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## Executive Committee

**Meeting No.** 23  
**Meeting Date** Tuesday, September 2, 2008  
**Start Time** 11:00 AM  
**Location** Committee Room 1, City Hall

**Contact** Patsy Morris, Committee Administrator  
**Phone** 416-392-9151  
**E-mail** pmorris@toronto.ca

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| EX23.1 | Amended |  |  | Ward: All |
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### Mayor's Tower Renewal

#### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council adopt the objectives, principles, approach and criteria presented in the Mayor's Tower Renewal Opportunities Book and that they be used to define the planning and implementation of the Mayor's Tower Renewal.
2. The City Manager be directed to take steps to establish the Mayor's Tower Renewal project office by November 2008.
3. The City Manager be directed to develop and implement a Mayor's Tower Renewal Pilot Site Strategy in each Community Council area, as outlined in the report on the Mayor's Tower Renewal Pilot Sites.
4. The Tower Renewal Office work with City divisions to develop the following elements of Tower Renewal for the pilot sites by March 2009:
  - a. community energy plans for each pilot site in consultation with the appropriate stakeholders, taking into account energy conservation and demand management, renewable energy, distributed generation, beneficial technologies, as well as the City of Toronto Green Development Standard and the tower renewal cost benefit analysis and best practice research underway at the University of Toronto;

- b. a site-by-site review indicating how potential financing options, including private sector funding and possible City funding including the Sustainable Energy Funds, the Ontario Power Authority's 90 Megawatt Electricity Conservation incentives, etc., could provide financial support for the energy efficiency and renewable energy implementation related to the buildings and sites;
- c. how to best address the planning issues associated with undertaking Mayor's Tower Renewal at the pilot sites, in a manner that maximizes the potential for achieving the goals of Mayor's Tower Renewal across the City of Toronto;
- d. how to facilitate the permitting and approvals process at the pilot sites;
- e. co-ordinated approaches to engage tenants at the pilot sites;
- f. how Mayor's Tower Renewal will be integrated into the work of the Neighbourhood Action Teams (in the case of pilot locations within a priority neighbourhood) and the Community Resources Unit;
- g. how on-site community use space, programming and recreational activities will be accommodated and improved at the pilot locations;
- h. the outcome of safety audits in collaboration with building tenants, land/building owner(s), community stakeholders, local Councillor, the Toronto Police Service and other pertinent City partners;
- i. how to improve access to, and maintenance of, adjacent parks, ravines and natural areas, where applicable;
- j. how the Live Green Toronto program and the Eco-roof program, including green roofs, will support the goals of Mayor's Tower Renewal at the pilot sites;
- k. opportunities to enhance the local tree canopy;
- l. opportunities to advance the objectives of the Green Economic Development Strategy by introducing local green technology in the pilot projects where possible, by promoting local green manufacturing, where possible, to supply the products required;
- m. opportunities to advance neighbourhood cultural initiatives, such as the inclusion of Mayor's Tower Renewal pilot sites in future Doors Open Toronto events and providing input into public art projects considered as site enhancements;
- n. approaches to help ensure that any rent increases or other negative impacts to tenants that may result from energy efficiency and site improvements are avoided or minimized;

- o. local employment strategies for each of the pilot locations with a focus on providing critical employment services and supports (e.g., pre-employment support, job skills training, apprenticeship opportunities, volunteer and paid work opportunities, job retention support, education referrals) to local residents at pilot locations and with employers involved in Mayor's Tower Renewal;
  - p. opportunities to leverage partnership and sponsorship opportunities in support of Mayor's Tower Renewal activities;
  - q. opportunities to improve the pedestrian and cycling infrastructure and other forms of sustainable transportation at the pilot sites;
  - r. how the City of Toronto solid waste management policies and programs will be carried out at the pilot sites;
  - s. how the Water Efficiency Plan and the Wet Weather Flow Master Plan will be implemented at the pilot sites;
  - t. how greenhouse gas emissions will be monitored and reported at each site; and
  - u. any additional information resources, as required.
5. The City Manager be directed to collaborate with the Mayor's Tower Renewal Leaders on the development and implementation of the Mayor's Tower Renewal pilot site strategies to maximize the benefits of the contributions made by the Leaders and to avoid duplication of efforts.
6. The City Manager be directed to produce an inventory of lessons learned from activities at each pilot site and a detailed strategy outlining how Mayor's Tower Renewal will be implemented across all City of Toronto neighbourhoods.
7. A detailed Mayor's Tower Renewal site strategy be developed and implemented, according to the approach outlined in the August 19, 2008 Mayor's Tower Renewal report, at the following locations:
  - a. 2677 + 2667 Kipling Avenue;
  - b. 175 Shaughnessy Boulevard;
  - c. 215 Markham Road; and
  - d. 200 Wellesley Street East + 275 Bleecker Street.
8. City Council request the Federal and Provincial governments to provide financial assistance such as, but not limited to, interest free loans to assist with the costs of energy-use reduction proposals for multi-residential buildings.
9. City officials be requested to include the Ward Councillor in discussions concerning the various design issues of these projects, including, but not limited to, the cladding material and other design elements.

10. Once the Mayor's Pilot Tower Renewal site strategy is developed at the four (4) locations listed under Parts 7a, 7b, 7c and 7d, Toronto Community Housing Corporation buildings, particularly those with significant property standards issues, be considered as a high priority for future phases.
11. Consideration be given to the 13 Priority Neighbourhoods as potential pilot sites for the second phase of the "Mayor's Tower Renewal" Project including the following areas:
  - Weston Road - Mount Dennis; and
  - Malvern.
12. Deputy City Manager Richard Butts and the Chief Planner and Executive Director, City Planning, be requested to report to the Planning and Growth Management Committee at the conclusion of the pilot project, on any official plan, general zoning or planning policy changes that will be required to implement the Mayor's Tower Renewal.
13. City Council authorize and direct appropriate City officials to take the necessary action to give effect thereto.

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(August 19, 2008) Report from Mayor David Miller

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council adopt the objectives, principles, approach and criteria presented in the Mayor's Tower Renewal Opportunities Book and that they be used to define the planning and implementation of the Mayor's Tower Renewal.
2. The City Manager be directed to take steps to establish the Mayor's Tower Renewal project office by November 2008.
3. The City Manager be directed to develop and implement a Mayor's Tower Renewal Pilot Site Strategy in each community council area as outlined in the report on the Mayor's Tower Renewal Pilot Sites.
4. The Tower Renewal Office work with City divisions to develop the following elements of Tower Renewal for the pilot sites by March 2009:
  - a. Community energy plans for each pilot site in consultation with the appropriate stakeholders taking into account energy conservation and demand management, renewable energy, distributed generation, beneficial technologies, as well as the City of Toronto Green Development Standard and the tower renewal cost benefit analysis and best practice research underway at the University of Toronto.
  - b. A site-by-site review indicating how potential financing options, including

private sector funding and possible City funding including the Sustainable Energy Funds, the Ontario Power Authority's 90 Megawatt Electricity Conservation incentives, etc, could provide financial support for the energy efficiency and renewable energy implementation related to the buildings and sites.

- c. How to best address the planning issues associated with undertaking Mayor's Tower Renewal at the pilot sites, in a manner that maximizes the potential for achieving the goals of Mayor's Tower Renewal across the City of Toronto.
- d. How to facilitate the permitting and approvals process at the pilot sites.
- e. Coordinated approaches to engage tenants at the pilot sites.
- f. How Mayor's Tower Renewal will be integrated into the work of the Neighbourhood Action Teams (in the case of pilot locations within a priority neighbourhood) and the Community Resources Unit.
- g. How on-site community use space, programming and recreational activities will be accommodated and improved at the pilot locations
- h. The outcome of safety audits in collaboration with building tenants, land/building owner(s), community stakeholders, local councillor, Toronto Police and other pertinent City partners.
- i. How to improve access to, and maintenance of, adjacent parks, ravines and natural areas, where applicable.
- j. How the Live Green Toronto program and the Eco-roof program including green roofs will support the goals of Mayor's Tower Renewal at the pilot sites.
- k. Opportunities to enhance the local tree canopy.
- l. Opportunities to advance the objectives of the Green Economic Development Strategy by introducing local green technology in the pilot projects where possible, by promoting local green manufacturing, where possible, to supply the products required.
- m. Opportunities to advance neighbourhood cultural initiatives such as the inclusion of Mayor's Tower Renewal pilot sites in future Doors Open Toronto events and providing input into public art projects considered as site enhancements.
- n. Approaches to help ensure that any rent increases or other negative impacts to tenants that may result from energy efficiency and site improvements are avoided or minimized.
- o. Local employment strategies for each of the pilot locations with a focus on

providing critical employment services and supports (e.g., pre-employment support, job skills training, apprenticeship opportunities, volunteer and paid work opportunities, job retention support, education referrals) to local residents at pilot locations and with employers involved in Mayor's Tower Renewal.

