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## Executive Committee

<b>Meeting No.</b>	34	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Tuesday, September 8, 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

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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

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

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

**Confirmation of Minutes - June 2, 2009**

**Communications/Reports**

EX34.1	ACTION			Ward: All
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**Toronto Community Housing Corporation – Annual Report to Shareholder, 2008 Audited Consolidated Annual Financial Statements and Annual General Meeting**

**Origin**

(August 18, 2009) Report from the City Manager

**Recommendations**

The City Manager recommends that City Council:

1. appoint the Deputy City Manager for Cluster A or her designate as the City's proxy for the purposes of the 2009 annual shareholder meeting of the Toronto Community Housing Corporation to be held on October 16, 2009 and any adjournment thereof and direct the proxy holder to attend same and vote as follows:
  - a. approve the minutes of the previous Annual General Meeting held on October 24, 2008 (Attachment 3 to this report);
  - b. receive the 2008 annual audited financial statements of the Corporation for the period ended December 31, 2008, together with the auditor's report thereon (included in Attachment 2 to this report);
  - c. reappoint Ernst & Young LLP, Chartered Accountants, as the Corporation's auditors until the next annual general meeting; and,
  - d. use her or his discretion to vote on such other matters as may properly be on the agenda of the Meeting or any adjournment thereof;
2. authorize and direct the Deputy City Manager and Chief Financial Officer and the City Clerk to execute on behalf of the City the common share proxy substantially in the form of Attachment 1 to this report;

3. receive Toronto Community Housing Corporation's 2008 Annual Report (included as Attachment 2 to this report) comprising the letter from the Corporation's Acting Chief Executive Officer dated August 13, 2009 and related attachments;
4. refer Toronto Community Housing Corporation's 2008 audited annual consolidated financial statements and the auditor's report thereon dated March 27, 2009, to the City Audit Committee for its information.

### Summary

Pursuant to the Ontario Business Corporations Act, Toronto Community Housing Corporation (TCHC) is required to hold an annual general meeting. TCHC plans to hold its Annual General Meeting outside of a City Council meeting. For this meeting to take place, the City, as TCHC's sole shareholder, must appoint and provide direction to a proxy holder to act on its behalf at the meeting.

### Financial Impact

There are no financial impacts to the City or Toronto Community Housing Corporation as a result of approving the recommendations in this report.

The Deputy City Manager and Chief Financial Officer has reviewed TCHC's financial statements and his summary and comments are contained in Attachment 4 to this report

### Background Information

Toronto Community Housing Corporation - Annual Report to Shareholder, 2008 Audited Consolidated Annual Financial Statements and Annual General Meeting

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22984.pdf>)

Appendix B to Attachment 2 - 2008 TCHC Consolidated Audited Annual Financial Statements and Auditor's Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22985.pdf>)

Attachment 4 - Report of the Deputy City manager and Chief Financial Officer dated August 17, 2009 entitled "Toronto Community Housing Corporation - Financial Statements 2008"

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22986.pdf>)

EX34.2	ACTION			Ward: All
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### Enwave Energy Corporation Annual Shareholders' Meeting

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

### Origin

(August 24, 2009) Report from the City Manager

### Recommendations

The City Manager recommends that:

1. Council appoint the City Manager or his designate as the City's proxy holder to attend and vote the City's common shares of Enwave Energy Corporation at the annual

shareholders' meeting to be held on October 4, 2009, or any adjournment of that meeting and direct that the necessary proxy be executed;

2. Council adopt the recommendation of the Corporations Nominating Panel dated August 12, 2009 forming Attachment 3 to this report as follows:

“City Council nominate the two persons listed in Confidential Appendix 1 to this report [Attachment 3] for election at Enwave’s 2009 annual shareholders’ meeting to the Board of Directors of Enwave Energy Corporation and the individual indicated to serve as Chair of the Board, to serve at the pleasure of Council for a term commencing on the date of the 2009 annual shareholders’ meeting and ending on the date of the third annual shareholders’ meeting held after the 2009 annual shareholders’ meeting in 2012, or until their successors are elected or appointed”;

3. the proxy holder be directed to vote the City’s shares as follows at the annual shareholders’ meeting of Enwave Energy Corporation:
  - a. approve the minutes of the 2008 Annual Meeting held on July 7, 2008;
  - b. receive the annual financial statements of the Corporation for the fiscal year ended October 31, 2008 together with the auditor’s report on those statements;
  - c. receive the unaudited financial statements of the Corporation for the second quarter ended April 30, 2009;
  - d. reappoint Ernst & Young LLP, Chartered Accountants as the Corporation’s auditors, and authorize the directors of Enwave to fix the auditors’ remuneration;
  - e. elect as directors of the Enwave Board:
    - i. the Mayor;
    - ii. the two individuals recommended by the Corporations Nominating Panel identified in Confidential Appendix 1 to Attachment 3 to this report; and
    - iii. the three individuals nominated by BPC Penco identified in Confidential Appendix A of Attachment 1 to this report;
  - f. appoint as the Chair of the Enwave Board the individual identified in Confidential Appendix 1 to Attachment 3 to this report; and
  - g. transact such other business as may properly come before the annual shareholders’ meeting or any adjournment of the meeting;
4. the names and credentials of the nominees from both BPC Penco and the City be made public following City Council’s approval; and

5. the contents of Confidential Attachment 4 to this report be kept in their entirety confidential after the consideration of this report by Council except as routinely disclosed in the “Government Business Enterprises” section of the City’s Consolidated Financial Statements.

### Summary

This report transmits the notice of the Annual Shareholders’ Meeting for Enwave Energy Corporation to be held on October 4, 2009 and recommends the necessary Council actions. This report includes a transmittal of the recommendations of the Corporations Nominating Panel and the nominees of BPC Penco for appointment of directors and a confidential report from the Deputy City Manager and Chief Financial Officer commenting on the financial statements.

### Financial Impact

The recommendations in this report have no financial impact.

### Background Information

Enwave Energy Corporation Annual Shareholders' Meeting  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22987.pdf>

Attachment 1 - Notice of Annual General Meeting including (confidential) transmittal of the names of the nominees of BPC Penco

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22988.pdf>

Attachment 2 - Minutes of the Annual Shareholders' Meeting held on July 7, 2008

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22989.pdf>

EX34.3	ACTION			Ward: All
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### Canadian Stage Company – Renewal of a Line of Credit Guarantee

#### Origin

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

#### Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1.
  - a. the City renew the line of credit guarantee on behalf of the Canadian Stage Company (CanStage) to its financial institution in the amount of \$800,000.00 (inclusive of all interest payable by CanStage), commencing on November 1, 2009 and ending on October 31, 2012;
  - b. the City extend the agreement with CanStage with respect to the line of credit guarantee; and
  - c. the City extend the tri-party agreement with CanStage and with its financial institution with respect to the line of credit guarantee.

