

## Executive Committee

<b>Meeting No.</b>	32	<b>Contact</b>	Merle MacDonald, Committee Administrator
<b>Meeting Date</b>	Monday, May 4, 2009	<b>Phone</b>	416-392-7340
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	exc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall	<b>Chair</b>	Mayor David Miller

<b>Executive Committee</b>		
Mayor David Miller (Chair) Deputy Mayor Joe Pantalone (Vice-Chair) Councillor Shelley Carroll Councillor Janet Davis Councillor Glenn De Baeremaeker	Councillor Paula Fletcher Councillor Norm Kelly Councillor Gloria Lindsay Luby Councillor Giorgio Mammoliti	Councillor Pam McConnell Councillor Joe Mihevc Councillor Howard Moscoe Councillor Kyle Rae

**Members of Council and Staff:** Please keep this agenda and the accompanying material until the City Council meeting dealing with these matters has ended. **The City Clerk’s Office will not provide additional copies.**

**Special Assistance for Members of the Public:** City staff can arrange for special assistance with some advance notice. If you need special assistance, please call (416-392-8485), TTY 416-338-0889 or e-mail ( exc@toronto.ca ).

**Closed Meeting Requirements:** If the Executive Committee wants to meet in closed session (privately), a member of the committee must make a motion to do so and give the reason why the Committee has to meet privately. (City of Toronto Act, 2006)

**Notice to People Writing or making presentations to the Executive Committee:** The City of Toronto Act, 2006 and the City of Toronto Municipal Code authorize the City of Toronto to collect any personal information in your communication or presentation to City Council or its committees.

The City collects this information to enable it to make informed decisions on the relevant issue(s). If you are submitting letters, faxes, e-mails, presentations or other communications to the City, you should be aware that your name and the fact that you communicated with the City will become part of the public record and will appear on the City's website. The City will also make your communication and any personal information in it - such as your postal address, telephone number or e-mail address - available to the public, unless you expressly request the City to remove it.

The City videotapes committee and community council meetings. If you make a presentation to a committee or community council, the City will be videotaping you and City staff may make the video tapes available to the public.

If you want to learn more about why and how the City collects your information, write to the City Clerk's Office, City Hall, 100 Queen Street West, Toronto ON M5H 2N2 or by calling 416-392-8485.

### **Declarations of Interest under the Municipal Conflict of Interest Act.**

**Speakers/Presentations - A complete list will be distributed at the meeting.**

**Confirmation of Minutes - April 7, 2009**

### **Communications/Reports**

EX32.1	ACTION			Ward: All
--------	--------	--	--	-----------

### **Emergency Management Program Amendments**

### **Public Notice**

#### **Origin**

(April 20, 2009) Report from the City Manager and Deputy City Manager, Richard Butts

#### **Recommendations**

The City Manager and Deputy City Manager recommend that:

1. City Council approve the City of Toronto Emergency Plan, attached as Appendix 1;
2. City Council re-enact Municipal Code, Chapter 59, Emergency Management, substantially in the form of the draft by-law, attached as Appendix 2;
3. City Council amend the provisions of Toronto Municipal Code, Chapter 27, Council Procedures, to ensure that the delegation of Council's authority to the Mayor addressed in new Code Chapter 59, includes the authority conferred on Community Councils under section 27-152; and
4. City Council authorize the City Solicitor to bring forward the necessary bills to give effect to these recommendations.

## Summary

This report outlines improvements to the emergency management structure of the City, based on a review of the Emergency Management Program and recent emergency events of significance to the City. While the City has demonstrated a commitment to emergency management, the current structure can be improved to help the City better prepare for, and respond to, events.

This report makes recommendations to revise the City's Municipal Code, Chapter 59, Emergency Management and the Emergency Management Plan, that will strengthen the City's ability to mitigate, prepare, respond, and recover from emergencies.

The revisions to Municipal Code, Chapter 59, Emergency Management include:

1. delegating authority to the Mayor in an emergency, only to be exercised in accordance with specific criteria and reported to members of Council;
2. delegating authority to the Toronto Emergency Management Program Committee (TEMPC) to make changes to the Emergency Management Program and report changes to Council;
3. revised memberships of TEMPC, TEMPC Control Group, Emergency Management Working Group (EMWG) and Joint Operations Team; and
4. addition of a protocol for members of TEMPC to notify the Mayor and Director, Office of Emergency Management upon becoming aware of an emergency.

Further improvements affecting operational and administrative elements of the Emergency Management Program will be phased in as resources are made available through the capital and operating budget process.

## Financial Impact

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

## Background Information

Emergency Management Program Amendments

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20622.pdf>

Appendix 1 - The City of Toronto Emergency Plan

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20623.pdf>

Appendix 2 - Municipal Code, Chapter 59, Emergency Management

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20624.pdf>

EX32.2	ACTION			Ward: All
--------	--------	--	--	-----------

## Issuing a Debenture to the Federation of Canadian Municipalities as a Requirement to Secure Funding

### Origin

(April 16, 2009) Report from the Deputy City Manager and Chief Financial Officer

### Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1. Subject to report EX31.5 “Capital Loan and Grant from the Federation of Canadian Municipalities for the Artscape Wychwood Barns, as amended by Executive Committee, receiving Council approval at its meeting to be held on April 29 and 30, 2009:
  - a. the Deputy City Manager and Chief Financial Officer and the City Clerk be authorized to enter into an agreement with FCM, for the issuance and sale of a ten year amortizing debenture in a maximum aggregate principal amount of \$600,000, such agreement be on terms and conditions satisfactory to the Deputy City Manager and Chief Financial Officer in consultation with the City Solicitor;
  - b. the Deputy City Manager and Chief Financial Officer and the Mayor be authorized to issue the debenture to FCM on behalf of the City; and
  - c. authority be granted for the introduction of the necessary bills in Council to give effect thereto.

