

---

## Executive Committee

<b>Meeting No.</b>	33	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Tuesday, June 2, 2009	<b>Phone</b>	416-392-9151
<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

---

Executive Committee		
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 - May 4, 2009**

**Communications/Reports**

EX33.1	ACTION			Ward: All
--------	--------	--	--	-----------

**Implementation Report #2: New Model to Enhance Toronto's Economic Competitiveness**

**Origin**

(May 16, 2009) Report from the City Manager

**Recommendations**

The City Manager recommends that:

Build and Invest Toronto

1. Council approve the Shareholder Direction for Build Toronto Inc., as set out in Appendix A, and for Invest Toronto Inc., as set out in Appendix B.
2. Build Toronto Inc. and Invest Toronto Inc. be exempted from the Lobbyist Registry and that the City Solicitor be authorized to introduce the necessary Bill in Council amending Chapter 140 of the Municipal Code, adding Build Toronto Inc. and Invest Toronto Inc. to the list of exempted organizations in the By-law under Schedule A of "Exempted Municipal Level Corporations and Other Bodies."
3. the Deputy City Manager responsible for affordable housing issues periodically report to the Affordable Housing Committee on the agreed upon affordable housing targets for properties transferred to Build Toronto;

TEDCO

4. effective immediately, in accordance with intentions outlined in the Council-approved report entitled "New Model to Enhance Toronto's Economic Competitiveness" approved by Council in October 2008, the Board of Directors of TEDCO be comprised of 4 members including:
  - a. the General Manager of EDCT as Chair;
  - b. the Deputy City Manager and Chief Financial Officer or designate;
  - c. the Deputy City Manager charged with Waterfront issues or designate; and

- d. the Chief Corporate Officer;
5. as soon as is practical, in keeping with a re-defined mandate, the TEDCO Board be requested to re-brand the corporation to reflect its role as a Port Lands leasing company; and
6. the City Manager be authorized to amend the Shareholder Direction to TEDCO and the City Solicitor be authorized to amend, on behalf of the shareholder of TEDCO, the TEDCO By-law and any other documents including the existing Memorandum of Understanding among the City, Waterfront Toronto and TEDCO, if required, to reflect these changes and any prior changes authorized by the City.

### **Summary**

The implementation of the New Model to Enhance Toronto's Economic Competitiveness is ongoing with the start-up of Build Toronto and Invest Toronto.

This report addresses five specific implementation requirements as follows:

1. recommends Shareholder Directions for Build Toronto and Invest Toronto;
2. establishes the transitional role for TEDCO and its board structure;
3. responds to Council's requests for further information on Invest Toronto including the conduct of meetings and alignment of activities with regional marketing initiatives including the GTMA and TRRA;
4. addresses issues raised by Executive Committee on May 4, 2009 regarding Build Toronto protocols and affordable housing; and,
5. recommends amendment to the Lobbyist Registrar By-law to exempt Build Toronto and Invest Toronto from the requirement to register as lobbyists when dealing with the City.

### **Financial Impact**

There is no financial impact.

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

### **Background Information**

Implementation Report #2: New Model to Enhance Toronto's Economic Competitiveness

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21479.pdf>)

Appendix A - Build Toronto Shareholder Direction

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21480.pdf>)

Appendix B - Invest Toronto Shareholder Direction

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21481.pdf>)

EX33.2	ACTION			Ward: All
--------	--------	--	--	-----------

## Toronto Community Housing Corporation 2009 - 2011 Community Management Plan

### Origin

(May 13, 2009) Report from the City Manager

### Recommendations

The City Manager recommends that:

1. City Council, in its role as Shareholder of the Toronto Community Housing Corporation, receive Toronto Community Housing Corporation's 2009 – 2011 Community Management Plan.
2. The City Clerk forward a copy of this report and City Council's decision thereon to the Board of Directors of the Toronto Community Housing Corporation as the City's comments on the Plan.

### Summary

The City's Shareholder Direction to Toronto Community Housing Corporation (TCHC) requires TCHC to submit an annual Community Management Plan (CMP) to the City for comment. The CMP is a rolling three-year business plan including long-term business strategies, key multi-year targets and financial plans, but is not a detailed activity plan. Toronto Community Housing's 2009 – 2011 Community Management Plan updates the priorities, outcomes and targets in its 2008 Plan and highlights its efforts to align its city building plans with the City's affordable housing goals.

### Financial Impact

The recommendations in this report have no financial impact.

### Background Information

Toronto Community Housing Corporation 2009 - 2011 Community Management Plan  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21482.pdf>  
 Attachment 2 - Transmittal Letter from Toronto Community Housing Corporation's Chief Executive Officer  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21483.pdf>  
 Attachment 3 - 2009-2011 TCHC Community Management Plan  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21484.pdf>

EX33.3	ACTION			Ward: All
--------	--------	--	--	-----------

## Status Report - 2008 Access, Equity and Human Rights (AEHR) Achievements

### Presentation

### Origin

(May 13, 2009) Report from the City Manager

### Recommendations

The City Manager recommends that:

1. Division Heads be directed to expedite the implementation of initiatives in areas requiring action in Appendix 1 and Appendix 2, and that the results of implementation be reported in the next status report to Council scheduled for September 2010.

### Summary

This report advises Council on the status of the City's Access, Equity and Human Rights Achievements (AEHR). The report includes:

- i. an update on the implementation of the 2008 Auditor General's recommendations regarding the implementation of Access, Equity and Human Rights in Agencies, Boards, Commissions and Corporations (ABCCs); and
- ii. the indicators used to benchmark 2008 AEHR accomplishments by City Divisions.

This is the first report to Council on access, equity and human rights achievements that uses indicators to report on the progress of implementation.

The indicators selected for this report will be reviewed for their effectiveness in measuring progress, and will be updated and expanded for future reports. These indicators address the City's multiple roles as employer, demonstrating leadership, building community capacity, ensuring accessibility for people with disabilities, achieving prosperity and participation, providing services and programs for the diverse communities in the City, as well as to businesses and visitors.

Although the City's access, equity and human rights policies and programs are intended to address the specific barriers faced by members of equity seeking groups, these policies and programs have the overall effect of creating a civic environment which respects and values diversity. Inclusion of the City's ABCCs in an AEHR planning process moves the City further towards the goal of full participation by residents in all aspects of civic life.

Information provided by City Divisions show that they continue to make tremendous progress in providing programs and services which address access, equity and human rights issues. The available data also show that there are areas where immediate action is required, particularly with respect to the City's role as an employer.

Appendix 1 presents a summary of indicators used to summarise the 2008 accomplishments of City Divisions. Appendix 2 provides details of Divisional accomplishments.

### Financial Impact

The recommendation will have no financial impact beyond what has already been approved in various program budgets.

### Background Information

Status Report - 2008 Access, Equity and Human Rights (AEHR) Achievements

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21485.pdf>)

Appendix 1: Cover Page

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21486.pdf>)

Appendix 1 - Indicators - Summary of 2008 AEHR Achievements

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21487.pdf>)

Appendix 2 - Details of 2008 AEHR Achievements

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21488.pdf>)

EX33.4	ACTION			Ward: All
--------	--------	--	--	-----------

### Accessibility Requirements: Accessibility for Ontarians with Disabilities Act, 2005 (AODA)

#### Origin

(May 7, 2009) Report from the City Manager

#### Recommendations

The City Manager recommends that:

1. Toronto City Council endorse the Statement of Commitment Regarding Persons with Disabilities (Appendix A) for posting in City facilities.
2. The City Manager expedite the provision of a training program for staff who have responsibilities under the AODA.
3. The City Manager remind all Agencies, Boards, Commissions and Corporations to meet compliance requirements of the accessible standards established under the AODA.
4. This report be forwarded to the City's Disability Issues Committee for information.

#### Summary

This report recommends that City Council approve a Statement of Commitment Regarding Persons with Disabilities consistent with the principles and standards created under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

The AODA which applies to both the public and private sectors, provides for the development, implementation and enforcement of accessibility standards to achieve full accessibility in the province of Ontario by 2025. Standards are being established by regulation in five areas: Customer Service, Information and Communications, Built Environment, Employment and Transportation.

Regulations have been issued for Customer Service Standards and draft standards are in place for Information and Communications. It is anticipated that the standards for the remaining areas will be finalised by year end. A report on the overall status of compliance with AODA requirements is required in January 2010.

Ontario Human Rights legislation combined with City policies in access, equity and human rights, and the Statement of Commitment Regarding Persons with Disabilities provide an overarching policy framework to meet the requirements being developed under the AODA. The Statement guides the City in establishing policies, practices and procedures in providing goods and services, the provision of accessible information and communication, employment, buildings, structures and premises in a manner appropriate to persons with disabilities.

### **Financial Impact**

There are no financial implications from the adoption of this report. In future, any financial impact arising from meeting the AODA compliance requirements associated with capital or operational activity will be addressed and forwarded to Council for consideration with the capital and operating budgets.

### **Background Information**

Accessibility Requirements: Accessibility for Ontarians with Disabilities Act, 2005 (AODA) (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21489.pdf>)

EX33.5	ACTION			Ward: All
--------	--------	--	--	-----------

## **Development of an Urban Aboriginal Strategy for Toronto**

### **Origin**

(May 11, 2009) Report from the City Manager

### **Recommendations**

The City Manager recommends that:

1. This report be forwarded to the Aboriginal Affairs Committee for information.

### **Summary**

This report advises Council of the timeframe and process being used to develop an Urban Aboriginal Strategy for the City of Toronto.

**Financial Impact**

There are no financial implications arising from this report. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**Background Information**

Development of an Urban Aboriginal Strategy for Toronto

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21490.pdf>)

EX33.6	ACTION			Ward: All
--------	--------	--	--	-----------

**Indemnification Policy for Members of Council and Defamation****Origin**

(May 11, 2009) Report from the City Manager

**Recommendations**

The City Manager recommends that:

1. If Council determines that amendments to the Indemnification Policy for Members of Council regarding defamation are necessary, that Council adopt the amendments set out in Appendix B.
2. If Council adopts the amendments in Appendix B, that Council authorize the Integrity Commissioner to report on any related amendments to the Code of Conduct Complaint Protocol for Members of Council.
3. If Council adopts the amendments in Appendix B, that the amendments not be extended to agencies, boards, commissions, corporations and special purpose bodies.

**Summary**

The purpose of this report is to offer amendments to the Indemnification Policy for Members of Council (the “Councillor Policy”) that provide a process for the reimbursement of legal expenses where a Member of Council initiates a civil action for defamation.

**Financial Impact**

There are no financial implications arising out of this report at this time.

**Background Information**

Indemnification Policy for Members of Council and Defamation

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21491.pdf>)



EX33.7	ACTION			Ward: All
--------	--------	--	--	-----------

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

### Origin

(May 14, 2009) Report from the City Manager

### Recommendations

The City Manager recommends that City Council:

1. Consider the Council meeting to be the Annual General Meeting of the Shareholder for Toronto Hydro Corporation by:
  - a. adopting the recommendations embodied in the Toronto Hydro Corporation report, dated April 30, 2009, forming Attachment 1 to this report, to appoint Ernst and Young LLP, Chartered Accountants, as the auditor for Toronto Hydro Corporation, to authorize the Corporation's Board of Directors to fix their remuneration, and to receive the report from the Chair of the Board of Directors attached thereto; and
  - b. receiving the information report of the Deputy City Manager and Chief Financial Officer, dated May 13, 2009, "Toronto Hydro Corporation – Financial Statements", forming Attachment 2 to this report and receiving the financial statements forming Appendix A to that report; and
2. Refer Toronto Hydro Corporation's Consolidated 2008 Annual Financial Statements in Attachment 2 to the Audit Committee for review.

### Summary

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

### Financial Impact

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

### Background Information

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

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21493.pdf>

Attachment 1 - Toronto Hydro Corporation Report April 30, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21494.pdf>

Attachment 2 - Report of Deputy City Manager and Chief Financial Officer dated May 13, 2009 entitled "Toronto Hydro Corporation - Financial Statements"

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21495.pdf>

Appendix A to Attachment 2 - 2008 Audited Consolidated Annual Financial Statements of Toronto Hydro Corporation

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21496.pdf>)

EX33.8	ACTION			Ward: All
--------	--------	--	--	-----------

## **Toronto Hydro Corporation - Unaudited 1st Quarter 2009 Financial Results**

### **Origin**

(May 21, 2009) Report from the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Deputy City Manager and Chief Financial Officer recommends receipt of Toronto Hydro Corporation's unaudited Financial Statements for the period ended March 31, 2009.

### **Summary**

This report summarizes unaudited financial results for Toronto Hydro Corporation for the period ended March 31, 2009 and recommends receipt of the Financial Statements, released on May 20, 2009. These documents are filed with the City Clerk's office and are posted on the internet on the Toronto Hydro Corporation website ([www.torontohydro.com](http://www.torontohydro.com)) and via the SEDAR website ([www.sedar.com](http://www.sedar.com)) for Canadian public securities documents.

### **Financial Impact**

There are no financial implications from this report.

### **Background Information**

Toronto Hydro Corporation - Unaudited 1st Quarter 2009 Financial Results

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21497.pdf>)

EX33.9	ACTION			Ward: 37
--------	--------	--	--	----------

## **Development Charge Agreement - South-West Corner of Midland Avenue and Lawrence Avenue East**

### **Origin**

(May 19, 2009) Report from the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Deputy City Manager and Chief Financial Officer recommends that:

1. Council authorize entering into an agreement to provide Arsandco Investments Limited with an exemption from the payment of the parks and recreation, water, sanitary sewer and storm water management components of development charges payable with respect to the development of its lands at the south-west corner of Midland Avenue and

Lawrence Avenue East, such agreement to be substantially in the form attached as Appendix 1 to this report, and in a form satisfactory to the City Solicitor.

