
Executive Committee

Meeting No.	35	Contact	Patsy Morris, Committee Administrator
Meeting Date	Monday, October 5, 2009	Phone	416-392-9151
Start Time	9:30 AM	E-mail	exc@toronto.ca
Location	Committee Room 1, City Hall	Chair	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

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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 - September 8, 2009

Communications/Report.

EX35.1	ACTION			Ward: All
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Relationship Framework for Heritage Toronto

Origin

(September 21, 2009) Report from the City Manager

Recommendations

The City Manager recommends that Council:

1. adopt the Relationship Framework for Heritage Toronto, attached as Appendix 1.
2. authorize the City Solicitor to introduce the necessary bills to amend Chapter 103; HERITAGE of the Municipal Code of the City of Toronto to implement the Relationship Framework and update the Code, substantially as set out in Appendix 2; and
3. authorize the City Manager to make technical amendments and updates to the Relationship Framework as required from time to time pursuant to Council decisions.

Summary

This report recommends adoption of the Relationship Framework governing the relationship between the City and the Board of Heritage Toronto. It also recommends amendments to the Municipal Code required to implement the Framework.

Following comprehensive consultation with the members of the Heritage Toronto Board and Administration, Toronto Preservation Services Staff of City Planning Division, Legal Services, Cultural Services and Financial Planning, this Relationship Framework was developed and is attached as Appendix 1, with the pursuant Municipal Code amendments as Appendix 2. The Board of Heritage Toronto concurs with the Relationship Framework and has requested the City Manager proceed with finalization and approval

Financial Impact

There is no financial impact from adoption of the recommendations. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with this financial impact statement.

Background Information

Relationship Framework for Heritage Toronto

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23746.pdf>)

Appendix 1: Proposed City-Heritage Toronto Relationship Framework Appendix 2: Proposed Amendments to the Municipal Code

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23747.pdf>)

EX35.2	ACTION			Ward: All
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Status Report – Update on the Implementation of Auditor General’s 2008 Recommendations on Access, Equity and Human Rights

Origin

(September 21, 2009) Report from the City Manager

Recommendations

The City Manager recommends that:

1. the Executive Committee receive implementation updates on the Auditor General’s recommendations as part of regular annual reports on Human Rights, Employment Equity and the implementation of Access, Equity and Human Rights Action Plans; and
2. the update on the implementation of recommendations made by the Auditor General in 2008 (Appendix A) be referred to the Audit Committee.

Summary

This report provides City Council with an update on the status of implementation of the recommendations made by the Auditor General in 2008 regarding the implementation of Access, Equity and Human Rights initiatives. Appendix A indicates that ten recommendations have been implemented and that progress is being made on the remaining recommendations, with updates to the Executive Committee on regular annual reports.

Financial Impact

There are no financial implications arising from the adoption of this report

Background Information

Status Report - Update on the Implementation of Auditor General's 2008 Recommendations on Access, Equity and Human Rights

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23748.pdf>)

EX35.3	Information			Ward: All
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Review of the City's Environmentally Responsible Procurement Practices

Origin

(September 21, 2009) Report from the Director Toronto Environment Office and the Acting Treasurer

Summary

Given the collective purchasing power of governments and their agencies, the implementation of green procurement or environmentally responsible procurement practices can help drive the market towards more environmentally friendly goods and services. The City of Toronto has recognized this and in 1999 City Council adopted the Environmentally Responsible Procurement Policy.

Implementation of that policy has led to changing a number of the City's procurement practices. It is now the norm for most of the commonly purchased products, such as paper, lightbulbs and cleaning products to meet environmental standards set by third parties, such as the Environmental Choice Program. Implementation has also been an element of a number of key environmental initiatives, such as the Green Fleet Plan and the Clean Roads to Clean Air program where the City has implemented actions that reduce the environmental impact of key City operations.

While the City's Environmentally Responsible Procurement Policy is still valid and appropriate there are opportunities to enhance implementation. Based on a survey of key staff and a review of other governments' activities this report outlines actions to be taken to further enhance implementation. Key actions include: revising the procurement training program for City staff; developing web-sites and other tools to improve access to information and making changes to operating procedures and work directions.

Financial Impact

There are no financial implications as a result of this report.

The City's Environmentally Responsible Procurement Policy has been in place since 1999 and it is important to note that the number of environmentally friendly products and services has increased dramatically with costs that are competitive with other products and often available at a lower cost.

The actions outlined in this report (e.g. enhanced training; new practices) are within the purvey of the Director of Purchasing and Materials Management and the Director of the Toronto Environment Office and these changes do not result in any need to adjust annual budgets.