- p. Opportunities to leverage partnership and sponsorship opportunities in support of Mayor's Tower Renewal activities.
  - q. Opportunities to improve the pedestrian and cycling infrastructure and other forms of sustainable transportation at the pilot sites.
  - r. How the City of Toronto solid waste management policies and programs will be carried out at the pilot sites.
  - s. How the Water Efficiency Plan and the Wet Weather Flow Master Plan will be implemented at the pilot sites
  - t. How greenhouse gas emissions will be monitored and reported at each site.
  - u. Any additional information resources, as required.
5. The City Manager be directed to collaborate with the Mayor's Tower Renewal Leaders on the development and implementation of the Mayor's Tower Renewal pilot site strategies to maximize the benefits of the contributions made by the Leaders and to avoid duplication of efforts.
6. The City Manager be directed to produce an inventory of lessons learned from activities at each pilot site and a detailed strategy outlining how Mayor's Tower Renewal will be implemented across all City of Toronto neighbourhoods.
7. A detailed Mayor's Tower Renewal site strategy be developed and implemented, according to the approach outlined in the August 19, 2008 Mayor's Tower Renewal report, at the following locations:
- a. 2677 + 2667 Kipling Avenue
  - b. 175 Shaughnessy Blvd
  - c. 215 Markham Road
  - d. 200 Wellesley Street East + 275 Bleecker Street
8. Authorize and direct appropriate City officials to take the necessary action to give effect thereto.

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

The Executive Committee received, for information, the report (August 19, 2008) from Mayor David Miller, entitled "Mayor's Tower Renewal Leaders".

Mayor David Miller, Mr. Michael McClelland and Mr. Graeme Stewart, ERA Architects, provided a presentation to the Executive Committee respecting the Mayor's Tower Renewal.

A copy of the Mayor's Tower Renewal Opportunities Book, prepared for the City of Toronto by E.R.A. Architects and the University of Toronto, was distributed to all Members of Council and select City Officials with the September 2, 2008, Executive Committee agenda, and a copy thereof is also on file in the Office of the City Clerk, City Hall.

### **Financial Impact**

There are no direct financial implications resulting from the adoption of this report.

### **Summary**

Mayor's Tower Renewal is an opportunity to make tremendous progress on the major themes of city-building contained in my mandate. By dramatically improving the energy efficiency of the more than 1,000 high rise residential concrete frame buildings located throughout Toronto, Mayor's Tower Renewal will reduce greenhouse gas emissions by between three and five percent for the urban area.

Mayor's Tower Renewal will also generate social, economic and cultural benefits by creating local green jobs, increasing on-site small-scale retail and markets, upgrading green space around the buildings, providing more space for neighbourhood meetings and interactions, installing solar, wind and geothermal energy solutions, and green roofs where appropriate, increasing water conservation and on-site management of waste, increasing the demand for locally-produced green and clean technology, and fostering community gardens and urban agriculture at the sites.

Mayor's Tower Renewal also complements the goals of Transit City to deliver over 120 kilometres of rapid public transit to every corner of our city, making vital connections to our priority neighbourhoods where there is the greatest need and limited access to services. The initiative is also consistent with the objectives of the Agenda for Prosperity — including supporting a proactive, global, creative and inclusive Toronto — as well as with our Climate Change, Clean Air and Sustainable Energy Action Plan and with the work of the Neighbourhood Action Teams in the city's 13 priority neighbourhoods.

Mayor's Tower Renewal is an ambitious but important plan that will require unprecedented levels of cooperation and coordination across all City Divisions and Agencies, combined with a wide array of external partners.

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

Mayor's Tower Renewal

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14989.pdf>

### **Speakers (Committee)**

Mr. John Cartwright, Toronto and York Region Labour Council

Mr. Franz Hartmann, Toronto Environmental Alliance

Councillor Suzan Hall, Ward 1, Etobicoke North

Councillor Cliff Jenkins, Ward 25, Don Valley West

Councillor Denzil Minnan-Wong, Ward 34, Don Valley East  
Councillor Frances Nunziata, Ward 11, York South-Weston  
Councillor Cesar Palacio, Ward 17, Davenport  
Councillor Michael Walker, Ward 22, St. Paul's

## **1a Mayor's Tower Renewal – Pilot Sites**

(August 19, 2008) Report from Mayor Miller

### **Financial Impact**

There are no direct financial implications resulting from the adoption of this report.

### **Summary**

The Mayor's Tower Renewal pilot sites were chosen to demonstrate a series of project outcomes, in a variety of neighbourhood contexts. Four pilot sites have been identified, one in each Community Council area including Etobicoke York, North York, Scarborough, Toronto and East York.

Work on the sites will be coordinated by the Tower Renewal project office and will require initiatives of varying scales and mandates appropriate to site conditions and the geography of each particular apartment neighbourhood. Overall, the pilot sites will be an on-the-ground demonstration of the full range of Mayor's Tower Renewal opportunities and objectives.

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

Mayor's Tower Renewal - Pilot Sites

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15352.pdf>

## **1b Mayor's Tower Renewal Leaders**

(August 19, 2008) Report from Mayor Miller

### **Summary**

The Mayor of Toronto's Tower Renewal Leaders program celebrates the contributions of individual Torontonians in transforming mid-century high-rise buildings and their surrounding sites into sustainable communities.

Sustainable communities operate to the highest environmental standards and are characterized by community inclusion and cohesion, strong local economic development, vibrant cultural activities and beautiful public space.

Tower Renewal Leaders have committed to achieving a tangible result relating to at least one of the four pilot sites. Each commitment is a fundamental part of delivering Tower Renewal and the first round of commitments are for a 12 to 18 month period.

Tower Renewal Leaders will take action and in so doing, will inspire and empower others to do the same.

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

Mayor's Tower Renewal Leaders

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15351.pdf>

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| EX23.2 | Adopted |  |  | Ward: All |
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### **Appointment of the City Manager**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council appoint Joseph P. Pennachetti as the City Manager for the City of Toronto effective October 6, 2008, subject to an agreement of employment terms prior to this date; with all the powers and duties imposed upon the City Manager by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and as Chief Administrative Officer under Section 140 of the City of Toronto Act, 2006.
2. City Council authorize the Mayor to negotiate the terms and conditions of employment for Joseph P. Pennachetti based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
3. City Council appoint Cameron S. Weldon as the Deputy City Manager and Chief Financial Officer in an acting capacity for the City of Toronto effective October 6, 2008, with all the powers conferred and duties imposed upon the Deputy City Manager and Chief Financial Officer by Article III of Chapter 169, City Officials, of the City of Toronto Municipal Code until a Deputy City Manager and Chief Financial Officer appointed by Council takes office.
4. City Council appoint Cameron S. Weldon as interim acting City Treasurer as required under section 138(1) of the City of Toronto Act, 2006, effective October 6, 2008, and until a City Treasurer appointed by Council takes office.
5. City Council repeal section 1 of By-law No. 881-2001, "To Appoint a Chief Administrative Officer".
6. City Council repeal section 1B. of By-law No. 318-2005, "To amend By-law No.881-2001 to change the title of the official from Chief Administrative Officer to City Manager".

7. City Council repeal section 1 of By-law No. 314-2005, "To Appoint Joseph P. Pennachetti as Deputy City Manager and Chief Financial Officer and as Treasurer under section 286(1) of the Municipal Act, 2001".
8. City Council authorize the City Solicitor to introduce the necessary bills to City Council to give effect to these recommendations.

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(August 20, 2008) Report from Mayor David Miller

### **Committee Recommendations**

The Executive Committee recommends that City Council:

1. Appoint Joseph P. Pennachetti as the City Manager for the City of Toronto effective October 6, 2008, subject to an agreement of employment terms prior to this date; with all the powers and duties imposed upon the City Manager by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and as chief administrative officer under Section 140 of the *City of Toronto Act, 2006*.
2. Authorize the Mayor to negotiate the terms and conditions of employment for Joseph P. Pennachetti based on mutually satisfactory terms and reflective of the City's employment and compensation policies, and to execute any related documents as necessary.
3. Appoint Cameron S. Weldon as the Deputy City Manager and Chief Financial Officer in an acting capacity for the City of Toronto effective October 6, 2008, with all the powers conferred and duties imposed upon the Deputy City Manager and Chief Financial Officer by Article III of Chapter 169, City Officials, of the City of Toronto Municipal Code until a Deputy City Manager and Chief Financial Officer appointed by Council takes office.
4. Appoint Cameron S. Weldon as interim acting City Treasurer as required under section 138(1) of the *City of Toronto Act, 2006* effective October 6, 2008 and until a City Treasurer appointed by Council takes office.
5. Repeal section 1 of By-law No. 881-2001, "To Appoint a Chief Administrative Officer."
6. Repeal section 1 B. of By-law No.318-2005, "To amend By-law No.881-2001 to change the title of the official from Chief Administrative Officer to City Manager."
7. Repeal section 1 of By-law No.314-2005, "To Appoint Joseph P. Pennachetti as Deputy City Manager and Chief Financial Officer and as Treasurer under section 286(1) of the *Municipal Act, 2001*."
8. Authorize the City Solicitor to introduce the necessary bills to City Council to give effect to these recommendations.

## Summary

Shirley Hoy, City Manager for the City of Toronto announced on July 28, 2008 that she will leave the position of City Manager effective October 6, 2008. Ms. Hoy was appointed as Chief Administrative Officer for the City of Toronto (now known as the City Manager) at City Council's meeting of June 26, 27 and 28, 2001.

I am recommending in this report that Joseph P. Pennachetti be appointed the City Manager for the City of Toronto. I am also recommending that Cameron S. Weldon be appointed as acting Deputy City Manager and Chief Financial Officer until the recruitment and selection process is completed.