2. Council direct and authorize appropriate City staff to take necessary action to give effect thereto.

**Summary**

The purpose of this report is to seek Council authority to provide Arsandco Investments Limited with relief from the parks and recreation, water, sanitary sewer and storm water management components of development charges payable.

In 1988, Arsandco Investments Limited elected to pay, under a prepayment option offered by the former City of Scarborough, the amount of \$568,908.56 in development-related charges for a proposed development at the south-west corner of Midland Avenue and Lawrence Avenue East. Based on this prepayment of development-related charges, Arsandco Investments Limited may now be provided with an exemption from the payment of the specific components of development charges to which its prepayment related.

**Financial Impact**

Adoption of the recommendations contained in this report will result in the City providing Arsandco Investments Limited with an exemption against the parks and recreation, water, sanitary sewer and storm water management components of development charges payable. At current rates and for the proposed development mix, total development charges payable amount to approximately \$6.55 million. Of this amount, approximately \$2.15 million would be the reduction afforded the landowner by the proposed development charge exemption.

**Background Information**

Development Charge Agreement - South-West Corner of Midland Avenue and Lawrence Avenue East

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21498.pdf>

EX33.10	ACTION			Ward: All
---------	--------	--	--	-----------

**Disclosure of Development Charges**

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

**Origin**

(May 15, 2009) Report from the City Solicitor

**Recommendations**

The City Solicitor recommends that:

1. City Council receive this report for information; and
2. the Confidential Attachment “A” remains confidential in its entirety.

## Summary

The purpose of this report is to respond to a request for legal advice about the City’s ability to require builders to:

- a. disclose any development charges where an agreement of purchase and sale is entered into for a new home; and
- b. include municipal charges in the advertised price for a new home.

These matters are addressed in the confidential attachment as the advice contained therein is subject to solicitor and client privilege.

## Financial Impact

This report will have no financial impact beyond what has already been approved in the current year’s budget.

## Background Information

Disclosure of Development Charges

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21499.pdf>

EX33.11	Information			Ward: All
---------	-------------	--	--	-----------

## Development Charges - Response to Council Request For Information

### Origin

(May 12, 2009) Report from the Deputy City Manager and Chief Financial Officer

### Summary

The purpose of this report is to respond to a Council request of staff to examine the possibility of seeking certain amendments to the Development Charges Act, 1997, to remove current exclusions and restrictions on recovering the costs of municipal infrastructure geared to growth.

The City of Toronto, the Association of Municipalities of Ontario (the “AMO”), and the Municipal Finance Officers’ Association (the “MFOA”) have in the past requested the Province to amend the Development Charges Act, 1997, to address a number of concerns. However, there has been no sign that the Province is prepared to consider at this time any amendments to the Development Charges Act, 1997. The need for various amendments was discussed again during the broader Provincial-Municipal Fiscal and Service Delivery Review process that was completed last year, and it was suggested that a review of the legislation ought to be considered as an option to address the infrastructure gap.

### Financial Impact

There are no immediate financial implications arising from this report. In the event that all transit projects were afforded the same treatment under the Development Charges Act, 1997, as the Spadina Subway extension project – exempted from the use of the historical service level cap and the 10% statutory deduction – the calculated maximum development charge rates could

have been almost 40-60% higher. Inclusion of the capital costs of computers to which the public has access is likely to have had minimal impact on the calculated development charge rates.

### Background Information

Development Charges - Response to Council Request for Information  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21502.pdf>

EX33.12	Information			Ward: All
---------	-------------	--	--	-----------

## City of Toronto 2008 Investment Report

### Origin

(May 12, 2009) Report from the Deputy City Manager and Chief Financial Officer

### Summary

This report provides a review of the City of Toronto's annual bond fund and money market investment returns for all internally managed portfolios, i.e. those invested in respect of the City's reserve funds and operating budget. Moneys invested in other funds are reported separately, specifically, those in sinking funds, pension funds and trust funds.

### Financial Impact

Investment earnings on the City's general funds in 2008 totalled \$171.6 million and averaged a 4.6% annual return. Investment earnings and Toronto District School Board net interest earnings result in total income earnings of \$172.0 million, which were allocated to the operating budget (\$97.0 million) and reserve funds (\$75.0 million).

The operating budget component exceeded the budgeted revenues in the Non-Program account by \$28.6 million and contributed to the 2008 operating surplus. This was due to a combination of higher than expected cash balances and a positive impact of a change in the allocation method for investment earnings between operating and reserve funds which was approved by Council in 2008.

2008 Budget	2008 Actual	Earnings in Excess of Budget
\$68.4 million	\$97.0 million	\$28.6 million

### Background Information

City of Toronto 2008 Investment Report  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21503.pdf>

EX33.13	ACTION			Ward: All
---------	--------	--	--	-----------

## **Delegation of Council's Debenture By-law Enacting Authority**

### **Origin**

(May 19, 2009) Report from the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Deputy City Manager and Chief Financial Officer recommends that:

1. Council create a Debenture Committee, consisting of the Mayor, Budget Chief, City Manager and Deputy City Manager and Chief Financial Officer to serve for the term of Council, and delegate to the Debenture Committee:
  - a. The authority to issue debentures and revenue bonds, and enter into bank loans up to the annual limit established by Council in the City's annual borrowing by-law; and
  - b. the authority to adopt the requisite borrowing by-laws to approve debenture issue authorized by the Debenture Committee, in accordance with the City's Financing of Capital Works Policy and Goals (The "Financing Policy") and with all legislative requirements
2. Council amend the "City of Toronto Financing of Capital Works Policy and Goals" to reflect Recommendation 1 of this report and adopt the amended Policy as set out in Appendix A.
3. By-law No. 1326-2008, the City's 2009 borrowing limit by-law, be amended to reflect Recommendation 1 of this report.
4. Authority be granted for the introduction of the necessary bills in Council to give effect to the recommendations contained herein.

### **Summary**

This report recommends the delegation of Council's authority to enact debenture bylaws. The technical amendments contained herein would improve the efficiency of issuing debt to support the City's capital program.

### **Financial Impact**

There are no financial impacts contained in the recommendations of this report. However, the recommended changes would provide additional flexibility to the City's access to capital markets to support its borrowing program. This improved timing can provide for more efficient debt issuance which could ultimately lower the cost of debt in the operating budget.

## Background Information

Delegation of Council's Debenture Bylaw Enacting Authority

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21504.pdf>)

Appendix A - City of Toronto Financing of Capital Works Policy and Goals

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21505.pdf>)

EX33.14	ACTION			Ward: All
---------	--------	--	--	-----------

## 2009 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors

### Origin

(May 15, 2009) Report from the Acting Treasurer

### Recommendations

The Acting Treasurer recommends that:

1. Council authorize the levy and collection of taxes for the 2009 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors owned by power utilities, in accordance with subsection 280(1) of the City of Toronto Act, 2006 and subsection 257.7 (1) of the Education Act.
2. Authority be granted for the introduction of the necessary bill to give effect thereto.
3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

This report seeks Council authority for the introduction of the by-law necessary to levy and collect taxes for the 2009 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors owned by power utilities, totalling approximately \$7.8 million in taxation revenue, of which the municipal share is \$6.6 million and the provincial share is \$1.2 million.

### Financial Impact

The 2009 levy of taxes on railway roadways and rights of way and on power utility transmission or distribution corridors will raise approximately \$7.8 million in taxation revenue, of which the municipal share is \$6.6 million and the provincial share is \$1.2 million.

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

## Background Information

2009 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21506.pdf>)

<b>EX33.15</b>	ACTION			Ward: All
----------------	--------	--	--	-----------

## 2009 Heads and Beds Levy on Institutions

### Origin

(May 15, 2009) Report from the Acting Treasurer

### Recommendations

The Acting Treasurer recommends that:

1. Council authorize the levy and collection of amounts for the 2009 taxation year on hospitals, colleges and universities and correctional facilities as authorized by Section 285 of the City of Toronto Act, 2006.
2. The maximum prescribed amount of \$75 be applied per provincially rated hospital bed, full time student, or resident place as prescribed by Ontario Regulation 121/07.
3. Authority be granted for the introduction of the necessary bills in Council to levy amounts for the 2009 taxation year on hospitals, colleges and universities and correctional facilities.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

This report requests authority to adopt by-laws to levy amounts for the 2009 taxation year for public hospitals, universities and colleges, and correctional facilities (the “institutions”), totalling approximately \$14.4 million (annual “Heads and Beds” levy).

### Financial Impact

Revenue of approximately \$14.4 million will be raised through the 2009 levy on the institutions outlined in this report as outlined in Table 1, below.

Table 1: 2008 and 2009 Levy Amounts on Institutions

Institutions	Capacity Figures	Prescribed Amount	2009 Amount	2008 Amount
Universities and Colleges	175,770	\$75	\$13,182,750	\$12,869,550
Public Hospitals	14,948	\$75	\$1,121,100	\$1,112,625
Correctional Facilities	1,732	\$75	\$129,900	\$131,400
Total	192,450		\$14,433,750	\$14,113,575



The revenue from the 2009 levy on institutions has been budgeted for in the non-program payment in lieu (PIL) account. The 2009 levy amount of \$14,433,750 exceeds the amount budgeted for 2009 of \$14,113,575, (the 2009 budget estimate was based on the amount actually levied in 2008), as capacity figures have increased since that time. The budgeted revenue for the heads and beds levy on institutions of \$14,113,575 represents 18.2% of the total 2009 revenue budgeted for payments in lieu of \$77,426,968.

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

### **Background Information**

2009 Heads and Beds Levy on Institutions

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21507.pdf>)

EX33.16	ACTION			Ward: All
---------	--------	--	--	-----------

## **The City's Statement of Commodity Hedging Policies and Goals**

### **Origin**

(May 19, 2009) Report from the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The Deputy City Manager and Chief Financial Officer recommends that:

1. The City of Toronto's Statement of Commodity Hedging Policies and Goals, as contained in Appendix A, be approved.
2. The Deputy City Manager and Chief Financial Officer be delegated by Council with the authority to determine whether a particular commodity price hedging agreement is advantageous for the City while applying the policy contained in Appendix A to ensure that the financial position of the City will be enhanced by the use of such an agreement.
3. The Deputy City Manager and Chief Financial Officer be designated as the person responsible for administrative matters pertaining to commodity price hedging and will delegate certain administrative duties and responsibilities to internal staff and external agents.
4. The Deputy City Manager or his/her designate(s), be authorized to:
  - a. enter into contracts for the purpose of securing a physical supply of commodities that are required by the City in its normal course of operation and in accordance with the policy in Appendix A, and
  - b. enter into Agency Agreements and/or other contracts and/or arrangements with Contract Agents (as defined in the Statement of Commodity Hedging Policies and Goals in Appendix A) for the purpose of purchasing, securing and/or delivery of commodities in accordance with the City's purchasing policies.

5. Council establish a reserve called the “Commodity Price Stabilization Reserve” as outlined in Appendix B to moderate the budgetary impact of commodities that are purchased in accordance with the City’s Statement of Commodity Hedging Policies and Goals.
6. Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the “Commodity Price Stabilization Reserve” to Schedule ‘3’ – Stabilization Reserves.
7. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

This report requests Council’s approval of broad strategies to manage the variability in certain commodity prices through the creation of a new stabilization reserve and approval of a Statement of Commodity Hedging Policies and Goals to fulfill the requirement of Ontario Regulation 610/06 under the City of Toronto Act, 2006.

The intent of the proposed Policy is to govern all commodity price hedging agreements entered into by the City. The objective of the legislation and this Policy is to require in-depth analysis, disclosure and monitoring by Council and staff of commodity price hedge agreements.

### Financial Impact

There are no financial impacts contained in this report. Management of commodity prices will be based on a thorough analysis of the potential financial risks to the City and a determination of an appropriate funding strategy. In some cases, that may involve the use of a stabilization reserve as recommended in this report, while in other cases it may involve the use of third part commodity hedging agreements. The policies recommended herein would govern such agreements.

### Background Information

The City's Statement of Commodity Hedging Policies and Goals  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21508.pdf>)

EX33.17	ACTION			Ward: All
---------	--------	--	--	-----------

## Draft Terms of Reference for the Gardiner Expressway and Lake Shore Boulevard Reconfiguration EA Study

### Origin

(May 14, 2009) Report from Richard Butts, Deputy City Manager

### Recommendations

The Deputy City Manager recommends that:

1. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization, on behalf of the City, to jointly submit with Waterfront Toronto the

Terms of Reference for the Gardiner Expressway and Lake Shore Boulevard Reconfiguration Environmental Assessment Study to the Ontario Minister of the Environment for review and approval.

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

### **Summary**

The purpose of this report is to inform City Council of the public consultation to date to develop the Terms of Reference (TOR) for the Gardiner Expressway and Lake Shore Boulevard Reconfiguration Environmental Assessment (EA) Study and to receive authorization for the Deputy City Manager, on behalf of the City, to jointly submit with Waterfront Toronto, the TOR to the Ontario Minister of Environment for review and approval.

Staff of the City of Toronto and Waterfront Toronto have jointly prepared a draft TOR. The TOR describes the broad procedures to be followed for the preparation of the EA Study, including the study goals and principles, the types of alternatives to be evaluated, the evaluation process, and the public and agency consultation plan. The City of Toronto and Waterfront Toronto are identified as co-proponents for the EA Study.

The EA Study cannot commence until the Ontario Minister of the Environment formally approves the TOR. Following the receipt of City Council and Waterfront Toronto Board authority, City and Waterfront Toronto staff will submit the TOR to the Minister for formal government review, which will include a request for public comments. It is anticipated that the Minister will provide a decision on the TOR in late 2009, allowing the EA Study to commence in early 2010.

### **Financial Impact**

The recommendation contained in this report will have no financial impact beyond what has already been approved in the current year's budget.