2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as Deputy City Manager Sue Corke, and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest.
3. The City retain the right to withhold a portion of outstanding grants that the City may provide to the Canadian Stage Company during the term of the guarantee to pay off the line of credit if it is not retired or renegotiated by October 31, 2012.
4. The Canadian Stage Company provide the Deputy City Manager and Chief Financial Officer with their annual audited financial statements for the years 2009 to 2012 when they become available.
5. The guarantee be deemed to be in the interest of the City.
6. The appropriate officials be authorized to take the necessary action to give effect thereto.

### Summary

This report seeks Council approval to renew the line of credit guarantee for the Canadian Stage Company for \$800,000.00 from November 1, 2009 until October 31, 2012.

### Financial Impact

Issuance of a line of credit guarantee is considered to be a financial commitment of the City. However, there is no direct cost to the City for providing this guarantee unless the organization defaults on its obligation and the City cannot recover the funds beyond any grant funding to the Canadian Stage Company withheld by the City.

### Background Information

Canadian Stage Company - Renewal of a Line of Credit Guarantee  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22990.pdf>

EX34.4	ACTION			Ward: All
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## Authority to Execute a Letter of Agreement with the Government of Ontario for 2009 Ontario Bus Replacement Program Funding

### Origin

(August 25, 2009) Report from the Deputy City Manager and Chief Financial Officer

### Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1. The Mayor and the Deputy City Manager and Chief Financial Officer be authorized to execute the Letter of Agreement under the Ontario Bus Replacement Program (OBRP)

between the City of Toronto and Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario, generally in accordance with the terms set out in Appendix A, and to the satisfaction of the Deputy City Manager and Chief Financial Officer and the City Solicitor.

2. The appropriate officials be authorized and directed to take necessary actions to give effect thereto.

### Summary

This report recommends that staff be authorized to execute a transit capital funding Letter of Agreement under the Ontario Bus Replacement Program (OBRP) between the City and the Provincial Government. The Ontario Bus Replacement Program is a provincial Ministry of Transportation program funding the replacement of transit buses. The Ministry created the OBRP in recognition of municipalities' need to replace aging transit buses to support the development of strong communities, increase public transportation reliability, reduce municipal operating costs, and invest in the renewal of transportation systems. As part of the 2009 OBRP agreement between the City and the Province, the Ministry of Transportation will provide up to a maximum of \$25,801,173 in accordance with and subject to the terms set out in the Letter of Agreement and the Guidelines and Requirements, payable after April 1, 2009.

### Financial Impact

Once the Ministry of Transportation has received signed copies of the Letter of Agreement, the related authorizing municipal by-law, and certified copies of agreements between the Toronto Transit Commission and the bus manufacturer, the Ministry can, in accordance with the OBRP, make arrangements for the payment of OBRP funding to the City. Funding for 2009 will be \$25,801,173, of which 1/12 will be paid immediately, with the remaining 11/12ths paid in equal amounts over the following 11 years. The funding for this program is assumed in the 2009-2013 Approved Capital Budget.

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

### Background Information

Authority to Execute a Letter of Agreement with the Government of Ontario for 2009 Ontario Bus Replacement Program Funding  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22991.pdf>

EX34.5	ACTION			Ward: All
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### Election Administration By-laws

#### Origin

(August 24, 2009) Report from the City Clerk

#### Recommendations

The City Clerk recommends that:

1. Council authorize the dates and times for the 2010 election advance votes, substantially in the form of the draft bill attached as Appendix 'A' to this report;
2. Council authorize elector information to be made available during regular municipal elections and by-elections in those home languages spoken by at least 2 percent of a ward's population, substantially in the form of the draft bill attached as Appendix 'B' to this report;
3. Council continue the practice of opening voting places at 10 a.m. on voting day;
4. institutional voting places, as described in subsection 46(3) of the Municipal Elections Act, 1996, be open for the full voting day; and
5. Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto, including the introduction of the bills substantially in the form of Appendices 'A' and 'B'.

### **Summary**

It is recommended that Council enact by-laws establishing the dates and times for the advance votes and a formula to select the languages that certain election information will be available in. The advance votes dates and times by-law is a mandatory by-law that Council must pass. The language by-law is a permissive by-law. Copies of the proposed bills are set out in the appendices to this report.

The City Clerk recommends that the by-law establishing a language formula be applicable to all regular municipal elections and by-elections in the City of Toronto, not just the 2010 election. The by-law establishing the dates and times of the advance votes will apply to the 2010 election only.

### **Financial Impact**

If Council adopts the recommendations as stated, there are no financial implications arising from this report. However, if Council amends any of the recommendations, there may be additional costs depending on the nature of the amendment.

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

### **Background Information**

Election Administration By-laws

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22993.pdf>)



EX34.6	ACTION			Ward: All
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## Election Campaign Finance By-laws

### Origin

(August 26, 2009) Report from the City Clerk

### Recommendations

The City Clerk recommends that the Executive Committee:

#### Establishment of a Contribution Rebate Program

1. Decide whether to recommend to City Council that a contribution rebate program be implemented for the 2010 election and, if so, recommend that City Council:
  - a. pass a by-law substantially in the form of the draft bill attached as Appendix 'A' to this report;
  - b. increase funding from the non-program account to the Elections Reserve Fund XR1017 by \$0.2 million to \$0.8 million per annum beginning in 2010 to pay for the program;
  - c. direct that any election campaign surplus funds paid to the Clerk under subsection 79(4) of the Municipal Elections Act, 1996 by a candidate for office on Toronto City Council be deposited into the Elections Reserve Fund XR1017 in accordance with section 14 of the draft bill attached as Appendix 'A' to this report.

#### Corporate and Trade Union Contributions

2. Recommend that City Council pass a by-law to prohibit all corporate and trade union contributions to candidates seeking office to Toronto City Council in all regular municipal elections and by-elections, substantially in the form of the draft bill attached as Appendix 'B' to this report.

#### Electronic filing of Candidate Financial Statements

3. Recommend that City Council pass a by-law to authorize the electronic filing of candidate financial statements in all regular municipal elections and by-elections substantially in the form of the draft bill attached as Appendix 'C' to this report.
4. Authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of the bills substantially in the form of Appendices 'A', 'B' and 'C'.