### Summary

This report requests authority to issue a debenture of \$600,000 to the Federation of Canadian Municipalities (FCM) to finance a loan provided by the City to Artscape for capital works at the Artscape Wychwood Barns.

### Financial Impact

There is no direct cost to the City since the debenture is being issued on behalf of Artscape, who will pay all of the associated debt charges to the City, who will in turn forward the funds to the FCM.

This debenture will be a financial commitment of the City. If Artscape defaults on its obligation, then the City will withhold the amount of the default from any grants that would have been provided to Artscape.

### Background Information

Issuing a Debenture to the Federation of Canadian Municipalities as a Requirement to Secure Funding

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20625.pdf>

EX32.3	ACTION			Ward: All
--------	--------	--	--	-----------

## **Request for a Renewal of a Line of Credit Guarantee for the North York Symphony Association (operating as The Toronto Philharmonia)**

### **Origin**

(April 16, 2009) Report from the Deputy City Manager and Chief Financial Officer and the General Manager, Economic Development, Culture and Tourism

### **Recommendations**

The Deputy City Manager and Chief Financial Officer and the General Manager, Economic Development, Culture and Tourism recommend that:

1.
  - a. The City provide, to NYSA's financial institution, a guarantee of NYSA's line of credit in the amount of \$250,000.00 (inclusive of all interest costs payable by NYSA), for a term commencing on May 1, 2009 until May 31, 2012.
  - b. In accordance with the City's Capital Loan and Line of Credit Guarantee Policy, the City enter into an agreement with NYSA, and a tri-party agreement with both NYSA and its financial institution, in respect of the recommended line of credit guarantee.
2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as the General Manager, Economic Development, Culture and Tourism and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor.
3. NYSA provide the Deputy City Manager and Chief Financial Officer with their 2009 to 2011 inclusive audited financial statements when they become available.
4. The line of credit guarantee be deemed to be in the interest of the municipality.

### **Summary**

This report seeks Council approval for the City to renew a line of credit guarantee for the North York Symphony Association (NYSA) (operating as The Toronto Philharmonia) in the amount of \$250,000.00.

### **Financial Impact**

Issuance of a line of credit guarantee is considered to be a financial commitment of the City. However, there is no direct cost to the City for providing this guarantee unless the organization defaults on its obligation and the City cannot recover funds.

**Background Information**

Request for a Renewal of a Line of Credit Guarantee for the North York Symphony Association (operating as The Toronto Philharmonia)  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20626.pdf>

EX32.4	ACTION			Ward: All
--------	--------	--	--	-----------

**Recovery of Expenses for Propane Explosion Clean-Up****Origin**

(April 20, 2009) Report from the City Solicitor

**Recommendations**

It is recommended that:

1. the City Solicitor be granted authority to pursue recovery of expenses related to the clean-up of properties affected by the propane explosion and fire in August 2008 that started at 48 and 54-62 Murray Road (the “Sunrise Site”) in the City of Toronto and expenses related to the clean-up of the Sunrise Site;
2. such authority include the authority to issue an order under Section 100.1 of the Environmental Protection Act, to commence other legal action where appropriate, to discontinue or settle any legal action, to appeal any decision where warranted, to take collection proceedings to enforce judgments and orders where necessary, to write-off amounts that are uncollectible where it is appropriate to do so, or otherwise to deal with the recovery of such claims, in consultation, where appropriate, with the head of the relevant City division, and to execute any documents in furtherance thereof; and
3. the appropriate City staff be authorized to take the necessary steps to implement these recommendations.

**Summary**

This report seeks to:

1. obtain authority for the City Solicitor to issue an Order under the Spills provisions of the Environmental Protection Act seeking recovery of clean-up costs related to the propane explosion in the Keele-Wilson area of the City; and
2. obtain authority to take any further action to recover the City’s costs, where appropriate.

**Financial Impact**

The City Solicitor is seeking authority to recover costs expended for the clean-up as set out in this report. If the City is successful, there will be a positive financial impact.

## Background Information

Recovery of Expenses for Propane Explosion Clean-Up

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20627.pdf>)

EX32.5	ACTION			Ward: 2, 5, 6, 10, 11, 14, 16, 17, 20, 22, 23, 28, 35, 38, 41
--------	--------	--	--	--

## Principles of a Real Estate Strategy and Declaration of Surplus for Sale/Transfer or Turnover to Build Toronto

### Presentation

#### Origin

(April 22, 2009) Report from the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer

#### Recommendations

The Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer recommend that:

1. City Council endorse the Principles of a Real Estate Strategy set out in Appendix 1 (the “Principles”), subject to such exceptions and variations as may be authorized by the CCO in consultation with the Deputy City Manager and Chief Financial Officer (“DCM/CFO”);
2. the following properties be declared surplus, as set out in Appendix 2, subject to the retention of those areas and interests required to satisfy operational requirements and subject to the retention of any interests required by law as well as those City and other interests required to be protected (“Required Interests”), with the intended method of disposal to be by way of a Transfer to Build Toronto on an “as is” basis, for nominal consideration (with Build Toronto to pay any applicable Land Transfer Tax, GST, registration and other costs):
  - a. 4050 Yonge Street (York Mills) (Appendix 2(a));
  - b. 154 Front Street East (Appendix 2(b));
  - c. Part of 705 Warden Avenue (Warden North) (Appendix 2(c));
  - d. 30 Tippett Road (Southeast Wilson Commuter Lot) (Appendix 2(d));
  - e. 75 Billy Bishop Way (Southwest Wilson Commuter Lot) (Appendix 2(e));
  - f. 50 Wilson Heights Boulevard (Northeast Wilson Commuter Lot) (Appendix 2(f));
  - g. 64 and 70 Cordova Avenue (Appendix 2(g));
  - h. 120 and 130 Harbour Street (Appendix 2(h));
  - i. 2126 Kipling Avenue (Appendix 2(i));
  - j. 4620 Finch Avenue East (C.O.Bick College) (Appendix 2(j));
  - k. 150 Symes Road (Appendix 2(k));

- l. 383 and 425 Old Weston Road (Appendix 2(l));
  - m. 297 Sixth Street (Appendix 2(m));
  - n. Part of 120 Grangeway Avenue (McCowan/Progress) (Appendix 2(n));
  - o. 51 Power Street (Appendix 2(o));
3. the following properties be declared surplus, as set out in Appendix 3, subject to the retention of Required Interests, with the intended method of disposal to be by way of Turnover to Build Toronto on an “as is” basis, for nominal consideration:
- a. Parts of 2200 Yonge Street (Yonge/Eglinton) (Appendix 3(a));
  - b. Part of 777 Victoria Park Avenue (Victoria Park Station) (Appendix 3(b));
  - c. 40 St. Clair Avenue East (Appendix 3(c));
  - d. 1303 Queen Street West (Appendix 3(d));
  - e. 5151 Yonge Street, 10 Empress Avenue and the south side of Kingsdale Avenue (Appendix 3(e));
4. 3326 Bloor Street West and part of 1226 Islington Avenue (Bloor/Islington) be declared surplus, as set out in Appendix 4, subject to the retention of Required Interests, with the intended method of disposal to be by way of a Transfer of Parts 1-8 on Sketch PS-2007-048 and Turnover of Part 1 on Sketch PS-2007-034 to Build Toronto, on an “as is” basis, for nominal consideration (with Build Toronto to pay any applicable land transfer tax, GST, registration and other costs);
5. all operating costs for and revenues generated from properties transferred to Build Toronto will be assumed by Build Toronto and any ABCD budgets impacted by such arrangements will have appropriate adjustments made as part of the annual budget process;
6. the proposed disposition of each property described in Recommendations 2, 3 and 4 (individually, a “Property” and collectively, the “Properties”) be exempt from:
- a. the Property Management Committee (“PMC”) process; and
  - b. the policy governing Proceeds from Sale of Surplus City Owned Real Property (“Proceeds Policy”);
7. in lieu of applying the Housing First Policy, the Deputy City Manager responsible for the Affordable Housing Office negotiate with Build Toronto the number of affordable housing units and other opportunities for the delivery of affordable housing that Build Toronto may be required to provide on Properties with residential potential;
8. all steps necessary to comply with the City’s real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, be taken;
9. the PMC process, the Proceeds Policy, the Housing First Policy and other affected City real estate policies and processes be amended to accord with the Principles, as same may be amended by Council from time to time;
10. City Council approve, as the approving authority under the provisions of the Expropriations Act, the disposal to Build Toronto of any property that was acquired by



expropriation without giving the original owner from whom the property was expropriated the first chance to repurchase the property;

11. at such time as a property that is to be made available to Build Toronto is no longer being utilized by the Toronto Parking Authority for parking purposes, any prior designation of such property for parking by the Toronto Parking Authority, be rescinded;
12. Toronto Transit Commission (“TTC”) be requested to concur that those properties registered in the name of TTC (having been identified by TTC as no longer required for its operations, and having been determined by the CCO to be appropriate for Sale or Turnover to Build Toronto) be made available to Build Toronto, in the same manner as properties registered in the name of the City;
13. Toronto Public Library Board (“TPLB”) be requested to concur that those properties registered in the name of TPLB (having been identified by TPLB as no longer required for its operations, and having been determined by the CCO to be appropriate for Sale or Turnover to Build Toronto) be made available to Build Toronto, in the same manner as properties registered in the name of the City;
14. the CCO be authorized to amend the method of disposal of any property that has been declared surplus for the purpose of Sale or Turnover to Build Toronto, and to rescind the declaration of surplus in respect of those properties determined not to be appropriate for Build Toronto;
15. TEDCO be relieved of its obligation to pay to the City the Agreed Property Value of \$13,000,000 provided for in the agreement between TEDCO and the City dated December, 2007 in respect of the transfer to TEDCO of the Midland/St. Clair property, TEDCO be requested to assign to Build Toronto all of its entitlements to and in respect of the Midland/St. Clair property and the relevant transaction documents be amended accordingly;
16. the CCO be authorized to:
  - a. provide Build Toronto with any existing documentation with respect to properties being considered for Sale or Turnover to Build Toronto;
  - b. give Build Toronto, its consultants and agents access to such properties for pre-development/development work, including site inspection, testing, preparation and/or remediation, and to approve and execute any entry or similar agreement on behalf of the City; and
  - c. give permission to Build Toronto to begin publicly marketing re-development of such properties;
17. authority be granted for the City, in its capacity as land owner only (and not in its capacity as a planning/regulatory authority) to consent to the submission by Build Toronto of applications and documents required in connection with any regulatory approvals in respect of properties that have been declared surplus for the purpose of Sale or Turnover to Build Toronto and each of the CCO and the Director of Real Estate