## Background Information (Committee)

Appointment of the City Manager

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14990.pdf>

## Communications (City Council)

(September 22, 2008) submission from Councillor Michael Walker, Ward 22, St. Paul's - Article published in the National Post (CC.Supp.EX23.2.1)

## Speakers (Committee)

Councillor Cliff Jenkins, Ward 25, Don Valley West

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

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

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| EX23.4 | Amended |  |  | Ward: All |
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## Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to Compliance Audit Application

### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. The payment of legal expenses incurred by Councillor Giorgio Mammoliti in relation to a Compliance Audit Application, be approved, such reimbursement to be in accordance with the report (September 22, 2008) from the City Solicitor (EX23.4a).
2. The City Manager, in consultation with the City Clerk, report to the Executive Committee on a policy that covers all candidates who incur legal expenses as a result of compliance audits and the legal fees be covered as an interest-free loan.

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(August 21, 2008) Report from the Acting City Solicitor

### **Committee Recommendations**

The Executive Committee recommends to City Council that:

1. the payment of legal expenses incurred by Councillor Giorgio Mammoliti in relation to a Compliance Audit Application, be approved in principle.

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

The Executive Committee:

1. requested the City Solicitor to submit a report directly to Council for its meeting scheduled to be held on September 24, 2008, on the reasonableness of the legal fees incurred by Councillor Mammoliti, to determine the amount of the payment; and
2. received, for information, the report (August 21, 2008) from the Acting City Solicitor.

### **Financial Impact**

There are no direct financial impacts of this report.

### **Summary**

City Council has invited members of Council who have incurred legal and related expenses as a result of compliance audits to submit an application for reimbursement of these expenses. City Council has also directed the City Solicitor to review the legal bills associated with the applications and report on the reasonableness of the expenses. This report relates to an application made by Councillor Mammoliti in a communication to Executive Committee at its meeting on June 26, 2008. The Executive Committee referred the communication to the City Solicitor for a report to the Executive Committee at its meeting of September 2, 2008. This report recommends a deferral to the October meeting of the Committee to ensure the appropriate review, as directed by the Committee.

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

Request for Reimbursement of Legal Expenses Incurred by Councillor Giorgio Mammoliti in Relation to a Compliance Audit Application

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15126.pdf>

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

(September 22, 2008) supplementary report from the City Solicitor (EX23.4a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15888.pdf>

### **Communications (Committee)**

(August 28, 2008) letter from Councillor Giorgio Mammoliti (EX.Supp.EX23.4.1)

<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-8211.pdf>

(September 2, 2008) submission from Councillor Mammoliti (Article appearing in The Toronto Star, entitled "Councillors' Legal Fees".) (EX.Main.EX23.4.2)

### **Declared Interests (Committee)**

The following member(s) declared an interest:

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

### **Declared Interests (City Council)**

The following member(s) declared an interest:

Councillor Sandra Bussin - in that she has previously been the subject of a Compliance Audit.

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| EX23.5 | Amended |  |  | Ward: All |
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### **Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council advance an interim amount of one hundred percent of the legal expenses incurred by Councillor Heaps in relation to a Compliance Audit Application, on the condition that the Councillor agrees that if he is found to have contravened the legislation, the amount will be repaid to the City.

The confidential attachments to the communication (September 24, 2008) from the City Solicitor (EX23.5a), remain confidential in their entirety, in accordance with the provisions of the City of Toronto Act, 2006, as they contain information that is subject to solicitor-client privilege.

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#### **Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege**

(June 12, 2008) Report from the City Solicitor

#### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council advance an interim amount of eighty five percent of the legal expenses incurred by Councillor Heaps in relation to a Compliance Audit Application, on the condition that the Councillor agrees that if he is found to have contravened the legislation, the amount will be repaid to the City.

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

The Executive Committee:

1. requested the City Solicitor to submit a report to the Executive Committee on the outcome of the current legal appeal with respect to the decision of the Compliance Audit Committee; and
2. received, for information, the report (June 12, 2008) from the City Solicitor.

### **Financial Impact**

There are no direct financial impacts of this report.

### **Summary**

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

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

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

Request for Reimbursement of Legal Expenses Incurred by Councillor Heaps in Relation to Compliance Audit Application  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14535.pdf>)

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

(September 24, 2008) communication from the City Solicitor (EX23.5a)  
(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15907.pdf>)

### **Communications (Committee)**

(September 2, 2008) submission from Councillor Mammoliti [News article appearing in The Toronto Star, entitled "Councillors' Legal Fees" (Metro)] (EX.Main.EX23.5.1)

### **Declared Interests (Committee)**

The following member(s) declared an interest:

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

### **Declared Interests (City Council)**

The following member(s) declared an interest:

Councillor Sandra Bussin - in that she has previously been the subject of a Compliance Audit.  
Councillor A.A. Heaps - in that he is the subject of the Compliance Audit.

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| EX23.6 | Amended |  |  | Ward: All |
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## **Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. The City of Toronto continue its formal membership in the Association of Francophone Municipalities of Ontario.
2. The City Manager be requested to report to Council, through the Executive Committee, on the activities of this organization and how the City's membership benefits the City.

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(August 6, 2008) Report from the City Manager

### **Committee Recommendations**

The Executive Committee recommends that:

1. the City of Toronto continue its formal membership in the Association of Francophone Municipalities of Ontario.

### **Financial Impact**

The annual fee for the City of Toronto's membership in AFMO is \$15,000.00 in 2008-9 (reflects the province's fiscal year). The membership fee is based on a formula that reflects each member's population. The membership fee is expected to remain stable in coming years, with any adjustments related only to cost of living or population changes. Funds will be absorbed from within the Council General Expense Budget in the City Council 2008 Approved Operating Budget. The 2009 and future year operating budgets will provide for the AFMO membership fee.

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

### **Summary**

L'Association française des municipalités de l'Ontario/the Association of Francophone Municipalities of Ontario (AFMO) has adopted changes to its formula for calculating membership fees. The new formula results in an increase in Toronto's annual membership fee from \$2,900 to \$15,000. It is understood that this is a one-time change and that the membership fee will be stable in future years. This report explains the organization's rationale for the changes and recommends that the City of Toronto continue its membership in AFMO at

the new fee level.

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

Association of Francophone Municipalities of Ontario (AFMO) - Membership Fee Increase  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-14999.pdf>)

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| EX23.7 | Adopted |  |  | Ward: All |
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### **Recipients – 2008 Access Equity and Human Rights Awards**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council extend congratulations to the following persons and organizations who have been selected as recipients of the City of Toronto Access, Equity and Human Rights Awards:
  - Aboriginal Affairs Award: Yvette Nolan, Métis Artists Collective;
  - Access Award: Ryerson University and the Royal Ontario Museum for “Out from Under”, and the Centre for Independent Living;
  - Pride Award: Anna Willats; and
  - William P. Hubbard Award: George Elliott Clarke, Avvy Go and Carl James.

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(July 30, 2008) Report from the City Manager

#### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council extend congratulations to the following persons and organizations who have been selected as recipients of the City of Toronto Access Equity and Human Rights Awards:
  - Aboriginal Affairs Award: Yvette Nolan, Métis Artists Collective;
  - Access Award: Ryerson University and the Royal Ontario Museum for “Out from Under”, and the Centre for Independent Living;;
  - Pride Award: Anna Willats;
  - William P. Hubbard Award: George Elliott Clarke, Avvy Go, and Carl James.

#### **Financial Impact**

There are no financial impacts arising from the recommendations in this report.

#### **Summary**

This report advises Council of the result of the nomination process for the City of Toronto Access, Equity and Human Rights Awards. These Awards are the Aboriginal Affairs Award, the Access Award on Disability Issues, the Constance E. Hamilton Award on the Status of Women, the Pride Award for Lesbian, Gay, Bisexual, Transgender, Transsexual and Two Spirited Issues and the William P. Hubbard Race Relations Award.

Recipients of the Constance E. Hamilton Award are selected by the Women Members of Council and will be reported separately to City Council.

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

Recipients - 2008 Access Equity and Human Rights Awards  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15371.pdf>)

|        |         |  |  |           |
|--------|---------|--|--|-----------|
| EX23.8 | Amended |  |  | Ward: All |
|--------|---------|--|--|-----------|

## **2008 Annual Report - City of Toronto Accessibility Plan**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. This Annual Report on the City's Accessibility Plan be submitted to the Ontario Accessibility Directorate and forwarded to the City's Disability Issues Committee for information.
2. The City Manager include in the submission to the Province, the City's initiative regarding the use of an "equity lens" in preparing her reports to Council.
3. The report (September 15, 2008) from the City Manager (EX23.8a), on the "equity lens", be added to the 2008 Annual Report - the City of Toronto Accessibility Plan.

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(August 19, 2008) Report from the City Manager

### **Committee Recommendations**

The Executive Committee recommends that:

1. This Annual Report on the City's Accessibility Plan be submitted to the Ontario Accessibility Directorate and forwarded to the City's Disability Issues Committee for information.
2. The City Manager include in the submission to the Province, the City's initiative regarding the use of an "equity lens" in preparing her reports to Council.

### **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 September 24, 2008, on how she will include, in her submission to the Province, the City's initiative regarding the use of an "equity lens" in the preparation of reports to Council.

### Financial Impact

None.