## Summary

Under the Municipal Elections Act, 1996, Council has the authority to enact by-laws to authorize a contribution rebate program, the prohibition of corporate and trade union contributions and the electronic filing of candidate financial statements. These are all permissive by-laws.

Should Council decide to implement a rebate program for the 2010 election, it is recommended that the program parameters be the same as those for the 2006 election with the exceptions that all campaign surpluses required to be paid to the Clerk by a candidate for office on Toronto City Council will become the property of the City and the rebate application deadline will be extended to June 29, 2012.

It is recommended that the by-laws prohibiting corporate and trade union contributions and the electronic filing of candidate financial statements apply to all regular municipal elections and by-elections, not just the 2010 election.

## Financial Impact

It is difficult to accurately estimate the cost of a contribution rebate program as it is dependent upon many factors including the number of candidates and contributors and the contribution levels.

In past years, the rebate program was funded from the Elections Reserve Fund, through an annual contribution of \$0.6 million from non-program to the reserve fund. However, the contribution from non-program has been insufficient to totally fund the rebate program. Additional withdrawals from the reserve fund, made up of annual contributions from the City Clerk's Office operating budget in non-election years, were required.

The main purpose of the Elections Reserve Fund is to fund the capital and operating requirements to deliver the municipal elections. The adequacy of the Elections Reserve Fund is being separately addressed in the 2010 operating budget process.

Table 3 in Appendix 'D' compares the impacts of the campaign activity of the participating candidates on the 2000, 2003 and 2006 contribution rebate programs. The following trends are evident:

- the number of candidates is increasing with each election;
- the number of candidates participating in the rebate program is increasing;
- the total number of contributors is increasing;
- the number of individual contributors is increasing;
- the total dollar amount of individual contributions is increasing;
- the number of corporate contributors is decreasing;

- the total dollar amount of corporate contributions is decreasing;
- the number of contributors applying for a rebate is increasing; and
- individual contributors are more likely to apply for a rebate than corporate or trade union contributors

If Council enacts the proposed provision that all campaign surpluses required to be paid to the Clerk will become the property of the City, candidates will no longer have the ability to opt out of the program in order to retain their surpluses. Therefore, it is likely that the costs of the 2010 election rebate program will be similar to those of the 2003 program (\$3,199,100).

It is estimated \$3.2 million will be required to fund the Contribution Rebate Program for the 2010 election, provided that the parameters of the program remain at the 2006 levels. The actual financial impact may exceed this estimate if a record number of candidates decide to run for office. The current annual non-program contribution of \$0.6 million, totalling only \$2.4 million over 4 years, is insufficient to fund the rebate program. The non-program contribution will need to increase to \$0.8 million beginning in 2010 to provide on-going stable funding for the rebate program. Rebate payments will be made to applicants in 2011 and 2012.

Should Council wish to avoid the projected \$0.8 million in added rebate costs, staff estimate that the maximum rebate payout would have to be reduced from the current \$1,000 to \$350 which would take the maximum rebate to what it was in 1997.

Should Council wish to increase the rebate payment formula, the contribution from the non-program account will need to be increased accordingly to ensure there is sufficient money in the reserve to fund future elections and by-elections.

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

### **Background Information**

Election Campaign Finance By-laws  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22994.pdf>

EX34.7	ACTION			Ward: All
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### **Establishment of a Compliance Audit Committee for the 2010 Municipal Election**

#### **Origin**

(August 24, 2009) Report from the City Clerk

#### **Recommendations**

The City Clerk recommends that:

1. Council establish a compliance audit committee composed of three members and

delegate all of Council's powers and functions under subsections 81(3), (4), (7), (10) and (11) of the Municipal Elections Act, 1996 in respect of compliance audit applications;

2. Council adopt the terms of reference and membership selection process set out in Appendices 'B' and 'C';
3. each appointee to the compliance audit committee receive the per diem established by Council for attendance at meetings (currently \$350);
4. the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### **Summary**

This report recommends the establishment of a compliance audit committee composed of three members for the 2010 municipal election.

Under section 81 of the Municipal Elections Act, 1996, Council may choose to either consider compliance audit applications itself or establish a committee for this purpose. For both the 2003 and 2006 elections Council established a compliance audit committee to consider applications for a compliance audit of candidate financial statements. All of Council's powers and functions under section 81 of the Municipal Elections Act, 1996 were delegated to the committee.

A targeted search strategy will be undertaken to attract qualified individuals. A listing of recommended individuals will be submitted for Council's consideration through the Executive Committee in early 2010. Each appointee to the compliance audit committee will receive the per diem established by Council for attendance at meetings (currently \$350).

### **Financial Impact**

Factors involved in determining compliance audit committee costs include the number of compliance audit applications that might be received, the number of meetings that are required to be held and the complexity of the audits that may need to be conducted. Based on past experience and in anticipation of a further increase in the number of applications, given the increase in applications following the 2006 election (see Table 1), it is estimated that it may cost approximately \$75,000 for the targeted search advertising costs, remuneration costs for committee members, auditor costs to conduct five to seven non-complex audits and administration costs to support the committee.

Funding for this purpose is available in the Election Reserve and, if required, would be paid during 2011, 2012 and 2013.

Should more applications be received than are anticipated or if the audits are complex, it will be necessary to seek Council's authorization for additional funds.

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

## Background Information

Establishment of a Compliance Audit Committee for the 2010 Municipal Election  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22996.pdf>)

## Presentation

EX34.8	ACTION			Ward: 20
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## Preservation Alternatives for the Former Canada Malting Complex

### Origin

(April 16, 2009) Report from the Chief Corporate Officer

### Recommendations

The Chief Corporate Officer recommends that:

1. Alternative “D” be adopted to demolish all silos and structures leaving only a symbolic outline representation of nine southern silos in a landscape setting at an estimated cost of \$8.4 Million that is within the proposed 2009 F&RE Capital Budget.

### Summary

Facilities and Real Estate Division (F&RE) was directed by Executive Committee at its meeting of June 03, 2008, item EX21.1.10 to provide long-term options for the silos and structures of the former Canada Malting Complex in support of future development of this site and to facilitate public access to Ireland Park. The silo facilities are on the City’s inventory list of heritage properties.

Trow Associates Inc. (Trow), the engineering consultant of record, has provided cost estimates on the five alternatives detailed in this report and summarized in table form in Appendix “A”, which range in cost from \$7.65 Million to \$20.6 Million. The project budget included in the 2009 Capital Budget submission is \$12.2 Million, which incorporates an estimated \$3.8 Million repair to the east dock wall, resulting in \$8.4 Million for the site building structures. The east dock wall repairs are needed and common to all Alternatives presented.