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

### **Background Information**

Draft Terms of Reference for the Gardiner Expressway and Lake Shore Boulevard Reconfiguration EA Study

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21509.pdf>)

Attachment 1 - Gardiner Expressway and Lake Shore Boulevard Reconfiguration Draft EA Terms of Reference

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21510.pdf>)

Attachment 2 - Consultation Record for the Terms of Reference

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21512.pdf>)

Attachment 3 - Preliminary TOR and EA Study Schedule

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21513.pdf>)

<b>EX33.18</b>	<b>ACTION</b>			Ward: 20
----------------	---------------	--	--	----------

## **Queens Quay Revitalization Environmental Assessment**

### **Origin**

(May 14, 2009) Report from Richard Butts, Deputy City Manager

### **Recommendations**

The Deputy City Manager recommends that:

1. Authority be granted to Waterfront Toronto to issue a Notice of Completion following completion of the Environmental Study Report to the satisfaction of the General Manager, Transportation Services, substantially in the form outlined in this report, and to file the ESR for the Queens Quay Revitalization Environmental Assessment Study in the public record for 30 days in accordance with the requirements of the Municipal Class Environmental Assessment.
2. The General Manager, Transportation Services and Waterfront Toronto, in consultation with the relevant City divisions, study the opportunity to provide a new north-south road connection linking Queens Quay West to Lake Shore Boulevard opposite the Fire/EMS driveway, west of Rees Street, and if feasible, to bring forward the necessary report(s) to Council for consideration.
3. The General Manager, Transportation Services, the Director, Waterfront Secretariat and Waterfront Toronto, in consultation with the relevant City divisions, local Councillors and impacted stakeholders, continue to refine the Preliminary Curb Management Plan appearing in Appendix 6, together with the development of a waterfront bus management strategy consistent with the timing of detailed design and the reconstruction of Queens Quay.
4. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Summary**

The decision to proceed with the Queens Quay Revitalization Environmental Assessment (EA) followed a well-received international design competition in February 2006 which produced, as part of the winning design, a dramatic re-imaging of Queens Quay as Toronto's signature waterfront street. That summer, Waterfront Toronto (WT) modelled the winning design over a 10 day period, attracting a high level of public interest and support.

In September 2007, WT and the City of Toronto initiated the Queens Quay Revitalization Environmental Assessment (EA). The EA study area is Queens Quay between Bathurst Street and Yonge Street. A companion EA, the East Bayfront Transit EA, has provided the opportunity to integrate the surface design investigation of Queens Quay between Yonge Street and Parliament Street. A separate report on the Transit EA, forwarded by the Toronto Transit Commission (TTC), appears on this agenda.

The evaluation of a reasonable range of alternative solutions, which included extensive consultation with the public and review agencies, resulted in a Recommended Design which rebalances transportation functions on Queens Quay and greatly enhances the public realm. The Recommended Design involves the conversion of the two travel lanes north of the existing TTC median to a single lane in each direction. This frees up the two south lanes and sidewalk for the extension of the Martin Goodman Trail (MGT) through this corridor and an extensive pedestrian promenade. The TTC median remains in its current location.

An Executive Summary of the Environmental Study Report (ESR) appears in Appendix 1. The ESR itself is currently being completed by WT and will be submitted to the City for review. Once staff has completed its review, in accordance with the contents of this staff report and recommendations, a Notice of Study Completion will be issued by WT. The ESR is filed in the public record for a 30-day review period in accordance with the requirements of the Municipal Class Environmental Assessment.

### **Financial Impact**

Costs associated with the implementation of the Queens Quay Revitalization EA will be the responsibility of Waterfront Toronto. The Five Year Business Plan/Ten Year Forecast (2008-2017) for Waterfront Revitalization, approved by City Council in October 2008, allocates \$192.562M to the implementation of the Central Waterfront Public Realm over the next ten years, including costs for the completion of Queens Quay between Lower Spadina Avenue and Parliament Street. Of this amount, \$40.733M is to be funded by the City from the Council-approved Waterfront capital account, and has been included in the "Sports Fields, Facilities, and Parks Development" sub-project of the 2009 Capital Program for Waterfront Revitalization approved by Council in December 2008.

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

### **Background Information**

Queens Quay Revitalization Environmental Assessment Study

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21514.pdf>

Appendix 1 - Executive Summary of the ESR - Queens Quay Revitalization EA

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21515.pdf>

Appendix 2 - Evaluation Matrix of Alternative Planning Solutions

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21516.pdf>

Appendix 3 - Alternative Design Concept Cross Sections

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21517.pdf>

Appendix 4 - Evaluation Matrix of Alternative Design Concepts

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21518.pdf>

Appendix 5 - The Recommended Design

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21519.pdf>

Appendix 6 - Preliminary Curb Management Plan

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21520.pdf>

EX33.19	ACTION			Ward: 28
---------	--------	--	--	----------

## West Don Lands Phase 1 Securities & Indemnities

### Origin

(May 18, 2009) Report from Deputy City Manager Richard Butts

### Recommendations

The Deputy City Manager recommends that City Council:

1. Authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization to enter into a West Don Lands Security Fund Agreement with Waterfront Toronto, that provides securities for West Don Lands municipal infrastructure, at a rate of 20% of the estimated cost of new municipal infrastructure and parks, in accordance with the terms as outlined in this report and to the satisfaction of the City Solicitor.
2. Authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization to enter into an Indemnification Agreement with the Province of Ontario, containing all indemnity requirements imposed by the City as outlined in the conditions of draft plan of subdivision approval for Phase 1 West Don Lands and to the satisfaction of the City Solicitor.
3. Direct the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

This report is provided to finalize matters related to the West Don lands Phase 1 Plan of Subdivision. Within this context, it addresses how financial securities and indemnity requirements are being addressed, recognizing that this land is provincially-owned and undergoing renewal as part of the tri-government waterfront revitalization initiative.

Waterfront Toronto (WT) and the other orders of government have asked the City to modify its usual security requirements (120% of the estimated costs of municipal infrastructure work to be completed) because of the special circumstances relating to waterfront renewal. This report recommends that the City accept financial security provisions from WT in an amount that is not less than 20% of the estimated annual costs for constructing and installing all municipal infrastructure, including parks and public spaces. Security requirements will be confirmed annually and on a rolling basis as part of the five-year Financial planning process for waterfront renewal and will remain on file for the duration of the construction and warranty period to address emergency and repair requirements should they arise.

The City and the Province have jointly addressed indemnity requirements to protect the City from future environmental, flood protection land form, and subdivision agreement liabilities related to West Don Lands land transfers to the City for roads, services and parks. It is recommended that the City enter into an Indemnification Agreement with the Province of

Ontario, containing all indemnity requirements imposed by the City as outlined in the conditions of draft plan of subdivision approval for Phase 1 West Don Lands.

### **Financial Impact**

There are no immediate financial implications resulting from approval of recommendations contained in this report. The City's share of costs associated with revitalizing the West Don Lands is included in the Council approved Five Year Financial Plan/Ten Year Forecast (2008-2017) for waterfront revitalization, approved by Council in October 2008 and is subject to the annual capital budget process. Included in the current plan is a provision for City and Provincial contributions to West Don Lands and East Bayfront securities of \$28 million until the end of 2011. Of this amount, \$8.6 million is to be funded by the City, and has been included in the "Financial Securities" sub-project of the 2009 Capital Budget for waterfront revitalization approved by Council in December 2008.

Financial impact must be considered both from the perspective of the City as the holder of cash or letters of credit as security for proper completion and performance of municipal works constructed in the waterfront, and as one of the three government partners in waterfront renewal.

The risk of defaults on waterfront projects is reduced significantly given the project oversight provided through financial contribution agreements between WT and the three governments, the public mandate of WT, the fact that several projects will be underway at any given time each contributing 20% of their total value to the Security Fund thus ensuring a substantial "pool" of resources to address any problems, and the confirmed public sector funding for construction of these projects through existing agreements.

The amount of security that WT will be required to provide if the City applies its standard requirement for 120% of project costs is prohibitively high, given WT's primary source of funding for these projects is the government investment in waterfront renewal. The cost to the governments of supporting securities at this level outweigh the benefit of these securities.

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

### **Background Information**

West Don Lands Phase 1 Securities & Indemnities  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21521.pdf>

EX33.20	ACTION			Ward: 13, 14
---------	--------	--	--	--------------

### **Western Waterfront Master Plan**

#### **Origin**

(May 15, 2009) Report from Deputy City Manager Richard Butts

#### **Recommendations**

The Deputy City Manager recommends that City Council:

1. Approve the May 2009 Western Waterfront Master Plan which is to guide future decisions related to improvements to the public realm within this area.
2. Direct the General Manager of Transportation Services to include for consideration in the 2010 Capital Budget for Transportation Services as a new project, \$2.0 million in new capital funding (\$1.0 million in 2010 and \$1.0 million in 2011) in order to initiate in 2010 the environmental assessment for reconfiguration of Lake Shore Boulevard between the Humber River and Exhibition Place.
3. Request the Chief Planner to consider inclusion of the Western Waterfront Master Plan Area within the jurisdiction of the City of Toronto Design Review Panel.
4. Authorize the Waterfront Project Director to issue the Notice of Completion and file the May 2009 Western Waterfront Master Plan in the public record in accordance with the requirements of the Municipal Class Environmental Assessment.
5. Direct the Waterfront Project Director to establish an inter-divisional staff committee to coordinate and identify resource requirements for implementation of the Master Plan.
6. Authorize the creation of community advisory committees for major projects within the Western Waterfront to provide advice on future phasing and design.
7. Direct the General Managers of Toronto Water, Parks, Forestry and Recreation and Transportation Services, and the Executive Directors of Technical Services and City Planning, to identify new projects that could expedite implementation of the Master Plan in the short term, for consideration as part of the 2010 Capital Budget process.
8. Direct City staff to consult with impacted stakeholders to address operational and other issues when designing road realignments and improvements required to enhance public access to the water's edge.
9. Authorize and direct appropriate City Officials to take the necessary action to give effect thereto.

### **Summary**

This report recommends that the Western Waterfront Master Plan be approved by City Council and used to guide future decisions related to improvements to the public realm within the Western Waterfront over the next twenty years and beyond.

The Master Plan provides an overall vision for improving parkland, beaches, break walls, trails, promenades, roads, bridges, servicing and recreational facilities within the Western Waterfront. The Plan applies to the waterfront area between the Humber River and Exhibition Place and includes Sunnyside Beach and Marilyn Bell Park. It was prepared for the City by a consulting team led by planning Alliance.



## Financial Impact

Funding for some projects referenced in the Master Plan is available under existing City programs in the approved 2009 Capital Budget and Five-Year Capital Forecast for Transportation Services, Technical Services, Toronto Water, Economic Development, Culture and Tourism, and City Planning. These projects, with a total value in 2009 of \$2.134 million, are:

- Rehabilitation of Jameson Avenue and Lake Shore Boulevard bridges over the Gardiner Expressway
- Beach curtain pilot project at Sunnyside Beach
- War of 1812 Bi-Centennial Trail
- Humber East Trail Improvements- Gardiner to The Queensway
- Boardwalk Repair- Sunnyside Pavilion to Palais Royale
- Interpretive Feature- Humber Historical Trail

In addition, developer contributions under Section 37 of the Planning Act and a private donation are being used in 2009 to construct a new playground at the Joy Station at a cost of \$125,000, and up to \$325,000 in Section 37 funding is available in 2009 for the installation of public art at the Windermere underpass.

The cost in 2010 for Technical Services to continue the rehabilitation of the Jameson and Lake Shore Boulevard bridges over the Gardiner is expected to be in the range of \$3 million. Funding in 2010 for this and other ongoing capital programs of City divisions within the Western Waterfront, and for any possible enhancements to these programs to expedite implementation of the Master Plan along with their capital and operating impacts, will be reviewed by the recommended Inter-divisional Staff Committee for consideration in the 2010 Capital Budget.

Initiation of a new project, the Environmental Assessment for reconfiguration of Lake Shore Boulevard in the Western Waterfront, will cost up to \$2.0 million over two years. It is recommended that a request for new capital funding for this amount be presented for consideration in the 2010 Capital Budget for Transportation Services.

Other new projects identified in the implementation plan of the Western Waterfront Master Plan will require new capital funding from the City, private sector or other sources. Staff is recommending that any new projects be identified and assessed by the Inter-divisional Staff Committee recommended in this report and submitted for consideration as new projects in the 2010 Capital Budget process.

A preliminary estimate (in 2009 dollars) prepared by the study consultants of the capital cost for full implementation of the Master Plan is:

Phase 1 (1-5 years) -	\$23.5 million
Phase 2 (6-20 years) -	\$196.9 million
Phase 3 (20+ years) -	<u>\$42.0 million</u>
Total	\$262.4 million

The cost of Phase 3 would increase in the range of \$70 million if deflector islands at the Humber River are constructed.

These preliminary cost estimates are based on a concept plan level of analysis and the consultants' experience with similar projects. A contingency of 30% for land-based projects and 40% for in-lake projects is included. Cost escalation would further increase the costs beyond 2009 dollars, depending on when the projects are implemented.

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

### **Background Information**

Western Waterfront Master Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21522.pdf>)

Attachment 1 - Concept Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21523.pdf>)

Attachment 2 - Implementation Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21524.pdf>)

EX33.21	ACTION			
---------	--------	--	--	--

### **Feasibility of a Community Improvement Plan to Support Rebuilding on the Queen Street West Fire Site**

#### **Origin**

(May 19, 2009) Report from the Chief Planner and Executive Director, City Planning Division and the Deputy City Manager and Chief Financial Officer

#### **Recommendations**

The Chief Planner and Executive Director of the City Planning Division and the Deputy City Manager and Chief Financial Officer recommend that:

1. City Council not proceed with a CIP to provide financial assistance for the redevelopment of the properties at 611 to 625 Queen Street West.

