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## Executive Committee

<b>Meeting No.</b>	21	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Tuesday, June 3, 2008	<b>Phone</b>	416-392-9151
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	pmorris@toronto.ca
<b>Location</b>	Committee Room 1, City Hall		

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EX21.1	Amended			Ward: All
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### Toronto Museum Project

#### City Council Decision

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council approve, in principle, the revised and reduced scale for the Toronto Museum Project as outlined in Attachment #1 and approve the continued development of the Museum Project.
2. City Council recognize the Toronto Museum Project Champions, listed in Attachment #2, as primary community stewards to provide advice and advocacy in the development of the Toronto Museum Project.
3. City Council authorize the General Manager of Economic Development, Culture and Tourism, with the assistance of the Toronto Museum Project Champions and in consultation with the City Manager, to apply to the Provincial and Federal governments for developmental funding to support the necessary background studies for the Toronto Museum Project and to negotiate and execute any required agreements in that regard, on such terms and conditions as are satisfactory to the General Manager of Economic Development, Culture and Tourism, and the City Manager, in a form acceptable to the City Solicitor.
4. City Council direct the Deputy City Manager and Chief Financial Officer to establish a Toronto Museum Project Reserve Fund to accept donations and other contributions in support of the project.

5. City Council authorize the General Manager of Economic Development Culture and Tourism, in consultation with the Chief Corporate Officer and other City staff as required, to issue the first stage of a potential two-stage request for proposals to invite interest from private sector developer(s) in a mixed-use redevelopment of the Canada Malting site shown in Attachment #3, to include the Toronto Museum Project, and to prequalify such developer(s) for participation in any further call process, based on the following key elements:
  - a. qualifications, reputation and creativity of the developer;
  - b. qualifications and relative experience of the architect and consultant team being proposed;
  - c. financial ability and stability of the developer;
  - d. understanding of and integration of the Toronto Museum Project into the proposed mixed-use redevelopment;
  - e. respect for and preservation of the heritage of the Canada Malting site and understanding of how best to integrate any private mixed-use development into the neighbouring urban fabric; and
  - f. value of financial return to the City.
6. The Request for Proposals, as outlined in the foregoing Part 5, not be circulated until after the report, which has been requested in Part 10, to be submitted in September 2008, is completed.
7. City Council direct the General Manager of Economic Development, Culture and Tourism, and the Deputy City Manager and Chief Financial Officer to report back on the results of stage one of the Request for Proposals and on the associated impact on the financial viability of the Toronto Museum Project business plan.
8. City Council authorize the General Manager of Economic Development, Culture and Tourism to proceed at the appropriate time with all necessary planning studies required to accommodate the proposed mixed-use redevelopment on the Canada Malting site.
9. City Council direct that any mixed-use redevelopment of the Canada Malting site strive to retain those portions of those structures on this site that the City has determined to be of significant cultural and heritage value, particularly, but not limited to, the 1928 and 1944 silos as iconic, landmark elements.
10. The Chief Corporate Officer be requested to submit a report to the September 2008 Executive Committee identifying the estimated expenditure and funding options to stabilize and/or make safe the 1928 and 1944 silos, inclusive of access from the east sides of the silos.
11. The Executive Director, Facilities and Real Estate be requested to construct a pathway

on the west side of the Canada Malting site to provide access to Ireland Park at a cost not to exceed \$100,000, with funding to be re-assigned from the Facilities and Real Estate 2008 Capital Budget.

12. City Council authorize the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism, to enter into negotiations with the Toronto District School Board to amend the lease and licence agreements and any other relevant agreements between the parties, on such terms and conditions as are deemed appropriate by the Chief Corporate Officer and the General Manager of Economic Development, Culture and Tourism, to facilitate any proposed mixed-use redevelopment of the Canada Malting site, and to report back to the City Council on the results of such negotiations.
13. City Council authorize the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism, to take the necessary steps to amend or remove the restrictive covenants on title to the Canada Malting site to allow for the proposed mixed-use redevelopment, on such terms and conditions as are deemed appropriate by them, in a form satisfactory to the City Solicitor.
14. City Council authorize the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism, to identify and negotiate appropriate amendments, including termination, to the terms and conditions of any other agreements and instruments which affect title or impact the proposed mixed-use redevelopment of the Canada Malting site, and to report back to City Council on the results of such negotiations.
15. The Executive Director of the Culture Division ensure that the Request for Proposals for the Toronto Museum Project include the requirement that the Museum and any development associated with it meet the Performance Criteria set out in the City's Green Development Standard.
16. The General Manager of Economic Development, Culture and Tourism, in consultation with the Chief Corporate Officer, be directed to consult with Harbourfront Centre to consider options to incorporate Portland Quay within the Request for Proposals.

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(May 20, 2008) Report from Sue Corke, Deputy City Manager

### **Committee Recommendations**

The Executive Committee recommends that:

1. Council approve in principle the revised and reduced scale for the Toronto Museum Project as outlined in Attachment #1 and approve the continued development of the Museum Project.
2. Council recognize the Toronto Museum Project Champions, listed in Attachment #2, as primary community stewards to provide advice and advocacy in the development of the

Toronto Museum Project.

3. Council authorize the General Manager of Economic Development, Culture and Tourism, with the assistance of the Toronto Museum Project Champions and in consultation with the City Manager, to apply to the Provincial and Federal Governments for developmental funding to support the necessary background studies for the Toronto Museum Project and to negotiate and execute any required agreements in that regard, on such terms and conditions as are satisfactory to the General Manager of Economic Development, Culture and Tourism, and the City Manager, in a form acceptable to the City Solicitor.
4. Council direct the Deputy City Manager and Chief Financial Officer to establish a Toronto Museum Project Reserve Fund to accept donations and other contributions in support of the project.
5. Council authorize the General Manager of Economic Development Culture and Tourism in consultation with the Chief Corporate Officer and other City staff as required, to issue the first stage of a potential two-stage request for proposal to invite interest from private sector developer(s) in a mixed-use redevelopment of the Canada Malting site shown in Attachment #3, to include the Toronto Museum Project, and to prequalify such developer(s) for participation in any further call process, based on the following key elements:
  - a. qualifications, reputation and creativity of the developer;
  - b. qualifications and relative experience of the architect and consultant team being proposed;
  - c. financial ability and stability of the developer;
  - d. understanding of and integration of the Toronto Museum Project into the proposed mixed-use redevelopment;
  - e. respect for and preservation of the heritage of the Canada Malting site and understanding of how best to integrate any private mixed-use development into the neighbouring urban fabric; and
  - f. value of financial return to the City.
6. The Request for Proposal, as outlined in the foregoing Recommendation 5., not be circulated until after the report, which has been requested in Recommendation 10. to be submitted in September 2008, is completed.
7. Council direct the General Manager of Economic Development, Culture and Tourism and the Deputy City Manager and Chief Financial Officer to report back on the results of stage one of the Request for Proposals and on the associated impact on the financial viability of the Toronto Museum Project business plan.

8. Council authorize the General Manager of Economic Development, Culture and Tourism to proceed at the appropriate time with all necessary planning studies required to accommodate the proposed mixed-use redevelopment on the Canada Malting site.
9. Council direct that any mixed-use redevelopment of the Canada Malting site strive to retain those portions of those structures on this site that the City has determined to be of significant cultural and heritage value, particularly, but not limited to, the 1928 and 1944 silos as iconic, landmark elements.
10. The Chief Corporate Officer be requested to submit a report to the September 2008, Executive Committee identifying the estimated expenditure and funding options to stabilize and/or make safe the 1928 and 1944 silos inclusive of access from the east sides of the silos.
11. The Executive Director, Facilities and Real Estate, be requested to construct a pathway on the west side of the Canada Malting site to provide access to Ireland Park at a cost not to exceed \$100,000 with funding to be re-assigned from the Facilities and Real Estate 2008 Capital Budget.
12. Council authorize the Chief Corporate Officer in consultation with the General Manager of Economic Development, Culture and Tourism, to enter into negotiations with the Toronto District School Board to amend the lease and licence agreements and any other relevant agreements between the parties on such terms and conditions as are deemed appropriate by the Chief Corporate Officer and the General Manager of Economic Development, Culture and Tourism to facilitate any proposed mixed-use redevelopment of the Canada Malting site, and to report back to the Council on the results of such negotiations.
13. Council authorize the Chief Corporate Officer in consultation with the General Manager of Economic Development, Culture and Tourism to take the necessary steps to amend or remove the restrictive covenants on title to the Canada Malting site to allow for the proposed mixed-use redevelopment, on such terms and conditions as are deemed appropriate by them, in a form satisfactory to the City Solicitor.
14. Council authorize the Chief Corporate Officer, in consultation with the General Manager of Economic Development, Culture and Tourism to identify and negotiate appropriate amendments, including termination, to the terms and conditions of any other agreements and instruments which affect title or impact the proposed mixed-use redevelopment of the Canada Malting site, and to report back to Council on the results of such negotiations.

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

Ms. Rita Davies, Executive Director, Economic Development, Culture and Tourism, Ms. Sarmite Bulte, Mr. David Crombie and Mr. Pier Giorgio Di Cicco gave a presentation to the Executive Committee regarding the Toronto Museum Project.

### **Financial Impact**

The Toronto Museum Project is being planned to have minimal financial impact on the City of Toronto. A mixed-use redevelopment of the City-owned Canada Malting site could generate a significant portion of the required funding to complete the Toronto Museum Project, with the balance being obtained from other sources including from private and corporate donations, and government funding. There is a need for a modest City investment in the developmental stages of the project so that the plans can be articulated in further detail and to allow the Request for Proposal for the Canada Malting site to proceed.

### Capital Budget

The Canada Malting site will require substantial investment to stabilize the silo structures, demolish any structures that will not be retained and, if necessary, to remediate the soil. It is intended that the City will stabilize the structures in order to provide public access to Ireland Park, but any other rehabilitation or demolition work that would be undertaken as part of the proposed mixed-use redevelopment would be the responsibility of and at the discretion of the developer(s). Facilities and Real Estate is in the process of having a report completed that will address the immediate repairs to stabilize the silo structures and make it safe for public access along the east and south elevations of the building. Once that report is completed, a further report will be submitted by the Chief Corporate Officer requesting an increase to Facilities and Real Estates' 2009 Capital Budget.

In 2008, Culture requires \$170,000 in debt funding to begin work on the background studies required for any mixed-use redevelopment of the site, prepare the first stage of the recommended Request for Proposals and further develop the content and approach for the Toronto Museum Project. Culture can allocate \$50,000 from the Conservation and Collections Care sub-project and the Fort York Restoration sub-project for this purpose. Before additional funds are expended, the Deputy City Manager responsible for Economic Development, Culture and Tourism will identify a source of funds for \$120,000 for the Toronto Museum Project in the second quarter Capital Variance report.