The City’s Heritage Preservation Services (HPS) prefers Alternative “B”, to retain and restore all silos and demolish the buildings to the west at a total cost of about \$17.7 Million. This requires additional funding of approximately \$9.3 Million to be added to the approved project budget.

This report recommends Alternative “D”, to demolish all silos and structures leaving only a symbolic outline representation of nine southern silos in a landscape setting at a cost of about \$8.4 Million. HPS is not in agreement with this recommendation.

### Financial Impact

The content of this report has no direct financial impact to the current year’s budget provided the recommended Preservation Alternative “D” is approved. Should Alternative’s “A”, “B” or

“C” be approved additional funding will be required to implement the respective Alternative. The capital budget plan for this project is \$12.2 Million (\$3 Million in 2009 and \$9.2 Million in 2010); however, \$3.8 Million of this amount is required for the east dock wall repairs.

### **Background Information**

Preservation Alternatives for the Former Canada Malting Complex  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22997.pdf>  
 Appendix A - Summary Table  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22998.pdf>

## **8a 5 Eireann Quay – Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act**

### **Origin**

(April 21, 2009) Report from Toronto and East York Community Council

### **Recommendations**

The Toronto and East York Community Council referred the report (March 10, 2009) from the Director, Policy and Research, City Planning Division, headed “5 Eireann Quay - Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act”, and the letter (March 27, 2009) from the Toronto Preservation Board to the May 4, 2009 meeting of the Executive Committee for consideration with the report (April 16, 2009) from the Chief Corporate Officer, headed “Preservation Alternatives for the Former Canada Malting Complex”.

### **Summary**

The property at 5 Eireann Quay (formerly known as 5 Bathurst Street) containing the Canada Malting Complex is included on the City of Toronto Inventory of Heritage Properties. It was reviewed by the Federal Heritage Review Office (FHRO) and that report concluded that “the structures enjoy significant symbolic status and considerable public recognition profile.”

Facilities and Real Estate Division have applied to demolish the entire complex, save and except a small representative portion of the silos.

Four preservation options for the Canada Malting Complex that were reviewed by an Industrial Heritage Consultant (Historica Research Ltd) are described below. The consultant was retained specifically by Facilities and Real Estate Division to comment on the heritage impacts of the proposed conservation component.

Comment is provided by both Heritage Preservation Services and Community Planning staff regarding the importance in conserving the site for the citizens of Toronto.

### **Financial Impact**

While the act of passing the bylaw recommended in this report has no financial implication for the City of Toronto, the resulting expectations of remedial work to conserve the heritage structures will have financial implications. Currently a proposal to substantially demolish the silos and leave a representative portion of the buildings behind will cost council approximately \$8.4 million. However, this option represents the least desirable approach from a heritage

conservation point of view and is directly at odds with policies regarding heritage conservation in the Official Plan and the Council adopted Standards and Guidelines for the Conservation of Historic Places in Canada, and is not consistent with the Provincial Policy Statement 2005.

### Background Information

5 Eireann Quay - Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22999.pdf>)

5 Eireann Quay - Staff Report (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23000.pdf>)

5 Eireann Quay - Toronto and east York Community Council Letter (March 27, 2009) (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23001.pdf>)

Letter from Robert Rasmussen, York Quay Neighbourhood Association (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23002.pdf>)

EX34.9	ACTION			Ward: All
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### Operating Variance Report for the Four-month Period Ended April 31, 2009

#### Origin

(August 25, 2009) Report from the Budget Committee

#### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the 2009 Operating Budget Adjustments related to service and program re-alignments for Solid Waste Management Services, Technical Services, and Parks, Forestry and Recreation Division as detailed in Appendix D of the report (May 27, 2009) from the Deputy City Manager and Chief Financial Officer.

#### Summary

The purpose of this report is to provide City Council with the City of Toronto Operating Variance for the four-month period ended April 30, 2009 and to obtain Council's approval for amendments to the 2009 Council Approved Operating Budget with no change to the Net Operating Budget.

At the end of the four-month period ended April 30, 2009, actual net expenditures were over-budget by \$5.018 million or 0.6 per cent of the 2009 Net Operating Budget for that period. Projections to year-end indicate that the 2009 Council Approved Net Operating Budget may be over-spent by \$1.857 million or 0.1 per cent. Analysis indicates that the unfavourable year-to-date variance is primarily driven by the impact of the ongoing recession on key non-tax revenues. Staff will continue to monitor the impacts of the recession closely and take action as appropriate.

#### Financial Impact

Net expenditures for the four-month period ended April 30, 2009 were over budget by \$5.018 million or 0.6 per cent (See Table 1). Projections to year-end indicate an unfavourable net

operating budget variance of \$1.857 million or 0.1 per cent. The Deputy City Manager and Chief Financial Officer will monitor expenditures of City Operations and Agencies, Boards, and Commissions (ABCs) that are projecting over-expenditures, and will institute appropriate strategies to bring spending in line with the budget by year-end.

### Background Information

Operating Variance Report for the Four-month Period Ended April 30, 2009  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23003.pdf>

EX34.10	ACTION			
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### Project Authority Increase - Cumberland Entrance to Bay Station Improvements - Contract D1-5

#### Origin

(August 25, 2009) Report from the Budget Committee

#### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve additional budget and project costs in the amount of \$345,000 for the City Project CTT010, Cumberland Entrance to Bay Station, bringing the total to \$1,200,000 to be accommodated by corresponding reduction in the City Project CTT110, Station Improvements Program.

#### Summary

At its meeting on Thursday July 9, 2009 the Commission considered the attached report entitled, Authority Increase – Cumberland Entrance to Bay Station Improvements – Contract D1-5”.

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

It is recommended that the Commission:

1. Approve an increased project cost of \$345,000 for the Cumberland Entrance to Bay Station, bringing the total estimated final cost of \$1,200,000.
2. Forward this report to the City via the City Budget Committee requesting additional budget cost approval in the amount of \$345,000 for the City Project CTT010, Cumberland Entrance to Bay Station, bringing the total to \$1,200,000 to be accommodated by corresponding reduction in the City Project CTT110, Station Improvements Programs.

The foregoing is forwarded to the City Budget Committee for consideration of the Commission embodied in Recommendation No. 2 above.



