of services for people who are homeless are anticipated and provided for.

This report is similar in its objectives to one approved by Council in March 2007, granting the General Manager, Shelter, Support and Housing Administration, authority to negotiate a contribution agreement under the then newly-announced HPS, and providing for transitional arrangements if the federal agreement was not executed in time to avoid interruption of community agency funding. In that situation, the federal agreement was executed in a timely manner and no funding was required.

Background Information

2009 Federal Homelessness Funding: Authority to Negotiate a New Federal Agreement and Manage the Transition to the New Program

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16693.pdf>

Speakers

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

Motions

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

EX26.48	ACTION	Adopted		Ward: All
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Additional Funding for Child Care and Ongoing Funding Reserves

Committee Recommendations

The Executive Committee recommended that:

1. City Council approve an amendment to the Children's Services 2008 Approved Operating Budget to include an additional \$6.002 million in revenues received as Toronto's share of a provincial \$25 million child care investment for additional fee subsidies and French-language child care spaces; and these revenues be offset by a reduction in the 2008 budgeted withdrawal from the Child Care Expansion Reserve Fund (CCERF) of \$6.002 million.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

This report seeks approval to amend the Children's Services 2008 Approved Operating Budget to reflect additional Best Start funding. Details of additional funding were provided by Minister Matthews, Minister of Children and Youth Services (MCYS), in a letter to Mayor Miller dated July 25, 2008 and announced publicly on July 9, 2008. This announcement includes an allocation of \$6.002 M for additional fee subsidies and French-language child care funding.

The report also reports on the funding issues facing the child care system as directed by Council.

Background Information

Additional Funding for Child Care and Ongoing Funding Pressures
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16694.pdf>

Motions

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

Declared Interests

The following member(s) declared an interest:

Councillor Howard Moscoe - Councillor Moscoe declared an interest in this matter in that his daughter is employed by Children's Services.

EX26.49	ACTION	Adopted		Ward: 31
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City Clerk's Office 2008 Capital Budget Amendment and Potential Acquisition of 89 Northline Road

Confidential Attachment - A proposed or pending acquisition or sale of land for municipal or local board purposes

Committee Recommendations

The Executive Committee recommended to City Council that:

1. City Council authorize the “Elections Facility Project”, a new capital project to be added to the City Clerk’s Office 2008 Capital Budget, to enable the acquisition of the Northline Property as an elections office site. The acquisition cost and details of the funding sources for the Elections Facility Project are set out in Confidential Attachment 1;
2. Authority be granted to enter into an agreement of purchase and sale with the owner of the Northline Property, Northline 89 Inc., to acquire the Northline Property at the acquisition cost set out in Confidential Attachment 1, on terms and conditions deemed appropriate by the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
3. The Chief Corporate Officer and the Director of Real Estate Services be severally authorized to accept and execute the agreement of purchase and sale on behalf of the City.
4. The City Solicitor be authorized to complete all transactions contemplated above on behalf of the City including making payment of any necessary expenses, and amending the closing date and other dates to such earlier date(s) and on such terms and conditions as she may from time to time consider reasonable.
5. City Council authorize the public release of the Confidential Information contained in Attachment 1 upon completion of all terms of the purchase and sale agreement with Northline 89 Inc. to the satisfaction of the City Solicitor.

Origin

(October 24, 2008) Report from the Budget Committee

Summary

The purpose of this report is to seek City Council’s authority to acquire the property known as 89 Northline Road (the “Northline Property”) and to establish a new capital project in the 2008 Capital Plan for the City Clerk’s Office for the acquisition of the Northline Property. The Northline Property is required for the core requirements of the City Clerk’s Office to run elections.

Background Information

City Clerk's Office 2008 Capital Budget Amendment and Potential Acquisition of 89 Northline Road

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16695.pdf>

Appendix B - Site Map

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16696.pdf>

Briefing Note from Bruce Bowes, Chief Corporate Officer

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-17435.pdf>

Motions

Motion to Adopt Item moved by Councillor Norman Kelly (Carried)

EX26.50	ACTION	Adopted		Ward: All
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Toronto Police Service Board Bargaining with the Toronto Police Association - 2008 Collective Agreement

Confidential Attachment - Labour relations or employee negotiations

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Council adopt the recommendations contained in the confidential attachment to this report; and
2. That this labour relations matter shall remain confidential.

Origin

(October 21, 2008) Report from the City Manager, addressed to the Employee and Labour Relations Committee

Summary

The purpose of this report is to seek approval and recommendation from City Council regarding a confidential labour relations matter.