For 2009, funding of \$650,000 gross/\$350,000 net has been included in the Culture Capital Budget plan to cover the expenses associated with any subsequent stage to the Request for Proposals process that may be authorized by Council following the results of the first stage.

In the 10-year Capital Budget Outlook, the Toronto Museum Project is being planned so that it can be constructed with no debt financing from the City of Toronto. The estimated \$100 million cost of this project is currently forecasted in Culture Capital in 2013 as \$100 million gross/\$0 net (in 2008 dollars). The Toronto Museum Project would be funded by contributions from other levels of government, corporations and individual donors.

### Operating Budget

It is proposed that the Toronto Museum Project would be operated by a private non-profit entity with a total budget of approximately \$8 million, (in 2008 dollars) when it opens in 2015. It would then require funding from the City in keeping with the level of City support for Major Cultural Organizations.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with



the financial impact information.

## **Summary**

The Toronto Museum Project is dedicated to chronicling the extraordinary story of Toronto as seen through the lens of social, cultural and economic diversity with a strong emphasis on the development of the city after World War II. It will deepen the relationship between Toronto's residents and their aspirations by exploring Toronto's past, present and future.

As Canada's largest urban region, Toronto is uniquely positioned to address contemporary issues of provincial, national and international significance. The Toronto Museum Project will provide a physical presence for global dialogue, and a hub for exploring liveable cities in the complex and challenging global era. It is aligned with the Agenda for Prosperity and promotes a strong tourism sector which will support Toronto's overall success as a globally competitive city.

The Toronto Museum Project, to be a private non-profit entity, is proposed to be built on the Canada Malting site at 5 Eireann Quay as part of a mixed-use redevelopment. A feasibility study has been completed which provides a draft vision, mission, and mandate, a program strategy, space and facility requirements, a business plan with capital costs, marketing strategies, operating revenue/expenses and attendance projections. The concept is based on three themes: gathering place, global village and city soul.

As a defining feature of the inner harbour, the iconic and historic silos at the Canada Malting site would have a powerful impact on the museum's identity and enrich the visitor's overall experience. Although a significant investment is required to stabilize the derelict city-owned site, this is a great opportunity of creative adaptive reuse that would contribute to the synergy of cultural amenities in the area. This report envisions a two-stage selection process to bring a developer into the project. The first stage will pre-qualify a short list of developers to participate in any potential second stage request for proposals. The results of stage one will be reported back to Council along with recommendations on whether to proceed with stage two.

## **Background Information (Committee)**

Toronto Museum Project

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13187.pdf>

Toronto Museum Project - Update to the Business Plan - Attachment 1

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13188.pdf>

Toronto Museum Project Champions - Attachment 2

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13245.pdf>

Proposed Location - Canada Malting Site - Attachment 3

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13246.pdf>

## **Communications (Committee)**

(May 22, 2008) letter from James M. Russell, Co-Chair, Planning Committee, York Quay Neighbourhood Association (EX.Main.EX21.1.1)

(April 29, 2008) letter from Rosario Marchese, MPP, Trinity-Spadina (EX.Main.EX21.1.2)

(May 29, 2008) fax from Marilyn Roy, Bathurst Quay Community Resident (EX.Main.EX21.1.3)

(May 30, 2008) letter from Olivia Chow, MP, Trinity-Spadina (EX.Main.EX21.1.4)  
(June 2, 2008) letter from Boris Broz, Vice-President Toronto Harbourfront Community Association (EX.Main.EX21.1.5)  
(June 2, 2008) e-mail from James M. Plaxton and Stephanie Tjelios (EX.Main.EX21.1.6)  
(June 2, 2008) letter from Jeanhy Shim, BQNA Member, Tip Top Lofts (EX.Main.EX21.1.7)  
(June 1, 2008) letter from John Bessai, Bathurst Quay Resident (EX.Main.EX21.1.8)  
(May 30, 2008) letter from Cathy Ord, President, For the Board of Directors, Arcadia Housing Co-operative Inc. (EX.Main.EX21.1.9)  
(June 2, 2008) letter from Peter Freed, President, Freed Development Ltd. (EX.Main.EX21.1.10)  
(June 1, 2008) letter from Mary Ann Rochon, Chair, Board of Management, Harbourfront Community Centre (EX.Main.EX21.1.11)  
(June 2, 2008) e-mail from Michael Jordan, Halsall Associates Ltd (EX.Main.EX21.1.12)  
(June 2, 2008) e-mail from Pat Brennan, Patricia Brennan Studio (EX.Main.EX21.1.13)

### **Communications (City Council)**

(May 30, 2008) letter from Anthony Cohen, President and Chief Executive Officer, Global Edge Investments (CC.Main.EX21.1.14)

### **Speakers (Committee)**

Ms. Joan Prowse, Harbourfront Community Centre  
Mr. Tom Bessai, University of Toronto  
Mr. James Russell, York Quay Neighbourhood Association  
Ms. Jeanhy Shim, Member, Bathurst Quay Neighbourhood Association  
Mr. Kevin Currie, Chair, Queen's Quay Harbourfront Business Improvement Area  
Councillor Doug Holyday, Ward 3, Etobicoke Centre  
Councillor Adam Vaughan, Ward 20, Trinity-Spadina

EX21.2	Amended			Ward: All
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## **City-Based Measures to Address Gun Violence**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

In keeping with the City's preventative efforts to address gun violence, ensuring that Toronto's public and private spaces do not support gun violence, in action or by appearance, will contribute to making a safe city safer:

#### **Land Use Zoning**

1. City Council direct the Chief Planner and Executive Director, in consultation with the City Solicitor, to prepare a zoning by-law to restrict uses permitting the discharge of

guns, including firing ranges and gun clubs, to establishments operated by a police service of the City or the Provincial or Federal Government and establishments operated by the Department of National Defence, and restrict and/or prohibit establishments that manufacture, assemble, warehouse and/or distribute guns and that the by-law be brought forward to a public meeting at the September 10, 2008 meeting of the Planning and Growth Management Committee.

2. City Council direct staff to give notice for the public meeting under the Planning Act in accordance with the regulations under the Planning Act.

#### Recreational Use of Firearms on City Property

3. City Council direct the City of Toronto to cancel the permit to Scarborough Rifle Club with respect to its use of the rifle range at Don Montgomery Community Recreation Centre and the General Manager, Parks Forestry and Recreation, or designate be authorized to give notice of such cancellation.
4. City Council direct the City of Torontoto terminate the lease to the CNRA Gun Club with respect to its use of a firing range at Union Station and the Chief Corporate Officer or designate be authorized to give notice of such termination.
5. City Council direct the Chief Planner to report to the Planning and Growth Management Committee on possible options for the Scarborough Rifle Club and the CNRA Hand Gun Club to re-establish themselves on private property in the City of Toronto so they are grandparented, as legal non-conforming uses, in the same manner as the other shooting ranges on private property; such report to be brought forward at the time of the report recommending zoning regulations for shooting ranges.
6. City Council direct the City Manager to add "shooting ranges", "gun clubs" and the promotion of firearms use, in general, to the list of unacceptable uses of City facilities for permit or lease, except for permits or leases for use by a police service of the City, provincial or federal governments or the Chief Firearms Officer.

The City has a mandate to ensure its prevention and enforcement efforts are responsive to the shifting challenges presented by handgun violence, with a particular importance on ensuring efforts address the public health and safety threat faced by Toronto's residents at greatest risk.

#### Monitoring the Incidents and Impacts of Gun Violence

7. City Council direct the Deputy City Manager, Cluster A to develop a comprehensive system to track the impacts and incidents of firearm violence and injury in Toronto on an ongoing basis, as part of the City's Community Safety Plan.

In keeping with the City's prevention programming investments through the "Making a Safe City Safer" initiative, the City has a mandate to provide support programs that assist youth engaged in illegal gun activities to break the cycle of violence and serve as positive role models for vulnerable youth.

### Providing Social Supports to Break the Cycle of Violence

8. City Council direct the City Manager, in consultation with the Chief of Police, to seek further funding partnership opportunities through the National Crime Prevention Strategy to benefit community-based safety and crime prevention initiatives.
9. City Council direct the Deputy City Manager, Cluster A, in consultation with the Toronto Police Service, to work with staff from the National Crime Prevention Centre and other relevant federal and provincial ministries to facilitate approval of the City's application for funding for a 'gang exit' wrap around support initiative, in keeping with the goals of the National Crime Prevention Strategy.

The City has a responsibility to engage with other orders of government, international bodies and non-governmental organizations to ensure legislation, regulations and litigation that advance the City's efforts to reduce handgun violence in Toronto are effectively advanced.

### Intergovernmental Advocacy Opportunities

10. City Council advocate against the repeal of the long gun registry (Bill C-24, the act to amend the Criminal Code and the Firearms Act).
11. City Council request the Government of Ontario to consider regulations relating to the licensing of restricted firearms (handguns) for target shooting, similar to the legislation enacted by the Government of Quebec.
12. City Council request the Government of Ontario to review the Landlord and Tenant Act and make the necessary amendments required to provide both the Landlord (TCHC) and the Landlord and Tenant Tribunal the necessary tools to ensure that individuals, who have been convicted of drug and gun crimes, are immediately evicted.
13. City Council request the Toronto Police Services Board to consider the proposed Ontario Private Member's Bill 56, which permits the suspension of drivers' licenses and detention of vehicles connected to unlawfully possessed firearms.
14. City Council request the Toronto Police Services Board to request the Chief of Police to report on the number of police on patrol in crime problem areas and the number of gun crimes.
15. City Council urge the Federal government to implement the Firearms Marking Regulations, recently deferred to December 2009, which will permit the Government of Canada to ratify the OAS Convention, and the UN Firearms Protocol.
16. City Council request the Federal government to address the international impacts of U.S. gun control laws.
17. City Council request the Federal government to strengthen the legislation relating to the storage of firearms at gun clubs.

18. City Council request the Federal and Provincial governments to amend the relevant legislative provisions to impose on persons convicted of gun crimes, the penalties of compulsory community service and compulsory attendance to a program established to educate the individuals as to the impact their behaviour has on families, communities and themselves.
19. City Council request the Board of Directors of the Toronto Community Housing Corporation to report to the Executive Committee on the efforts being made to reduce the number of gun crimes within Toronto Community Housing.
20. City Council request the City Solicitor, in consultation with the City Manager and the Chief of Police, to review the powers under the licensing provisions of the City of Toronto Act to regulate/and or limit the sale of ammunition for hand guns and assault weapons similar to the regulations implemented for fireworks.
21. City Council request the City Manager to report to the September 2008 meeting of the Executive Committee, regarding actions and strategies available to the City of Toronto to control, within its borders, the manufacture, sale and purchase and possession of ammunition for firearms; such report to include comment on the control of the separate components used to assemble ammunition for firearms.
22. The City Manager be requested to include in her report to the September 2008 meeting of the Executive Committee, any new by-laws or amendments to existing by-laws that are required to prohibit the “illegal discharge of guns” within the boundaries of the City of Toronto.
23. The City Manager, in consultation with the City Solicitor, be requested to report to the Executive Committee on possible recommendations with respect to the judicial system that would reduce the number of gun crimes.
24. The Chief Planner and Executive Director, City Planning, in consultation with the City Solicitor and the Chief Building Official and Executive Director, Toronto Building, report to the September 2008 meeting of the Planning and Growth Management Committee, on the status of the existing shooting ranges on private property and their compliance with existing zoning.