### Summary

The submission of an Annual Report on the City of Toronto's Accessibility Plan to the Ontario Accessibility Directorate is a requirement under the Ontarians with Disabilities Act, 2001 (ODA). This report provides an update on the progress of implementation and will be posted on the City's website and reviewed with the City's Disability Issues Committee.

### Background Information (Committee)

2008 Annual Report - City of Toronto Accessibility Plan  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15057.pdf>  
 Appendix 1 - City of Toronto Divisional Accessibility Plans  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15058.pdf>

### Background Information (City Council)

(September 15, 2008) supplementary report from the City Manager (EX23.8a)  
<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15724.pdf>

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| EX23.9 | Adopted |  |  | Ward: All |
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### City of Toronto Economic Development Corporation - Annual Report to Shareholder, 2007 Audited Annual Consolidated Financial Statements and Annual General Meeting

#### City Council Decision

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council consider this portion of the Council meeting to be the Annual General Meeting of the sole shareholder of City of Toronto Economic Development Corporation (TEDCO), and:
  - a. receive, for information, the annual report of TEDCO to the City (Annual Report), which report is in the form of a letter dated August 12, 2008, from the Chairman of the Board of Directors and the President and Chief Executive Officer of TEDCO to the City and is Attachment 1 to this report;
  - b. receive, for information, the audited annual consolidated financial statements of TEDCO for the period ending December 31, 2007, together with the Auditor's

report thereon dated May 28, 2008, which is Attachment 2 to this report; and

- c. adopt the shareholder resolution attached as Attachment 4 to this report to appoint Ernst & Young LLP, Chartered Accountants, as TEDCO's Auditors until the next annual general meeting, and to authorize the directors of TEDCO to fix the remuneration of TEDCO's Auditors.
2. City Council receive, for information, the report of the Deputy City Manager and Chief Financial Officer, dated August 11, 2008, entitled "TEDCO – 2007 Audited Financial Statements", which is Attachment 3 to this report.

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(August 20, 2008) Report from the City Manager

### **Committee Recommendations**

The Executive Committee recommends that City Council:

1. Consider this portion of the Council meeting to be the Annual General Meeting of the sole shareholder of City of Toronto Economic Development Corporation(TEDCO) and:
  - a. receive, for information, the annual report of TEDCO to the City (Annual Report), which report is in the form of a letter dated August 12, 2008 from the Chairman of the Board of Directors and the President and Chief Executive Officer of TEDCO to the City and is Attachment 1 to this report;
  - b. receive, for information the audited annual consolidated financial statements of TEDCO for the period ending December 31, 2007, together with the auditor's report thereon dated May 28, 2008, which is Attachment 2 to this report;
  - c. adopt the shareholder resolution attached as Attachment 4 to this report to appoint Ernst & Young LLP, Chartered Accountants, as TEDCO's auditors until the next annual general meeting, and to authorize the directors of TEDCO to fix the remuneration of TEDCO's auditors; and
2. Receive, for information,the report of the Deputy City Manager and Chief Financial Officer, dated August 11, 2008,entitled"TEDCO – 2007 Audited Financial Statements", which is Attachment 3 to this report;

### **Financial Impact**

There are no financial implications that would result from adopting this report.

### **Summary**

This report recommends the actions necessary to comply with the requirements of the Ontario *Business Corporations Act* for the holding of an annual general meeting of the shareholder of City of Toronto Economic Development Corporation (TEDCO) including receipt by the City of

TEDCO's audited annual consolidated financial statements and the report of the auditor on those statements, and the appointment of TEDCO's auditor until the next annual general shareholder's meeting.

**Background Information (Committee)**

- City of Toronto Economic Development Corporation - Annual Report to Shareholder, 2007 Audited Annual Consolidated Financial Statements and Annual General Meeting  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15059.pdf>  
 Attachment 1: Letter dated August 12, 2008 from the Chairman of the Board of Directors and the President and Chief Executive Officer of TEDCO to the City comprising TEDCO 2007 Annual Report to Shareholder  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15060.pdf>  
 Attachment 2: 2007 TEDCO Consolidated Audited Annual Financial Statements and the Report of the Auditor  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15061.pdf>  
 Attachment 3: Report of the Deputy City Manager and Chief Financial Officer dated August 11, 2008 entitled "TEDCO - 2007 Audited Financial Statements"  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15062.pdf>  
 Attachment 4: Shareholder Resolution  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15063.pdf>

**Communications (Committee)**

(September 2, 2008) submission from entitled "Building Value - TEDCO Corporate Plan 2008 - 2010" submitted by the Toronto Economic Development Corporation (EX.Main.EX23.9.1)

|         |         |  |  |           |
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| EX23.10 | Adopted |  |  | Ward: All |
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**Commemoration of the 175th Anniversary of the Incorporation of the City of Toronto**

**City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council authorize the Toronto 175 Steering Committee, in collaboration with other City divisions, to develop programming and events celebrating the 175th anniversary of the incorporation of the City of Toronto.
2. City Council authorize expenditures of up to \$250,000.00, through the balance of 2008 and into 2009, for the 175th anniversary initiatives, including: an official public event held on Nathan Phillip's Square on March 6, 2009, enhanced March to May programming for LIT CITY 2009 celebrating Doors Open Toronto's 10th anniversary and the City of Toronto's 175th, and the development/leverage of promotional and sponsorship opportunities.

(August 19, 2008) Report from the Deputy City Manager, Sue Corke

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council authorize the Toronto 175 Steering Committee, in collaboration with other City Divisions, to develop programming and events celebrating the 175<sup>th</sup> anniversary of the incorporation of the City of Toronto.
  
2. City Council authorize expenditures of up to \$250,000.00 through the balance of 2008 and into 2009 for the 175<sup>th</sup> anniversary initiatives including: an official public event held on Nathan Phillip's Square March 6, 2009, enhanced March to May programming for LIT CITY 2009 celebrating Doors Open Toronto's 10<sup>th</sup> anniversary and the City of Toronto's 175<sup>th</sup>, and the development/leverage of promotional and sponsorship opportunities.

### **Financial Impact**

\$250,000 will be required to fund the Toronto 175<sup>th</sup> anniversary celebrations. Celebrations are to commence March 2009 prior to Council approval of the 2009 Operating Budget through to May 2009.

Program costs associated with the anniversary celebrations include:

|   |            |
|---|------------|
| Nathan Phillips Square public event March 6, 2009 | 150,000.00 |
| Enhanced programming for LIT CITY 2009            | 25,000.00  |
| Coordination                                      | 40,000.00  |
| Marketing/Promotional funding                     | 35,000.00  |

2008 related expenditures will be absorbed within Economic Development, Culture and Tourism's 2008 Approved Operating Budget. 2009 expenditures will be funded from within the 2009 Interim Operating Budget Estimates and funding will be considered as part of the 2009 Operating Budget process.

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

### **Summary**

March 6, 2009 marks the official 175<sup>th</sup> anniversary of the incorporation of the City of Toronto.

A Steering Committee led by Deputy Mayor Joe Pantalone, at the request of Mayor David Miller, has been formed to develop themes, plans, programming and events to recognize and commemorate this important milestone for our city. The committee includes Cultural Services, Protocol, Toronto Office of Partnerships, Toronto Arts Council, Tourism Toronto and others.

The incorporation of the City of Toronto in 1834 is one of the transformative moments in the evolution of our community as it matured into a vibrant urban centre requiring new levels of

governance and democracy to move into the future. At 175 years, Toronto is a city still writing its story. Toronto continues to evolve as each generation and culture influences what this city has been and will be in the future.

Strategic Communications will develop a brand identity (with an anniversary logo) that captures the main themes of the anniversary as well as a communications strategy that sets a consistent, positive tone that will carry throughout 2009. A number of activities are being planned as part of the Toronto 175 festivities and are outlined in this report.

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

Commemoration of the 175th Anniversary of the Incorporation of the City of Toronto  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15064.pdf>)

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| EX23.12 | Adopted |  |  |  |
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### **2008 Recipients - Constance E. Hamilton Award**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council confirm the selections made by the Constance E. Hamilton Award Selection Committee comprised of the Women Members of Council that Deena Ladd and Heather McGregor be the recipients of the 2008 Constance E. Hamilton Award.

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(August 5, 2008) Report from the Constance E. Hamilton Award Selection Committee

#### **Committee Recommendations**

The Executive Committee recommends that Toronto City Council confirm the selections made by the Constance E. Hamilton Award Selection Committee comprised of the Women Members of Council that Deena Ladd and Heather McGregor be the recipients of the 2008 Constance E. Hamilton Award.

#### **Summary**

The Constance E. Hamilton Award is named after the first woman elected in 1920 to a municipal council in Toronto. The Award was established in 1979 to celebrate the 50<sup>th</sup> anniversary of the Person's Case which recognized that women were "persons" and could be appointed to the Senate of Canada.

The Constance E Hamilton Award recognizes person(s) who have made a significant contribution to improving the social, economic, cultural and political status of women in Toronto. The recipients are selected by the Women Members of Council.

The Selection Committee has reviewed the nominations submitted by the public. The 2007 recipients who have been selected for their contributions toward improving the status of women in Toronto are:

- Deena Ladd – for advocacy on behalf of marginalized workers; and
- Heather McGregor – for leadership and advocacy within the voluntary sector.