## Background Information

Project Authority Increase-Cumberland Entrance to Bay Station Improvements - Contract D1-5  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23004.pdf>)

EX34.11	ACTION			
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## Transit City Funding Request

### Origin

(August 25, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee forwarded the report to the Executive Committee without recommendations.

### Summary

At its meeting on Thursday July 9, 2009 the Commission considered the attached report entitled, “Transit City Funding Request”.

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

It is recommended that the Commission:

1. request the City of Toronto to approve Capital funding of \$134.5 million for Transit City forecast expenditures and commitments to the end of 2009 to continue the planning, design, property acquisition, contract commitments and construction of the Sheppard East LRT, Eglinton Crosstown LRT, Finch West LRT and Scarborough RT projects;
2. direct that a copy of this report be provided to Metrolinx and the Ministry of Transportation.

The foregoing is forwarded to the City Budget Committee for consideration of the Commission’s request embodied in Recommendation No. 1 above.

## Background Information

Transit City Funding Request  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23005.pdf>)

EX34.12	ACTION			Ward: All
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## **Enhancing Competitiveness and Ensuring Infrastructure in the Film and Television Cluster**

### **Origin**

(May 28, 2009) Report from the Toronto Film Board

### **Recommendations**

The Toronto Film Board recommends to the Executive Committee and City Council that the Province of Ontario be requested to:

1. implement a 5 per cent Studio Bonus and that it be applied to qualified film production facilities; and
2. work with the Toronto Film Board and Film Ontario to devise a mechanism to provide financial support for the development of sound stages to augment the existing stage infrastructure.

### **Summary**

The Film Board had before it at its last meeting a letter addressed to Mayor Miller from the Directors Guild dated February 12, 2009. On behalf of the local industry it asked for the full support of the Board in an approach to the Premier and cabinet to address the issue of competitiveness of Toronto in the face of a Regional Bonus. Three options were presented: the idea of creating a 5% Studio Bonus; a change in the boundaries which delineate the applicable area eligible for a bonus; and a change in the threshold amount of work required to be done in the region to qualify for a bonus. The Mayor led a discussion at the Board and while the Mayor was asked to not delay in finding an opportunity to raise the regional bonus with the Premier, it was also noted that the request of the Province needed to be more developed including information on the requisite cost of any proposal. Further discussions and work has been undertaken by a Working Group on Regional Incentives and is reported below.

In summary, the working group recommends that the City of Toronto and screen-based industries in the GTA focus the initial request and ask the Province to implement a 5% Studio Bonus for qualified film production facilities. A similar incentive has proven very successful in New York, and resulted in a significant increase in screen-based production at local studios. They believe this additional incentive would make Toronto as competitive as the rest of Ontario has become by way of the regional bonus and more so to the foreign producer. Resulting in more jobs created and more investment in the GTA and thus meeting the business development and job creation objectives of the Provincial Government.

The investigation leading to this proposal recognized the need to drive additional business to the existing studios and thus enhance the work of the whole region. It also rekindled the awareness of the growing decline in the number of sound stages both those that are retrofitted and the raw warehouse spaces that have served as intermittent studios. The net amount of stage space lost in the past 5 years, approaches 400,000 square feet. A crisis is in the making if such infrastructure is not replaced in the very near future.

Recent experience in Ontario, across the country and around the world has shown that the construction of new studio space or the retrofit of industrial space requires public sector assistance. Examples include studios in Vancouver, New York City, New Mexico and the recently announced Michigan plan. A second proposal, recognizing the essential role of government, emerged from the working group which recommends that the City and industry work with the Province to develop a mechanism that would create the environment for public private partnerships to build new or retrofit existing industrial space in the GTA for studio use.

### Financial Impact

There are no direct financial impacts resulting from this report.

### Background Information

Enhancing Competitiveness and Ensuring Infrastructure in the Film and Television Cluster  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23006.pdf>

EX34.13	ACTION			
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### Statistic and Baseline Data - Aboriginal Persons Demographic

#### Origin

(May 25, 2009) Report from the Aboriginal Affairs Committee

#### Recommendations

The Aboriginal Affairs Committee requests that:

1. City Council not put too much credence in the demographic statistics generated by the 2006 Census as they under estimate the true Aboriginal population in Toronto.
2. City Council endorse and support the work of the Toronto Aboriginal Population Project in attaining a more accurate statistical representation of the Aboriginal population in Toronto.

#### Summary

The Aboriginal Affairs Committee on May 20, 2009 further considered the presentation from Alan Meisner, Planning Analyst, Social Development, Finance and Administration on the Aboriginal Persons Demographic Snapshot for 2006, and the Census Highlights which was heard at its meeting held on February 12, 2009.

### Background Information

Statistic and Baseline Data - Aboriginal Persons Demographic

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23007.pdf>

Statistic and Baseline Data - Aboriginal Persons Demographic - Census Highlights

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23008.pdf>

Statistic and Baseline Data - Aboriginal Persons Demographic - Presentation

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23009.pdf>

EX34.14	ACTION			Ward: 2, 3, 4, 7, 10, 11, 14, 18, 19, 20, 23, 26, 27, 28, 30, 32, 34, 37, 38, 40, 43
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## **New Affordable Housing Program Opportunities**

### **Origin**

(August 12, 2009) Report from Sue Corke, Deputy City Manager and the Director, Purchasing and Materials Management

### **Recommendations**

The Affordable Housing Committee recommended to the Executive Committee, for its meeting on September 8, 2009 that:

1. Deputy City Manager Sue Corke and the Director of Purchasing and Materials Management be requested to report directly to City Council, at its meeting to be held on September 30 and October 1, 2009, with the list of recommended projects in the report (August 12, 2009) titled “New Affordable Housing Program Opportunities”, upon completion of the Request for Proposals for Affordable Housing process; and
2. the Director, Affordable Housing Office be requested to continue to work with the Ministry of Municipal Affairs and Housing to facilitate the ongoing delivery of the Affordable Housing Program Extension Home Ownership Component to support first time buyers access home ownership opportunities through partnerships with Habitat for Humanity Toronto, Toronto Community Housing’s Regent Park Revitalization, Home Ownership Alternatives, and Toronto Artscape.

### **Summary**

The City’s Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 -2020 calls for the creation of 1,000 new affordable rental homes annually. The City has also committed to participating in national and provincial economic recovery initiatives, including facilitating the construction of new affordable housing as outlined in the Mayor’s memorandum to City Councillors on July 21, 2009.

This report supports the city’s affordable housing and economic recovery efforts in outlining potential new affordable housing opportunities arising from the Request to Pre-qualify (RTP) number 9155-09-7127. In total 31 private and non-profit housing proponents, who have proposed to construct 6,095 rental units in 22 wards, are short listed to participate in a second stage Request for Proposals (RFP) process which is now underway.