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(May 22, 2008) Report from the City Manager

### **Committee Recommendations**

The Executive Committee recommends that Council:

In keeping with the City’s preventative efforts to address gun violence, ensuring that Toronto’s public and private spaces do not support gun violence, in action or by appearance, will contribute to making a safe city safer:

Land Use Zoning

1. Direct the Chief Planner and Executive Director, in consultation with the City Solicitor, to prepare a zoning by-law to restrict uses permitting the discharge of guns, including firing ranges and gun clubs, to establishments operated by a police service of the City or the Provincial or Federal Government and establishments operated by the Department of National Defence, and restrict and/or prohibit establishments that manufacture, assemble, warehouse and/or distribute guns and that the by-law be brought forward to a public meeting at the September 10, 2008 meeting of the Planning and Growth Management Committee.
2. Direct staff to give notice for the public meeting under the Planning Act in accordance with the regulations under the Planning Act.

#### Recreational Use of Firearms on City Property

3. Direct the City of Toronto to cancel the permit to Scarborough Rifle Club with respect to its use of the rifle range at Don Montgomery Community Recreation Centre and the General Manager, Parks Forestry and Recreation or designate be authorized to give notice of such cancellation.
4. Direct the City of Toronto to terminate the lease to the CNRA Gun Club with respect to its use of a firing range at Union Station and the Chief Corporate Officer or designate be authorized to give notice of such termination.
5. Direct the Chief Planner to report to the Planning and Growth Management Committee on possible options for the Scarborough Rifle Club and the CNRA Hand Gun Club to re-establish themselves on private property in the City of Toronto so they are grandparented in the same manner as the other shooting ranges on private property; such report to be brought forward at the time of the report recommending zoning regulations for shooting ranges.
6. Direct the City Manager to add "shooting ranges", "gun clubs" and the promotion of firearms use, in general, to the list of unacceptable uses of City facilities for permit or lease, except for permits or leases for use by a police service of the City, provincial or federal governments or the Chief Firearms Officer.

The City has a mandate to ensure its prevention and enforcement efforts are responsive to the shifting challenges presented by handgun violence, with a particular importance on ensuring efforts address the public health and safety threat faced by Toronto's residents at greatest risk.

#### Monitoring the Incidents and Impacts of Gun Violence

7. Direct the Deputy City Manager, Cluster A to develop a comprehensive system to track the impacts and incidents of firearm violence and injury in Toronto on an ongoing basis, as part of the City's Community Safety Plan.

In keeping with the City's prevention programming investments through the "Making a Safe City Safer" initiative, the City has a mandate to provide support programs that assist youth

engaged in illegal gun activities to break the cycle of violence and serve as positive role models for vulnerable youth.

#### Providing Social Supports to Break the Cycle of Violence

8. Direct the City Manager, in consultation with the Chief of Police, to seek further funding partnership opportunities through the National Crime Prevention Strategy to benefit community-based safety and crime prevention initiatives.
9. Direct the Deputy City Manager, Cluster A, in consultation with the Toronto Police Service, to work with staff from the National Crime Prevention Centre and other relevant federal and provincial ministries to facilitate approval of the City's application for funding for a 'gang exit' wrap around support initiative, in keeping with the goals of the National Crime Prevention Strategy.

The City has a responsibility to engage with other orders of government, international bodies and non-governmental organizations to ensure legislation, regulations and litigation that advance the City's efforts to reduce handgun violence in Toronto are effectively advanced.

#### Intergovernmental Advocacy Opportunities

10. Advocate against the repeal of the long gun registry (Bill C-24, the act to amend the Criminal Code and the Firearms Act).
11. Request the Government of Ontario to consider regulations relating to the licensing of restricted firearms (handguns) for target shooting, similar to the legislation enacted by the Government of Quebec.
12. Request the Toronto Police Services Board to consider the proposed Ontario Private Member's Bill 56, which permits the suspension of drivers' licenses and detention of vehicles connected to unlawfully possessed firearms.
13. Urge the federal government to implement the Firearms Marking Regulations, recently deferred to December 2009, which will permit the Government of Canada to ratify the OAS Convention, and the UN Firearms Protocol.
14. Request the federal government to address the international impacts of U.S. gun control laws.
15. Request the City Solicitor, in consultation with the City Manager and Chief of Police, to review the powers under the licensing provisions of the City of Toronto Act to regulate/and or limit the sale of ammunition for hand guns and assault weapons similar to the regulations implemented for fireworks.
16. Request the City Manager to report to the September, 2008 meeting of the Executive Committee, regarding actions and strategies available to the City of Toronto to control, within its borders, the manufacture, sale and purchase and possession of ammunition for firearms; such report to include comment on the control of the separate components

used to assemble ammunition for firearms.

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

Ms. Shirley Hoy, City Manager and Ms. Nancy Matthews, Executive Director, Social Development, Finance and Administration, provided a presentation to the Executive Committee regarding the City-Based Measures to Address Gun Violence and filed a copy of their presentation material.

### **Financial Impact**

Approval of this report will result in the loss of \$3,655 in 2008 and \$4,898 in 2009 in Parks, Forestry and Recreation permit fees and Facilities and Real Estate lease payments from the cancellation recreational permit fees from the Don Montgomery CRC shooting range, and from the cancellation of the lease agreement with the CNRA Gun Club.

Rec'd	Shooting Range Facility	Recommended City Action	June –Dec 2008	2009 (incremental)
3	Scarborough Rifle Club – Don Montgomery C.R.C.	Cancel recreation permit	\$ 3,155	\$4,398
4	CNRA Gun Club – Union Station	Cancel lease agreement	\$500	\$ 500

The Deputy City Manager will report back on the budget implications of developing and implementing a system to track the impacts and incidents of firearm violence through the 2009 Operating Budget process.

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

### **Summary**

Toronto is a remarkably safe city compared to other large urban centres in North America. The combined prevention and enforcement efforts of the Government of Canada, the Government of Ontario, and the City of Toronto work to uphold this high degree of safety. In accordance with the balanced approach to gun violence equally employing prevention and enforcement established through the City's 2004 Community Safety Plan, the City has undertaken significant investment in prevention programming and enforcement innovations through the "Making a Safe City Safer" initiative.

However, at national, provincial and local levels handguns continue to be a persistent threat to the safety and security of Canadians. Although the City is constrained by federal and provincial law from exercising direct regulatory control over handguns, there are a number of options available to the City to address handgun violence that build upon Toronto's existing approach of balanced preventative programming investment and innovative enforcement techniques.

This report provides an overview of the findings of the "City of Toronto: City-Based Measures to Address Gun Violence" Options Paper prepared by an interdivisional staff team tasked with examining the public health and safety threat of handgun violence and identifying options for further City action. By employing land use zoning bylaws, strengthening the City's ability to



support existing innovative prevention programs, establishing clear City directives on appropriate uses of City facilities and engaging in an active national advocacy campaign on firearms issues, the City can maximize the opportunities it has to act within its jurisdictional authority to specifically reduce the availability of handguns. This approach is consistent with the City's balanced prevention and enforcement efforts focusing on making a safe city safer.

### **Background Information (Committee)**

City-Based Measures to Address Gun Violence

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13189.pdf>)

City of Toronto: City-Based Measures to Address Gun Violence

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13190.pdf>)

### **Background Information (City Council)**

Presentation - City Based Measures to Address Gun Violence from the City Manager and the Executive Director, Social Development, Finance and Administration (EX21.2a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14310.pdf>)

### **Communications (Committee)**

(June 2, 2008) e-mail from Gary Richardson (EX.Main.EX21.2.1)

(June 3, 2008) letter from Patrick Haynes (EX.Main.EX21.2.2)

(June 3, 2008) e-mail from Max Moore (EX.Main.EX21.2.3)

(June 3, 2008) e-mail from Mike Petrilli (EX.Main.EX21.2.4)

### **Communications (City Council)**

(June 23, 2008) e-mail from A.K. (CC.Main.EX21.2.5)

(June 23, 2008) presentation from by Chief Blair to the Toronto Police Services Board, entitled "2007 Firearms Statistics", submitted by Councillor Pam McConnell, Ward 28, Toronto Centre-Rosedale (CC.New.EX21.2.6)

### **Speakers (Committee)**

Mr. Geoff Currie (Submission Filed)

Dr. Alok Mukherjee, Chair, Toronto Police Services Board

Mr. Michael Bennett, President, Scarborough Rifle Club

Ms. Maureen Spinney

Mr. Dan Haggarty

Mr. Jose Dungo

Mr. Martin Traub-Werner (Submission Filed)

Ms. Audette Shephard and Ms. Elaine Lumley, UMOVE

Ms. Judith Ross

Mr. Tom Bradbeer, CNRA Handgun Club

Ms. Shari Akow

Mr. Mike Prest

Mr. Des Vamplew, Chair, Ontario Rifle Association

Mr. Mohamed Gilao, Executive Director, Dejinta Beesha (Submission Filed)

Mr. Tony Bernardo, Canadian Shooting Sports Assoc. & Canadian Institute for Legislative Action

Mr. Bernard Becker

Ms. Aviana Chow, Olympian  
Mr. Deva Dondapaty  
Councillor Raymond Cho, Ward 42, Scarborough-Rouge River  
Councillor Mike Del Grande, Ward 39, Scarborough-Agincourt  
Councillor Doug Holyday, Ward 3, Etobicoke Centre  
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Frances Nunziata, Ward 11, York South-Weston  
Councillor Karen Stintz, Ward 16, Eglinton-Lawrence  
Councillor Michael Walker, Ward 22, St. Paul's