Background Information

Toronto Police Service Board Bargaining with the Toronto Police Association - 2008 Collective Agreement

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16697.pdf>

Motions

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

50a Toronto Police Service Board Bargaining with the Toronto Police Association - 2008 Collective Agreement

Confidential Attachment - Labour relations or employee negotiations

Origin

(November 3, 2008) Report from the Employee and Labour Relations Committee

Summary

Confidential report from the Employee and Labour Relations Committee forwarding recommendations pertaining to the report (October 21, 2008) from the City Manager, entitled “Toronto Police Service Board Bargaining with the Toronto Police Association - 2008 Collective Agreement.

EX26.51	Information	Received		
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Toronto Police Services Board Response to the City Council Decision EX21.2 – City-Based Measures to Address Gun Violence

Decision Advice and Other Information

The Executive Committee received, for information, the report (October 2, 2008) from the Chair, Toronto Police Services Board, entitled “Toronto Police Services Board Response to the City Council Decision EX21.2 – City-Based Measures to Address Gun Violence”.

Origin

(October 2, 2008) Report from the Chair, Toronto Police Services Board

Summary

The purpose of this report is to provide the Executive Committee with the Toronto Police Services Board’s response to the City Council decision EX21.2 – City Based Measures to Address Gun Violence.

Background Information

Toronto Police Services Board Response to the City Council Decision EX21.2 - City-Based Measures to Address Gun Violence

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16698.pdf>

Motions

Motion to Receive Item moved by Mayor David Miller (Carried)

That the item be received for information.

EX26.52	ACTION	Amended		
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Toronto Police Service – Transfer of Capital Funds (TRMS project)

Committee Recommendations

The Executive Committee recommended to City Council that:

1. Council approve a transfer of \$100,000 from the Computer Assisted Scheduling of Courts (CASC) project to the Time Resource Management System (TRMS) project.
2. The Acting Deputy City Manager and Chief Financial Officer be requested to ensure that purchasing staff account for all applicable government taxes when engaging professional services.

Origin

(October 2, 2008) Report from the Chair, Toronto Police Services Board

Summary

The purpose of this report is to request the approval of the transfer of capital funds within the Toronto Police Service's 2008-2012 capital program.

Background Information

Toronto Police Service - Transfer of Capital Funds (TRMS project)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16700.pdf>

Motions

Motion to Adopt Item moved by Councillor Gloria Lindsay Luby (Carried)

EX26.53	ACTION	Referred		
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Toronto Police Service – Transfer of Capital Funds (In-car Camera Capital Project)

Decision Advice and Other Information

The Executive Committee:

1. referred the report (October 10, 2008) from the Chair, Toronto Police Services Board, to the Budget Committee for consideration at its meeting scheduled to be held on November 17, 2008, together with the 2009 Capital Budget; and
2. requested the Acting Deputy City Manager and Chief Financial Officer to submit a report to the aforementioned meeting of the Budget Committee with respect to the request from the Toronto Police Services Board for a transfer of funds from the

Computer Assisted Scheduling of Courts (CASC) project to the In-Car Camera project.

Origin

(October 10, 2008) Report from the Chair, Toronto Police Services Board

Summary

The purpose of this report is to request the approval of the transfer of capital funds in the amount of \$600,000 within the Toronto Police Service's 2008-2012 capital program.

Background Information

Toronto Police Service - Transfer of Capital Funds (In-Car Camera Capital Project)
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16701.pdf>

Motions

Motion to Refer Item moved by Councillor Shelley Carroll (Carried)

Monday, November 10, 2008

Mayor David Miller, Chair, Executive Committee

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-11-10	Morning	9:40 AM	12:35 PM	Public
2008-11-10	Afternoon	1:40 PM	6:10 PM	Public

Attendance

Date and Time	Quorum	Members
2008-11-10 9:40 AM - 12:35 PM (Public Session)	Present	<i>Present:</i> Carroll, Davis, De Baeremaeker, Fletcher, Kelly, Lindsay Luby, Mammoliti, McConnell, Miller, Moscoe, Pantalone, Rae <i>The Mayor was also present.</i> <i>Not Present:</i> Mihevc <i>Also present (non-members):</i> Del Grande, Jenkins, Minnan-Wong, Saundercook, Walker.
2008-11-10 9:40 AM - 12:35 PM (Public Session)	Present	<i>Present:</i> Carroll, Davis, De Baeremaeker, Fletcher, Kelly, Lindsay Luby, Mammoliti, McConnell, Miller, Moscoe, Pantalone, Rae <i>The Mayor was also present.</i> <i>Not Present:</i> Mihevc <i>Also present (non-members):</i> Filion, Holyday, Jenkins, Minnan-Wong, Perruza, Saundercook, Walker.