The report recommends that upon the completion of the Request for Proposals, the Deputy City Manager and Director Purchasing and Materials Management report directly to City Council, at its meeting to be held on September 30, and October 1, 2009, with a list of proposals for affordable housing to be recommended to the Ministry of Municipal Affairs and Housing for funding. Unlike other recent affordable housing programs, the Ministry of Municipal Affairs and Housing has not made specific funding allocations to Municipal Service Managers.

### Financial Impact

There are no financial impacts resulting from this report as the report is outlining the short list of proponents of the Requests to Pre-qualify (RTP) for federal, provincial and municipal affordable housing funding. The subsequent report to Council in September on the results of the current Request for Proposals will fully detail the financial impact of the units to be funded through city incentives and federal/provincial affordable housing program funding.

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

### Background Information

New Affordable Housing Program Opportunities

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23010.pdf>)

New Affordable Housing Program Opportunities - Appendix 2

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23011.pdf>) New Affordable

Housing Program Opportunities - Homeownership Component - Program Guidelines

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23231.pdf>)

New Affordable Housing Program Opportunities - Overview of Affordable Housing Stimulus Funding

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23232.pdf>)

EX34.15	Information			
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### Toronto Police Service: 2008 Annual Report and 2008 Annual Statistical Report

#### Origin

(July 15, 2009) Report from the Chair, Toronto Police Services Board

#### Summary

The purpose of this report is to provide Toronto City Council, via the Executive Committee, with the Toronto Police Service's 2008 Annual Report and the 2008 Annual Statistical Report.

### Financial Impact

There are no financial implications in regard to the receipt of this report.

### Background Information

Toronto Police Service: 2008 Annual Report and 2008 Annual Statistical Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23015.pdf>)

TPS - 2008 Annual Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23016.pdf>)

TPS - 2008 Statistical Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23017.pdf>)

EX34.16	ACTION			
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### **Exhibition Place Traffic By-Law No. 45-84**

#### **Origin**

(August 7, 2009) Report from the Chief Executive Officer, Exhibition Place

#### **Recommendations**

The Board of Governors of Exhibition Place recommend to City Council that:

1. The amendment to By-law No. 45-84 of the former Municipality of Metropolitan Toronto, respecting the regulation of traffic in Exhibition Place, to replace the current offence provision with an updated provision as substantially set out in Attachment 1 to this report be approved;
2. Following approval by City of Toronto Council, the City Solicitor make application to the Ministry of the Attorney-General for the approval of set fines for offences under the amended By-law No. 45-84; and
3. The appropriate Board and City Officials be authorized and directed to take the necessary action to give effect thereto.

#### **Summary**

This report is recommending revisions to Traffic By-law No. 45-84 as required in order to make an application to the Attorney-General for Ontario for approval of set fines for offences under the by-law.

#### **Financial Impact**

The recommendations in this report do not have any financial implications.

#### **Background Information**

Exhibition Place Traffic By-Law No. 45-84

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23018.pdf>

EX34.17	ACTION			
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### **Capital Loan and Grant from the Federation of Canadian Municipalities for the Allstream Centre at Exhibition Place**

#### **Origin**

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

#### **Recommendations**

It is recommended that City Council:

1. Approve of entering into an agreement with FCM for a loan of \$2.0M and a grant of \$300,000 for the benefit of Exhibition Place for the energy efficiency upgrades undertaken in the Allstream Conference Centre; and
2. At the Board of Governors request, authorize:
  - a. the Deputy City Manager and Chief Financial Officer to enter into an agreement with FCM, for the issuance and sale of a ten year amortizing debenture in a maximum aggregate principal amount of \$2.0M, such agreement be on terms and conditions satisfactory to the Deputy City Manager and Chief Financial Officer of the Board in consultation with the City Solicitor;
  - b. the Deputy City Manager and Chief Financial Officer and the Mayor to issue the debenture to FCM on behalf of the City and the Board of Governors; and
  - c. the introduction of the necessary bills in Council to give effect thereto.

### Summary

This report requests City Council to issue a debenture of \$2.0M to the Federation of Canadian Municipalities (FCM) to finance an additional loan provided by the FCM to the City for the benefit of the Board of Governors of Exhibition Place for capital works at the Allstream Centre – a Conference and Convention Centre at Exhibition Place.

### Financial Impact

All of the associated debt charges to the City from the \$2.0M debenture will be paid as part of the Allstream Conference Centre project and as noted in Table 1 which provides updated financial proformas for the Allstream Conference Centre that includes this debenture, there are sufficient funds to pay back the City for the FCM debenture and the \$36.5M loan previously approved by City Council.

### Background Information

Capital Loan and Grant from the Federation of Canadian Municipalities for the Allstream Centre at Exhibition Place

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23019.pdf>

EX34.18	Action			
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### Taxi Industry Ad Hoc Fee Structure and Inequality for Persons with Mobility Disabilities

#### Origin

(June 4, 2009) Letter from Councillor A.A. Heaps, Chair, Disability Issues Committee

#### Recommendations

The Disability Issues Committee advises the Executive Committee that the Chair request the Director, Investigation Services, Municipal Licensing and Standards to report to the September 21, 2009 meeting of the Licensing and Standards Committee with regard to:

1. including the rights of people with disabilities in the Passenger's Bill of Rights that is displayed in Taxi Cabs; and
2. developing a simplified and more inclusive complaint process to address disability issues.

### Summary

Communication (June 4, 2009) from the Chair, Disability Issues Committee, advising that the Committee considered a submission (May 1, 2009) from Frank Nyitray and Donna Ryder, Ryerson University outlining the results of a project they undertook, to research and expose the inequality of the fee structures that exist within the taxi industry which has a negative impact on persons with mobility disabilities who require the use of a taxi.

### Background Information

Taxi Industry Ad Hoc Fee Structure and Inequality for Persons with Mobility Disabilities

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23020.pdf>)

Taxi industry and ad hoc fee structures and inequality for persons with mobility disabilities - Attachment

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23217.pdf>)

EX34.19	ACTION			Ward: All
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## City-Strike Post-Mortem: Request Province of Ontario to Mandate Daycare and Children's Services as an Essential Service

### Origin

(August 7, 2009) Member Motion from City Council

### Recommendations

Councillor Walker, seconded by Councillor Thompson, recommends that:

1. City Council request the Province of Ontario to legislatively mandate that the City of Toronto provision of infant and toddler daycares and other children's programs be deemed an essential service under the appropriate provincial labour-relations laws and request that any arbitration proceed using the "final offer selection" approach to arbitration.