EX21.4	Amended			Ward: All
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## **Management Agreement with Kiwanis Club of Casa Loma**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council approve the Management Agreement with the Kiwanis Club of Casa Loma, Toronto, substantially in the form of Attachment 1 to this report, for a term of 20 years and 6 months beginning July 1, 2008, and ending on December 31, 2028, subject to:
  - a. Clause 15.3 of the Casa Loma Management Agreement being deleted and replaced with a Clause that provides that the Casa Loma Board issue a Request for Proposals, no later than October 31, 2008, in order to achieve a long-term agreement with a private-sector proponent to:
    - i. develop and operate new permanent and seasonal food service facilities using prime locations at Casa Loma;
    - ii. provide catering services to existing and new clients;
    - iii. market Casa Loma to new special events, corporate events, festival and community clients;
    - iv. make a substantial long-term Capital investment in Casa Loma;
    - v. play a significant, collaborative role in the creation and implementation of marketing programs and business development initiatives; and
    - vi. increase Casa Loma revenues, in order to fund enhanced heritage programming and new visitor amenities;
  - b. the Chief Corporate Officer, in conjunction with the Executive Director of

Culture, reviewing and approving the Request for Proposals prior to its issuance; and

- c. the Management Agreement with the Kiwanis Club of Casa Loma, Toronto being further amended to include that:
  - i. a plan for the complete restoration and revitalization of Casa Loma's interior, including the stables and hunting lodge, be available within one year of the execution of this agreement; and
  - ii. a plan for the complete reinvigoration of the top floor galleries employing leading edge museum and entertainment technology that will bring to life the history and flavour of Edwardian Toronto be available within one and one-half years of the execution of this agreement.
2. City Council authorize the Chief Corporate Officer to administer and manage the Management Agreement, including the provision of any consents, approvals, notices and notices of termination, provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

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(May 20, 2008) Report from the City Manager

### **Committee Recommendations**

The Executive Committee recommends that Council:

1. Approve the Management Agreement with the Kiwanis Club of Casa Loma, Toronto substantially in the form of Attachment 1 to this report for a term of 20 years and 6 months beginning July 1, 2008 and ending on December 31, 2028.
2. Authorize the Chief Corporate Officer to administer and manage the Management Agreement including the provision of any consents, approvals, notices, and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

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

The Executive Committee requested the City Manager to submit a report directly to Council for its meeting scheduled to be held on June 23, 2008, on the private sector RFP process referred to in the Casa Loma Management Agreement.

### **Financial Impact**

The operation of Casa Loma will continue to be self-sustaining. As part of the agreement, the accumulated chattels (valued at over \$1.3 million) currently used at Casa Loma and owned by the Kiwanis will be purchased to form part of the City assets at no direct cost to the City.

Payments of \$50 thousand per year for 20 years will be provided from Casa Loma operating revenues over the term of the agreement.

The exterior restoration of Casa Loma and other major capital repairs will continue to be the City's responsibility and form part of the Economic Development, Culture and Tourism Division's 5-year capital plan. This agreement provides for revenue of \$800 thousand per year from the operation of Casa Loma to be deposited in the City's Casa Loma Capital Reserve Fund. These annual payments, indexed to inflation, are payable for 20 years as part of the Management Agreement and will be re-invested in the renewal of the Casa Loma estate. The City's 5-year capital plan already includes this \$800 thousand per year for 5 years and \$3.7 million in debt funding. It is anticipated that the capital requirements will continue at that level for the following 5 years as well.

Under the current license agreement, the Kiwanis pays approximately \$178 thousand in 2008 property taxes. Under the proposed new relationship, this new agreement is structured as a management agreement where the Kiwanis, through a joint board, will operate the facility on behalf of the City. Accordingly it is anticipated that the assessed values for all or a portion of the estate may be exempted by MPAC from payment of property taxes in future. Any amount exempted up to the equivalent of the 2008 property taxes levied and indexed by inflation will be re-invested under the terms of this agreement in making improvements to the Casa Loma program. If approved, this will result in a small reduction in property taxes to the City.

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

## **Summary**

Casa Loma is a key heritage landmark, premier tourist attraction, and unique special events venue. The property is owned by the City and has been operated through a license agreement by the Kiwanis Club of Casa Loma, Toronto since 1937. In July 2007, Council approved a new Strategic Vision for Casa Loma and authorized staff to negotiate a new agreement between the City and the Kiwanis. This report recommends approval of the new agreement that implements Council's vision, creates a governance structure to provide balanced representation of community and City interests, and restructures the financial arrangements to continue Casa Loma as a self-sustaining operation, while contributing to the City's capital repair obligations including the on-going exterior restoration.

This report, as reflected in the attached Management Agreement, recommends a new relationship where the Kiwanis manages the operation on behalf of the City through a new Casa Loma Board, restructured with equal participation of members appointed by the City and by the Kiwanis. The agreement also preserves some key elements of the earlier arrangement including the Garden Club Agreement, Free Access Days, and the periodic use of the facility by the Kiwanis and the City.

The effort to revitalize Casa Loma through restructuring of the management agreement and ongoing reinvestment is timely as tourism in Ontario faces challenges due to unfavourable economic circumstances.

The current agreement with the Kiwanis expires at the end of 2008 and bookings for events in 2009 and subsequent years are already being requested. It is essential that a new agreement be put in place immediately to ensure continuity of operations and to permit revitalization of Casa Loma in tandem with the City's ongoing restoration efforts.

### **Background Information (Committee)**

Management Agreement with Kiwanis Club of Casa Loma  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13204.pdf>)  
Garden Club Agreement - Schedule B  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13205.pdf>)  
Kiwanis Club of Casa Loma - Executive Summary - Schedule C  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13206.pdf>)  
Casa Loma Strategic Plan 2009 - 2013 - Schedule D  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13207.pdf>)  
Heritage Designation By-Law - Schedule E  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13208.pdf>)

### **Background Information (City Council)**

(June 19, 2008) supplementary report from the City Manager (EX21.4a)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-14252.pdf>)

### **Communications (Committee)**

(May 17, 2008) letter from Brian McAuliffe (EX.Main.EX21.4.1)

### **Communications (City Council)**

(June 10, 2008) e-mail from Trelawny Howell (CC.Main.EX21.4.2)  
(June 12, 2008) e-mail from Trelawny Howell (CC.Main.EX21.4.3)  
(June 10, 2008) e-mail from Trelawny Howell (CC.Supp.EX21.4.4)

### **Speakers (Committee)**

Mr. Richard Wozenilek, The Kiwanis Club

EX21.5	Adopted			Ward: All
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## **Enwave Energy Corporation Annual Shareholders Meeting**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council appoint the City Manager or her designate as the City's proxy holder to attend and vote the common shares of Enwave Energy Corporation owned by the City at the annual meeting of the shareholders of Enwave to be held on July 7, 2008, or any adjournment of that meeting.

2. City Council direct the proxy holder to vote as follows at the Annual Shareholders' Meeting:
  - a. approve the minutes of the previous Annual Meeting of Shareholders held on May 30, 2007;
  - b. receive the annual financial statements of the Corporation for the period ended October 31, 2007 together with the auditor's report thereon;
  - c. receive the unaudited financial statements for the first quarter ended January 31, 2008;
  - d. reappoint the auditors, Ernst & Young LLP, Chartered Accountants, and authorize the directors to fix their remuneration; and
  - e. transact such other business as may properly come before the Meeting or any adjournment or adjournments thereof.
3. City Council authorize and direct the Deputy City Manager and Chief Financial Officer and the City Clerk to execute, on behalf of the City, the common share proxy substantially in the form of Attachment 2 to this report.
4. City Council keep the contents of Confidential Attachment 4 to this report in their entirety confidential after the consideration of this report by Council, except as routinely disclosed in the "Government Business Enterprises" section of the City's Consolidated Financial Statements.

Confidential Attachment 4 to the report (May 15, 2008) from the City Manager, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

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

(May 15, 2008) Report from the City Manager

**Committee Recommendations**

The Executive Committee recommends that City Council:

1. Appoint the City Manager or her designate as the City's proxy holder to attend and vote the common shares of Enwave Energy Corporation owned by the City at the annual meeting of the shareholders of Enwave to be held on July 7, 2008 or any adjournment of that meeting.
2. Direct the proxy holder to vote as follows at the Annual Shareholders' Meeting:

- a. approve the minutes of the previous Annual Meeting of Shareholders held on May 30, 2007;
  - b. receive the annual financial statements of the Corporation for the period ended October 31, 2007 together with the auditor's report thereon;
  - c. receive the un-audited financial statements for the first quarter ended January 31, 2008;
  - d. reappoint the auditors, Ernst & Young LLP, Chartered Accountants, and authorize the directors to fix their remuneration; and
  - e. transact such other business as may properly come before the Meeting or any adjournment or adjournments thereof;
3. Authorize and direct the Deputy City Manager and Chief Financial Officer and the City Clerk to execute on behalf of the City the common share proxy substantially in the form of Attachment 2 to this report.
  4. Keep the contents of Confidential Attachment 4 to this report in their entirety confidential after the consideration of this report by Council except as routinely disclosed in the "Government Business Enterprises" section of the City's Consolidated Financial Statements.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Summary**

This report recommends that the City Manager or her designate be appointed the proxy holder for the City at the Annual Shareholders' Meeting of Enwave Energy Corporation ("Enwave") to be held on July 7, 2008 or any adjournment thereof, and to obtain instructions as to how the proxy holder is to vote at the Meeting.

### **Background Information (Committee)**

Enwave Energy Corporation Annual Shareholders Meeting  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13209.pdf>)

EX21.6	Adopted			Ward: All
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**Toronto Hydro Corporation - Annual General Meeting, Audited Annual Financial Statements and Unaudited 1st Quarter 2008 Financial Results**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council consider the Council meeting to be the Annual General Meeting of the Shareholder for Toronto Hydro Corporation by:
  - a. adopting the Recommendations embodied in the Toronto Hydro Corporation report, dated April 30, 2008, forming Attachment 1 to this report, that appoints Ernst and Young as the auditor for Toronto Hydro Corporation and receives the report from the Chair of the Board of Directors; and
  - b. receiving the information report of the Deputy City Manager and Chief Financial Officer, dated May 1, 2008, "Toronto Hydro Corporation – Financial Statements", forming Attachment 2 to this report and receiving the financial statements forming Appendix A to that report.
2. City Council refer Toronto Hydro Corporation's Consolidated 2007 Annual Financial Statements in Attachment 2 to the Audit Committee for review.
3. City Council receive Toronto Hydro Corporation's unaudited Financial Statements for the period ended March 31, 2008.

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(May 14, 2008) Report from the City Manager

### **Committee Recommendations**

The Executive Committee recommends that City Council:

1. Consider the Council meeting to be the Annual General Meeting of the Shareholder for Toronto Hydro Corporation by:
  - a. adopting the recommendations embodied in the Toronto Hydro Corporation report, dated April 30, 2008, forming Attachment 1 to this report, that appoints Ernst and Young as the auditor for Toronto Hydro Corporation and receives the report from the Chair of the Board of Directors; and
  - b. receiving the information report of the Deputy City Manager and Chief Financial Officer, dated May 1, 2008, "Toronto Hydro Corporation – Financial Statements", forming Attachment 2 to this report and receiving the financial statements forming Appendix A to that report.
2. Refer Toronto Hydro Corporation's Consolidated 2007 Annual Financial Statements in Attachment 2 to the Audit Committee for review.
3. Receive Toronto Hydro Corporation's unaudited Financial Statements for the period ended March 31, 2008.