Services be authorized severally to execute any documents required in this regard;

18. authority be granted for the City, in its capacity as land owner only (and not in its capacity as a regulatory authority) to consent to the submission by Build Toronto of any documents within the Ministry of Environment's process under the Environmental Protection Act, including Pre-Submission Forms and Records of Site Conditions, in respect of properties that have been declared surplus for the purpose of Sale or Turnover to Build Toronto, and each of the CCO and the Director of Real Estate Services be authorized severally to execute any documents required in this regard;
19. City of Toronto Municipal Code, Chapter 213, Sale of Real Property, be amended as set out in the draft Bill in Appendix 5;
20. the appropriate City officials be authorized and directed to introduce in Council any Bills necessary to give effect to the foregoing.

### **Summary**

By its adoption of Item EX24.1, entitled "New Model to Enhance Toronto's Economic Competitiveness", at its meeting of October 29 and 30, 2008 ("the New Model Report"), City Council directed the Chief Corporate Officer ("CCO") to develop a City-wide real estate strategy for all divisions of the City and its agencies, boards and commissions ("ABCDs") and to begin an audit of corporate real estate assets to identify properties with potential for private development. Those properties with development potential may be sold or turned over to Build Toronto. A "Sale" constitutes a conveyance of title to Build Toronto (a "Transfer") or a long-term lease to Build Toronto, for a term of 21 years or more. A "Turnover" does not transfer title, but can give Build Toronto the ability to manage, market and initiate the development process.

In this report, the basic principles of a real estate strategy are recommended for approval as the first phase in the development of a new real estate strategy for the City. On-going policy review, in consultation with the ABCDs, will augment and further refine the City's proposed new real estate strategy, which will be reported on later in 2009.

This report recommends that an initial group of 22 properties be declared surplus for the purpose of Transfer or Turnover to Build Toronto. In addition, City Council has already directed 3 City-owned properties that were to have been transferred to City of Toronto Economic Development Corporation ("TEDCO") and 5 properties in TEDCO ownership be Transferred to Build Toronto. Combined, the completion of these transactions will provide Build Toronto with a potential portfolio of 30 properties on which to focus its development activities. The terms of the Transfer and Turnover agreements will be subject to negotiation with Build Toronto when it has appropriate staff resources in place and has defined its objectives and development criteria.

### **Financial Impact**

The proposed real estate strategy will impact in the following general areas:

1. The timing of the receipt of any proceeds from the development and disposition of surplus properties made available to Build Toronto that would have been realized if the

properties were sold on the open market will be delayed in order to optimize benefits to the City as a whole and achieve potentially greater returns. The timing and distribution of these returns will be determined through the shareholder direction for Build Toronto requiring that Build Toronto develop a policy for the declaration of dividends to distribute the revenues resulting from its development activities. The policy is expected within 3 to 5 years after Build Toronto establishes a track record.

2. As an incentive to Build Toronto to continue management of the existing revenue generating operations, all costs and revenues associated with the surplus properties (and made available to Build Toronto) will also be transferred to Build Toronto. Any net budget effects to the ABCDs resulting from these transactions will require adjustments in conjunction with the City's annual operating budget process.
3. Although there will be no change to the existing facility capital project budgeting policy that requires ABCDs to budget for acquisition and development of privately owned properties and facilities, this policy will now be expanded to include City-owned properties. In the past, City-owned properties were transferred at no cost to all ABCDs for municipal use. Accordingly, on a going forward basis, all ABCDs will be required to budget the costs of additional corporate real estate assets at fair market value in their 10 year Capital Program. The exception will be development projects that have already been approved under different funding assumptions, such as redevelopment of the Bloor/Islington and Warden lands, in which case it is anticipated that Build Toronto will honour all previously approved specific funding arrangements. Some of the financial aspects of the proposed real estate strategy for the facility capital project budget process are the subject matter of a report from the City Manager entitled "Framework for Evaluating and Prioritizing New and Expansion Facility Capital Projects".
4. Through the PMC, as a part of business case, any ABCD releasing corporate real estate would be able to utilize the "value in use" of the asset to offset project costs in their 10 year Capital Program. This "value in use" will be determined on an individual asset basis in cooperation with Facilities and Real Estate and it will represent the replacement value of the building, adjusted for the remaining functional life of the building and would be less than market value, which assumes the highest and best use of the property. Previously, ABCDs could have applied the full market value to offset total project costs. Individual ABCDs would need to accommodate any resulting shortfall within their capital budget targets.

Recommendations of this report will also result in a declaration of surplus of the Properties, having the following immediate impact:

- i. An estimated overall net revenue loss of approximately \$1 million to individual ABCDs. The net revenue loss will be adjusted with an effort to make all affected ABCDs whole during the 2010 budget process, using the year 2009 as a base.
- ii. TEDCO as the owner of a portion of a property at Midland/St.Clair is obligated to make payments totalling \$13,000,000 to the City from the net proceeds of development and disposition of this property and of adjoining property previously transferred to TEDCO by the City and sold by TEDCO. As directed by Council, the

portion of the property still owned by TEDCO is to be transferred to Build Toronto for nominal consideration, and if the recommendations in this report are adopted TEDCO will be relieved of its obligation to pay this amount to the City. Build Toronto will assume the rights and obligations of TEDCO in respect of this development project, but will not be required to make the payment of \$13,000,000 to the City that TEDCO was to have made. Build Toronto's dividend policy will determine when funds will be distributed to the City.