The Constance E. Hamilton Award will be presented during the City’s Annual Human Rights Ceremony scheduled for November 27, 2008 at which the following awards will also be presented: Aboriginal Affairs Award, the Access Award on Disability Issues, the Pride Award for Lesbian, Gay, Bisexual, Transgender, Transsexual and Two Spirited Issues and the William P. Hubbard Race Relations Award.

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

2008 Recipients - Constance E. Hamilton Award

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15066.pdf>

Constance E. Hamilton Recipients - Bios

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15067.pdf>

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| EX23.13 | Adopted |  |  | Ward: All |
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### **Strategic Human Resource Plan (the Toronto Public Service People Plan)**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council receive the Toronto Public Service People Plan for information.
2. City Council approve the Toronto Public Service Learning Strategy in principle.
3. City Council refer the report (July 8, 2008) from the City Manager, to the Budget Committee for consideration with the 2009 Operating Budget process.

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(July 22, 2008) Report from the Employee and Labour Relations Committee

#### **Committee Recommendations**

The Executive Committee recommends that City Council:

1. Receive the Toronto Public Service People Plan for information.
2. Approve the Toronto Public Service Learning Strategy in principle.

3. Refer the report (July 8, 2008) from the City Manager, to the Budget Committee for consideration with the 2009 Operating Budget process.

### **Financial Impact**

The Learning Strategy describes an incremental approach to increase the investment in employee training. Funding in the amount of \$300,000 will be required in 2009 to implement the Learning Strategy. Incremental increases of \$300,000 in each of 2010 and 2011 will also be required. It is recommended that this funding request be referred to the Budget Committee for consideration with the City's 2009 operating budget. The funding requirements will be included as part of the 2009 operating budget submission from the City Manager's Office.

Any additional financial impact resulting from implementation of the People Plan will be reported through a subsequent operating budget process or through reports on individual initiatives.

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

### **Summary**

This report provides an overview of the new Toronto Public Service People Plan 2008 – 2011 (a long-term human resource strategy for the Toronto Public Service). It includes a Learning Strategy.

The Toronto Public Service People Plan 2008 – 2011 is based on the People Strategy adopted by Council in 2003, and on fact-based evidence and research into significant demographic challenges the City of Toronto will face, along with many other employers, over the next few years. To anticipate and meet these challenges, the Plan sets out five bold goals with specific objectives, related actions and performance measures. The Toronto Public Service People Plan goals are:

- i. We will be a learning organization;
- ii. We will have safe and healthy workplaces;
- iii. We will attract and retain a skilled, high performing and diverse workforce;
- iv. We will have strong and effective leaders; and
- v. We will build a positive workplace culture.

These goals expand on and operationalize the 2003 People Strategy. Progress in achieving the Toronto Public Service People Plan's objectives will be reviewed annually and adjusted as necessary.

The Toronto Public Service Learning Strategy is a component of the People Plan. It describes concrete actions and the funding required to achieve one of the five goals of the People Plan – "We will be a learning organization".

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

Strategic Human Resource Plan (the Toronto Public Service People Plan)  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15068.pdf>)

Attachment 1: Toronto Public Service People Plan 2008-2011  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15069.pdf>)

Attachment 2: The Toronto Public Service Learning Strategy  
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15070.pdf>)

### **Speakers (Committee)**

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

### **Declared Interests (Committee)**

The following member(s) declared an interest:

Councillor Howard Moscoe - declared his interest in this matter, only as it pertains to the Children's Services Division, in that his daughter is employed by a Daycare Centre of the City of Toronto.

### **Declared Interests (City Council)**

The following member(s) declared an interest:

Councillor Howard Moscoe - only as it relates to the Children's Services Division, in that his daughter is a part-time child care worker employed by the City of Toronto.

Councillor David Shiner - only as it relates to the Parks, Forestry and Recreation Division, in that his son is a seasonal employee with the division.

|         |         |  |  |           |
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| EX23.14 | Adopted |  |  | Ward: All |
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### **Instruction on a Labour Relations Matter**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. Council adopt the confidential recommendations to staff contained in Confidential Attachment 1.
2. Council authorize only the release of the recommendations embodied in the confidential attachment following the notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998, and TPFPA, Local 3888) and COTAPSAI.

Confidential Attachment 1 to the report (July 11, 2008) from the City Manager, addressed to the Employee and Labour Relations Committee, remains confidential at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to labour relations or employee negotiations. The recommendation contained in Confidential Attachment 1 will be made public following notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998, and TPFPA,

Local 3888) and COTAPSAI.

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**Confidential Attachment - Labour relations or employee negotiations**

(July 22, 2008) Report from the Employee and Labour Relations Committee

**Committee Recommendations**

The Executive Committee recommends that:

1. Council adopt the confidential recommendations to staff contained in confidential Attachment 1.
2. Council authorize only the release of the recommendations embodied in the confidential attachment following the notification by staff to each of the bargaining units (i.e., TCEU, Local 416, CUPE, Local 79, CUPE, Local 2998 and TPFPA, Local 3888) and COTAPSAI.

**Financial Impact**

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

**Summary**

This report seeks instruction from Council on a labour relations matter.

**Background Information (Committee)**

Instruction on a Labour Relations Matter

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15071.pdf>

**Declared Interests (City Council)**

The following member(s) declared an interest:

Councillor David Shiner - only as it relates to the Parks, Forestry and Recreation Division, in that his son is a seasonal employee with the division.

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| EX23.16 | Adopted |  |  | Ward: All |
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**Update on the Engineering Review Addressing Basement Flooding**

**City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. Subject to the adoption of Part 2 and the conditions set out therein, the implementation

of City sewer infrastructure improvement projects that result from the various Municipal Class Environmental Assessments (the “Environmental Assessments”) undertaken to address basement flooding in the 31 Basement Flooding Study Areas, as identified in the Basement Flooding Work Plan, be prioritized as follows:

- a. City sanitary sewer improvement projects are to be given the highest priority for implementation;
  - b. City storm drainage system improvement projects are to be implemented in the following order of priority, based on a consideration of the total number of benefiting properties and the estimated cost of the work to the City apportioned to each property as determined by and in the sole discretion of the General Manager, Toronto Water:
    - i. improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be \$25,000.00 or less, and prioritized, from highest to lowest, based on the greater number of benefiting properties involved; and
    - ii. improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be greater than \$25,000.00, provided that given the significantly higher cost of these improvement projects, are to be implemented only as appropriate funding opportunities are available, as determined by the General Manager of Toronto Water, through other City infrastructure renewal programs such as Toronto Water’s Sewer Rehabilitation and Reconstruction Program and Transportation Service’s Road Reconstruction Program, or should third party funding which reduces materially the City’s cost per benefiting property.
2. The General Manager, Toronto Water, include the works identified in Part 1 into the forthcoming Toronto Water 2009-2013 Capital Plan; and implement the works subject to satisfactory completion of the Municipal Class Environmental Assessments corresponding to the works, and Council’s approval of Toronto Water’s proposed 2009-2013 Capital Plan.
  3. The General Manager, Toronto Water, in developing the annual multi-year Sewer Rehabilitation and Reconstruction Program:
    - a. re-assess the list of projects compiled, as Class Environmental Assessment Projects are completed in other Basement Flooding Study Areas, and prioritize the implementation of projects, across all Basement Flooding Study Areas combined, in accordance with the criteria contained in Part 1; and
    - b. identify emerging basement flooding prone areas and undertake Class Environmental Assessment Studies, as may be necessary, incorporating the level of protection, consistent with that applied for the current 31 Basement Flooding Study Areas, to help mitigate the impacts of basement flooding, in support of the

City's Climate Change Adaptation Strategy, representing:

- i. a storm event equivalent to the May 12, 2000 storm (i.e., equivalent to a storm event with a return frequency of between one in 25 to one in 50 years) for the sanitary sewer system design; and
- ii. the 100-year storm event for the storm drainage system, where feasible, where a proper major (overland flow) drainage system does not exist.