### **Financial Impact**

There are no financial implications that would result from the adoption of this report.

### **Summary**

This report recommends the actions necessary to comply with the requirements of the Business Corporations Act (Ontario) for holding an annual general meeting of the shareholder of Toronto Hydro Corporation including receipt of the audited financial statements and appointment of the auditor.

### **Background Information (Committee)**

Toronto Hydro Corporation - Annual General Meeting and Audited Annual Financial Statements

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13210.pdf>

Toronto Hydro Corporation Consolidated Financial Statement - Appendix A

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13211.pdf>

### **Speakers (Committee)**

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

Councillor Karen Stintz, Ward 16, Eglinton-Lawrence

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

## **6a Toronto Hydro Corporation – Unaudited 1st Quarter 2008 Financial Results**

(May 22, 2008) Report from the Deputy City Manager and Chief Financial Officer

### **Financial Impact**

There are no financial implications from this report.

### **Summary**

This report summarizes unaudited financial results for Toronto Hydro Corporation for the period ended March 31, 2008 and recommends receipt of the Financial Statements, released May 21, 2008. These documents are filed with the City Clerk's office and are posted on the internet on the Toronto Hydro Corporation website ([www.torontohydro.com](http://www.torontohydro.com)) and via the SEDAR website ([www.sedar.com](http://www.sedar.com)) for Canadian public securities documents.

### **Background Information (Committee)**

Toronto Hydro Corporation Unaudited 1st Quarter 2008 Financial Results

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13212.pdf>

EX21.8	Adopted			Ward: All
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## **Toronto-York Spadina Subway Extension - Capital Funding Update**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council authorize the City Manager, and the Deputy City Manager and Chief Financial Officer, in consultation with the Chief General Manager, Toronto Transit Commission, and the City Solicitor, to negotiate on behalf of the City, a Building Canada Fund Contribution Agreement relating to the Toronto-York Spadina Subway Extension with the Federal Government of Canada and the Regional Municipality of York ("York Region"), in a form satisfactory to the City Solicitor, on terms and conditions as outlined in Appendix A to this report, and authorize execution of the Contribution Agreement by any of the City Clerk, Deputy City Manager and Chief Financial Officer, City Manager or Mayor, as appropriate.
2. In accordance with the terms of the proposed federal Contribution Agreement, City Council direct the Deputy City Manager and Chief Financial Officer to apply the City's share of investment income, earned as of January 1, 2008, from the Move Ontario Trust towards Project Capital costs.
3. City Council direct the Deputy City Manager and Chief Financial Officer, to establish an obligatory reserve fund entitled "Toronto-York Spadina Subway Extension Working Capital Reserve Fund", to be used for Project working capital purposes (as set out in more detail in Appendix B):
  - a. which reserve fund will be a repository for funds received from the Project's funding partners on an ongoing basis and release payments to the TTC, in order to facilitate the timely payment of invoices, with the funds to be held and invested in a manner consistent with City Council policy, and all investment income to be applied to the Project;
  - b. which reserve fund would be administered by the Deputy City Manager and Chief Financial Officer; and
  - c. Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the "Toronto-York Spadina Subway Extension Working Capital Reserve Fund" to schedule "15 - Third Party Agreements Reserve Fund".
4. City Council direct the Deputy City Manager and Chief Financial Officer and the City Solicitor, in consultation with the Chief General Manager of the Toronto Transit Commission, to complete negotiations and finalize for execution by the City, a Project capital cost allocation agreement on behalf of the City with the Region of York, as previously directed, with amended terms and conditions in respect of the allocation of Capital costs associated with the acquisition of aggregate property for the Spadina Subway Extension Project ("the Project") as follows:

- a. property acquisition shall be included as a Project component, forming part of the previously agreed-upon capital cost allocation structure of 59.96% City/40.04% York Region; and
  - b. any property acquired for the purposes of the Project which is subsequently declared to be surplus to the requirements of the Project shall be disposed of by the municipality which acquired it at no less than fair market value and the proceeds applied to Project capital costs or, if the books of the Project are closed, shared by the City and York Region according to the above-noted formula.
5. The appropriate City staff be authorized and directed to take all necessary actions, and that leave be granted for the introduction of any necessary bills in City Council, to give effect thereto.

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(May 20, 2008) Report from the City Manager; Deputy City Manager and Chief Financial Officer, and the Chief General Manager, Toronto Transit Commission

### **Committee Recommendations**

The Executive Committee recommends that:

1. Council authorize the City Manager, and the Deputy City Manager and Chief Financial Officer, in consultation with the Chief General Manager, Toronto Transit Commission and the City Solicitor, to negotiate on behalf of the City, a Building Canada Fund Contribution Agreement relating to the Toronto-York Spadina Subway Extension with the Federal Government of Canada and the Regional Municipality of York ("York Region"), in a form satisfactory to the City Solicitor, on terms and conditions as outlined in Appendix A to this report, and authorize execution of the Contribution Agreement by any of the City Clerk, Deputy City Manager and Chief Financial Officer, City Manager or Mayor, as appropriate.
2. In accordance with the terms of the proposed federal Contribution Agreement, Council direct the Deputy City Manager & Chief Financial Officer to apply the City's share of investment income, earned as of January 1, 2008, from the Move Ontario Trust towards Project capital costs.
3. Council direct the Deputy City Manager & Chief Financial Officer, to establish an obligatory reserve fund entitled "Toronto-York Spadina Subway Extension Working Capital Reserve Fund", to be used for Project working capital purposes (as set out in more detail in Appendix B):
  - a. which reserve fund will be a repository for funds received from the Project's funding partners on an ongoing basis and release payments to the TTC in order to facilitate the timely payment of invoices, with the funds to be held and invested in a manner consistent with Council policy, and all investment income to be applied to the Project;

- b. which reserve fund would be administered by the Deputy City Manager and Chief Financial Officer; and
  - c. Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the “Toronto-York Spadina Subway Extension Working Capital Reserve Fund” to schedule “15- Third Party Agreements Reserve Fund”.
4. Council direct the Deputy City Manager and Chief Financial Officer, and City Solicitor, in consultation with the Chief General Manager of the Toronto Transit Commission, to complete negotiations and finalize for execution by the City, a Project capital cost allocation agreement on behalf of the City with the Region of York, as previously directed, with amended terms and conditions in respect of the allocation of capital costs associated with the acquisition of aggregate property for the Spadina Subway Extension Project (“the Project”) as follows:
- a. property acquisition shall be included as a Project component, forming part of the previously agreed-upon capital cost allocation structure of 59.96% City/40.04% York Region; and
  - b. any property acquired for the purposes of the Project which is subsequently declared to be surplus to the requirements of the Project shall be disposed of by the municipality which acquired it at no less than fair market value and the proceeds applied to Project capital costs or, if the books of the Project are closed, shared by the City and York Region according to the above-noted formula.
5. The appropriate City staff be authorized and directed to take all necessary actions, and that leave be granted for the introduction of any necessary bills in Council, to give effect thereto.

### **Financial Impact**

This report recommends that the City enter into a tri-partite contribution agreement with the Federal Government and with York Region for the purposes of securing up to \$622 million in federal funding for the Project (the “Contribution Agreement”). It is important to note that costs become eligible for federal reimbursement only after the Contribution Agreement is signed.

The total Project capital cost was originally estimated at \$2.1 billion (expressed in 2006 dollars). However, including inflationary impacts, the capital cost is now estimated at \$2.6 billion (nominal dollars). The Province has recently provided an additional \$200 million towards Project capital costs, thereby increasing the total Provincial capital funding to \$870 million, held in the Move Ontario Trust (the “Trust”). With the addition of Trust investment income as recommended in this report and upon the signing of the federal Contribution Agreement the Project is now considered to be fully funded by the City, York Region, and the federal and provincial governments. The resultant funding, by partner, may be summarized as follows:

Funding Partner:	\$ millions	% of funding
Federal	\$697	26.5%
Provincial	\$1,059*	40.2%
Municipal	\$878	33.3%
Total	\$2,634	100.0%

\*including investment income

## Summary

This report provides a capital funding update, and seeks authority to enter into a contribution agreement with the Federal Government, in relation to the Toronto Transit Commission (“TTC”): Toronto-York Spadina Subway Extension Project (“the Project”).

## Background Information (Committee)

Toronto-York Spadina Subway Extension Capital Funding Update  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13215.pdf>)

## Speakers (Committee)

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

EX21.11	Adopted			Ward: 23
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## Toronto Centre for the Arts – Property Tax Status

## City Council Decision

City Council on June 23 and 24, 2008, adopted the following motion:

1. City Council enact a by-law, as provided for within Section 27.1 (3) of the Assessment Act, that would allow the Toronto Centre for the Arts to reduce any property tax liability arising from commercial use of the facility by deducting amounts of City funding for not-for-profit or charitable uses at the facility.

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(May 20, 2008) Report from the Deputy City Manager and Chief Financial Officer

## Committee Recommendations

The Executive Committee recommends that:

1. Council enact a by-law, as provided for within Section 27.1 (3) of the Assessment Act that would allow the Toronto Centre for the Arts to reduce any property tax liability

arising from commercial use of the facility by deducting amounts of City funding for not-for-profit or charitable uses at the facility.

### Financial Impact

The Toronto Centre for the Arts currently is not liable for property taxes, as commercial operations at the theatre do not exceed one-half of the calendar year (183 days), in accordance with provisions in the Assessment Act.

If, as likely to occur starting in 2009, commercial operations exceed 183 days per year, property taxes would become liable based on the fraction of the year whereupon commercial for-profit productions will have occurred.

Since the exact number of days of commercial activity cannot be precisely predicted, the following chart illustrates the tax liability impact for various durations beyond 183 days per year.

Chart 1 – Potential Property Taxes for TCA  
at Various Commercial Usage Levels

Commercial Usage	Days	Fraction Of Year	Tax Liability *	Tax reduction	Net Impact**
Threshold	183	--	\$0	\$0	\$0
Threshold plus 1 day	184	0.50	\$171,500	(\$171,500)	\$0
8 months	243	0.67	\$226,500	(\$226,500)	\$0
10 months	304	0.83	\$283,400	(\$283,400)	\$0
12 months	365	1.00	\$340,200	(\$340,200)	\$0

\* Based on TCA Current Value Assessment of \$15.8 million and tax rate of 2.151% (2008 rates) for the Large Theatre property tax class.