### Background Information

Principles of a Real Estate Strategy and Declaration of Surplus for Sale/Transfer or Turnover to Build Toronto

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20629.pdf>

Appendices 2, 3 and 4 - Properties to be Declared Surplus

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20630.pdf>

Appendix 5 - Draft By-law to amend Municipal Code Chapter 213

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20631.pdf>

EX32.6	ACTION			Ward: All
--------	--------	--	--	-----------

### Small Engine Equipment (Two-Stroke Engines) Greening Strategy for City Operations and the Broader Public

#### Origin

(April 20, 2009) Report from Deputy City Manager, Richard Butts

#### Recommendations

The Deputy City Manager recommends that:

1. The General Managers of the Parks, Forestry and Recreation and Transportation Services Divisions implement the accelerated small engine equipment replacement strategy outlined in this report and according to the timeline in Appendix 2;
2. The additional operating funds required to implement Recommendation 1 be included for consideration in the Parks, Forestry and Recreation Division's 2010 operating budget submission;
3. The General Managers of the Parks, Forestry and Recreation and Transportation Services Divisions, in consultation with the Director of the Purchasing and Materials Management Division, develop small engine equipment (non/off road small spark ignition engine, under 19 kW) purchasing specifications that take into consideration the following:
  - i. all new small engine equipment purchased by the City should meet or exceed, where applicable, the current phase small engine emission standards of Environment Canada or the US Environmental Protection Agency (EPA), whichever is more stringent;

- ii. all City contracts for outside work should specify that small engine equipment meets or exceeds, where applicable, the current phase small engine emission standards of Environment Canada or the US EPA, whichever is more stringent, or that the bidder or proponent have a plan in place prior to award of contract, to replace non-compliant current small engine emission equipment during the contract duration and use cleaner alternatives that meet or exceed the Environment Canada or US EPA standard, whichever is more stringent.
4. The General Managers of the Parks, Forestry and Recreation and Transportation Services Divisions be authorized to donate retired small engine equipment that would normally go to auction to the Clean Air Foundation and the Recycling Council of Ontario for environmentally responsible disposal;
5. The General Manager of the Parks, Forestry and Recreation Division continue to refine park design and maintenance standards and alternative landscaping practices to reduce the use of small engine equipment in operations;
6. The City Manager request that the Director General, Legislative and Regulatory Affairs, Environment Canada, review existing standards under the Canadian Environmental Protection Act for the import of small engine equipment to ensure that all Canadian standards meet or exceed the US EPA standards and that all individual products imported into Canada meet the minimum emission standard of the US EPA;
7. The Director, Toronto Environment Office, work with other City Divisions and Agencies, Boards and Commissions that use small engine equipment to ensure that emission reduction strategies are developed and implemented;
8. The Director, Toronto Environment Office, in consultation with the Medical Officer of Health, develop and implement an education campaign for the general public, businesses and other institutions with the goal of reducing use of polluting, inefficient small engine equipment and raising awareness of the negative environmental impacts of older equipment and benefits of alternative technologies and practices;
9. Council authorize the Director, Toronto Environment Office, to partner with the Clean Air Foundation and deliver the “Mow Down Pollution” program at Councillor Environment Days beginning September 2009, providing for responsible disposal of polluting small engine equipment and incentives to purchase greener alternatives; and
10. The Director, Toronto Environment Office, undertake a public engagement process with representatives of landscape and yard maintenance businesses, other interested stakeholders and members of the general public regarding additional options and measures to advance the phase out of older inefficient small engine equipment and report back in 2009.

## Summary

Small engine equipment, such as lawn mowers, string trimmers, chain saws and leaf blowers, is widely used in maintaining City parks, trees, landscaped areas of the road allowance and other City-owned sites. The general public, businesses and other institutions (eg. school boards, universities and other levels of government) also rely upon this equipment to maintain their properties. Emissions from older, inefficient two-stroke equipment contribute to poor air quality and the release of greenhouse gas.

As part of the Climate Change, Clean Air and Sustainable Energy Action Plan, City Council directed staff to develop an emission reduction strategy for small engine equipment. This report recommends an accelerated timeline to replace less efficient equipment used in City operations, along with changes to current business practices that will further reduce emissions. The report also outlines an emission reduction strategy for equipment used by the broader public, businesses and other institutions.

The strategy for City operations is comprised of an accelerated equipment replacement schedule for the principal users of the equipment, Transportation Services and Parks, Forestry and Recreation Divisions. The recommendations are based on a consultant's independent review of greener alternative technologies and practices with consideration to emission reduction potential, the City's operational imperatives and cost effectiveness.

The strategy for the broader public, businesses and other institutions is to focus on public education and incentives, including the expansion of an existing buy-back incentive program for older equipment. Staff will report back in 2009 on the success of the public education and incentive program and the results of further stakeholder consultation on options to accelerate the phase out of inefficient small engine equipment.