#### **Summary**

This report responds to Toronto and East York Community Council's request for staff to report on the feasibility of establishing a Community Improvement Plan (CIP) to provide financial assistance to support replacement retail space on the six properties at 611 to 625 Queen Street West that were destroyed by fire on February 20<sup>th</sup> 2008. In the absence of a CIP, property taxes on the redeveloped properties will be substantially higher than before the fire, because the property taxes for these properties were capped, and because the new buildings are likely to have a higher value than the old buildings.

A CIP targeting traditional retail uses would represent a significant financial policy change, even if it could be limited to the circumstances of the Queen Street West fire. It could set a precedent that would result in lost tax revenue for the City if it were to be applied more

broadly. There is no existing City policy framework to guide the development of such a CIP. To date, tax incentives (TIEGS) have not been offered to retail commercial uses (unless they are in transformative projects or eligible office buildings). The only grants available to traditional retail strips have been through the Façade Improvement Program for BIAs. In addition, ground floor commercial development is not exempt from paying full Development Charges, unlike most other non-residential development.

### Financial Impact

There are no direct financial impacts associated with the adoption of the staff recommendations contained in this report.

Should Council instead decide to proceed with a CIP to provide grants to offset tax increases for the properties at 611 to 625 Queen Street West, in this limited circumstance, the grants would be funded from the increase in taxes that would not otherwise have occurred in the absence of the fire, with no negative impact on the City's operating budget.

However, should this initiative lead to other policies and programs to assist with redevelopment of retail properties by providing grants to offset property tax increases, then the City will lose some of its tax revenue from assessment growth that has historically been strong and driven by local needs rather than the availability of incentives. Municipal tax revenue growth from the commercial sector has averaged \$15-20 million over the past 3 years in the absence of incentives. Street-level retail represents about half of the City's commercial establishments.

### Background Information

Feasibility of a Community Improvement Plan to Support Rebuilding on the Queen Street West Fire Site

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21527.pdf>)

EX33.22	ACTION			Ward: All
---------	--------	--	--	-----------

### Costs Requests against Community and Resident Public Interest Groups at Public Tribunals

#### Origin

(May 8, 2009) Report from the City Solicitor

#### Recommendations

The City Solicitor recommends that:

1. City Legal Staff continue to have authority to exercise their discretion in determining whether to make a request for litigation costs against community and resident public interest groups at public tribunals.

#### Summary

At the January 27 and 28, 2009, City Council meeting, Council referred Motion MM30.9 to Executive Committee, which recommended that the City Solicitor provide a report to Council, through the Executive Committee, with respect to the City of Toronto's (the "City") policy on

seeking litigation costs against community and resident public interest groups at public tribunals.

This report recommends that City Legal Staff continue to have authority to exercise their discretion in determining whether to make a request for litigation costs against community and resident public interest groups.

### Financial Impact

The Recommendations have no financial impact beyond what has already been approved in the current year's budget.

### Background Information

Costs Requests against Community and Resident Public Interest Groups at Public Tribunals  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21528.pdf>)

EX33.23	ACTION			Ward: All
---------	--------	--	--	-----------

## Development of a City-wide Recreation Service Plan

### Origin

(May 15, 2009) Report from the General Manager, Parks, Forestry and Recreation and the General Manager, Children's Services

### Recommendations

The General Managers of Parks, Forestry and Recreation and Children's Services recommend that City Council approve the development of a City-wide, multi-year Recreation Service Plan guided by the following principles:

1. Equitable Access -- providing equitable recreation access on a geographic and demographic basis for all residents of Toronto.
2. Quality -- providing the highest quality of programs and services to enhance the health, quality of life and well-being of residents.
3. Inclusion -- ensuring that everyone has the opportunity to access and participate in programs and services that are planned, delivered, and managed to recognize diversity and encourage participation of marginalized and racialized people and groups.
4. Capacity Building -- providing programs and services of social, economic and physical benefit to all participants and that create a sense of community, belonging, and vitality.

### Summary

This report seeks City Council approval for the principles of equitable access, quality, inclusion and capacity building as a foundation for the development of a City-wide, multi-year Recreation Service Plan. The Service Plan will guide decision-making in the management and administration of all recreation programs and services across the City.

This report outlines the principles, the service planning approach, a proposed work plan and timeline, including community engagement and involvement, and an interdivisional advisory team to support the development of the Recreation Service Plan.

### Financial Impact

This report has no immediate financial impact.

### Background Information

Development of a City-wide Recreation Service Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21529.pdf>)

EX33.24	ACTION			
---------	--------	--	--	--

## Procurement Authorization Kipling Station East Entrance Contract F7-25

### Origin

(April 24, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee:

1. forwarded the item to the Executive Committee without recommendation; and
2. requested the Deputy City Manager and Chief Financial Officer to meet with the General Manager of the Toronto Transit Commission regarding this matter prior to the meeting of Executive Committee and report directly to the Executive Committee if necessary.

### Summary

At its meeting on Friday April 3, 2009 the Commission considered the attached report entitled, “Procurement Authorization Kipling Station East Entrance Contract F7-25”.

The Commission approved the Recommendation contained in the report, as listed below:

It is recommended that the Commission authorize the construction of the Kipling Station Improvement – East Entrance and Passenger Pick Up and Drop Off (PPUDO) Project by approving:

1. acceptance of the tender submitted by Bondfield Construction Company Limited in the amount \$8,708,750.00 for Contract F7-25, Kipling Station East Entrance;
2. additional project budget in the amount of \$1.2M due to cost increase in the project 3.9 Buildings Structures, Kipling Station Improvement – East Entrance and PPUDO increasing the project budget from \$10.8M to \$12.0M;

3. forwarding this report to the City via the City Budget Committee requesting additional budget and project cost approval in the amount of \$1.2M for City Project CTT130-Kipling Station Improvement – East Entrance and PPUDO bringing the total to \$12.0M, to be accommodated by an increase of \$1.2 million in the Unspecified Budget Reduction for which TTC staff will subsequently identify project reductions to accommodate this increase;
4. forwarding this report to Metrolinx and the Province and direct staff to pursue the Province for additional \$6.5M for full project funding.

The foregoing is forwarded to the City Budget Committee for consideration of the Commission's request embodied in Recommendation No. 3 above.

### Background Information

Procurement Authorization Kipling Station East Entrance Contract F7-25

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21530.pdf>)

Appendix A - Letter (April 23, 2009) from the Chief General Manager, TTC

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21531.pdf>)

EX33.25	ACTION			Ward: All
---------	--------	--	--	-----------

## Toronto Water Capital Budget: 2008 Carry Forward Funding and 2009 Cashflow Reallocations

### Origin

(April 24, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that City Council approve the following:

1. The \$58.6 million in unspent cash-flow from Toronto Water's approved 2008 Capital Budget and related financing, adjusted as detailed in Appendix 1 of the report (April 7, 2009) from the General Manager, Toronto Water, be carried forward and included in Toronto Water's approved 2009 Capital Budget. As the total carry-forward amount remains unchanged, the adjustments have no net impact on Toronto Water's approved 2009 Capital Budget cashflow of \$498.438 million.
2. The cashflow adjustments and budget reallocations detailed in Appendix 2 of this report, which have no impact on the Toronto Water's total approved 2009 Capital Budget and 2010-2013 Capital Plan.
3. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

The purpose of this report is to seek approval for adjustments to the carry-forward of unspent

funding from Toronto Water's approved 2008 Capital Budget to allow the continuation of 2008 approved projects; and in accordance with the City's Financial Control Bylaw, seek approval for reallocations in Toronto Water's approved 2009 Capital Budget and 2010-2013 Capital Plan to better align project budgets with Toronto Water's 2009 work program.

### Financial Impact

There are no direct financial impacts to Toronto Water's approved 2009 Capital Budget of \$498.438 million, comprised of \$58.6 million of unspent 2008 carry-forwards and \$439.838 million of approved new 2009 cashflow.

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

### Background Information

Toronto Water Capital Budget: 2008 Carry Forward Funding and 2009 Cashflow Reallocations (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21532.pdf>)

EX33.26	ACTION			Ward: All
---------	--------	--	--	-----------

## Toronto Water Capital Budget: Additional 2009 Cashflow Reallocations

### Origin

(May 19, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the cashflow adjustments and budget reallocations detailed in Appendix 1 of this report, which have no impact on the Toronto Water's total approved 2009 Capital Budget and 2010-2013 Capital Plan.
2. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

The purpose of this report is to seek approval for additional reallocations in Toronto Water's approved 2009 Capital Budget and 2010-2013 Capital Plan in response to recent increased tender prices.

### Financial Impact

There are no direct financial impacts to Toronto Water's approved 2009 Capital Budget of \$498.438 million, comprised of \$58.6 million of unspent 2008 carry-forwards and \$439.838 million of approved new 2009 cashflow.

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

## Background Information

Toronto Water Capital Budget: Additional 2009 Cashflow Reallocations  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21533.pdf>  
 Staff Report (May 8, 2009) from the General Manager, Toronto Water  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21534.pdf>

EX33.27	ACTION			Ward: All
---------	--------	--	--	-----------

## 2009 Capital Budget Adjustments - 129 Peter Street Shelter and Capital Asset Management System Project

### Origin

(April 24, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council authorize the reallocation of funds in the 2009 approved Facilities & Real Estate Capital Budget in the amount of \$1.259 million, as illustrated in schedule “A” of the report (April 20, 2009) from the Chief Corporate Officer, with zero gross and net impact.

### Summary

This report requests Council’s authority to amend the Facilities and Real Estate Division’s (F&RE) 2009 approved capital budget by reallocating funding to better meet program requirements. The adjustment of funds will have a zero net impact and will better align 2009 cash flows with F&RE’s program requirements.

### Financial Impact

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

The approval of this report will result in the reallocation of 2009 approved cash flows in the total amount of \$1.259 million (see Schedule “A”). These amendments will have a zero net impact.

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

## Background Information

2009 Capital Budget Adjustments - 129 Peter Street Shelter and Capital Asset Management System Project  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21535.pdf>  
 Attachment 1 - Request for Reallocation of Funds - 129 Peter Street and CAMS  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21536.pdf>



<b>EX33.28</b>	<b>ACTION</b>			Ward: All
----------------	---------------	--	--	-----------

## **Capital Variance Report for the Quarter Ended March 31, 2009**

### **Origin**

(May 19, 2009) Report from the Budget Committee

### **Recommendations**

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the budget and technical adjustments to the 2009 Approved Capital Budget as detailed in Appendix 2 of the report (May 13, 2009) from the Deputy City Manager and Chief Financial Officer.
2. City Council approve the creation of a new capital project entitled “194 Dowling Avenue Acquisition” to be added to the Shelter, Support and Housing Administration 2009 Approved Capital Budget with a 2009 cash flow of \$0.699 million gross to be funded from the Development Charge Reserve Fund.
3. City Council approve carry forward funding for unspent 2008 capital projects totalling \$203.993 million gross and funding sources as detailed in Appendix 3.1, in order to continue work on 2008 approved capital projects, and that the 2009 Approved Capital Budget be increased accordingly with no impact on debt funding.
4. City Council approve carry forward funding for unspent 2007 and prior year capital projects totalling \$8.753 million with no incremental increase on the 2009 Council approved debt funding as detailed in Appendix 3.2, and that the 2009 Approved Capital Budget be adjusted accordingly.

### **Summary**

The purpose of this report is to provide the City of Toronto Capital Variance for the three months ended March 31, 2009, projected actual expenditures to December 31, 2009 and to request Council’s approval for in-year budget adjustments and additional carry forward funding.

Capital expenditures for the three months ended March 31, 2009 totalled \$191.913 million or 7.1% of the 2009 Approved Capital Budget of \$2.700 billion. Tax Supported Programs spent \$159.443 millions, representing 7.6% of their collective 2009 Approved Capital Budget of \$2.110 billion (see Appendix 1). City Operations spent \$36.441 million or 3.9% of its 2009 Approved Capital Budget of \$930.178 million; while Agencies, Boards and Commissions (ABCs) spent \$123.002 million or 10.4% of their collective 2009 Approved Capital Budget of \$1.180 billion. In total, Rate Supported Programs spent \$32.469 million or 5.5% of their 2009 Approved Capital Budget of \$590.063 million (see Chart 1). This spending pattern is consistent with prior years; typically, capital project activities tend to be concentrated in the latter half of the year; therefore, capital-spending rates will accelerate in future months in accordance with capital project plans and schedules.

As detailed in Appendix 1, projected actual expenditures to year-end are estimated at \$2.367 billion or 87.7% of the total 2009 Approved Capital Budget of \$2.700 billion. Tax Supported Programs project spending to year end of 90.4%; while Rate Supported Programs project spending of 77.8% of their total 2009 Approved Capital Budget. It is noted that, except for 311 Customer Service Strategy (62%), Sustainable Energy Plan (62%) and Sony Centre (46%), all City Programs and Agencies, Board and Commissions anticipate spending of more than 70% of their individual 2009 Approved Capital Budgets by year end.

In accordance with the City's Carry Forward Policy, this report requests approval to carry forward funds for unspent 2008 approved capital project budget as well as 2007 and earlier years approved capital projects not previously identified and included in the 2009 Approved Capital Budget. The additional carry forward funding request totals \$203.993 million as detailed in Appendix 3.1 for 2008 approved capital projects; funding for 2007 and prior years approved capital projects totals \$8.804 million with no increase to the 2009 Council Approved debt funding as shown in Appendix 3.2.

### **Financial Impact**

As summarized in Table 1 below, for the three months ended March 31, 2009, actual expenditures for Tax Supported Programs totalled \$159.443 million or 7.6% of its 2009 Approved Capital Budget of \$2.110 billion. Rate Supported Programs spent \$32.470 million or 5.5% of their 2009 Approved Capital Budget of \$590.063 million.

In accordance with the City's Carry Forward Policy, this report requests additional 2008 carry forward funding of \$148.772 to enable City Programs and ABCs to continue work on previously approved projects that were not completed in 2008 as planned. This funding will increase 2009 cash flows. In addition, the report requests Council authority to carry forward funding for 2007 and prior year capital projects totalling \$8.804 million. It is noted that in accordance with the Carry Forward Policy, carry forward of debt funding have been offset by adjusting other debt funded projects in order to ensure that the 2009 Council approved debt is not increased.