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

Background Information

Review of the City's Environmentally Responsible Procurement Practices
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23749.pdf>

EX35.4	ACTION			Ward: All
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Recipients – 2009 Access Equity and Human Rights Awards

Origin

(September 1, 2009) Report from the City Manager

Recommendations

The City Manager recommends that:

1. City Council extend congratulations to the following persons and organizations who have been selected as recipients of the 2009 City of Toronto Access Equity and Human Rights Awards:

Aboriginal Affairs Award: Kimberly Murray
 Access Award: John Rae, Birchmount Bluffs Neighbourhood Centre, and
 Committee for Accessible AIDS Treatment (CAAT),
 Pride Award: John Campey
 William P. Hubbard Award: Adrienne Shadd, Paul Nguyen and Scadding
 Court Community Centre.

Summary

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

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

Financial Impact

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

Background Information

Recipients - 2009 Access Equity and Human Rights Awards
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23750.pdf>

EX35.5	Information			Ward: All
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Inclusion of an Equity Analysis using the Equity Lens in Reports to City Council

Origin

(September 14, 2009) Report from the City Manager

Summary

This report advises on staff experience using the Equity Lens and how it will be applied on an on-going basis. Application of the Equity Lens is being expanded from an Equity Impact Statement to include an equity analysis in significant policy and program reports to Council. This analysis will identify the equity issues that were considered and a summary of the analysis that was undertaken.

Training and presentations on how to use the Equity Lens will continue along with its application during program reviews. In addition, City Divisions will continue to include information on their equity initiatives during the review of the 2010 Operating Budget process.

Financial Impact

There are no financial implications arising from the adoption of this report

Background Information

Inclusion of an Equity Analysis Using the Equity Lens in Reports to City Council
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23751.pdf>

EX35.6	ACTION	11:00 AM		Ward: All
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2009 Labour Disruption Costs and Savings

Origin

(September 24, 2009) Report from Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1. The tax related net savings arising from the 2009 labour disruption (estimated at \$36.1 million as at September 14, 2009) be allocated to the 2009 surplus and be utilized for the 2010 Operating Budget.
2. The Solid Waste Management net costs incurred as a result of the 2009 labour disruption (estimated at \$4.1 million as at September 14, 2009) be absorbed within the 2009 Solid Waste Approved Operating Budget.

3. The Toronto Water net savings arising from the 2009 labour disruption (estimated at \$1.2 million as at September 14, 2009) be transferred to the Water and Wastewater Stabilization Reserve and utilized for Toronto Water's 2010 Operating Budget.
4. The final estimated net savings / costs arising from the 2009 labour disruption be reported as part of the 2009 Third Quarter Operating Budget Variance report.

Summary

This report provides preliminary financial information with respect to costs incurred and savings realized during the 2009 labour disruption by CUPE Local 79 and TCEU Local 416, including costs associated with restoring services to normal levels following the disruption. The majority of strike related savings / costs were incurred after June 30th and therefore the projections to year end in the 2009 Second Quarter Operating Variance report do not capture the full impact of the labour disruption. Final impacts will be reported as part of the 2009 Third Quarter Operating Budget Variance report.

Financial Impact

The 2009 labour disruption financial impact has been determined on the basis of preliminary financial information. As shown in Table 1 below, the preliminary financial impact totals \$33.2 million in net savings and is comprised of \$36.1 million in net savings for Tax-Supported programs, \$1.2 million in net savings for Toronto Water, offset by \$4.1 million in net costs for Solid Waste Management Services.

It is anticipated that further expenditure and revenue adjustments will be processed, but these should not materially change the reported preliminary net savings / costs. A final 2009 labour disruption impact will be presented to the Budget Committee through the 2009 Third Quarter Operating Budget Variance Report.

Table 1: Summary of Net Costs / (Savings)

	2009 Strike Related Net Costs (Savings)			
	TOTAL \$000s	TAX \$000s	WATER \$000s	SOLID WASTE \$000s
Strike Costs	39,672.0	20,386.1	8,807.1	10,478.8
Strike Savings	(93,346.7)	(74,788.4)	(9,980.7)	(8,577.6)
Loss of Revenues	20,505.8	18,317.0	-	2,188.8
NET (SAVINGS) / COST	(33,168.9)	(36,085.3)	(1,173.6)	4,090.0

Background Information

2009 Labour Disruption Costs and Savings

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23752.pdf>)

EX35.7	ACTION	10:00 AM		Ward: 6
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Development Charge Complaint - 343 Evans Avenue

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Origin

(September 23, 2009) Report from the Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager and Chief Financial Officer recommends that

1. Council determine that the City's Development Charge By-law has been properly applied.
2. Council provide Famous People Players, on an exception basis, relief from the payment of applicable development charges for its development at 343 Evans Avenue.
3. Council authorize and direct the appropriate City staff to take necessary action to give effect thereto.
4. Council receive the confidential information contained in Attachment 1.
5. Council determine that the confidential information in Attachment 1 will remain confidential in its entirety.