Note there is no provincial education tax raised for the Large Theatre tax class

\*\* Assuming current level of operating subsidy.

Although revenues at the theatre are proposed to increase under the rental agreement with the commercial production company, the additional costs arising from the imposition of property taxes, at various levels outline above, would have a negative effect on the net gains from those new revenues.

The TCA has been reducing its annual funding requirements under the City's Operating Budget over the past several years, and the desired outcome of the recently executed rental agreement with the production company is to further reduce City funding in the future.

Provisions within the Assessment Act would allow the Centre to reduce the property tax liability, at levels noted in Chart 1, by the amount representing all or a portion of City funding used to support not-for-profit or charitable activities at the Centre.

The current level of City funding would exceed any amounts of property taxes liable at the Centre. Consequently, the Centre would be able to reduce any property tax liability to nil, by deducting the amount of City funding from the tax liability. The proposed by-law would

provide for this effect. Since the Centre currently does not pay taxes, there are no financial implications arising from pursuing this course of action, and no budget offset is required. Conversely, if the by-law was not adopted, and property taxes for the TCA became payable, then additional pressures on the TCA operating budget would occur.

### **Summary**

In seeking to minimize its funding request to the City in 2009 and 2010, Toronto Centre for the Arts has executed a multi-year rental agreement with a production company. Under this agreement, the use of the main stage theatre for commercial productions will likely exceed 183 days per year, with continued access for non-profit and community groups on days not used by the production company and in other parts of the Centre.

The implication of having commercial operations on the main stage theatre in excess of 183 days per year would be the trigger of a property tax liability under provisions of the Assessment Act, which would negatively impact the positive gains in revenues arising from the rental agreement.

Additional provisions within the Assessment Act, however, allow municipalities to pass a by-law to enable the Centre to deduct the City funding used to support not-for profit or charitable programming in the Centre from the property taxes due to the City.

This report recommends the enacting of a by-law to reduce any tax liability incurred by commercial operations at the Centre, by the amount equivalent to City funding of not-for-profit, charitable operations at the Centre, resulting in no net impact from the current property tax burden at the Toronto Centre for the Arts.

### **Background Information (Committee)**

Toronto Centre for the Arts Property Tax Status  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13222.pdf>)

EX21.12	Adopted			Ward: 19
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### **Fort York Pedestrian Bridge**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. The 2008 Capital Budget for Waterfront Revitalization as approved by Council in December 2007 be amended to reflect an increase of \$140,000.00 to the “Transportation Initiatives” sub-project, and a decrease of \$140,000.00 to the “Urban Planning Resources” sub-project, with no net impact on the overall total for the Program.
2. The appropriate City officials be authorized and directed to take the necessary action to

give effect thereto.

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(May 20, 2008) Report from Richard Butts, Deputy City Manager

### **Committee Recommendations**

The Executive Committee recommends that:

1. the 2008 Capital Budget for Waterfront Revitalization as approved by Council in December 2007 be amended to reflect an increase of \$140,000 to the “Transportation Initiatives” sub-project, and a decrease of \$140,000.00 to the “Urban Planning Resources” sub-project, with no net impact on the overall total for the Program.
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

The recommendations in this report will permit an environmental assessment process for the Fort York Pedestrian Bridge to be undertaken in 2008.

Funds from within the Waterfront Capital Program as approved by Council in December 2008 will be adjusted by reallocating \$140,000.00 from the “Urban Planning Resources” sub-project to the “Transportation Initiatives” sub-project, with no net impact on the overall total for the Program.

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

### **Summary**

The purpose of this report is to seek Council’s authority to reallocate funds within the 2008 Capital Budget for the Waterfront Revitalization Initiative to cover the increased cost of undertaking the environmental assessment (EA) for the Fort York Pedestrian Bridge project.

The 2008 Capital Budget for Waterfront Revitalization as approved by Council in December, 2007 included a total of \$300,000 in 2008 under the “Transportation Initiatives” sub-project to fund the EA. Staff undertook a formal procurement process and determined that the original allocation for this purpose was insufficient, and that an increase of \$140,000 to \$440,000 would be required. This will be accomplished by a reallocation of \$140,000 from the “Urban Planning Resources” sub-project to the “Transportation Initiatives” sub-project, with no net impact on the overall 2008 budget total for the Program of \$58,049,856.00. Sufficient funds will remain in the “Urban Planning Resources” sub-project to provide for two dedicated City Planning staff as of June 1, 2008 in response to the expedited time frames and additional workloads generated by the Waterfront Renewal.

The Fort York pedestrian bridge would provide an important new north-south pedestrian and cycling link from communities north of the Lakeshore rail corridor to Fort York and the



Waterfront. The Fort York pedestrian bridge is targeted for completion in time for the bi-centennial commemoration of the War of 1812

### **Background Information (Committee)**

Fort York Pedestrian Bridge

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13224.pdf>)

EX21.13	Adopted			Ward: All
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### **2008 Heads and Beds Levy on Institutions**

#### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council authorize the levy and collection of payment in lieu amounts for the 2008 taxation year on hospitals, colleges and universities and correctional facilities, as authorized by Section 285 of the City of Toronto Act, 2006.
2. The maximum prescribed amount of \$75.00 be applied per Provincially-rated hospital bed, full time student or resident place.
3. Authority be granted for the introduction of the necessary bills in Council to levy payment in lieu amounts for the 2008 taxation year on hospitals, colleges and universities and correctional facilities.
4. The City Solicitor and the Treasurer be requested to undertake a review of the legal and the legislative base for the taxing relationship between the City and the Province of Ontario and submit a report to the Executive Committee by December 2008.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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(May 16, 2008) Report from the City Solicitor and Treasurer

#### **Committee Recommendations**

The Executive Committee recommends that:

1. Council authorize the levy and collection of payment in lieu amounts for the 2008 taxation year on hospitals, colleges and universities and correctional facilities as authorized by Section 285 of the City of Toronto Act, 2006.

2. The maximum prescribed amount of \$75 be applied per provincially rated hospital bed, full time student, or resident place.
3. Authority be granted for the introduction of the necessary bills in Council to levy payment in lieu amounts for the 2008 taxation year on hospitals, colleges and universities and correctional facilities.
4. The City Solicitor and the Treasurer be requested to undertake a review of the legal and the legislative base for the taxing relationship between the City and the Province of Ontario and submit a report to the Executive Committee by December 2008.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

Revenue of approximately \$14.1 million will be raised through the 2008 levy on the institutions outlined in this report as outlined in Table 1, below.

Table 1: 2008 Payments in Lieu on Institutions

Institutions	Capacity Figures	Prescribed Amount	2008 Amount
Universities and Colleges	171,594	\$75	\$12,869,550
Public Hospitals	14,835	\$75	\$ 1,112,625
Correctional Facilities	1,752	\$75	\$ 131,400
Total	188,181		\$14,113,575

The revenue from 2008 levy on institutions has been budgeted for in the non-program payment in lieu (PIL) account. The 2008 levy amount of \$14,113,575 exceeds the amount budgeted for 2008 of \$13,956,150, as the 2008 budget estimate was based on the amount actually levied in 2007, and capacity figures have increased since that time. The budgeted revenue for the heads and beds levy on institutions of \$13,956,150 represents 16.9% of the total 2008 revenue budgeted for payments in lieu of \$82,536,500.

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

### **Summary**

This report requests authority to adopt by-laws to levy payment in lieu amounts for the 2008 taxation year for public hospitals, universities and colleges, and correctional facilities (the “institutions”), totalling approximately \$14.1 million (annual “heads and beds” levy), and responds to a previous Council request that the City Solicitor report on the applicability of recent federal court decisions on the “heads and beds” levy on institutions.

### **Background Information (Committee)**

2008 Heads and Beds Levy on Institutions

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13225.pdf>)

EX21.14	Adopted			Ward: All
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### **2008 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors**

#### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council authorize the levy and collection of taxes for the 2008 taxation year on railway roadways and rights-of-way and on land used as transmission or distribution corridors owned by power utilities, in accordance with subsection 280 (1) of the City of Toronto Act, 2006, and subsection 257.7(1) of the Education Act.
2. City Council reiterate its 2007 request that the City reiterate its July 2007 recommendations and that the Mayor's Office enter into discussions with the Province to advance the City's submissions respecting:
  - i. Regulations 387/98 and 392/98 be amended to require an annual inflationary adjustment in the "mature rate"; and
  - ii. the "mature rate" prescribed by Regulation so as to phase in rate changes that more properly reflect the market value of the land over a period of time, be reviewed.
3. City Council direct the Treasurer to levy full commercial taxes against all railway properties that are leased to third parties.
4. Authority be granted for the introduction of the necessary bill to give effect thereto.
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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(May 16, 2008) Report from the Treasurer

#### **Committee Recommendations**

The Executive Committee recommends that:

1. Council authorize the levy and collection of taxes for the 2008 taxation year on railway

roadways and rights of way and on land used as transmission or distribution corridors owned by power utilities, in accordance with subsection 280 (1) of the City of Toronto Act, 2006 and subsection 257.7(1) of the Education Act.

2. Council re-iterate its 2007 request that the City re-iterate its July 2007 recommendations and that the Mayor's Office enter into discussions with the Province to advance the City's submissions respecting:
  - i. Regulations 387/98 and 392/98 be amended to require an annual inflationary adjustment in the "mature rate"; and
  - ii. the "mature rate" prescribed by Regulation so as to phase in rate changes that more properly reflect the market value of the land over a period of time, be reviewed.
3. Council direct the Treasurer to levy full commercial taxes against all railway properties that are leased to third parties.
4. Authority be granted for the introduction of the necessary bill to give effect thereto; and
5. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

The 2008 levy of taxes on railway roadways and rights of way and on power utility transmission or distribution corridors will raise approximately \$7.8 million in taxation revenue, of which the municipal share is \$6.6 million and the provincial education share is \$1.2 million.

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

### **Summary**

This report requests Council authority for the introduction of the by-law necessary to levy and collect taxes for the 2008 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors owned by power utilities.