In compliance with prudent financial management practices, debt is issued only when needed to finance actual or committed capital expenditures. This strategy minimizes the incurrence of debt service costs and the resultant impact on the Operating Budget.

### **Background Information**

Capital Variance Report for the Quarter Ended March 31, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21537.pdf>)

Staff Report (May 13, 2009) from the Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21538.pdf>)

Appendix 1 - Consolidated Capital Variance Report for the Quarter Ended March 31, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21539.pdf>)

Appendix 2 - Budget and Technical Adjustments

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21540.pdf>)

Appendix 3.1 - 2008 Carry Forwards Funding Adjustments

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21541.pdf>)

Appendix 3.2 - 2007 Carry Forwards Funding Adjustments

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21542.pdf>)

EX33.29	ACTION			Ward: 41, 42
---------	--------	--	--	--------------

## **Capital Budget Amendment to Allow Commencement of Storm Sewer and Watermain Work Related to Sheppard East LRT**

### **Origin**

(May 19, 2009) Report from the Budget Committee

### **Recommendations**

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

1. Toronto Water's 2009 Capital Budget be increased by up to \$2.8 million funded from Water Capital Reserve Fund XR6003 to include a new sub-project entitled CPW542-05 – Sheppard Avenue Infrastructure Relocation, to fund the cost of reconstructing the existing watermain on Sheppard Avenue East from 100m west of Scunthorpe Road to Gateforth Drive.
2. Toronto Water's 2009 Capital Budget be increased by an additional \$3.0 million funded from Water Capital Reserve Fund XR6003 to increase funding to the new sub-project entitled CPW542-05 – Sheppard Avenue Infrastructure Relocation to fund the cost of relocating the existing storm sewer on Sheppard Avenue East from Scunthorpe Road to Gateforth Drive, to be recovered from the Province (Metrolinx) on the confirmation of details of their funding contribution.
3. When the \$3-Million is recovered from Metrolinx, the amount be returned to the Water Capital Reserve Fund XR6003.

### **Summary**

The purpose of this report is to request authority for Toronto Water to amend its 2009 Capital Budget to allow the tender and award of the first phase of the Sheppard Avenue East Light Rail Transit (LRT) project in early July of 2009.

While Provincial and Federal funding of the project was announced on Friday, May 15, 2009, the specific details of the funding arrangement remain to be developed. In order to maintain the tendering schedule necessary to meet the project timelines, Toronto Water is requesting approval to amend its 2009 Capital Budget to include funding for the project with the intent to recover the costs of the storm sewer relocation when funding details have been resolved with the Province (Metrolinx).

### **Financial Impact**

The \$5.8 million required to fund the infrastructure relocation was not included in Toronto Water's approved 2009 Capital Budget; but can be accommodated from the Water Capital Reserve Fund XR6003 and would increase Toronto Water's approved 2009 Capital Budget from \$499.438 million to \$504.238 million. A recovery of approximately \$3.0 million with respect to the storm sewer is anticipated from the Province (Metrolinx) upon confirmation funding details for the Sheppard Avenue East LRT project.

The Deputy City Manager and Chief Financial Officer and Toronto Water have reviewed this report and agree with the financial impact information.

### Background Information

Capital Budget Amendment to Allow Commencement of Storm Sewer and Watermain Work Related to Sheppard East LRT

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21543.pdf>

Staff Report (May 19, 2009) from the Executive Director, Technical Services

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21544.pdf>

EX33.30	ACTION			Ward: All
---------	--------	--	--	-----------

### City Transfer Stations: Loading Services and Fees

#### Origin

(April 24, 2009) Report from the Budget Committee

#### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council authorize the General Manager, Solid Waste Management Services, to provide waste loading services to the private sector for waste generated within City boundaries and within the Regions of Peel, York and Durham at a rate of \$13.00 per tonne, exclusive of G.S.T. beginning May 1, 2009.
2. Subject to the adoption of Recommendation 1, City Council approve the financial procedures outlined in Attachment 1 of the report (March 24, 2009) from the General Manager, Solid Waste Management Services, and authorize the General Manager to apply these procedures to all customers wishing to utilize the City's waste loading services.
3. City Council authorize the General Manager to apply the financial procedures set out in Attachment 1 of the report, with any necessary modifications, to all transfer station and Green Lane Landfill customers.
4. City Council adopt the transfer station fee of \$100.00 for the new category of recyclable leaf and yard waste greater than 7.5cm (3") in diameter shown in Attachment 2 of the report.
5. City Council confirm the revised transfer station fees based on axle weights as shown in Attachment 2 of the report.
6. City Council amend the 2009 Approved Operating Budget for Solid Waste Management Services as indicated in the Financial Impact section of the report.

## Summary

The purpose of this report is to seek approval to:

1. provide private sector waste collectors and haulers with waste loading services for the transportation and final disposal of their commercially collected waste through the City's transfer station network and set a fee and payment process for this service; and,
2. implement new transfer station fees and update others.

## Financial Impact

The proposed \$13.00 per tonne rate charged to customers for waste loading services is consistent with the 2009 budgeted rate for the same services provided by the City to Peel Region. The Peel Region price was originally developed to cover the City's estimated costs for the receipt and loading of their waste onto transfer trailers for final disposal. Therefore, no additional costs will be incurred by the City to provide this service to the other customers. Collection, haulage and final disposal costs will be borne entirely by the customers.

Annual revenue received from service fees associated with transferring private sector waste will depend on the demand by the private sector for such services. However, Solid Waste Management Services (SWMS) estimates that approximately 75,000 tonnes of private sector waste from Toronto, and the Regions of Peel, York and Durham may be available annually for transfer. This equates to annual revenue of \$975,000 (at \$13.00 per tonne). Assuming the provision of this service begins May 1, 2009. SWMS Transfer Station Operations will potentially realize additional revenue of approximately \$650,000 which will be offset by an increase in the contribution to the Waste Management Reserve Fund. SWMS will review and monitor the demand for this service annually and include financial implications in future Operating Budget submissions.

The addition of leaf and yard waste material greater than 7.5 cm (3") in diameter, will result in approximately 300 tonnes of additional material being managed, resulting in \$30,000 in additional revenue which will be offset by \$30,000 in additional expenditures.

To reflect these anticipated changes which have a net zero impact on the Operating Budget, it is recommended that the 2009 Approved Operating Budget for SWMS be amended as follows:

Cost Centre	Cost Element	2009
SW0800 Bermondsey TS Operations	6030 Cont to Res Fnds	200,000
SW0810 Ingram TS Operations	6030 Cont to Res Fnds	200,000
SW0835 Commissioners TS Operations	6030 Cont to Res Fnds	250,000
SW0767 Emerald Ash Borer – Transfer	4403 C. SVCS-Mach & Equip	30,000
Total Expenditures		680,000
SW0800 Bermondsey TS Operations	8580 Dump Fees-Waste-SWM	200,000
SW0810 Ingram TS Operations	8580 Dump Fees-Waste-SWM	200,000

SW0835 Commissioners TS Operations	8580 Dump Fees-Waste-SWM	250,000
SW0825 Dufferin TS Operations	8590 Dump Fees-Recyc-SWM	30,000
Total Revenues		680,000

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

### Background Information

City Transfer Stations: Loading Services and Fees

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21545.pdf>

EX33.31	ACTION			Ward: All
---------	--------	--	--	-----------

### Arena Boards of Management 2007 Operating Surpluses/(Deficits) Settlement

#### Origin

(May 19, 2009) Report from the Budget Committee

#### Recommendations

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

1. The 2007 operating surpluses totalling \$7,611 from three Arenas (Larry Grossman Forest Hill, Moss Park, North Toronto), and the excess funds advanced to Ted Reeve Arena during 2007 of \$8,164, be paid to the City of Toronto and be used to partially fund the payment of operating deficits of \$277,652 for the other five Arenas (George Bell, William H. Bolton, Leaside, McCormick, Ted Reeve) resulting in an operating net deficit of \$270,041 to be funded by the City, as detailed in Appendix A, column (c), of the report (May 6, 2009) from the Deputy City Manager and Chief Financial Officer.
2. A funding provision of \$27,651 be made through the 2008 Final Year-End Operating Variance Report, as calculated in Appendix A of the report.

#### Summary

This report recommends settlement with the eight Arena Boards of Management (Arenas) on their 2007 operating surpluses and deficits based on audited financial results for the year ended December 31, 2007, with any unsettled operating surplus to be payable to the City by various Arenas and any unsettled operating deficit to be funded by the City upon Council's approval.

#### Financial Impact

The Arena Boards of Management final net settlement for the year 2007 requires that operating surpluses totalling \$7,611 from three Arenas be paid to the City and be used to partially fund the payments of the operating deficits of \$277,652 to five other Arenas, resulting in a net funding requirement from the City to the Arenas of \$270,041. A summary of net funding to the

Arena Boards or surpluses payable to the City is detailed in Appendix A.

In addition, there was a 2006 settlement of \$9,355 that was funded from the 2007 Operating Budget.

Of the total funding requirement of \$279,396 in 2007, \$251,745 was provisioned through the 2007 Final Year-End Operating Variance Report, leaving a balance of \$27,651 to be funded in 2008 from an allocation of underspending through the 2008 Final Operating Variance Report.

### Background Information

Arena Boards of Management 2007 Operating Surpluses/(Deficits) Settlement

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21546.pdf>)

Staff Report (May 6, 2009) from the Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21547.pdf>)

Appendix A - Arena Boards of Management - Summary of 2007 Operating Surplus/(Deficit) Settlement

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21548.pdf>)

EX33.32	ACTION			Ward: All
---------	--------	--	--	-----------

### Transportation Services - 2009 Cash Flow Reallocations and Deferrals

#### Origin

(May 19, 2009) Report from the Budget Committee

#### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the deferred and accelerated cash flows in the amount of \$12,750,000 detailed in Table 1 attached to the report (May 7, 2009) from the General Manager, Transportation Services, which will have no net impact on the approved 2009 approved debt.
2. City Council request the General Manager, Transportation Services, to report back to the Budget Committee as part of the 2010 Capital Budget process, on a revised 10-year capital plan.
3. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

#### Summary

The Transportation Services Division submitted two reports in 2008 to the Budget Committee recommending the reallocation of anticipated cash flow expenditures from 2008 projects that, for various reasons, needed to be deferred to other projects that were ready to proceed. As with the previous reports, 2009 cash flows are needed to be realigned to other program areas that are ready to proceed. This involves the deferral of 2009 approved cash flows along with a corresponding acceleration and increase within other Transportation Services Capital Budget

items that yield a zero net impact on the approved debt target for 2009.

The impact on project costs resulting from the cash flow reallocations is an increase of \$2,750,000 million. An equivalent amount of project costs will either be funded from other sources or there will be an offsetting reduction in future year project costs. In view of the foregoing, Transportation staff, as part of the upcoming 2010 budget process and consistent with the Divisional submission, has reassessed all ongoing and imminent project cash flows and all available funding sources in order that the increase in project costs will have no net impact on the approved five year debt targets for Transportation Services.

### Financial Impact

Funding in the amount of \$12,750,000 will be decreased and deferred from various projects for a number of reasons, as outlined in the body of this report. In this regard, an equivalent cash flow can be accelerated, increased and reallocated to a number of projects that are ready to proceed. These cash flows represent debt funded projects with no net change to the approved 2009 net debt funding requirement. Transportation Services staff, as part of the upcoming 2010 budget process and consistent with the Divisional submission, has reassessed all ongoing and imminent project cash flows and all available funding sources in order that the increase in project costs will have no net impact on the approved five year debt targets for Transportation Services.

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

### Background Information

Transportation Services - 2009 Cash Flow Reallocations and Deferrals  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21549.pdf>)

Staff Report (May 7, 2009) from the General Manager, Transportation Services  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21550.pdf>)

Attachment 1 - Transportation Services - Capital Budget Adjustments and Reallocation - Debt Funded Programs  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21551.pdf>)

EX33.33	ACTION			Ward: All
---------	--------	--	--	-----------

### Diabetes Prevention Strategy - Update

#### Origin

(May 19, 2009) Report from the Budget Committee

#### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council increase the Toronto Public Health 2009 Approved Operating Budget by \$638,728 gross and \$0.0 net, and five temporary positions, to reflect confirmed one-time funding from the Ministry of Health Promotion for the Diabetes Prevention Strategy for the period April – December 2009.



## Summary

This report provides information on the implementation and funding of a new Diabetes Prevention Strategy for the community and the workplace in Toronto. A pilot project will be conducted between January 2009 and March 2010 and will be 100% funded by the Ministry of Health Promotion (MHP). Toronto Public Health (TPH) has received funding from January 1, 2009 to March 31, 2009 of \$186,065 which is included in TPH's 2009 Approved Operating Budget. Funding has now been confirmed for April 2009 to March 2010 in the amount of \$851,637.

Diabetes is a major public health challenge and is one of the fastest growing diseases in Canada and around the world. As of 2004, over two million Canadians are currently living with diabetes and that number is expected to reach three million by 2010. The Institute for Clinical Evaluative Studies (ICES) and St. Michael's Hospital's 2007 report Neighbourhood Environments and Resources for Healthy Living – A Focus on Diabetes in Toronto (known as the Diabetes Atlas) estimated the Toronto prevalence rate for diabetes was 7.6%, compared to 6.2% for the rest of Ontario. This was based on 1998/99 hospitalization and physician billing data.

This project will focus efforts on implementing diabetes prevention activities in two communities where adults are at high risk for diabetes and in six workplaces using a comprehensive workplace approach.

The purpose of this report is to inform the Board of Health that funding for the remaining 12 months of the project has been confirmed. The report seeks approval to adjust the Toronto Public Health 2009 Operating Budget to include the related funding and to increase the staff complement by five temporary positions.