### Summary

Moving beyond the City of Toronto's six week employee labour disruption, City Council must learn from the mistakes and successes of the strike experience. Most importantly, City Council needs to find a way to prevent this kind of disruption to our city from occurring ever again. One way would be to request the Province of Ontario to deem "essential" the services most integral to the operation of the City, such as infant and toddler daycares and other children's programs. This would require a simple change in Ontario's labour-relations legislation.



The all too recent strike action has upset summer plans for everyone, especially families who rely on city-run daycares and day programs; even the water was off in the children's splashpads in the parks. Families have had to find a private solution to the failure of their basic public service; many are still waiting for refunds for the cancelled programs that were to start a week after the strike action started. Life only happens once and a labour disruption should not be able to negatively affect so many who have no say in the labour negotiations.

Residents had to deal with their garbage before the rats got it and some tenants had to deal with rats in garbage heaps behind their apartments. Businesses lost business and the construction industry was halted due to the lack of City-issued work-permits. Public health was compromised by the lack of personnel in terms of everyday response to everyday health problems, the impossible task of monitoring the toxicity of the temporary neighbourhood dumpsites, as well Toronto's long-term health is now jeopardized by a lack of preparedness for the coming "Swine Flu" H1N1 virus pandemic. Emergency Medical Services' ambulance service was even reduced by workers involved with this strike; when ambulance response times drop by 20% people die, and sadly, they did.

Never again can City Council allow this to happen to Toronto. There is too much at stake. We must speak up and ask the Province to make integral City-services essential under Ontario's labour legislation so failed contract settlement negotiations never impact Torontonians this way again.

(Submitted to City Council on August 5, 2009 as MM38.9)

### **Background Information**

City-Strike Post-Mortem: Request Province of Ontario to Mandate Daycare and Children's Services as an Essential Service  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23021.pdf>

### **Communications**

(August 6, 2009) letter from Judith Andrew, Vice-President, Legislative Affairs, Canadian Federation of Independent Business (EX.Main.EX34.19.1)  
<http://www.toronto.ca/legdocs/mmis/2009/ex/comm/communicationfile-11714.pdf>

EX34.20	ACTION			Ward: All
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### **City-Strike Post-Mortem: Request Province of Ontario to Mandate Emergency Medical Services (EMS) as an Essential Service**

#### **Origin**

(August 7, 2009) Member Motion from City Council

#### **Recommendations**

Councillor Walker, seconded by Councillor Thompson, recommends that:

1. City Council request the Province of Ontario to legislatively mandate that the City of Toronto provision of Emergency Medical Services (EMS) be deemed an essential

service under the appropriate provincial labour-relations laws and request that any arbitration proceed using the “final offer selection” approach to arbitration.

## Summary

Moving beyond the City of Toronto’s six week employee labour disruption, City Council must learn from the mistakes and successes of the strike experience. Most importantly, City Council needs to find a way to prevent this kind of disruption to our city from occurring ever again. One way would be to request the Province of Ontario to deem "essential" the services most integral to the operation of the City, such as Emergency Medical Services (EMS). This would require a simple change in Ontario’s labour-relations legislation.

The all too recent strike action has upset summer plans for everyone, especially families who rely on city-run daycares and day programs; even the water was off in the children’s splashpads in the parks. Families have had to find a private solution to the failure of their basic public service; many are still waiting for refunds for the cancelled programs that were to start a week after the strike action started. Life only happens once and a labour disruption should not be able to negatively affect so many who have no say in the labour negotiations.

Residents had to deal with their garbage before the rats got it and some tenants had to deal with rats in garbage heaps behind their apartments. Businesses lost business and the construction industry was halted due to the lack of City-issued work-permits. Public health was compromised by the lack of personnel in terms of everyday response to everyday health problems, the impossible task of monitoring the toxicity of the temporary neighbourhood dumpsites, as well Toronto’s long-term health is now jeopardized by a lack of preparedness for the coming “Swine Flu” H1N1 virus pandemic. Emergency Medical Services’ ambulance service was even reduced by workers involved with this strike; when ambulance response times drop by 20% people die, and sadly, they did.

Never again can City Council allow this to happen to Toronto. There is too much at stake. We must speak up and ask the Province to make integral City-services essential under Ontario’s labour legislation so failed contract settlement negotiations never impact Torontonians this way again.

(Submitted to City Council on August 5, 2009 as MM38.11)

## Background Information

City-Strike Post-Mortem: Request Province of Ontario to Mandate Emergency Medical Services (EMS) as an Essential Service  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23022.pdf>)

## Communications

(August 6, 2009) letter from Judith Andrew, Vice-President, Legislative Affairs, Canadian Federation of Independent Business (EX.Main.EX34.20.1)  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/comm/communicationfile-11715.pdf>)

EX34.21	ACTION			Ward: All
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## **City-Strike Post-Mortem: Request Province of Ontario to Mandate Garbage Collection as an Essential Service**

### **Origin**

(August 7, 2009) Member Motion from City Council

### **Recommendations**

Councillor Walker, seconded by Councillor Thompson, recommends that:

1. City Council request the Province of Ontario to legislatively mandate that the City of Toronto provided service of garbage collection be deemed an essential service under the appropriate provincial labour-relations laws and request that any arbitration proceed using the “final offer selection” approach to arbitration

### **Summary**

Moving beyond the City of Toronto’s six week employee labour disruption, City Council must learn from the mistakes and successes of the strike experience. Most importantly, City Council needs to find a way to prevent this kind of disruption to our city from occurring ever again. One way would be to request the Province of Ontario to deem “essential” the services most integral to the operation of the City, such as garbage collection for homes, businesses and public spaces. This would require a simple change in Ontario’s labour-relations legislation.

The all too recent strike action has upset summer plans for everyone, especially families who rely on city-run daycares and day programs; even the water was off in the children’s splashpads in the parks. Families have had to find a private solution to the failure of their basic public service; many are still waiting for refunds for the cancelled programs that were to start a week after the strike action started. Life only happens once and a labour disruption should not be able to negatively affect so many who have no say in the labour negotiations.