### **Background Information (Committee)**

2008 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13226.pdf>)

EX21.15	Amended			
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**Adjustments to the 2008 Parks, Forestry and Recreation Division's**

## **Capital Budget**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to add a new Ourland Park Improvements (Ward 6) project with revenues and expenses of \$125,000 with cash flow over two years – \$30,000 in 2008 and \$95,000 in 2009, funded from a Section 37 Agreement from the development at 829 Oxford Street/156 Evans Avenue.
2. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new project known as Oriole Park (Ward 22) with revenues and expenses of \$150,000 with cash flow for planning over two years - \$50,000 in 2008 and \$100,000 in 2009, funded from a donation, and that construction of the park improvements be subject to the receipt of additional donated funds.
3. City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to change the scope of the project known as Edithvale Community Centre Construction (Ward 23) (CC #223), approved December 11, 2007 to increase the project cost by \$4,200,000 from \$10,800,000 to \$15,000,000 with the additional cash flow allocated over two years –\$1,200,000 in 2009 and \$3,000,000 in 2010, funded by \$1,200,000 from a local development agreement (Deferred Revenue Account #220096) and \$3,000,000 from the Development Charges Reserve Fund for Parks and Recreation (XR2028).
4. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new Trail Improvements in Wynford Park (Ward 26) project with revenues and expenses of \$500,000 with cash flow over two years – \$60,000 in 2008 and \$440,000 in 2009, funded from a Section 37 Agreement from the development at 1250 Eglinton Avenue East with cash flow of \$60,000 in 2008 for design and cash flow of \$440,000 in 2009 for construction.
5. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new Ward 27 Park Improvements 2008 project with revenues and expenses of \$200,000 with cash flow over two years – \$30,000 in 2008 and \$170,000 in 2009, funded from a Section 45 Agreement from the development at 33 Charles Street East.
6. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to change the scope of the project known as Lee Centre Park Improvements (Ward 38), approved in the Parks, Forestry and Recreation 2006 Capital Budget to increase 2008 cash flow by \$200,000 from \$625,000 to \$825,000 funded from a Section 37 Agreement (Subdividers Deposit Reserve Fund XR2014).
7. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new McAsphalt Park (Ward 42) project with revenue and expenses of \$50,000,

funded a part of a Subdivision Agreement between the City of Toronto and Mattamy Homes.

8. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new Bedford-Bloor Parkette subproject within the Playground Development project, with expenditures of \$60,000 funded from a Section 37 Agreement arising from the development at 204 Bloor Street West, and that this funding of \$60,000 be directed to the University of Toronto to execute the work on this leased property on behalf of the City as specified by the General Manager of Parks, Forestry and Recreation.
9. The following Executive Committee recommendation be referred to the General Manager, Parks, Forestry and Recreation, for consideration:

“City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to add a new Ward 10 Park Improvements project with revenues and expenses of \$130,000 with cash flow over two years – \$30,000 in 2008 and \$100,000 in 2009, funded from a Section 37 Agreement from the development at 500 Sheppard Avenue West.”

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(May 16, 2008) Letter from the Budget Committee

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to add a new Ourland Park Improvements (Ward 6) project with revenues and expenses of \$125,000 with cash flow over two years – \$30,000 in 2008 and \$95,000 in 2009, funded from a Section 37 Agreement from the development at 829 Oxford Street/156 Evans Avenue.
2. City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to add a new Ward 10 Park Improvements project with revenues and expenses of \$130,000 with cash flow over two years – \$30,000 in 2008 and \$100,000 in 2009, funded from a Section 37 Agreement from the development at 500 Sheppard Avenue West.
3. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new project known as Oriole Park (Ward 22) with revenues and expenses of \$150,000 with cash flow for planning over two years – \$50,000 in 2008 and \$100,000 in 2009, funded from a donation, and that construction of the park improvements be subject to the receipt of additional donated funds.
4. City Council approve amending the 2008 Parks, Forestry and Recreation Capital Budget to change the scope of the project known as Edithvale Community Centre Construction (Ward 23) (CC #223), approved December 11, 2007 to increase the project cost by

\$4,200,000 from \$10,800,000 to \$15,000,000 with the additional cash flow allocated over two years –\$1,200,000 in 2009 and \$3,000,000 in 2010, funded by \$1,200,000 from a local development agreement (Deferred Revenue Account #220096) and \$3,000,000 from the Development Charges Reserve Fund for Parks and Recreation (XR2028).

5. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new Trail Improvements in Wynford Park (Ward 26) project with revenues and expenses of \$500,000 with cash flow over two years – \$60,000 in 2008 and \$440,000 in 2009, funded from a Section 37 Agreement from the development at 1250 Eglinton Avenue East with cash flow of \$60,000 in 2008 for design and cash flow of \$440,000 in 2009 for construction.
6. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new Ward 27 Park Improvements 2008 project with revenues and expenses of \$200,000 with cash flow over two years – \$30,000 in 2008 and \$170,000 in 2009, funded from a Section 45 Agreement from the development at 33 Charles Street East.
7. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to change the scope of the project known as Lee Centre Park Improvements (Ward 38), approved in the Parks, Forestry and Recreation 2006 Capital Budget to increase 2008 cash flow by \$200,000 from \$625,000 to \$825,000 funded from a Section 37 Agreement (Subdividers Deposit Reserve Fund XR2014).
8. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new McAsphalt Park (Ward 42) project with revenue and expenses of \$50,000, funded a part of a Subdivision Agreement between the City of Toronto and Mattamy Homes.
9. City Council approve amending the Parks, Forestry and Recreation 2008 Capital Budget to add a new Bedford-Bloor Parkette subproject within the Playground Development project, with expenditures of \$60,000 funded from a Section 37 Agreement arising from the development at 204 Bloor Street West, and that this funding of \$60,000 be directed to the University of Toronto to execute the work on this leased property on behalf of the City as specified by the General Manager of Parks, Forestry and Recreation.

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

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

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

reserve funds – Etobicoke Local Development for \$35,000 (XR2038), Etobicoke City Wide Development for \$157,000 (XR2036), West District Local Development for \$420,000 (XR2203), and City Wide Development for \$288,000 (XR2211) and that the additional cash flow be scheduled for 2009."

### **Financial Impact**

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

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

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

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

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

### **Summary**

The purpose of this report is to provide adjustments to the Council adopted 2008 Parks, Forestry and Recreation Capital Budget to include additional financial resources and the creation of new sub-projects.

By approving this report, staff will have the authority to proceed with projects arising from various agreements that Council has approved through the planning process.

### **Background Information (Committee)**

Adjustments to the 2008 Parks, Forestry and Recreation Division's Capital Budget  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13349.pdf>)

### **Communications (Committee)**

(May 16, 2008) letter from the Budget Committee, entitled "Adjustments to the 2008 Parks, Forestry and Recreation Division's Capital Budget" (EX.Main)  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7339.pdf>)



(June 1, 2008) e-mail from Ruth Grier (EX.Main.EX21.15.1)

EX21.16	Adopted			
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## **Budget Adjustments to Toronto Public Health 2008 Approved Operating Budget**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motion:

1. City Council approve the following adjustments to Toronto Public Health's 2008 Approved Operating Budget:
  - a. an increase of \$964.1 thousand gross and \$0.0 net, and an increase of 8.0 temporary positions, to reflect confirmed funding from various Provincial ministries and external sources (Attachment 1, Table 1); and
  - b. an increase of \$154.2 thousand gross and \$0.0 net to reflect unspent 2007 funds from various Provincial ministries and external sources required in 2008 (Attachment 1, Table 2).

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(May 16, 2008) Letter from the Budget Committee

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council approve the following adjustments to Toronto Public Health's 2008 Approved Operating Budget:
  - a. an increase of \$964.1 thousand gross and \$0.0 net, and an increase of 8.0 temporary positions, to reflect confirmed funding from various Provincial ministries and external sources (Attachment 1, Table 1); and
  - b. an increase of \$154.2 thousand gross and \$0.0 net to reflect unspent 2007 funds from various Provincial ministries and external sources required in 2008 (Attachment 1, Table 2).

### **Financial Impact**

The table below summarizes the required budget adjustments to Toronto Public Health's 2008 Approved Operating Budget. Details are in Attachment 1 of this report.

Budget Adjustments to the 2008 Approved Operating Budget				
	No. of Positions	Gross \$000s	Revenue \$000s	Net \$000s
2008 Confirmed Funding from Provincial Ministries and External Sources	8	964.1	964.1	-
2007 Unspent funds from various Provincial Ministries and External Sources carried forward into 2008		154.2	154.2	-
2008 Total Budget Adjustment	8	1,118.3	1,118.3	-

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

### Summary

The purpose of this report is to request budget adjustments to Toronto Public Health's (TPH) 2008 Approved Operating Budget due to the following: a. Confirmation of funding from various Provincial ministries and external sources received after the submission of the 2008 Operating Budget request in September 2007; and b. pent 2007 funds for 100% externally funded programs required in 2008.

### Background Information (Committee)

Budget Adjustments to Toronto Public Health 2008 Approved Operating Budget - Report  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13235.pdf>

### Communications (Committee)

(May 16, 2008) letter from the Budget Committee, entitled "Budget Adjustments to Toronto Public Health 2008 Approved Operating Budget" (EX.Main)  
<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7340.pdf>

EX21.17	Adopted			
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### Extension of the Public Appointments Policy to Advisory Bodies

### City Council Decision

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council amend the Public Appointments Policy by adopting Attachment 1 to this report, amended as follows:

"The definition of Advisory Bodies include the words "the Mayor" and "City Council", so the definition now reads: "Bodies or committees that advise City staff, the Mayor, a Committee of City Council or City Council.",

as the policy for appointment of advisory bodies.

2. City Council authorize staff to make any further necessary changes to the Public Appointments Policy to incorporate this policy.
3. City Council require that the terms of reference for advisory bodies that meet the policy criteria address diversity objectives.
4. City Council direct staff supporting each advisory body to review the composition at the beginning of each term of City Council to ensure that the City's diversity objectives can be achieved.

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(April 24, 2008) Letter from the Civic Appointments Committee

### **Committee Recommendations**

The Executive Committee recommends that:

1. Council amend the Public Appointments Policy by adopting Attachment 1 to this report, amended as follows:

"The definition of Advisory Bodies include the words "the Mayor" and "Council", so the definition now reads: "Bodies or committees that advise City staff, the Mayor, a Committee of Council or Council",

as the policy for appointment of advisory bodies;

2. Council authorize staff to make any further necessary changes to the Public Appointments Policy to incorporate this policy;
3. Council require that the terms of reference for advisory bodies that meet the policy criteria address diversity objectives; and
4. Council direct staff supporting each advisory body to review the composition at the beginning of each term of Council to ensure that the City's diversity objectives can be achieved.

### **Financial Impact**

There are no immediate financial impacts arising from this policy. For the next cycle of recruitment, it is anticipated that divisional staff who support advisory bodies will need to ensure that there is a budget to conduct adequate outreach and advertising activities, which are central to an open and accessible recruitment process.

This will not incur a significant net increase in expenditures. Divisional staff supporting the existing advisory bodies are already engaged in some form of outreach and/or advertising for vacancies, and there may also be opportunities in future to collaborate in joint advertising and more extensive use of the City website to advertise such opportunities. It is therefore

anticipated that costs can be contained.