## Financial Impact

Toronto Public Health's 2009 Approved Operating Budget includes one-time funding for the Diabetes Prevention Strategy of \$186,065 for the period January to April 2009. TPH has received confirmation of additional one-time funding for the Diabetes Prevention Strategy of \$851,637 for the period April 1, 2009 to March 31, 2010, with \$638,728 gross and \$0.0 net for 2009 and \$212,909 gross and \$0.0 net for 2010. Five temporary positions will be required to implement this program.

Diabetes Prevention Strategy (Additional Funding)	2009 Impact (April – December)			2010 Impact (Jan.-March)	
	Positions	Gross	Net	Gross	Net
<b>Community Intervention</b>		\$450,000	\$0	(\$300,000)	\$0
<b>Workplace Intervention</b>		\$188,728	\$0	(\$125,819)	\$0
<b>Total</b>	5.0	\$638,728	\$0	(\$425,819)	\$0

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

## Background Information

Diabetes Prevention Strategy - Update

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21552.pdf>)

Report (April 20, 2009) from the Board of Health

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21553.pdf>)

Staff Report (April 1, 2009) from the Medical Officer of Health

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21554.pdf>)

EX33.34	ACTION			Ward: All
---------	--------	--	--	-----------

## The Live Green Toronto Home Energy Efficiency Incentive Program

### Origin

(May 19, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council establish a Home Energy Efficiency Incentive Program:
  - a. whereby property owners of low rise residential properties in the City of Toronto will be eligible for a financial grant up to a maximum of \$1,000 for a selected set of energy efficiency retrofits; and
  - b. that will conclude by March 31, 2012.
2. The Director of the Toronto Environment Office be authorized to sign a Memorandum of Understanding, satisfactory to the City Solicitor, with appropriate officials of Natural Resources Canada to integrate delivery of the recommended Home Energy Efficiency Incentive Program with the ecoENERGY program delivered by Natural Resources Canada.
3. The Director of the Toronto Environment Office report to Council on the establishment and design of a Home Energy Efficiency Incentive Program for low-income homeowners once the Province of Ontario, utility companies and others have articulated what program(s) will be delivered for this group and that up to \$2.0 million of the total \$9.0 million be allocated for the low-income homeowners.
4. The Director of the Toronto Environment Office report to Council as part of the regular reporting on the progress of the Live Green Toronto initiatives on the outcomes of the program and any proposed changes deemed necessary to improve the performance of the Home Energy Efficiency Incentive Program.
5. The funds in the Home Energy Loan Reserve Fund be returned to the Strategic Infrastructure Partnership Reserve Fund, the Home Energy Loan Reserve Fund be closed (Attachment 2) and it be deleted from the Municipal Code Chapter 227, Reserves and Reserve Funds and the 2009 - 2013 Approved Capital Budget and Capital Plan for

the Sustainable Energy Program be amended to remove the funds in the amount of \$9.0 million.

6. City Council establish and amend Toronto Municipal Code Chapter 227, Reserves and Reserve Fund – by adding a discretionary reserve fund called the ‘Home Energy Assistance Toronto Reserve Fund’ - as set out in Attachment 1 within Schedule 7 – Corporate Discretionary Reserve Funds as part of the Climate Change Reserve Fund Group to be used to finance sustainable energy retrofit grants and associated administrative costs for single family and small commercial building sectors across the City.
7. City Council authorize the Deputy City Manager and Chief Financial Officer to transfer funds from the Strategic Infrastructure Partnership Reserve Fund to the Home Energy Assistance Toronto Reserve Fund up to a limit of \$9.0 million, consistent with the approved 2009 Capital and Operating Budgets and subsequent budget approvals.
8. The 2009 Approved Operating Budget of the Toronto Environment Office be increased by \$0.500 million for a net \$0 increase, funded from Home Energy Assistance Toronto Reserve Fund for the Home Energy Efficiency Incentive Program.
9. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and that leave be granted for the introduction of any necessary bills in Council.

### **Summary**

In July 2007, City Council adopted the Climate Change, Clean Air and Sustainable Energy Action Plan, which included a direction to establish energy retrofit funding programs to provide financial support to owners of low-rise residential buildings. As part of the 2009 Capital Budget, City Council approved funding of \$9 million over four years for this program.

At that time the proposed program was contemplated to be a revolving loan fund. In light of the changing economy and associated drop in interest rates, staff recognized that an alternative program design would be required because owners of low-rise residential buildings now have access to low interest loans and would not seek assistance from the City for similar loan rates. Therefore, this report recommends that the program be shifted from a revolving loan fund to a grants program in order to: address the availability of low interest loans; keep administrative costs to a minimum; and maximize participation by eligible residents.

By establishing an incentive program geared towards encouraging implementation of the more significant energy retrofit measures by homeowners, the City will be helping those homeowners leverage up to an additional \$6,000 per home in Federal and Provincial financial resources and reducing the greenhouse gas emissions associated with heating and cooling their home by an estimated additional 0.5 tonnes.

### **Financial Impact**

Grant funding up to a maximum of \$1,000 per household will be provided, up to a maximum of \$9.0 million for the City-wide program.

A total of \$9.0 million was approved for a Home Energy Loan Program Fund, as part of the Sustainable Energy Program's 2009-2013 5-Year Capital Plan, funded from the Strategic Infrastructure Partnership Reserve Fund. This was anticipated to be a revolving loan fund. The report recommends the transfer of this funding to the Toronto Environment Office, as part of its Live Green Toronto Energy Efficiency Incentive Program and that the funds be provided as grants, rather than as loans.

It is recommended that Toronto Environment Office's 2009 Approved Operating Budget be increased \$0.500 million, funded from the Home Energy Assistance Toronto Reserve Fund, for a net \$0 increase in 2009. Funding in the amount of \$2.000 million in 2010, \$3.000 million in 2011 and \$3.500 million in 2012 will be included in the Toronto Environment Office's 2010, 2011 and 2012 operating budget submissions, funded from the Reserve. This is a four year program.

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

### Background Information

The Live Green Toronto Home Energy Efficiency Incentive Program  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21555.pdf>)

Staff Report (May 11, 2009) from the Deputy City Manager, Richard Butts and the Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21556.pdf>)

EX33.35	ACTION			Ward: All
---------	--------	--	--	-----------

### Amendments to Solid Waste Management Services Diversion Contracts

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

#### Origin

(May 19, 2009) Report from the Budget Committee

#### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve an increase in the maximum contracted single stream recycling tonnage to be processed by Canada Fibers Ltd. by an additional 20,000 tonnes to 105,000 tonnes per year at an additional \$16.00 per tonne above the current processing rate with CPI adjustments on the new tonnes effective January 1, 2010 and annually thereafter, all net of GST.
2. City Council approve an increase in the maximum contracted source separated organic tonnage to be hauled and processed by OrgaWorld Canada Ltd. by 25,000 tonnes to 75,000 tonnes per year at a rate reduced by \$5.00 per tonne from the current processing rate of \$112.50 per tonne to \$107.50 per tonne on both the currently committed tonnes and the new tonnes with CPI adjustments effective June 1, 2009 and annually thereafter

and no change in the current contracted rate of \$17.25 per tonne for haulage, all net of GST.

3. Subject to the adoption of Recommendation 2, City Council approve a put or pay commitment of 70% of the full 75,000 tonnes until May 31, 2013, provided that OrgaWorld Canada Ltd. is capable of processing the full amount.
4. Subject to the adoption of Recommendation 2, City Council authorize the General Manager, Solid Waste Management Services, to exercise the two (2) option years from June 1, 2013 to May 31, 2014 and June 1, 2014 to May 31, 2015 with OrgaWorld Canada Ltd. as part of the agreement for increased capacity.
5. City Council authorize the General Manager, Solid Waste Management Services, to enter into any necessary amending agreements with both Canada Fibers Ltd. and OrgaWorld Canada Ltd. to reflect Recommendations 1, 2, 3 and 4 above, and otherwise on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, and in a form satisfactory to the City Solicitor.
6. City Council:
  - a. extend the existing authority of the General Manager of Solid Waste Management Services to negotiate and enter into amending agreements with the City's current SSO processing contractors and/or negotiate and enter into agreements with other SSO processing contractors as required to meet the City's SSO (including SSO digestate) processing needs for terms up to December 31, 2015 on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, and in a form satisfactory to the City Solicitor, provided that the prices do not exceed the increased processing fees identified in Attachment 1 – Confidential Information; and
  - b. authorize the General Manager of Solid Waste Management Services to negotiate and enter into amending agreements with the City's current SSRM processing contractors and/or negotiate and enter into agreements with other SSRM processing contractors as required to meet the City's SSRM processing needs for terms up to December 31, 2015 on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, and in a form satisfactory to the City Solicitor, provided that the prices do not exceed the processing fees identified in Attachment 1 – Confidential Information.
7. City Council amend the 2009 Approved Operating Budget for Solid Waste Management Services by increasing expenditures in Cost Centre SW0751 (MRF: Single Stream - Dufferin) by \$1,008,410; by decreasing expenditures in Cost Centre SW0476 (MWPF-DUFFERIN) by \$218,750 and by increasing revenue in Cost Centre SW0751 (MRF: Single Stream - Dufferin) by \$789,660.
8. Confidential Attachment 1 to the report (April 21, 2009) from the General Manager, Solid Waste Management Services, remain confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it relates to the security of the

property of the municipality or local board.

## Summary

The purpose of this report is to request authority to amend the contracts with Canada Fibers Ltd. to process additional Single Stream Recyclable Material (SSRM) and with OrgaWorld Canada Ltd. to process additional Source Separated Organics (SSO) and to receive authority to negotiate further amending SSRM and SSO contracts or enter into new agreements as necessary to ensure the City has sufficient available processing capacity for SSRM, SSO and SSO digestate.

## Financial Impact

### Canada Fibers Ltd.

The 2009 approved budget for single stream recycling processing costs at Canada Fibers Ltd. is \$7,411,061.76 (Cost Centre SW0751-MRF: Single Stream - Dufferin).

The proposed increased tonnage and processing fees will result in an estimated incremental increase of 16,200 recovered tonnes at \$106.71 per tonne or \$1,008,410 net of GST to be paid to Canada Fibers Ltd. for the period June 1, 2009 to December 31, 2009, if all additional processing capacity is utilized. The rate is increased by \$16.00 per tonne from the current processing rate of \$90.71 per tonne to \$106.71 per tonne. The total rate charged by Canada Fibers Ltd. includes residue rates between \$4.20 for residue in the range of 14.01-15%, to \$21.14 for residue in the range of 27.01-28%. Residue calculations will be done monthly and applied accordingly to the fee payable to Canada Fibers Ltd. Based on current markets and current trends, it is anticipated that we will receive approximately \$789,660 in additional revenue from the sale of recycled material for the same period resulting in a net cost to the City of \$218,750.

### OrgaWorld Canada Ltd.

The 2009 approved budget for source separated organics processing costs for OrgaWorld Canada Ltd. is \$6,953,850.76 (Cost Centre SW0476-MWPF-DUFFERIN). The proposed increased tonnage and immediate option year extensions with OrgaWorld Canada Ltd. will result in a decrease in the current processing fee by \$5.00 per tonne which, if all additional capacity is utilized, will result in savings to the City of approximately \$218,750 net of GST for the period June 1, 2009 to December 31, 2009. The option year extensions are detailed in Table 1 below and will be included in the appropriate operating budget submissions of Solid Waste Management Services.

Table 1: OrgaWorld Canada Ltd.

Cost Centre	Revised 2009	2010	2011	Total
SW0476	\$6,735,101	\$9,736,250	\$9,927,750	\$26,399,101

\* The above costs include transportation costs

With the approval of these amendments, the Canada Fibers Ltd. and OrgaWorld Canada Ltd. contracts essentially offset each other. However, it should be noted that while the approved

2009 Solid Waste Management Services Operating Budget has included estimated costs associated with the processing of all estimated SSRM, SSO and SSO digestate tonnes, new short term contracts may result in the City incurring costs as identified in Attachment 1 – Confidential Information.

The following table outlines the necessary budget adjustments should these contract amendments be approved and represents a net zero impact:

Table 2: Operating Budget Adjustment.

Cost Centre	Cost Element	2009
SW0751-MRF: Single Stream - Dufferin	4403 C. SVCS-MACH & EQUIP	\$1,008,410
SW0476-MWPF-DUFFERIN	4403 C. SVCS-MACH & EQUIP	(\$218,750)
<b>Total Expenditures</b>		<b>\$789,660</b>
SW0751-MRF: Single Stream - Dufferin	9495 SALE OF RECYCLED MATERIALS	\$789,660
<b>Total Revenues</b>		<b>\$789,660</b>

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

### Background Information

Amendments to Solid Waste Management Services Diversion Contracts

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21557.pdf>)

Report (May 5, 2009) from the Public Works and Infrastructure Committee

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21558.pdf>)

Staff Report (April 21, 2009) from the General Manager, Solid Waste Management Services

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21559.pdf>)

EX33.36	ACTION			Ward: All
---------	--------	--	--	-----------

## Budget Adjustments to the Toronto Public Health 2009 Approved Operating Budget

### Origin

(May 19, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the following adjustments to Toronto Public Health's 2009 Approved Operating Budget:

- a. a reduction of \$307.9 thousand gross and \$0.0 net, and an increase of 4 temporary positions to reflect confirmed funding from various Provincial ministries and external sources (Attachment 1, Table 1 of the report dated March 31, 2009 from the Medical Officer of Health); and
- b. an increase of \$110.4 thousand gross and \$0.0 net, to reflect unspent 2008 funds from Health Canada required in 2009 (Attachment 1, Table 2).

## Summary

The purpose of this report is to request budget adjustments to Toronto Public Health's (TPH) 2009 Approved Operating Budget due to the following:

- a. Confirmation of funding from various Provincial ministries and external sources received after the submission of the 2009 Operating Budget request in September 2008; and
- b. Unspent 2008 funds for 100% externally funded programs required in 2009.