### **Financial Impact**

The Parks, Forestry and Recreation and Transportation Services Divisions currently allocate a combined \$104,000 for small engine equipment replacement annually, drawn from their operating budgets. The current base budgets for small equipment replacement in Parks, Forestry and Recreation and Transportation Services are \$86,000 and \$18,000, respectively.

The recommended strategy would accelerate replacement of less efficient equipment and establish new ongoing base operating budgets for small engine equipment replacement in Parks, Forestry and Recreation and Transportation Services that total \$162,000, beginning in 2010. The new base budgets will allow for the replacement of equipment according to its appropriate service life.

In 2009, the Toronto Environment Office will contribute one-time funding of \$49,100 drawn from account CCL001-04 to accelerate replacement of the least efficient equipment. In 2010, Parks, Forestry and Recreation will submit an enhanced funding request of \$47,000 for consideration in the 2010 operating budget process, bringing their base budget for small engine equipment to \$133,000. For Transportation Services, an additional \$11,000 required to implement the strategy can be accommodated from within the Division's 2009 operating budget. The base budget for equipment replacement will be adjusted to \$29,000, starting in 2010.

Funding for the proposed public education and incentive program is available within the

Toronto Environment Office's 2009 operating budget as part of the LiveGreen Toronto outreach program in the amount of \$35,000. Following evaluation of the success of the program, any additional funding requests for continuation of the education and incentive program in 2010 would be made as part of the Toronto Environment Office's 2010 operating budget submission.

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

### **Background Information**

Small Engine Equipment (Two-Stroke Engines) Greening Strategy for City Operations and the Broader Public

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20635.pdf>)

EX32.7	ACTION			
--------	--------	--	--	--

### **Exhibition Place Management By-Law 25-85 – Updated Offence Provision**

#### **Origin**

(April 17, 2009) Report from the Chief Executive Officer, Exhibition Place

#### **Recommendations**

The Board of Governors of Exhibition Place recommends that City Council amend By-law No. 25-85 of the former Municipality of Metropolitan Toronto, respecting the management of Exhibition Place, to replace the current offence provision in the by-law with an updated provision satisfactory to the Ministry of the Attorney-General for Ontario substantially in the form as set out in the City Solicitor's report dated July 20, 2004 attached as Attachment 1 to this report.

#### **Summary**

This report is related to the technical changes required to former Metro By-law No. 25-85, respecting the management of Exhibition Place, in order to facilitate an application to the Ministry of the Attorney-General for set fines.

#### **Financial Impact**

This report has no financial implications.

#### **Background Information**

Exhibition Place Management By-Law 25-85 - Updated Offence Provision

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20639.pdf>)

EX32.8	ACTION			Ward: All
--------	--------	--	--	-----------

## **Accessible Transit Services Plan: 2008 Status Report, and Status of Accessibility Standards**

### **Origin**

(February 20, 2009) Letter from the General Secretary, Toronto Transit Commission

### **Recommendations**

It is recommended that the Commission forward this report to the City of Toronto, the Ontario Ministries of Community and Social Services, Transportation, Energy and Infrastructure, the Ontario Human Rights Commission, and Metrolinx, noting that:

1. This report fulfils the provincially-legislated requirement in the Ontarians with Disabilities Act, 2001 for an annual documentation of the TTC's accessibility plan;
2. The TTC is making steady progress in the implementation of its Accessible Transit Services Plan, with accessibility initiatives underway on bus, streetcar, and rapid transit modes;
3. The status of the TTC's current activities to improve the accessibility of its facilities and services are described in more detail in the attached Appendix 1, entitled TTC Accessible Transit Services Plan – 2008 Status Report;
4. The TTC could accelerate the rate at which its accessibility plan can be implemented if senior levels of government or Metrolinx were to provide additional funds for station accessibility and for the TTC's Wheel-Trans to-the-door services;
5. Provincial regulations under the Accessibility for Ontarians with Disabilities, 2005 (AODA) are expected to be enacted, and these will apply to all public sector agencies, including the TTC;
6. Regulations regarding customer service have been finalised and will come into effect January 2010. These regulations are not expected to have a significant effect on the TTC;
7. Regulations for accessible transportation, the built environment, employment, and communications are expected to be finalised in 2009;
8. TTC staff have participated extensively in consultation meetings regarding the regulations, however, there remain many unanswered questions about the proposed regulations at this point in time;
9. The Province has not yet made a commitment to assist with any operating and/or capital cost increases which might result from the AODA regulations; and
10. When the finalised regulations are available, TTC staff will report on the costs and operational implications of the regulations for the TTC."



The Commission also approved the following ancillary motions:

1. That the TTC supports the objectives of the Accessibility for Ontarians with Disabilities Act, 2005 and continues to make improvements to TTC services and facilities to overcome access impediments and increase the quantity and quality of services available to persons with disabilities, including those which may be addressed in the Transportation Standard;
2. That the Commission request that the Minister of Community and Social Services allow the TTC and other organizations representing the Ontario Transit Industry to review and comment on the planned regulations to implement the Transportation Standard, before they are enacted, so that the Minister is aware of the impact the standards will have on the TTC, in advance of their implementation; and
3. Furthermore, the Minister of Community and Social Services be requested to meet with TTC Chair Giambrone to discuss issues and opportunities that may be associated with the Standard.

The foregoing is forwarded to the City Executive Committee for information.

### **Summary**

Letter (February 20, 2009) from the General Secretary, Toronto Transit Commission, advising that the Commission at its meeting on February 18, 2009, considered the attached report entitled, “Accessible Transit Services Plan: 2008 Status Report, and Status of Accessibility Standards.”