Summary

The purpose of this report is to provide staff recommendations in response to a complaint filed pursuant to section 20 of the *Development Charges Act, 1997*.

Famous People Players was assessed development charges for its conversion of existing industrial space into a theatre and dining facility. At the request of Famous People Players, Council authorized entering into a Development Charge Late Payment Agreement that allowed for the payment of applicable development charges in 36 interest-free, monthly instalments. In view of a variety of circumstances, including the timing of the Famous People Players building permit application and the nature of redevelopment resulting from its conversion of existing space, it is recommended that Council give favourable consideration to the request for relief from the payment of development charges in this instance.

Financial Impact

Development charges in the amount of \$186,554.91 were assessed for the Famous People Players' redevelopment at 343 Evans Avenue. The City and Famous People Players have entered into a Development Charge Late Payment Agreement that allows the charges to be paid in 36 interest-free, monthly instalments of \$5,182.08. Adoption of the recommendations contained in this report will result in the City foregoing \$186,554.91 in development charge revenues to be received over the 36-month period. The City has to-date received three

instalments of \$5,182.08, for a total of \$15,546.24, which will have to be refunded to Famous People Players if Council adopts the staff recommendations.

Background Information

Development Charge Complaint - 343 Evans Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23753.pdf>)

EX35.8	ACTION			Ward: All
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Consumer Protection Strategy - Disclosure of Development Charges

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

Origin

(September 23, 2009) Report from the City Solicitor

Recommendations

The City Solicitor recommends that:

1. Committee adopt the recommendation contained in confidential Attachment 1, and
2. The recommendation contained in confidential Attachment 1 become public once adopted and the remainder of Attachment 1 remain confidential as solicitor-client advice.

Summary

This report responds to the request of the Executive Committee that the City Solicitor report back to the Executive Committee, at its meeting on October 5, 2009, on the design of a “consumer protection strategy”, including changes to the city’s by-laws and practices, that could best withstand a court challenge in relation to (i) the disclosure of development charges to purchasers of new homes in agreements of purchase and sale and (ii) including municipal charges in the advertised price for a new home.

Financial Impact

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

Background Information

Consumer Protection Strategy - Disclosure of Development Charges

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23754.pdf>)

EX35.9	ACTION	10:15 AM		Ward: 28
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Revised Ground Lease - George Brown College Waterfront Campus - East Bayfront

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

Origin

(September 25, 2009) Report from Deputy City Manager Richard Butts

Recommendations

It is recommended that:

1. Council approve the revised major lease and option to lease terms (the “Revised Terms”) substantially as provided in Attachment 4;
2. Council grant authority for the City, as Landlord, to enter into a long term lease agreement (the “College Lease”) with The George Brown College of Applied Arts and Technology (the “Tenant”) for that part of the East Bayfront (EBF) Lands shown as Blocks 4 and 5 on Attachment 2 (the “College Lease Lands”) on terms and conditions not materially inconsistent with the major terms and conditions described in the Revised Terms, contained in Attachment 4, together with such other terms and conditions as may be deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization in consultation with the Chief Corporate Officer and in a form satisfactory to the City Solicitor, subject to Part 6 below;
3. Council grant authority for the City, as Grantor, to enter into an option to lease agreement (the “Option Agreement”) with the Tenant for that part of the EBF Lands as shown as Block 3 on Attachment 2 (the “Block 3 Lands”) on terms and conditions not materially inconsistent with the major terms and conditions described in the Revised Terms, together with such other terms and conditions as may be deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization in consultation with the Chief Corporate Officer and in a form satisfactory to the City Solicitor;
4. Council grant authority for the City, as Licensor, to enter into a license agreement or agreements (the “License Agreements”) with the Tenant for any periods of time and for any consideration, including nominal consideration, with respect to the College Lease Lands, the Block 3 Lands, or, with Waterfront Toronto's approval, any other portion of the EBF Lands, for the purposes of site mobilization, site preparation, excavation, shoring, surveying, soil investigation, access, construction staging, parking and any other purposes deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization, subject to the condition that the Licence Agreement shall prohibit the Tenant from applying for a building permit for any above grade construction until the Tenant has executed and delivered the College Lease (which will be subject to the satisfaction of the requirements of Part 2. of Executive Committee Item No. EX26.15 “Staff Due Diligence Review of the Proposed George Brown

College Campus - East Bayfront” previously adopted by Council), all to the satisfaction of the Chief Corporate Officer and in a form satisfactory to the City Solicitor;