## Financial Impact

The table below summarizes the required budget adjustments to Toronto Public Health's 2009 Approved Operating Budget. Details are in Attachment 1 of this report.

<b>Budget Adjustments to the 2009 Approved Operating Budget</b>				
	No. of Positions	Gross \$000	Revenue \$000	Net
2009 Confirmed Funding from Provincial Ministries and External Sources	4.0	(307.9)	(307.9)	0.0
Unspent 2008 Funds from Health Canada carried forward into 2009		110.4	110.4	0.0
<b>2009 Total Budget Adjustment</b>	<b>4.0</b>	<b>(197.5)</b>	<b>(197.5)</b>	<b>0.0</b>

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

## Background Information

Budget Adjustments to the Toronto Public Health 2009 Approved Operating Budget  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21560.pdf>

Report (April 20, 2009) from the Board of Health

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21561.pdf>

Staff Report (March 31, 2009) from the Medical Officer of Health

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21562.pdf>



EX33.37	ACTION			Ward: All
---------	--------	--	--	-----------

## **Budget Adjustments to the Toronto Public Health 2009 Approved Operating Budget and Delegation of Authority to Receive and Spend Grants**

### **Origin**

(May 19, 2009) Report from the Board of Health

### **Recommendations**

The Board of Health recommended to the Executive Committee that:

1. City Council make the following adjustments to Toronto Public Health's 2009 Approved Operating Budget:
  - a. an increase of \$353.7 thousand gross and \$0.0 net, and an increase of ten temporary positions, to reflect confirmed one time funding from the Minister of Health and Long Term Care (MOHLTC) for the Nursing Graduate Guarantee Program (NGG) Phase 3; and
  - b. an increase of \$61.3 thousand gross and \$0.0 net, and an increase of one temporary position, to reflect confirmed one time funding from the Public Health Agency of Canada (PHAC) for the Enhanced Hepatitis Strain Surveillance System (EHSSS).
2. City Council delegate authority to the Medical Officer of Health to receive grants from various levels of government and agencies for Toronto Public Health programs covering 100 percent of the program cost.
3. City Council delegate authority to the Medical Officer of Health to execute agreements when necessary with other governments and agencies for the purpose of accepting grants for Toronto Public Health programs.
4. The grant agreements referred to in Recommendation 3 be in a form satisfactory to the City Solicitor.
5. The Medical Officer of Health report to City Council, for information, on the details of grants received, including the organization name, amount and the purpose of the grant as part of the quarterly operating budget variance report.

### **Summary**

The purpose of this report is to request budget adjustments to Toronto Public Health's (TPH) 2009 Approved Operating Budget due to confirmation of funding from the Ministry of Health and Long-term Care (MOHLTC), and the Public Health Agency of Canada (PHAC), received after the approval of the Operating Budget in March 2009.

This report also seeks City Council authority for the Medical Officer of Health to accept grants with no maximum limit, and to enter into contractual agreements with organizations for the

purposes of accepting grants covering 100 percent of the program costs.

### Financial Impact

The table below summarizes the required budget adjustments to Toronto Public Health's 2009 Approved Operating Budget.

<b>Budget Adjustments to the 2009 Approved Operating Budget</b>					
	No. of Positions	Gross \$000	Revenue \$000	Net	2010 Impact \$000
NGG Phase 3	10.0	353.7	353.7	0.0	(353.7)
EHSSS	1.0	61.3	61.3	0.0	(47.6)
<b>2009 Total Budget Adjustment</b>	<b>11.0</b>	<b>415.0</b>	<b>415.0</b>	<b>0.0</b>	<b>(401.3)</b>

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

### Background Information

Budget Adjustments to the Toronto Public Health 2009 Approved Operating Budget and Delegation of Authority to Receive and Spend Grants  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21563.pdf>

<b>EX33.38</b>	ACTION			Ward: All
----------------	--------	--	--	-----------

### Illegal Rooming Houses and Second Suites

#### Origin

(May 15, 2009) Report from the Planning and Growth Management Committee

#### Recommendations

The Planning and Growth Management Committee forwarded to the Executive Committee, the request from Scarborough Community Council that City Council consider a special levy for second suites, as this issue is in the Executive Committee's jurisdiction.

#### Summary

The Planning and Growth Management Committee on May 6, 2009, considered a letter (March 31, 2009) from Scarborough Community Council respecting illegal rooming houses and second suites.

### Background Information

Illegal Rooming Houses and Second Suites

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21564.pdf>

EX33.39	ACTION			Ward: All
---------	--------	--	--	-----------

### **Fees/Charges Relief Request for Caribana 2009**

#### **Origin**

(May 19, 2009) Letter from Councillor Joe Mihevc

#### **Recommendations**

That the Executive Committee recommend to City Council to authorize appropriate City staff to waive the City fees that would have been otherwise charged to the organizer of the Scotiabank Caribana Festival 2009, the Festival Management Committee(FMC):

- a. rental fee and ferry service fees for Olympic Island on August 2, 2009;
- b. rental fees and staffing costs for Lamport Stadium for use on July 30 and July 31, 2009;
- c. rental fee, staffing and fencing costs and city cleanup for Budapest Park on August 1, 2009;
- d. additional costs associated with city cleanup and fencing needs for Marilyn Bell Park on August 1, 2009.

#### **Summary**

Letter (May 29, 2009) from Councillor Mihevc seeking relief from City fees/charges in order to assist the organizers of the 2009 Caribana Festival.

#### **Background Information**

Fees/Charges Relief Request for Caribana 2009  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21565.pdf>)

EX33.40	ACTION			Ward: All
---------	--------	--	--	-----------

### **Request Province of Ontario to Cancel its Proposal for a Harmonized Sales Tax (HST)**

#### **Origin**

(May 6, 2009) Member Motion from City Council

#### **Recommendations**

Councillor Walker, seconded by Councillor Thompson, recommends:

1. That City Council urgently and strongly request the Province of Ontario to cancel its current proposal to enact a Harmonized Sales Tax (HST) for Ontario.

#### **Summary**

Ontario is in a steeper economic downturn than the rest of Canada. In some respects, Toronto is

in a deeper economic downturn than the rest of Ontario. Currently, Ontario's unemployment rate is 8.7% and Toronto's unemployment rate is 8.8%. More and more people everyday are unemployed or experiencing reduction in their work hours or reduction in wages: more and more people are facing the necessity of making due with less money.

In its 2009 Budget, Ontario's Provincial government announced its intention to harmonize the 8% Provincial Sales Tax (PST) with the 5% Federal Goods and Services Tax (GST): the 13% Harmonized Sales Tax (HST) will come into effect in July 2010.

Many purchases made by residents and businesses that were only subject to the 5% GST will now be subject to both GST and PST at 13%. Because the PST and GST will no longer be charged separately, thousands of goods and services that were exempt from the PST will be subject to the new, higher tax, such as: energy (gas, fuels, electricity); prepared foods under \$4.00; audio books for the legally blind; nicotine replacement therapy; personal services such as hair cutting; professional services such as lawyers, accountants, architects; car repairs; real estate commissions; membership fees such as fitness clubs and gyms; newspapers and magazines; taxi and limousine fares; internet access fees; live theatre admissions; vitamins; and new home sales.

At a time when the activity of our housing market is at an all-time low due to the failing economy but also due to the City of Toronto's Land Transfer Tax on top of the Provincial Land Transfer Tax, this Harmonized Sales Tax (HST) will impact the buyers of new homes of \$400,000 or more the most. Only GST is charged on new homes currently. As of March 2009, the average price of a house in Toronto was \$362,052 so there are many new home sales this new HST will impact negatively. The impact of the HST on resale homes is currently unclear.

On houses priced at \$400,000 or less, an exemption will keep the PST portion of the new HST to approximately 2 per cent. However, the HST will rise steeply on homes priced more than \$400,000 as the tax exemption is scaled back: a buyer of a \$400,000 home will pay \$8,000 in the PST portion of the HST, while the purchaser of a \$500,000 house will pay the full 8 per cent in new tax, or \$40,000 in the PST portion of the HST. Currently, the purchaser of a \$500,000 new home pays the 2% Provincial Land Transfer Tax (\$10,000), the 2% City of Toronto Land Transfer Tax (\$10,000) and 5% GST (\$25,000) for a total of \$45,000 in taxes. So, given that there will be \$40,000 in new tax due to the PST portion of the HST, the HST is nearly doubling the present amount of tax paid by such a purchaser, increasing the total tax amount from \$45,000 to \$85,000.

The 'closing costs' associated with the purchase of a home, new or old, will also increase by 8% with this new tax since fees for lawyers, home inspections, real estate commissions, et cetera, will be subject to the HST instead of just the GST.

Not only will this new HST serve to further deter new home purchases but it will also deter environmentally sensitive upgrades built into new homes. On average, "green" homes cost 10% more than homes built in the traditional manner. Traditionally built homes consume more resources and create a larger "carbon footprint"; it is the unsustainable energy consumption and the use of non-renewable resources in these traditionally built homes that has led the Federal, Provincial and City governments to all create policies and incentives for builders and homeowners to build "green" and depart from the traditional method of building homes. This

new HST will add so much new cost to the price of a new home that any incentive to build “green” will be overshadowed and as well, the cost of building “green” will be increased because of the new HST’s application to the cost of labour. Currently, builders pay no tax on labour. In effect, “green” initiatives and “green” jobs will be ‘taxed to death’.

Everyday purchases by Toronto’s residents, young or old, single or with a family, will also be negatively impacted by this new tax, although the Provincial government has increased the amount of income tax deductions available to mitigate this impact; it is certain that the HST will not be revenue neutral for many Torontonians, most particularly Toronto’s families who are already struggling. Sales taxes such as the HST are regressive and as such negatively impact those of lower income disproportionately – so people and families on the brink will be pushed farther toward financial ruin by this new tax.

Small and large businesses in Toronto will also be impacted by this new tax, although the Provincial government has increased the amount of income tax deductions available to mitigate this impact; it is unclear whether the HST will in fact be revenue neutral for small businesses. It has been touted by some that small and large businesses will benefit from lower administration costs due to elimination of half the business paperwork associated with the current GST and PST. This is yet to be confirmed by experience but an overall reduction in purchase activity may counter these potential savings because of the increased cost of goods and services for the consumer.

In today’s context of the worst economic downturn since 1930, this is the wrong time to be installing a new tax such as the Provincial Harmonized Sales Tax. It is a move that proves the current Provincial government is out of touch with its citizens. It is a move that should be opposed with the aim of its elimination before it is enacted. It’s the wrong tax at the wrong time.

As Toronto City Council, we need to stand against this tax. We need to stand for our citizens and do what is within our power on their behalf: petition the Provincial government to stop this new tax.

(Submitted to City Council on April 29 and 30, 2009 as MM35.3)

EX33.41	ACTION			Ward: All
---------	--------	--	--	-----------

### **City Council Endorse M.P.P. Mike Colle’s Private Members’ Bill entitled: Zero Tolerance to Violence on Public Transit Act, 2009**

#### **Recommendations**

Councillor Nunziata, seconded by Councillor Del Grande, recommends:

1. That City Council endorse M.P.P. Mike Colle’s Private Members’ Bill, entitled "Zero Tolerance to Violence on Public Transit Act, 2009".
2. That City Council direct the Clerk to convey City Council’s endorsement of the above Bill to the Province of Ontario.

## Summary

On February 29, 2009, M.P.P. Mike Colle introduced a Private Members' Bill proposing the imposition of a maximum fine of up to \$50,000.00, along with the maximum jail time allowed under Provincial law (2 years less one day), for anyone committing an act of violence toward any Public Transit employee or passenger, or for anyone carrying a weapon on a Public Transit vehicle or on Public Transit property.

There have been several recent alarming incidents on the T.T.C., including the shooting of a passenger on the Ossington 1557 bus on February 23, 2009, the shoving incident at the Dufferin Subway Station on February 13, 2009, and the shooting of a passenger at Osgoode station on January 22, 2009.

(Submitted to City Council on April 29 and 30, 2009 as MM35.1)

EX33.42	Information			
---------	-------------	--	--	--

## Transit City Light Rail Plan: Status Update for February 2009

### Origin

(February 19, 2009) Letter from the General Secretary, Toronto Transit Commission

### Recommendations

The Toronto Transit Commission forwarded the report (February 18, 2009) entitled "Transit City Light Rail Plan: Status Update for February 2009" to the City of Toronto, Metrolinx, the Ontario Ministries of Transportation and Energy and Infrastructure, and Transport Canada, noting that:

1. Significant progress is being made on accelerated environmental assessments for all seven Transit City light rail lines, and the Scarborough RT, as described in this report.
2. Detailed engineering and design work is proceeding to allow the start of construction this fall on the first of the Transit City light rail lines – the Sheppard East LRT.
3. Preliminary engineering work is also underway for the Etobicoke-Finch West light rail line and for the maintenance and storage facilities needed for the line.
4. As with all major capital projects, Transit City needs committed and predictable funding to allow continuous and uninterrupted progress, to avoid project delays which would affect planned construction and start dates and associated cost.
5. TTC, City, and Metrolinx staff are meeting on a continuous and regular basis in order to complete "Benefit Case Analysis" studies for each of the Transit City light rail lines and for the Scarborough RT, in support of Metrolinx's consideration of these lines for funding.
6. There have been a number of requests to extend or modify the original Transit City light rail lines, and all such requests will be undertaken as follow-up phases of the original EA-

related work, subject to Commission-or Council-endorsement, and subject to provision of the required funding for the expanded scope of work, as explained in this report.

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

### Summary

Letter (February 19, 2009) from the General Secretary, Toronto Transit Commission, advising that the Commission at its meeting on February 18, 2009, forwarded the attached report entitled, “Transit City Light Rail Plan: Status Update for February 2009,” to the Executive Committee for information.