### **Financial Impact**

This report has no effect on the TTC’s operating or capital budgets.

### **Background Information**

Accessible Transit Services Plan: 2008 Status Report, and Status of Accessibility Standards

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20646.pdf>)

Appendix 1 - TTC Accessible Transit Services Plan - 2008 Status Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20647.pdf>)

EX32.9	ACTION			Ward: All
--------	--------	--	--	-----------

## Process to fill two vacancies on the Heritage Toronto Board

### Origin

(March 13, 2009) Report from the Executive Director of Heritage Toronto

### Recommendations

The Executive Director of Heritage Toronto recommends:

1. That City Council, for the purpose of filling the two vacancies on the Heritage Toronto Board, waive the Public Appointments Policy requirements to use the list of alternates, and to use the established advertised recruitment process.
2. That Heritage Toronto be authorized to identify two suitable candidates, one with fundraising abilities and another with financial expertise in addition to the established qualifications, through a selective search process and forward the names of the recommended candidates through the Civic Appointments Committee.

### Summary

The Heritage Toronto Board is composed of up to 27 members. The Board was appointed by Council in April 2007. Recently, Dr. Phaedra Livingstone and Patricia Malcolmson have resigned due to relocation out of Toronto. It has been determined that the skill set to be filled on the Board, at this time, is for an individual with fundraising abilities and an individual with financial expertise.

It is proposed to identify two suitable candidates through a selective search process including the *Maytree Foundation DiverseCity on Board* service, and bring those names forward to the Civic Appointments Committee for recommendation to Council.

To proceed with a selective search process requires City Council to waive the Public Appointments Policy requirements to use the list of alternates and the established advertised recruitment process.

### Financial Impact

There is no financial impact to this recommendation.

### Background Information

Process to fill two vacancies on the Heritage Toronto Board  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20642.pdf>)

EX32.10	ACTION			Ward: All
---------	--------	--	--	-----------

## 2015 World Police and Fire Games

### Origin

(April 17, 2009) Report from the Deputy City Manager

### Recommendations

The Deputy City Manager recommends that Council:

1. Authorize staff to proceed with the Bid process to secure the 2015 World Police and Fire Games for Toronto;
2. Endorse Toronto's bid to host the 2015 World Police and Fire Games and:
  - a. if the bid is successful, authorize the City Manager to negotiate, approve and execute, on behalf of the City of Toronto, in a form satisfactory to the City Solicitor, an Operating Games Agreement with the World Police and Fire Games Federation and any other relevant partners;
  - b. that funding for the City of Toronto cash contribution toward the 2015 World Police and Fire Games be considered in the future operating budget processes;
  - c. authorize the City Manager to pursue firm financial commitments from the Federal Government to invest in the 2015 WPFG; and
  - d. authorize the City Manager to negotiate, approve and execute, on behalf of the City of Toronto, in a form satisfactory to the City Solicitor, a contribution agreement with Provincial Government for their contribution to the 2015 World Police and Fire Games should the bid be successful.

### Summary

The World Police and Fire Games (WPFG) are a multi-sport and recreation event for full-time and retired professional firefighters and sworn law enforcement officers (police, customs, and corrections). The Games are an international and community celebration of individuals and organizations involved in community safety, protection and engagement. The WPFG happen every two years and hosts are chosen through a competitive bid process. The WPFG generate significant positive economic and social impacts on host communities.

A Toronto WPFG Bid Committee was established in 2007 with an objective to bid to host the World Police and Fire Games in Toronto in 2015 and this report seeks Council agreement for the City of Toronto to be identified as host city and to submit a bid to host the Games.

### Financial Impact

There are no immediate unbudgeted financial implications, other than staff resources, with respect to proceeding to bid to host the games as outlined in this report.

Estimated bid process costs of \$200,000 (2008-2009) will be funded by the Bid partners. The Ontario Ministry of Tourism's Tourism Development Fund has contributed \$150,000 for the bid. The remaining \$50,000 will be covered by the City of Toronto through cash and in-kind contributions. These funds are contained in the annual operating budget for the Economic Development, Culture and Tourism Division's Major International Event program budget as well as from in kind contributions from Toronto Police Service and Toronto Fire Services budgets.

A draft games operating budget of approximately \$15 million has been developed for the 2015 WPF. This amount is based on 2009 British Columbia and 2011 New York City World Police and Fire Games budgets. The 2015 Games budget is based on conservative estimates and allows for modifications to limit the possibility of a deficit, and includes a \$500,000 community based legacy. The draft operating budget is attached as Attachment # 1.

The \$15 million operating budget is to be covered by contributions from public sponsorship (60%), private sponsorship (27%) and games revenue (13%). No capital costs are anticipated.

The estimated local and provincial public sector investment in the games operating budget required is approximately \$9 million over a six year (2010 -2015) period.

The Government of Ontario has committed to invest in the bid and has confirmed it is prepared to invest \$6 million in the games operating budget should the bid be successful.

It is proposed that the City of Toronto's investment in the 2015 Games, comprised of cash and in-kind contributions, be capped at a maximum of \$3 million over the six year period running from 2010 to 2015. The preliminary budget for the bid forecasts a ratio of approximately 1/3 cash to 2/3 in kind investment over the period of 2010 to 2015. In-kind contributions are proposed to be in the form of reducing rental fees for City facilities and staff time from Toronto Police Services and Toronto Fire Services to work with the 2015 Toronto WPF host corporation.