4. The Municipal Code Chapter 681, Sewers, be amended such that:
  - a. the connection of downspouts to storm sewers in the Basement Flooding Study Areas, as identified on the map attached as Attachment 1 of this report, is prohibited;
  - b. the amendment in Part 4a. shall come into force five years from the date of its enactment;
  - c. the connection of downspouts to storm sewers in any areas of the City, not previously prohibited under Municipal Code Chapter 681, Sewers, as at the effective date of this recommendation, is prohibited;
  - d. the amendment in Part 4c. shall come into force eight years from the date of its enactment;
  - e. the General Manager, Toronto Water, be authorized to exempt properties from the prohibition set out in Parts 4a. and 4c., where the General Manager, in the General Manager's sole discretion, determines that, in respect of the property, the disconnection of the downspout or downspouts would create a hazardous condition or is not technically feasible.
5. Authority be granted to the City Solicitor to submit any Bills required to enact the amendments to Municipal Code Chapter 681, Sewers, proposed in Part 4 of this report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and General Manager, Toronto Water.
6. Due to the forecasted length of time required for the City to process and implement all of the applications received under the former Voluntary Downspout Disconnection Program, the General Manager, Toronto Water, enhance the Voluntary Downspout Disconnection Program by allowing eligible property owners on the existing waiting list to opt out of the existing City-performed program and disconnect their downspout(s) themselves; and where an eligible property owner does so, the City will reimburse the property owner for the reasonable cost of labour and materials for completing the eligible work to an upset limit of \$500.00 per property, provided that:
  - a. the property owner submits, to the City's Toronto Water, Business Operations Management office, a completed and compliant application form, together with all invoices and other supporting information substantiating the completion of

- the work and costs of same;
- b. the completed application form and all required supporting documentation is received by Toronto Water, Business Operations Management office, within one year of the work being completed;
  - c. the property owner assumes all responsibility for the work, including installation, performance, maintenance, repair and use, and any other financial responsibility; and
  - d. the City reserves the right to conduct an inspection of the completed work, should it be deemed necessary, to ensure compliance with City requirements.
7. The General Manager, Toronto Water, develop and employ an extensive communication and public education program to inform homeowners and contractors about:
- a. climate change impacts, associated with intense storms, related to basement flooding;
  - b. the importance of downspout disconnection and “home isolation” consisting of the installation of sewer backwater valves and the capping off of storm sewer laterals with the installation of a sump pump to help prevent basement flooding;
  - c. the importance of other lot level controls (e.g., proper lot grading);
  - d. the City’s Basement Flooding Protection Subsidy Program;
  - e. the enhanced Voluntary Downspout Disconnection Program whereby residents can complete the work themselves and be reimbursed for labour and materials up to \$500.00; and
  - f. the importance of tree planting and maintenance on private property.
8. The Basement Flooding Protection Subsidy Program be amended such that:
- a. no subsidy will be provided for downspout disconnection; and
  - b. the maximum total, per property, subsidy available under the program remain at \$3,200.00 by increasing the subsidy provided for sewer backwater valves and sump pumps by \$250.00 each, to an upset limit of \$1,250.00 and \$1,750.00, respectively.
9. The General Manager, Toronto Water, include an increase of five (5) permanent professional/technical staff to provide technical support for the design and construction of the improvement works associated with Parts 1 and 3, in Toronto Water’s Recommended 2009 Operating Budget.

10. The Acting General Manager, Parks, Forestry and Recreation, include an increase of one permanent professional/technical staff to support the design and construction of the improvement works associated with Parts 1 and 3, in the forthcoming 2009 Parks, Forestry and Recreation Operating Budget.
11. The General Manager, Toronto Water, include an increase of 16 permanent technical and clerical staff to support servicing of the disconnection of downspouts for eligible properties included in the City's former Voluntary Downspout Disconnection Program; the expansion, City-wide, of the Mandatory Downspout Disconnection Program; and the promotion of and service in anticipation of increased public demand for the Basement Flooding Protection Subsidy Program.
12. The General Manager, Toronto Water, report to the Budget Committee on the cost estimate and schedule for the implementation of the capital works necessary to provide basement flooding relief across the 31 Basement Flooding Study Areas, with the submission of Toronto Water's proposed 2010-2014 Capital Budget.
13. The whole City be declared at risk of basement flooding in the event of unusually severe or extreme precipitation, and the Chief Building Official, in collaboration with the General Manager, Toronto Water, the Chief Planner and Executive Director, City Planning, the Executive Director of Municipal Licensing and Standards, and the City Solicitor, in accordance with the Ontario Building Code, require any applicant of a Plumbing Permit related to the sewer drain where there is a below-grade living area anywhere in the City of Toronto to install a backwater valve on their sanitary sewer lateral.
14. The Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, prepare zoning regulations, in his report on the new Zoning By-law, that prohibit the construction of any new reverse sloped and below grade driveways and, pending the Zoning Amendments, the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, inform and educate all Committee of Adjustment Panels as to the significant impact of approving variances that permit reverse slope driveways.
15. The Executive Director of Municipal Licensing and Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards By-law to create consistency with any proposed zoning by-law changes respecting reverse sloped driveways.
16. The Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, consider zoning regulations, in his report on the new Zoning By-law, that prohibit the construction of any new reverse sloped and below grade driveways and, in the interim, the General Manager, Toronto Water, and the Chief Planner and Executive Director, City Planning, be requested to submit a report to the November 13, 2008 meeting of the Planning and Growth Management Committee on possible other joint measures of the

Toronto Water and Planning Divisions to give equivalent effect to this recommendation in the period prior to consideration of the new Zoning By-law.

17. The Chief Building Official, in consultation with the Chief Planner and Executive Director, City Planning, and the General Manager, Toronto Water, develop internal procedures and policy amendments that make it easier for residents with reverse slope driveways to obtain permits to fill in those driveways.
18. The General Manager, Toronto Water:
  - I. include in study areas all non-structural methods of eliminating flooding through decreased water flow including:
    - i. opportunities for porous pavement and porous pipes;
    - ii. eliminating new front yard parking and replacing all impervious surfaces in existing legal pads; and
    - iii. French drains for residential as well as City Rights-of-way - and to look at positive experiences such as that of the progressive planning in Ucluelet; and
  - II. report back on:
    - i. further options to assist with downspout disconnection in the mandatory areas;
    - ii. the percentage of impervious surface that exists in the study areas; and
    - iii. in conjunction with TEO, the possibility of a Neighbourhood Catch Basin Clean Up program modelled after programs such as Neighbourhood Watch and the Block Parent.
19. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

### **City Council Decision Advice and Other Information**

City Council considered this Item with NY18.53, headed "Local Measures to Reduce Basement Flooding in the North York Community Council Area (Ward 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)", and Member Motion MM24.24, headed "Extension of Deadline for Mandatory Downspout Disconnection in the Combined Sewer Area".

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(August 18, 2008) Report from the General Manager, Toronto Water

### **Committee Recommendations**

The Executive Committee recommends that:

1. Subject to the adoption of Recommendation 2 and the conditions set out therein, the implementation of City sewer infrastructure improvement projects that result from the various Municipal Class Environmental Assessments (the “Environmental Assessments”) undertaken to address basement flooding in the 31 Basement Flooding Study Areas, as identified in the Basement Flooding Work Plan, be prioritized as follows:
  - a. City sanitary sewer improvement projects are to be given the highest priority for implementation;
  - b. City storm drainage system improvement projects are to be implemented in the following order of priority based on a consideration of the total number of benefiting properties and the estimated cost of the work to the City apportioned to each property as determined by and in the sole discretion of the General Manager, Toronto Water:
    - i. Improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be \$25,000 or less, and prioritized, from highest to lowest, based on the greater number of benefiting properties involved; and
    - ii. Improvement projects where the cost of the work to the City apportioned to each benefiting property is estimated to be greater than \$25,000; provided that given the significantly higher cost of these improvement projects, are to be implemented only as appropriate funding opportunities are available, as determined by the General Manager of Toronto Water, through other City infrastructure renewal programs such as Toronto Water’s Sewer Rehabilitation and Reconstruction Program and Transportation Service’s Road Reconstruction Program; or should third party funding which reduces materially the City’s cost per benefiting property;
2. The General Manager, Toronto Water, include the works identified in Recommendation 1 into the forthcoming Toronto Water 2009-2013 Capital Plan; and implement the works subject to satisfactory completion of the Municipal Class Environmental Assessments corresponding to the works, and Council’s approval of Toronto Water’s proposed 2009-2013 Capital Plan;
3. The General Manager, Toronto Water, in developing the annual multi-year Sewer Rehabilitation and Reconstruction Program:
  - a. reassess the list of projects compiled, as Class Environmental Assessment Projects are completed in other Basement Flooding Study Areas, and prioritize the implementation of projects, across all Basement Flooding Study Areas combined, in accordance with the criteria contained in Recommendation 1; and
  - b. identify emerging basement flooding prone areas; and undertake Class

Environmental Assessment Studies, as may be necessary, incorporating the level of protection, consistent with that applied for the current 31 Basement Flooding Study Areas, to help mitigate the impacts of basement flooding, in support of the City's Climate Change Adaptation Strategy, representing:

- i. a storm event equivalent to the May 12, 2000 storm (i.e. equivalent to a storm event with a return frequency of between one in 25 to one in 50 years) for the sanitary sewer system design; and
- ii. the 100 year storm event for the storm drainage system, where feasible, where a proper major (overland flow) drainage system does not exist;

4. The Municipal Code Chapter 681, Sewers be amended such that:
  - a. The connection of downspouts to storm sewers in the Basement Flooding Study Areas, as identified on the map attached as Attachment 1 of this Report, is prohibited;
  - b. The amendment in Recommendation 4 a) shall come into force five years from the date of its enactment;
  - c. The connection of downspouts to storm sewers in any areas of the City, not previously prohibited under Municipal Code Chapter 681, Sewers, as at the effective date of this recommendation, is prohibited;
  - d. The amendment in Recommendation 4 c) shall come into force eight years from the date of its enactment;
  - e. The General Manager, Toronto Water, be authorized to exempt properties from the prohibition set out in Recommendations 4 a) and c) where the General Manager, in the General Manager's sole discretion, determines that, in respect of the property, the disconnection of the downspout or downspouts would create a hazardous condition or is not technically feasible.
5. Authority be granted to the City Solicitor to submit any Bills required to enact the amendments to Municipal Code Chapter 681, Sewers, proposed in Recommendation 4 of this Report, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and General Manager, Toronto Water;
6. Due to the forecasted length of time required for the City to process and implement all of the applications received under the former Voluntary Downspout Disconnection Program, the General Manager, Toronto Water, enhance the Voluntary Downspout Disconnection Program by allowing eligible property owners on the existing waiting list to opt out of the existing City-performed program and disconnect their downspout(s) themselves; and where an eligible property owner does so, the City will reimburse the property owner for the reasonable cost of labour and materials for completing the eligible work to an upset limit of \$500.00 per property, provided that:

- a. The property owner submits, to the City's Toronto Water, Business Operations Management office, a completed and compliant application form, together with all invoices and other supporting information substantiating the completion of the work and costs of same;
  - b. The completed application form and all required supporting documentation is received by Toronto Water, Business Operations Management office, within one year of the work being completed;
  - c. The property owner assumes all responsibility for the work, including installation, performance, maintenance, repair and use, and any other financial responsibility; and
  - d. The City reserves the right to conduct an inspection of the completed work, should it be deemed necessary, to ensure compliance with City requirements.
7. The General Manager, Toronto Water, develop and employ an extensive communication and public education program to inform homeowners and contractors about:
- a. climate change impacts, associated with intense storms, related to basement flooding;
  - b. the importance of downspout disconnection and "home isolation" consisting of the installation of sewer backwater valves and the capping off of storm sewer laterals with the installation of a sump pump to help prevent basement flooding;
  - c. the importance of other lot level controls (e.g. proper lot grading); and
  - d. the City's Basement Flooding Protection Subsidy Program;
  - e. the enhanced Voluntary Downspout Disconnection Program whereby residents can complete the work themselves and be reimbursed for labour and materials up to \$500.
  - f. the importance of tree planting and maintenance on private property.
8. The Basement Flooding Protection Subsidy Program be amended such that:
- a. No subsidy will be provided for downspout disconnection; and
  - b. The maximum total, per property, subsidy available under the program remain at \$3,200 by increasing the subsidy provided for sewer backwater valves and sump pumps by \$250 each, to an upset limit of \$1,250 and \$1,750 respectively;
9. The General Manager, Toronto Water include an increase of 5 permanent professional/technical staff to provide technical support for the design and construction

of the improvement works associated with Recommendations 1 and 3, in Toronto Water's Recommended 2009 Operating Budget;

10. The Acting General Manager, Parks, Forestry and Recreation include an increase of one permanent professional/technical staff to support the design and construction of the improvement works associated with Recommendation 1 and 3, in the forthcoming 2009 Parks, Forestry and Recreation Operating Budget;
11. The General Manager, Toronto Water include an increase of 16 permanent technical and clerical staff to support servicing of the disconnection of downspouts for eligible properties included in the City's former Voluntary Downspout Disconnection Program; the expansion, City-wide, of the Mandatory Downspout Disconnection Program; and the promotion of and service in anticipation of increased public demand for the Basement Flooding Protection Subsidy Program;
12. The General Manager, Toronto Water, report to Budget Committee on the cost estimate and schedule for the implementation of the capital works necessary to provide basement flooding relief across the 31 Basement Flooding Study Areas, with the submission of Toronto Water's proposed 2010-2014 Capital Budget;
13. The whole City be declared at risk of basement flooding in the event of unusually severe or extreme precipitation, and the Chief Building Official, in collaboration with the General Manager, Toronto Water, the Chief Planner, the Executive Director of Municipal Licensing & Standards, and the City Solicitor, in accordance with the Ontario Building Code, require any applicant of a Plumbing Permit related to the sewer drain where there is a below grade living area anywhere in the City of Toronto to install a backwater valve on their sanitary sewer lateral;
14. The Chief Planner and Executive Director of City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, prepare zoning regulations, in his report on the new Zoning Bylaw, that prohibit the construction of any new reverse sloped and below grade driveways and that pending the Zoning Amendments, the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Toronto Water, inform and educate all Committee of Adjustment Panels as to the significant impact of approving variances that permit reverse slope driveways;
15. The Executive Director of Municipal Licensing & Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards Bylaw to create consistency with any proposed zoning bylaw changes respecting reverse sloped driveways; and
16. The Chief Planner and Executive Director of City Planning, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, consider zoning regulations, in his report on the new Zoning Bylaw, that prohibit the construction of any new reverse sloped and below grade driveways and that, in the interim, the General Manager, Toronto Water and the Chief Planner and Executive

Director, City Planning, be requested to submit a report to the November 13, 2008 meeting of the Planning and Growth Management Committee on possible other joint measures of the Toronto Water and Planning Divisions to give equivalent effect to this recommendation in the period prior to consideration of the new Zoning By-law.

17. The Chief Building Official, in consultation with the Chief Planner and Executive Director, City Planning and the General Manager, Toronto Water, develop internal procedures and policy amendments that make it easier for residents with reverse slope driveways to obtain permits to fill in those driveways.
18. The General Manager, Toronto Water:
  - I. Include in study areas all non-structural methods of eliminating flooding through decreased water flow including:
    - i. Opportunities for porous pavement and porous pipes;
    - ii. Eliminating new front yard parking and replacing all impervious surfaces in existing legal pads;
    - iii. French drains for residential as well as city Right of ways - and to look at positive experiences such as that of the progressive planning in Ucluelet;
  - II. report back on:
    - i. further options to assist with downspout disconnection in the mandatory areas;
    - ii. the percentage of impervious surface that exist in the study areas; and
    - iii. in conjunction with TEO, the possibility of a Neighbourhood Catch Basin Clean Up program modelled after programs such as Neighbourhood Watch and the Block Parent.
19. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

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

The Executive Committee:

1. referred the following motion by Councillor DeBaeremaeker, on behalf of Councillor Palacio, to the Public Works and Infrastructure Committee for consideration:

“That:

  - I. Recommendation 15 contained in the report (August 18, 2008) from the General Manager, Toronto Water, be amended to read as follows:

“15. The Executive Director of Municipal Licensing & Standards, in consultation with the General Manager, Toronto Water, the Chief Building Official and the City Solicitor, report on any appropriate amendments to the Property Standards Bylaw to create consistency with any proposed zoning bylaw changes respecting reverse sloped driveways and that this report include recommendations regarding the removal of existing reversed sloped driveways, particularly incentives for their removal at the homeowner’s expense in consultation with the General Manager of Transportation; and

II. City Council also adopt the following recommendations:

1. catch basins on Nairn Avenue, Harvie Avenue and Chudleigh Road be cleaned at all times;
2. applications filed for the City’s Basement Flooding Protection Subsidy Program in Study Area No. 3 be processed as soon as possible to help guard against basement flooding, such as backflow prevention valves;
3. Toronto Water Officials be requested to expedite the environmental assessment process by scheduling the required Environment Assessment Public Meeting at the earliest possible time, in the affected Study Area No. 3;
4. combined sewer system to be flushed down constantly, road to be swept and washed to avoid accumulation of construction and leaf debris that block catch basins;
5. holding tanks to be vacuumed constantly and vacuum equipment to be on standby, whenever rainstorms are forecasted;
6. residents be encouraged to apply for the Back Flow Prevention Program;

III. in the terms of the process by which the combined sewer projects will be prioritized, what is being approved is a guideline that will be executed at the sole discretion of the General Manager, Toronto Water.

2. referred the following motion to the General Manager, Toronto Water, for a report directly to Council for its meeting to be held on September 24, 2008.

Moved by Councillor Mammoliti:

"That for residents who have experienced basement flooding one or more times, a temporary emergency telephone number, until the 311 line is available, be provided in the Toronto Water Division to deal with any concerns or emergency flooding issues; and further, that Toronto Water be requested to create a public relations policy to deal with problems resulting from floodings and report

thereon to Council on that policy, through the Executive Committee."

Mr. Lou Di Gironimo, General Manager, Toronto Water, provided a presentation to the Executive Committee on the Engineering Review addressing Basement Flooding and submitted a copy of his presentation material.

### Financial Impact

The financial impact associated with implementing the recommended priority projects to relieve basement flooding in Basement Flooding Study Areas 14, 28, 29 and 30, alone, represents a cash flow increase of \$118.0 million over the \$76.4 million currently included in Toronto Water's approved 2008-2012 Capital Plan for basement flooding relief, City-wide. These costs will be reflected in an increased forecast cost for basement flooding in Toronto Water's proposed 2009-2013 Capital Budget. It is anticipated that expenditures in the range of several \$100 million dollars will be required to fully implement projects identified in the Class Environmental Studies, supporting all 31 Basement Flooding Study Areas; and the total implementation cost estimates will be refined once Class Environmental Assessments are completed for 23 of the 31 Basement Flooding Study Areas, expected by mid 2009; and incorporated in Toronto Water's forthcoming 2010-2014 Capital Plan and Forecast submissions.

The financial impact associated with the City's disconnection of downspouts of the estimated 37,600 properties whose owners applied to the City's former Voluntary Downspout Disconnection Program, in accordance with the Council Decision of November, 2007, has been estimated to be \$41.0 million for capital over an eight year period from 2008 to 2016. This represents an increase of \$26.2 million to funding levels approved within Toronto Water's 2008 to 2017 Capital Plan.

A permanent increase is required in Toronto Water's annual Operating Budget of an estimated \$548,000 for 5 professional/technical staff in Toronto Water; and there will be an impact of \$113,900 per year to Toronto Water's annual Capital Budget which will provide the required funding to support one (1) professional/technical staff in the Parks, Forestry and Recreation Services Division's Operating Budget, for the design and construction of basement flooding protection works.