Residents had to deal with their garbage before the rats got it and some tenants had to deal with rats in garbage heaps behind their apartments. Businesses lost business and the construction industry was halted due to the lack of City-issued work-permits. Public health was compromised by the lack of personnel in terms of everyday response to everyday health problems, the impossible task of monitoring the toxicity of the temporary neighbourhood dumpsites, as well Toronto’s long-term health is now jeopardized by a lack of preparedness for the coming “Swine Flu” H1N1 virus pandemic. Emergency ambulance service was even reduced by workers involved with this strike; when ambulance response times drop by 20% people die, and sadly, they did.

Never again can City Council allow this to happen to Toronto. There is too much at stake. We must speak up and ask the Province to make integral City-services essential under Ontario's labour legislation so failed contract settlement negotiations never impact Torontonians this way again.

(Submitted to City Council on August 5, 2009 as MM38.10)

## Background Information

City-Strike Post Mortem: Request Province of Ontario to Mandate Garbage Collection as an Essential Service  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23023.pdf>)

## Communications

(August 6, 2009) letter from Judith Andrew, Vice-President, Legislative Affairs, Canadian Federation of Independent Business (EX.Main.EX34.21.1)  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/comm/communicationfile-11716.pdf>)

EX34.22	ACTION			Ward: 1
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## Water Connection Funding for the Thackeray Park Cricket Pitch (Ward 1, Etobicoke North)

### Origin

(August 7, 2009) Member Motion from City Council

### Recommendations

Councillor Hall, seconded by Councillor De Baeremaeker, recommends that:

1. City Council approve an allocation of \$350,000 for water and sewer hook-up for Thackeray Park cricket ground.
2. The Thackeray Park water supply and sewer hook up project be added to the appropriate 2009 capital budget program with an offset coming from the Toronto Water and Wastewater Reserve Fund for a net-zero impact on the City's budget.

### Summary

Thackeray Park is located at the north-east corner of Steeles Avenue West and Kipling Avenue. This under-utilized public space was donated to the City of Toronto by the Toronto Region and Conservation Area to facilitate the construction of a modern cricket ground. The project will ultimately include a regulation field, seating areas, lighting, parking and washroom facilities.

Community stakeholders and city partners realized that the park would be a fantastic location to host the growing sport of cricket. The Greater Toronto Area is home to cricket fans from all over the world, especially the United Kingdom, South Asia and the Caribbean. The cricket ground was recently covered in various media outlets from the Asian Television Network to Metro News.

The \$500,000 toward Phase 1 of the cost-shared project between the City of Toronto and community partners has quickly gained momentum. Last month, the Toronto Police Services Board voted to provide \$50,000 in recognition of the positive benefits that this cricket field will have on the health of the community. The cricket ground will provide a unique recreational opportunity for at-risk youth as well organized cricket teams.

The proposed site requires connection to the City of Toronto's water and wastewater system. Funding from the Water Reserve Account would enable the water hookup to take place.

(Submitted to City Council on August 5, 2009 as MM38.19)

### **Financial Impact**

Financial Impact Statement (August 6, 2009) from the Deputy City Manager and Chief Financial Officer.

### **Background Information**

Water Connection Funding for the Thackeray Park Cricket Pitch (Ward 1, Etobicoke North) (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23024.pdf>)

Water Connection Funding for the Thackeray Park Cricket Pitch (Ward 1, Etobicoke North) - Fiscal Impact Statement

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23025.pdf>)

<b>EX34.23</b>	ACTION			Ward: 9
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## **Sewer Connection funding for the Toronto Urban Farm, Black Creek Pioneer Village**

### **Origin**

(August 7, 2009) Member Motion from City Council

### **Recommendations**

Councillor Augimeri, seconded by Councillor De Baeremaeker, recommends that:

1. The City of Toronto Council approve an allocation of \$175,000 to support the request for sewer connection for the Toronto Urban Farm.
2. The Toronto Urban Farm sewer connection project be added to the appropriate 2009 Capital Budget Program with an offset coming from the Toronto Water and Wastewater Reserve Fund for a net zero impact on the City's budget.

### **Summary**

The Toronto Urban Farm, located at Black Creek Pioneer Village, is a City of Toronto and Toronto and Region Conservation Authority project that provides meaningful employment to youth from priority neighbourhoods, enhances leadership, employability and gardening skills and promotes healthy lifestyles and community engagement.

Toronto youth working on the farm harvest crops for niche markets and sell these crops to specialized caterers and restaurants with a portion donated to various community agencies that offer food security programs (i.e. Green Gardeners Group, Seeds of Diversity, Mustard Seed, and The Stop Community Food Centre). An educational component is offered through tours and presentations for schools, churches, organizations and two children's work camps are hosted during the season.

The current septic tank system located within Braeburn House used by students and staff is nearing the end of its lifespan and needs to be upgraded and connected to the City's sanitary sewer system.

(Submitted to City Council on August 5, 2009 as MM38.18)

### **Financial Impact**

Financial Impact Statement (August 6, 2009) from the Deputy City Manager and Chief Financial Officer.

### **Background Information**

Sewer Connection funding for the Toronto Urban Farm, Black Creek Pioneer Village (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23026.pdf>)  
Sewer Connection funding for the Toronto Urban Farm, Black Creek Pioneer Village - Fiscal Impact Statement (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23027.pdf>)

<b>EX34.24</b>	ACTION			Ward: All
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## **Rebates to Citizens as a Result of the Strike by Locals 416 and 79**

### **Origin**

(August 7, 2009) Member Motion from City Council

### **Recommendations**

Councillor Palacio, seconded by Councillor Nunziata, recommends that:

1. City Council request the City Manager to report to the next meeting of City Council on:
  - a. the feasibility of rebating garbage charges, and other appropriate fees and charges for services not delivered but directly billed for, during the strike;
  - b. the feasibility of rebating, crediting, or otherwise compensating non-profit organizations who the City supports with grants, and that can demonstrate significant financial loss as a result of the strike;
  - c. a detailed report of the site conditions, including remediation plans where necessary and the possibility of long-term soil and groundwater contamination at all of the temporary garbage storage sites; and
  - d. a comprehensive accounting of the additional costs and savings to the City as a result of the Strike.

### **Summary**

Following the conclusion of the labour disruption organized by Local 416 and 79, Council should explore the feasibility of several measures that could help to correct some of the

problems created by the strike and rebuild the trust and confidence of the public.

The citizens and non-profit organizations of Toronto suffered through the strike, therefore they should be compensated where it is possible and reasonable for the City to do so.

(Submitted to City Council on August 5, 2009 as MM38.7)

### **Background Information**

Rebates to Citizens as a Result of the Strike by Locals 416 and 79  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23028.pdf>)

EX34.25	ACTION			Ward: All
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### **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-22965.pdf>)