Tourism Toronto has committed to invest \$ 1 million in the 2015 WPF and these funds would be considered as an investment from the private sector.

The Government of Canada has made investments in the previous three WPF held in Canada but contributions have traditionally been in the year in which the Games occur and for the purposes of developing a bid budget, a Federal Government contribution has not been factored in.

With the City of Toronto investment and the commitments of the Province of Ontario and Tourism Toronto, \$10 million, or two thirds of the games operating budget would be secured prior to the bid which is an important factor for securing future corporate sector investment should the games be secured. Additionally, \$2 million in games revenue from participants can be expected bringing the level of budget revenue certainty to the 80% range leaving 20 %, or \$3 million in revenue commitments to be secured in six years from sponsors and other contributions. Given that there are no capital expenditures required, if anticipated revenues and commitments do not materialize, the operating cost of the games could be reduced thus reducing the overall projected costs.

GAMES REVENUE SOURCES	AMOUNT
City of Toronto	\$3,000,000 (cash and in kind)
Province of Ontario	\$6,000,000 cash
Tourism Toronto	\$1,000,000 cash
Participant Revenue projected	\$2,000,000
Private Sector and other partners (TBC)	\$3,000,000

As the host city, Toronto will be responsible for providing or otherwise securing all funding required to deliver the games.

A not for profit organization will be established by the City of Toronto to host the Games. The Board will include majority representation from the City as well representatives from the Toronto Police Amateur Athletic Association, private sector and other community organizations.

Should Toronto be successful in winning the bid to host the Games, there is a requirement to sign a games operating agreement with the World Police and Fire Games Federation (WPF GF). The agreement articulates roles and responsibilities and specifies financial obligations of the Host City and host organization. There is the requirement to pay a US \$750,000 rights fee the WPF GF which has been included in the proposed games operating budget.

The agreement will be negotiated by the Chief of Toronto Fire Service, the Chief of Toronto Police Service, City of Toronto City Manager and General Manager of EDCT and be in a form satisfactory to the City Solicitor. The agreement would also establish the roles responsibilities of a new not for profit corporation that would be established to deliver the Games.

A full report on the establishment of the not for profit hosting organization, should the bid be successful, will be presented in October 2009. Future operating budget implications will be presented as part of the 2010 operating budget.

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

### **Background Information**

2015 World Police and Fire Games

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20643.pdf>

Attachment 1 - 2015 World Police and Fire Games Draft Budget

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20644.pdf>

EX32.11	ACTION			Ward: All
---------	--------	--	--	-----------

## **Toronto Police Service: Renewal of the Community Policing Partnership Program Grant Agreement**

### **Origin**

(April 8, 2009) Report from the Chair, Toronto Police Services Board

### **Recommendations**

On behalf of the Toronto Police Services Board, the Chair of the Board, Alok Mukherjee, recommends that:

1. City of Toronto Council authorize the City of Toronto to renew the Community Policing Partnership (CPP) Agreement with the Province and the Toronto Police Services Board, on terms and conditions substantially similar to those contained in the previous CPP Grant Program Agreement with the Province, subject to approval as to form by the City Solicitor.

### **Summary**

The purpose of this report is to request the Executive Committee to submit a recommendation to City Council to authorize the City of Toronto to renew the Community Policing Partnership (CPP) Program Agreement between the Province of Ontario, the City of Toronto and the Toronto Police Services Board for a further one-year period – April 1, 2009 to March 31, 2010. This Agreement, received in April, 2009, replaces the current agreement, which expired on March 31, 2009.

Under the CPP Program, the Toronto Police Service (TPS) receives grant funding of up to \$7.53 million annually to cover a portion of the salaries and benefits of up to 251 officers. Although the program is on-going, a formal agreement is entered into every two years. This year, the agreement is for a term of one year to allow the Ministry to align the renewal of this agreement with that of the 1,000 Officers - Safer Communities Partnership Program. The Safer Communities Partnership Program is a similar cost-sharing program that is intended to assist municipalities to enhance community policing and six targeted areas identified by the government in its fight against crime in Ontario: youth crime, guns and gangs, organized crime and marijuana grow ops, dangerous offenders, domestic violence, and protecting children from internet luring and child pornography. Revenue of \$7.53 million is built into the TPS budget each year for the CPP grant program. In order to maximize the amount of funding received, TPS must maintain its uniform staffing levels at a predetermined benchmark of at least 5,180 officers. Uniform staffing levels have been maintained above this benchmark every year since the inception of the CPP Program in 1998 and the current authorized uniform strength is 5,548.

### **Financial Impact**

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

As the CPP Program is an on-going program, grant funding, estimated at \$7.53 million, is included as revenue in the 2009 Toronto Police Service Operating Budget. Entering into a renewal agreement with the Province in respect of the CPP Program will have no further financial implications or impact; however, failing to enter into the Agreement would result in loss of revenue of \$7.53 million annually for the Board and the City with respect to the 251 officers that are partially funded through the grant program.

The renewal of the CPP Program Agreement with the Province does not commit the City to any additional expenditures. Although it does require the City to cover salary expenses not covered by the grant, these expenditures are included in the Service's operating budget and would be incurred, regardless, if the Service is to maintain its uniform staffing levels at the authorized strength of 5,548.

### **Background Information**

Toronto Police Service: Renewal of the Community Policing Partnership Program Grant Agreement

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20645.pdf>