### Background Information

Transit City Light Rail Plan: Status Update for February 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21566.pdf>)

Report No. 2 (a) (February 18, 2009 from the TTC

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21567.pdf>)

EX33.43	Information			
---------	-------------	--	--	--

### Trolley Bus Service Review

#### Origin

(February 19, 2009) Letter from the General Secretary, Toronto Transit Commission

#### Recommendations

The Toronto Transit Commission forwarded the report entitled "Trolley bus Service Review" to the City of Toronto and to Metrolinx, noting that:

1. This report discusses the potential for re-introducing electric trolley bus service in Toronto, primarily as a means of reducing greenhouse gas (GHG) emissions.
2. Trolley buses consume less energy, and produce lower emissions, than either diesel or hybrid buses.
3. Locally, at street level, GHG emissions from trolley bus services are essentially zero, and there are GHG-free sources of electrical energy (wind, solar, etc.) to power trolley buses, so trolley bus services could, in theory, operate with zero GHG emissions.
4. Trolley buses are more attractive from the standpoint of air quality, noise, ride quality, the ability to negotiate steep grades, and their ability to accelerate in heavy traffic.
5. Trolley buses are less attractive because they have less flexibility or adaptability for route alterations or extensions or longer-term diversionary operation due to road disruptions.
6. The high cost of investment in infrastructure, including both electrical sub-stations for converting high-voltage alternating current (AC) to low-voltage direct current (DC), as well as the overhead traction power system, results in the unit costs of service delivery

being much higher for trolleys than for either diesel or hybrid buses.

7. The implied value (cost) per tonne of GHG emissions achievable through the operation of trolley buses (about \$1,840 per tonne) is considerably higher than values currently assumed for GHG reductions in most benefits case analyses (as, for example, Metrolinx studies, which use \$40 per tonne).
8. If trolley bus service were to become more attractive, as a result of situations such as the doubling of diesel fuel costs and a matching increase in ridership on trolley bus routes, then the incremental cost of converting current TTC services to trolley bus operation, and the implied value per tonne of GHG emissions, would still be very high relative to hybrid and diesel buses.
9. There would be a large capital investment requirement to re-introduce electric trolley buses in Toronto, but such an investment could be considered by the City as a means of advancing the environmental objectives of the City's Climate Change Action Plan and Sustainable Transportation Initiative.

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

### Summary

Letter (February 19, 2009) from the General Secretary, Toronto Transit Commission, advising that the Commission at its meeting on February 18, 2009, forwarded the attached report entitled, "Trolley Bus Service Review," to the Executive Committee for information.

### Financial Impact

This report has no effect on the TTC's operating or capital budget.

### Background Information

Trolley Bus Service Review

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21568.pdf>

Report No. 7(a) (February 18, 2009) from the TTC

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21569.pdf>

EX33.44	ACTION			Ward: 28
---------	--------	--	--	----------

## Union Station Revitalization Implementation and Head Lessee Selection

### Origin

(May 19, 2009) Report from the City Manager and the Deputy City Manager and Chief Financial Officer

### Summary

The purpose of this report is to advise that a staff action report, "Union Station Revitalization Implementation and Head Lessee Selection" will be on the Supplementary Agenda for the Executive Committee meeting scheduled for June 2, 2009.



**Background Information**

Union Station Revitalization Implementation and Head Lessee Selection  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21635.pdf>

EX33.45	ACTION			Ward: 6, 10
---------	--------	--	--	-------------

**Potential Acquisition of Toronto District School Board Properties located at 432 Horner Avenue, 3495 Lake Shore Boulevard West and 819 Sheppard Avenue West**

**Origin**

(May 22, 2009) Report from the Chief Corporate Officer

**Summary**

This is to advise that the report regarding the potential acquisition of Toronto District School Board properties located at 432 Horner Avenue, 3495 Lake Shore Boulevard West and 819 Sheppard Avenue West will be on the Supplementary Agenda for the Executive Committee meeting of June 2, 2009.

**Background Information**

Potential Acquisition of Toronto District School Board Properties located at 432 Horner Avenue, 3495 Lake Shore Boulevard West and 819 Sheppard Avenue West  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21629.pdf>

EX33.46	ACTION			Ward: 28
---------	--------	--	--	----------

**Sony Centre - Bridge Loan Increase/Extension**

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

**Origin**

(May 21, 2009) Report from the Board of Directors and the Chief Executive Officer of the Sony Centre for the Performing Arts

**Recommendations**

The Board of Directors and the Chief Executive Officer of the Sony Centre for the Performing Arts recommends that:

1. City Council adopt the Confidential Recommendations in Confidential Attachment 1;
2. City Council authorize the release of the confidential information in Confidential Attachment 1 upon the conclusion of the proposed transaction as described in Confidential Attachment 1; and

3. City Council authorize the appropriate city officials to take the necessary action to give effect thereto.

### Summary

The purpose of this report is to present to Council a response to the confidential recommendation contained in the Confidential Attachment 1 to the report (April 29, 2009) from the Deputy City Manager and Chief Financial Officer and to have Council:

- a. increase the bridge loan facility previously provided to the Sony Centre from \$5 million to \$7 million and allow draws to the maximum amount so that it can continue to fund anticipated expenses and be prepared for a reopening of the theatre in 2010.
- b. approve amendments to the existing ticket surcharge reserve fund to permit future sums so collected to be used to secure the repayment of the loan facility, with interest, once the theatre has reopened, and to generally be applied towards all categories of expenses related to the maintenance, state of good repair and future renovations of the Sony Centre which is now designated as a Heritage Property.

### Financial Impact

The \$5 million bridge loan facility will not be repaid in fiscal 2009 but rather the amount of the loan would be increased to \$7 million and the total loan repayment would be extended to no later than the end of 2020 and would be secured by the collection of ticket surcharge monies earned by the Sony Centre once it reopens the theatre. As the bridge loan will be repaid with interest at a rate equal to the City's rate for borrowing, there is no financial impact in future years.

### Background Information

Sony Centre - Bridge Loan Increase/Extension

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21570.pdf>

EX33.47	ACTION			Ward: All
---------	--------	--	--	-----------

## Housing Opportunities Toronto: An Affordable Housing Action Plan 2010-2020

### Origin

(May 20, 2009) Report from the Affordable Housing Committee

### Recommendations

The Affordable Housing Committee recommended that:

1. City Council endorse "Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 - 2020" as the plan to address Toronto's affordable housing challenges over the next ten years, including the 67 proposed actions as provided in Attachment 1 to this report.

2. Recommendation 47 in Attachment 1 to this report be amended by adding a new section e to read as follows:
  - “e. Non-profit and non-profit co-operative housing providers because they provide long term affordability and stability for residents.”
3. Recommendation 48a in Attachment 1 to this report be amended by adding:
  - i. the word “commercial” to the phrase “live/work studios” so that it reads as follows:
    - “a. Encouraging the creation of affordable commercial live/work studios to foster the development of Creative Toronto.”
  - ii. a new section c to read as follows:
    - “c. work with providers of affordable housing to ensure that small non-profit commercial space be created alongside or integrated into new projects to increase business opportunities and renew streams for housing projects and residents.”
4. a ten-year implementation plan arising from the 67 proposed actions be developed as part of the 2010 Budget process and that any City investment be subject to Council approval and the annual capital and operating budget processes.
5. the Deputy City Manager forward “Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 – 2020” to the Ontario Ministry of Municipal Affairs and Housing as Toronto’s contribution to the creation of a provincial long- term housing strategy; and.
6. the Deputy City Manager forward “Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 – 2020” to the Minister of Human Resources and Skills Development, other Ontario municipalities, the Federation of Canadian Municipalities, the Canadian Housing and Renewal Association and the Association of Municipalities of Ontario, to inform local housing strategies and advocacy efforts, including influencing provincial and federal action on affordable housing.

## Summary

Under the stewardship of Councillor Giorgio Mammoliti, Chair of the Affordable Housing Committee, a comprehensive consultation began in 2007 to engage the public and stakeholders in discussions about Toronto’s affordable housing challenges and opportunities.

This report presents the outcome of those consultations, “Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 – 2020,” for Council consideration and approval. The HOT Action Plan is the City’s plan to address Toronto’s affordable housing challenges over the next ten years. It sets out eight strategic themes and 67 actions to assist 258,000 households and guide housing investments by all governments through 2020.

The HOT Action Plan will be submitted to the Province of Ontario as the City's contribution to the creation of a long-term provincial affordable housing strategy.

### **Financial Impact**

There are no budgetary impacts resulting from the recommendations of this report.

Funding for the full range of affordable housing, homeless and income supports programs is divided among municipal, provincial and federal governments. The Housing Opportunities Toronto (HOT) Action Plan builds on these funding relationships.

At the same time, the HOT Action Plan calls on the federal and provincial governments to maintain existing investments, provide new investments and reduce the City's burden of paying costs more appropriately funded by the federal and provincial governments.

Consequently, the estimated cost of \$484 million annually to fund the ten-year Action Plan will require active participation and investments from the federal and provincial governments.

While the HOT Action Plan proposes a continuation of existing City financial support for affordable housing, there will be a need for Council consideration of some recommendations throughout the 2010-2020 timeframe. Recommendations with potential financial implications have been identified and are subject to Council approval as part of the City's annual capital and operating budget processes.

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

### **Background Information**

Housing Opportunities Toronto: An Affordable Housing Action Plan 2010-2020

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21571.pdf>)

Staff Report (May 6, 2009) from Sue Corke, Deputy City Manager

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21572.pdf>)

EX33.48	ACTION			Ward: All
---------	--------	--	--	-----------

### **Operating Variance Report for the Four-month Period Ended April 30, 2009**

#### **Origin**

(May 19, 2009) Report from the Deputy City Manager and Chief Financial Officer

#### **Summary**

This is to advise that the Operating Variance Report - For the Four Months Ended April 30, 2009 will be on the Supplementary Agenda for the Executive Committee meeting of June 2, 2009.

**Background Information**

Operating Variance Report for the Four-month Period Ended April 30, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21628.pdf>)

EX33.49	ACTION			Ward: All
---------	--------	--	--	-----------

**Contribution Rebate Program for the 2006 Election****Origin**

(April 14, 2009) Letter from Councillor Cliff Jenkins

**Recommendations**

That the City Clerk be requested to report to the Executive Committee on:

1. the number of persons who did not receive a 2006 election rebate;
2. the costs and benefits of reopening the Contribution Rebate Program for a period of two months; and
3. possible options on changes to policy for future elections to permit the Clerk more flexibility in processing rebate applications after the specified rebate period.

**Summary**

I request that the Executive Committee consider the rigidity of the policy on election contribution rebates and whether to reopen the Contribution Rebate Program for the 2006 Election to permit persons who did not submit a rebate application prior to the filing deadline to have another opportunity to do so.

The rules for applying for a contribution rebate are rigid - no application is accepted after the final date. Arguably, this is evenhanded and provides equal opportunity to all campaign contributors, but it may be unfair to those who miss the filing deadline due to unforeseen circumstances.

It has come to my attention that there are over 4000 campaign contributors in the 2006 municipal election who have not received rebates - including one husband and wife who each donated \$1,000 to a candidate for Council. Not to receive a campaign rebate due to a technicality of timing is surprising to citizens. It can present a hardship.

**Background Information**

Memo (April 14, 2009) from Councillor Cliff Jenkins

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21573.pdf>)

EX33.50	ACTION			
---------	--------	--	--	--

**Agreement for the Existing Strachan Outdoor Billboard Sign- Clarity Outdoor Media Inc.**

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

**Origin**

(May 26, 2009) Report from the Chief Executive Officer, Exhibition Place

**Recommendations**

It is recommended that City Council:

1. Approve of the Board entering in an agreement with Clarity Outdoor Media Inc on the terms and conditions outlined in this report and the Confidential Attachment I and such other terms and conditions as may be satisfactory to the Chief Executive Officer of the Board and the City Solicitor;
2. Direct that the confidential information in Attachment 1 not be released publicly in order to protect the competitive position and the future economic interests of Exhibition Place; and
3. Authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

**Summary**

This report recommends that City Council approve of the Board of Governors of Exhibition Place (the “Board”) entering into a 15-year licence agreement with Clarity Outdoor Media Inc. (“Clarity”) as the Preferred Proponent for the operation of an existing outdoor billboard sign.

In 1999 the Board entered into an agreement with Gallop & Gallop Advertising Inc for the construction, operation and maintenance of a pillar billboard structure on the south side of the Gardiner Expressway near Strachan Avenue (the Strachan Billboard), which is set to expire on August 31, 2009. This Agreement was subsequently assigned to Mediacom Inc which company was subsequently purchased by CBS Outdoor Ltd, (“CBS”). The current agreement provides either party with the option to request an opportunity to attempt to negotiate an extension of the current agreement before the Board may pursue its option to purchase the sign and re-tender the opportunity to the market. Pursuant to the agreement, the Board gave notice to CBS to commence negotiations to renew. The financial proposal received from CBS did not meet with staff expectations given the location and the value of the sign asset.

The Request for Proposals (RFP) called for a qualified outdoor billboard operator to purchase, operate and maintain the existing Strachan Billboard for a period of 15 years commencing September 1, 2009 was released through the City of Toronto Purchasing Division on March 27, 2009. Proposals were received from three companies: Clarity Outdoor Media Inc, CBS Outdoor Ltd and Pattison Outdoor Advertising. The Clarity offer being recommended to the Board meets or exceeds all key market values as set out in the Allvision assessment.

The existing sign is a permitted sign under City by-laws and this report does not constitute regulatory approval of any future changes or enhancements to the sign.

**Financial Impact**

Approval of the agreement between the Board and Clarity will result in a positive income stream to the Board as detailed in Confidential Attachment 1.

**Background Information**

Agreement for the Existing Strachan Outdoor Billboard Sign- Clarity Outdoor Media Inc.  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21591.pdf>)