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

### **Summary**

This report responds to a November 2007 Council request to provide a list of the City-established advisory bodies (Attachment 2) to which the Public Appointments Policy objectives will apply in order to achieve enhanced diversity objectives. It also recommends an amendment to the Public Appointments Policy to deal with advisory bodies established in the future and protocols for reporting membership diversity

### **Background Information (Committee)**

Extension of the Public Appointments Policy to Advisory Bodies  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13237.pdf>)

### **Communications (Committee)**

(April 24, 2008) letter from the Civic Appointments Committee, entitled "Extension of the Public Appointments Policy to Advisory Bodies" (EX.Main)  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7341.pdf>)

EX21.18	Adopted			
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## **Human Rights and Anti-Harassment Policy Amendments**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council approve the amended Human Rights and Anti-Harassment Policy attached in Appendix A.
2. City Council delegate authority to staff to adopt complaint procedures for:  
(a) complaints involving employees, (b) complaints involving senior management and  
(c) complaints by residents and recipients of municipal services, for implementation once the revised Human Rights Code Amendment Act, comes into effect.
3. City Council request the City Manager to report back to the Employee and Labour Relations Committee on the complaint procedures described in the foregoing Part 2, and include in the report, comments on the concerns outlined in the communication (May 16, 2008) from the Executive Director, COTAPSAI.
4. City Council advise all agencies, boards and commissions to revise their Human Rights Policy and complaint procedures, consistent with the provisions in this Policy.

5. The City Manager report in one year on the City's experience with the amended Ontario Human Rights Code.

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(May 21, 2008) Letter from the Employee and Labour Relations Committee

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council approve the amended Human Rights and Anti-Harassment Policy attached in Appendix A.
2. City Council delegate authority to staff to adopt complaint procedures for: (a) complaints involving employees, (b) complaints involving senior management and (c) complaints by residents and recipients of municipal services, for implementation once the revised Human Rights Code Amendment Act, comes into effect.
3. City Council request the City Manager to report back to the Employee and Labour Relations Committee on the complaint procedures described in the foregoing Recommendation 2, and include in the report, comments on the concerns outlined in the communication (May 16, 2008) from the Executive Director, COTAPSAI.
4. City Council advise all Agencies, Boards and Commissions to revise their Human Rights Policy and complaint procedures, consistent with the provisions in this Policy.
5. The City Manager report in one year on the City's experience with the amended Ontario Human Rights Code.

### **Financial Impact**

There are no financial implications from this report beyond what has already been approved in the 2008 budget.

### **Summary**

This report provides the rationale for and an overview of revisions to the City of Toronto Human Rights and Harassment Policy adopted by City Council in 1998.

The report also recommends a Human Rights Policy framework that is reflective of the current organizational structure, emerging human rights issues and amendments to the Ontario Human Rights Code.

### **Background Information (Committee)**

Human Rights and Anti-Harassment Policy Amendments

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13238.pdf>)

City of Toronto Human Rights and Anti-Harassment Policy - Appendix A

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13239.pdf>)

### **Communications (Committee)**

(May 21, 2008) letter from the Employee and Labour Relations Committee, entitled "Human Rights and Anti-Harassment Policy Amendments" (EX.Main)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7342.pdf>)

(May 16, 2008) letter from the Executive Director, COTAPSAI (EX.Main.EX21-18.1)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-7343.pdf>)

EX21.31	Adopted			
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### **Naming Sponsorship of the Conference Centre formally known as the Automotive Building**

#### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motions:

1. City Council approve of The Board of Governors of Exhibition Place entering into a Naming Sponsorship Agreement with MTS Allstream Inc. for the naming of the Conference Centre in the former, newly to be renovated Automotive Building, for a term of 10-years substantially on the terms and conditions provided in this report, including Confidential Attachment 1, and such other terms and conditions as may be satisfactory to the CEO and the City Solicitor.
2. City Council direct that the confidential information contained in Confidential Attachment 1 to this report not be released publicly, in order to protect the competitive position and future economic interests of Exhibition Place.
3. City Council authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

Confidential Attachment 1 to the report (May 8, 2008) from the Chief Executive Officer, Exhibition Place, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board.

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

(May 8, 2008) Report from the Chief Executive Officer, Exhibition Place

#### **Committee Recommendations**

The Executive Committee recommends that Council:

1. Approve of The Board of Governors of Exhibition Place entering into a Naming Sponsorship Agreement with MTS Allstream Inc. for the naming of the Conference Centre in the former, newly to be renovated Automotive Building, for a term of 10-years substantially on the terms and conditions provided in this report, including Confidential Attachment 1, and such other terms and conditions as may be satisfactory to the CEO and the City Solicitor;
2. Direct that the confidential information contained in Confidential Attachment 1 to this report not be released publicly in order to protect the competitive position and future economic interests of Exhibition Place; and
3. Authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

### **Financial Impact**

The fee to be negotiated with Allstream provides an income stream to the Board over the 10 year period of the naming agreement and is at market compared to recent agreements for comparative properties in Toronto as noted in the confidential attachment. In addition to the direct cash payment, the Board will receive other benefits as a result of its alignment with this Canadian company and the value of any advertising and promotional tie-ins with the Proposed Naming Sponsor.

### **Summary**

This report recommends that The Board of Governors of Exhibition Place (the “Board”) enter into a naming sponsorship agreement for the Conference Centre with MTS Allstream Inc. (“Allstream”) on the substantive terms and conditions outlined in this report for a term of ten years. The agreement will provide for a substantial financial return to the Board and allows Allstream specific naming opportunities on the building, the grounds and in the marketing materials, as well as specific business opportunities for services provided by Allstream and provides for the purchase of some of its products on a preferred supplier throughout the new Conference Centre, Direct Energy Centre and at all other appropriate Exhibition Place locations, excluding BMO Field, Ricoh Coliseum and Tenanted buildings (leased or licensed).

This report involves the security of property belonging to the City or one of its agencies, boards, and commissions. In order to protect the competitive position and future economic interests of the Board, staff are recommending that the competitive and financial information contained in Confidential Attachment 1 not be disclosed publicly.

While naming of entertainment and sports venues has been common; corporate naming sponsorship of convention/trade facilities has been more difficult to achieve and there are only three such venues named in Canada and three in the USA.

In 2006, the Board engaged Wakeham & Associates (“WAM”) as the exclusive sponsorship agent with the prime objective being to secure an appropriate sponsor to acquire the name-in-title rights to the new Conference Centre. On behalf of Exhibition Place, WAM targeted a total of 102 companies selected from a number of business categories. However, because of the Board’s agreement with Direct Energy Services Ltd. and Ricoh Ltd., no businesses that provide

gas or electrical utilities or general HVAC services or sponsors in the business equipment sector were approached.

As with the naming of the Direct Energy Centre, prior to marketing the naming opportunity for the Conference Centre, the Board and WAM developed a matrix of the business objectives for Exhibition Place which categories are as follows: Build Profile of Exhibition Place and Awareness of The New Conference Centre; Reinforce and build on Environmental Initiatives; Offer Benefits to Exhibition Place and its Tenants, Show Producers and Visitors; and Generate Incremental Operating Income for Special Projects.

The fee being proposed by the agreement with Allstream is at market compared to recent agreements for comparative properties in Toronto as noted in the confidential attachment. In addition to the direct cash payment, the Board will receive other benefits as a result of its alignment with this Canadian company and the value of any advertising and promotional tie-ins with Allstream.

### **Background Information (Committee)**

Naming Sponsorship of the Conference Centre formally known as the Automotive Building (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13240.pdf>)

### **Speakers (Committee)**

Mr. Jayme Turney, Campaign Coordinator, Toronto Public Space Committee  
Mr. Jonathan Goldsbie  
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Michael Walker, Ward 22, St. Paul's

EX21.32	Adopted			Ward: All
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### **Toronto Police Service: Renewal of the Safer Communities – 1,000 Officers Partnership Program Grant Agreement**

### **City Council Decision**

City Council on June 23 and 24, 2008, adopted the following motion:

1. City Council authorize the City of Toronto to renew the Safer Communities – 1,000 Officers Partnership Program Agreement with the Province and the Toronto Police Services Board, on terms and conditions substantially similar to those contained in the previous Safer Communities – 1,000 Officers Partnership Program Agreement with the Province, subject to approval as to form by the City Solicitor.

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(May 8, 2008) Report from the Chair, Toronto Police Services Board



## **Committee Recommendations**

The Executive Committee recommends that Council:

1. Authorize the City of Toronto to renew the Safer Communities – 1,000 Officers Partnership Program Agreement with the Province and the Toronto Police Services Board, on terms and conditions substantially similar to those contained in the previous Safer Communities – 1,000 Officers Partnership Program Agreement with the Province, subject to approval as to form by the City Solicitor.

## **Financial Impact**

There is no financial impact beyond what has already been approved in the current year's budget for the Toronto Police Service.

As the Safer Communities – 1,000 Officers Partnership Program is an on-going program, grant funding, estimated at \$8.75 million, is included as revenue in the 2008 Toronto Police Service Operating Budget. Entering into a renewal agreement with the Province in respect of the Safer Communities – 1,000 Officers Partnership Program will have no further financial implications or impact; however, failing to enter into the Agreement would result in loss of revenue of \$8.75 million annually for the Board and the City with respect to the 250 officers that are partially funded through the grant program.

The renewal of the Safer Communities – 1,000 Officers Partnership Program Agreement with the Province does not commit the City to any additional expenditures. Although it does require the City to cover salary expenses not covered by the grant, these expenditures would be incurred, regardless, if the Service is to maintain its uniform staffing levels at the authorized strength of 5,510.

## **Summary**

The purpose of this report is to request the City of Toronto – Executive Committee to submit a recommendation to Toronto City Council to authorize the City of Toronto to renew the Safer Communities – 1,000 Officers Partnership Program Agreement between the Province of Ontario, the City of Toronto and the Toronto Police Services Board for a further two-year period – April 1, 2008 to March 31, 2010. This Agreement, received in April 2007, replaces the current agreement, which expired on March 31, 2008.

Under the Safer Communities – 1,000 Officers Partnership Program, the Toronto Police Service (TPS) receives grant funding of up to \$8.75 million annually to cover a portion of the salaries and benefits of up to 250 officers. Although the program is on-going, a formal agreement is entered into every two years. Revenue of \$8.75 million is built into the TPS budget each year for this grant program. In order to maximize the amount of funding received, TPS must maintain its uniform staffing levels at a predetermined benchmark of at least 5,510 officers. Uniform staffing levels have been maintained above this benchmark and the current authorized uniform strength is 5,510.

## **Background Information (Committee)**

Toronto Police Service: Renewal of the Safer Communities 1,000 Officers Partnership Program Grant Agreement

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13241.pdf>)

*Submitted Tuesday, June 3, 2008*  
*Mayor David Miller, Chair, Executive Committee*