A permanent increase is required in Toronto Water's annual Operating Budget of an estimated \$1,478,052 for 16 technical, clerical and financial control staff to support the disconnection of downspouts on the City's former Voluntary Downspout Disconnection Program; the expansion of the Mandatory Downspout Disconnection Program across the City; and to increase the promotion of and service the anticipated increased public demand for the City's Basement Flooding Protection Subsidy Program.

Assuming that the hiring of these staff commences on July 1, 2009, the financial impact on the 2009 and 2010 Operating Budgets is as follows:

| Description | FTEs<br>Required | 2009 Budget<br>Request | Incremental<br>Impact on | Annual<br>Impact of |
|-------------|------------------|------------------------|--------------------------|---------------------|
|-------------|------------------|------------------------|--------------------------|---------------------|

|  |    |            | 2010<br>Budget | Salaries*    |
|--|----|------------|----------------|--------------|
| Professional/technical staff –<br>Basement Flooding Remediation<br>Work Plan                 | 5  | \$ 274,155 | \$ 274,155     | \$ 548,310   |
| Inspectors for Mandatory<br>Downspout Disconnection,<br>including Contract<br>Administration | 11 | \$ 676,647 | \$ 503,647     | \$ 1,007,294 |
| Subsidy and/or Grant<br>Administration Program Support                                       | 5  | \$ 235,379 | \$ 235,379     | \$ 470,758   |

\* based on 2009 estimated salaries

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

### Summary

This report summarizes the results of the engineering analysis, completed to date of the first four of 31 Basement Flooding Study Areas in accordance with the Basement Flooding Work Plan approved by Council in April 2006; and proposes an adaptive management strategy to help reduce the risk of basement flooding, on a City-wide basis. This report also provides an update on the financial implications and estimated time required to process all of the applications received under the former Voluntary Downspout Disconnection Program.

### Background Information (Committee)

Update on the Engineering Review Addressing Basement Flooding  
<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15074.pdf>

### Background Information (City Council)

(September 23, 2008) communication from the City Solicitor (EX23.16a)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15890.pdf>

(September 24, 2008) supplementary report from the General Manager, Toronto Water (EX23.16b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-15903.pdf>

### Communications (Committee)

(September 2, 2008) letter from Matilda Meneses, Alex & Beng Yongca, Lucia & Carlos Rodas (EX.Main.EX23.16.1)

### Speakers (Committee)

Mr. Dinis Correia

Ms. Maria Almeida

Mr. Mitch Guimaraes

Mr. Byron Paz

Councillor Cliff Jenkins, Ward 25, Don Valley West

Councillor Cesar Palacio, Ward 17, Davenport

Councillor David Shiner, Ward 24, Willowdale

|         |         |  |  |  |
|---------|---------|--|--|--|
| EX23.24 | Adopted |  |  |  |
|---------|---------|--|--|--|

## **City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol**

### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motion:

1. City Council urgently petition the McGuinty Liberal Provincial government to amend the Residential Tenancies Act to restore real rent control and eliminate vacancy decontrol.

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(July 23, 2008) Member Motion from Councillor Walker, seconded by Councillor Nunziata

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council urgently petition the McGuinty Liberal Provincial government to amend the Residential Tenancies Act to restore real rent control and eliminate vacancy decontrol.

### **Summary**

Over half of the residents of Toronto are tenants. Well over half of those residents live in affordable rental units. For the last ten to fifteen years, there has been a steady reduction in the number of affordable rental units in Toronto because of demolition or conversion to condominium of such units, and these lost affordable rental units are not being replaced in new developments.

The new Provincial Residential Tenancies Act came into effect on January 31, 2007. This Act replaced Premier Harris' Tenant Protection Act which was so detrimental to the lives of many tenants for so long. The cost of renting an apartment in Toronto increased immensely under the old Tenant Protection Act and, unfortunately, the cost continues to rise under the new Residential Tenancies Act.

Between 1999 and 2006, Toronto City Council adopted many policy recommendations that were forwarded to the Provincial government to be used in the creation of new legislation to govern the rights of tenants and landlords, the new Residential Tenancies Act. Also, City staff took part in consultations to guide the formulation of the new legislation. Unfortunately, the new legislation from the current Provincial government does not include key elements of

reform. It does not fulfill Premier McGuinty's 2003 promise to bring back "real rent control", nor does it eliminate "Vacancy Decontrol". The absence of these key elements of reform will become more evident and biting for Toronto's tenants, as the coming recession intensifies and their rental units become even more unaffordable because the legislation fails to protect affordability.

Vacancy Decontrol allows the landlord to raise the rent on a unit once a tenant has left that unit. The landlord is free to raise the rent as high as market forces will bear. The failure of the Provincial government to eliminate Vacancy Decontrol impacts the rental cost of an apartment by eroding its affordability. If the cost of rental housing is not protected as affordable, choice of and access to housing for many people living in Toronto will be effectively withdrawn and neighbourhoods will become even more separated by income. Without the elimination of Vacancy Decontrol, we don't have real rent control and the Premier has broken his promise made in August 2003:

"I want to be clear about our plan for Rent Control. We will repeal the Harris-Eves government's Tenant Protection Act and we will bring back 'real Rent Control' that protects tenants from excessive rent increases. We will get rid of vacancy decontrol which allows unlimited rent increases on a unit when a tenant leaves." - Dalton McGuinty, August 2003.

The time is now for the McGuinty Liberal Provincial government to atone for failing to meet its promise to tenants across this Province – to restore real rent control.

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

City Council Request the Provincial Government to Support Tenants: Bring Back Real Rent Control and Eliminate Vacancy Decontrol

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15080.pdf>)

### **Speakers (Committee)**

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

|         |         |  |  |           |
|---------|---------|--|--|-----------|
| EX23.28 | Adopted |  |  | Ward: All |
|---------|---------|--|--|-----------|

### **Request for Authorization to Negotiate and Enter into Funding Agreements with Metrolinx**

#### **City Council Decision**

City Council on September 24 and 25, 2008, adopted the following motions:

1. City Council authorize the Director of the Toronto Environment Office to execute a funding agreement with the Greater Toronto Transportation Authority ("Metrolinx") for 2008, substantially on terms and conditions contained in Appendix "A" attached, and otherwise on terms and conditions satisfactory to the Director of the Toronto Environment Office and Chief Financial Officer and Deputy City Manager and in a

form satisfactory to the City Solicitor, in order to receive funding to support the Smart Commute program.

2. City Council grant to the Director of the Toronto Environment Office standing authority to negotiate and execute funding agreements with Metrolinx for funding related to the City's Transportation Demand Management and the Smart Commute program, on terms and conditions satisfactory to the Director of the Toronto Environment Office and Chief Financial Officer and Deputy City Manager and in a form satisfactory to the City Solicitor.

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(August 25, 2008) Report from the Director, Toronto Environment Office

### **Committee Recommendations**

The Executive Committee recommends that:

1. City Council authorize the Director of the Toronto Environment Office to execute a funding agreement with the Greater Toronto Transportation Authority ("Metrolinx") for 2008, substantially on terms and conditions contained in Appendix "A" attached, and otherwise on terms and conditions satisfactory to the Director of the Toronto Environment Office and Chief Financial Officer and Deputy City Manager and in a form satisfactory to the City Solicitor, in order to receive funding to support the Smart Commute program; and
2. City Council grant to the Director of the Toronto Environment Office standing authority to negotiate and execute funding agreements with Metrolinx for funding related to the City's Transportation Demand Management and the Smart Commute program, on terms and conditions satisfactory to the Director of the Toronto Environment Office and Chief Financial Officer and Deputy City Manager and in a form satisfactory to the City Solicitor.

### **Financial Impact**

In its commitment to the region-wide Smart Commute Initiative, Metrolinx will match the City's funding allocation up to \$130,000 in any given provincial fiscal year. For the July 2008 to March 2009 timeframe, the City of Toronto will receive matching funds of \$80,000 for its Smart Commute program under the proposed agreement with Metrolinx, with \$50,000 funding to be utilized in 2008 and \$30,000 for the first quarter of 2009.

This funding level represents an overall \$50,000 reduction from an anticipated \$130,000 allocation but an \$80,000 reduction in the Toronto Environment Office's 2008 Operating Budget, given that it was expected that the matching funding could all be utilized in 2008. The reduced funding level will be accommodated by delaying hiring of vacant positions and deferring expenditures to 2009.

Future negotiations with Metrolinx on funding agreements will seek to secure an amount of \$130,000 per year for the City's transit demand management and Smart Commute programs.

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

### **Summary**

This report seeks authorization for staff to enter into a funding agreement with Metrolinx to support the City of Toronto's work in transportation demand management ("TDM") and, specifically, the Smart Commute program.

This report seeks further authority for the Director to negotiate and execute future funding agreements with Metrolinx to continue to support the City's TDM and the Smart Commute program.

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

Request for Authorization to Negotiate and Enter into Funding Agreements with Metrolinx (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15251.pdf>)

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### **Noted and Filed Items**

#### **EX23.21 Plebiscite Question on More Powers for the Mayor**

(June 27, 2008) Member Motion from Councillor Lee, seconded by Councillor Walker

*Submitted Tuesday, September 2, 2008  
Mayor David Miller, Chair, Executive Committee*