5. Council grant authority for the City, as owner of the dockwall on the EBF Lands, to enter into a tie back and shoring agreement or agreements (the “Tie Back and Shoring Agreements”) with the Tenant, Waterfront Toronto, and TEDCO, or any of them, and to enter into any related or ancillary agreement pertaining to the excavation, shoring, or construction of the College Lease Lands or any EBF Lands and the protection of the dockwall, and to execute any consent or other document, all to the satisfaction of the Chief Corporate Officer and in a form satisfactory to the City Solicitor;
6. All of Parts 2. 3. 4. 5. 7. 8. 9. 10. 11. 12. 15. 16 and 17. of Executive Committee Item No. EX26.15 “Staff Due Diligence Review of the Proposed George Brown College Campus – East Bayfront” previously adopted by Council at its meeting of December 1, 2, and 3, 2008, as shown in Attachment 3 of this report, are confirmed by Council except that all references to “Lease” shall mean the “College Lease”, the “Leased Lands” shall mean the “College Lease Lands”, and the date of December 31, 2009 shall be extended to “December 31, 2010”;
7. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization to extend the three year Option Period described in the Revised Terms from time to time as he deems appropriate, and on such terms and conditions as he deems appropriate, provided the total Option Period shall not exceed a period of 5 years.
8. If the Option under the Option Agreement is exercised, Council grant authority for the City, as Landlord, to enter into a long term lease agreement (the “Block 3 Lease”) with the Tenant substantially on terms and conditions not materially inconsistent with the Revised Terms and the College Lease, together with such other terms and conditions as may be deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization in consultation with the Chief Corporate Officer and in a form satisfactory to the City Solicitor;
9. If the Block 3 Lease is entered into, all of Parts 2. 3. 4. 5. 8. 9. 10. 11 and 12. of the Executive Committee Item No. EX26.15 “Staff Due Diligence Review of the Proposed George Brown College Campus – East Bayfront” previously adopted by Council at its meeting of December 1, 2, and 3, 2008 shall apply to the Block 3 Lease and the Block 3 Lands in the same manner as they apply to the College Lease and the College Lease Lands;
10. Council authorize the public release of the confidential information in Attachment 1 upon the completion of the development of the publicly-owned lands in EBF as determined by the Deputy City Manager whose responsibilities include Waterfront Revitalization.
11. Council direct the Waterfront Project Director, in consultation with the General Manager of Parks, Forestry and Recreation and the Director of the Office of Partnerships, that following negotiations regarding a joint GBC/municipal recreation

facility, a report be provided to Council on the results of the negotiations and any agreements deemed necessary at that time;

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

Summary

This report recommends revisions to a proposed ground lease transaction between George Brown College (GBC) and the City of Toronto to accommodate development of GBC's waterfront campus on 0.83 ha (2.04 acres) of City-owned land in the East Bayfront (EBF) in two phases. At its December 1, 2 and 3, 2008 meeting, Council authorized a 103-year lease to GBC for all of Blocks 3, 4 and 5 shown on Figure 1 (Attachment 2). Under the original proposal, Block 3 was intended to house the academic facilities; Block 5 would accommodate a student residence building and recreation centre and Block 4 was a below grade parcel for underground parking.

The revisions addressed in this report are largely prompted by GBC's phasing and funding requirements. The College recently received an additional \$30 M for its waterfront campus through the federal Knowledge Infrastructure Program (KIP) which must be invested by March 31, 2011. Together with the \$61.5 M provincial funding previously secured and its own funds, GBC advises that it has the necessary funds to proceed with construction of the academic facilities, estimated at \$175 M, immediately. Whereas the academic building was initially proposed for Block 3, the College now wishes to locate the school on Block 5. Block 5 is larger than Block 3 and more public given its location at the water's edge.

With the focus on meeting the aggressive timelines associated with the KIP funding, GBC's priority of late has been on commencing excavation for the academic facility. This has delayed development of the plans for the student residence and recreation centre on Block 3 which will require the creation of a business case and recruitment of a private partner. Accordingly, the College has advised that it will not be proceeding with this phase immediately. Instead, it has requested a three-year option to lease Block 3 with the possibility of two one-year extensions. The College believes this will provide sufficient time to undertake an Alternative Financing Procurement (AFP) process.

Waterfront Toronto (WT) as development lead for EBF and the Waterfront has endorsed the proposed revisions to the ground lease as well as GBC's revised concept.

Financial Impact

The proposed lease amendments will not have any financial impact on the City during the first twenty-four years of the lease. Waterfront Toronto has indicated that it will sell the rights to the rental revenues received over this initial period to a third party in order to realize an up-front payment that can be used to fund other revitalization activities. This is in accordance with the Memorandum of Understanding negotiated between the City, the Toronto Economic Development Corporation, and Waterfront Toronto, which directs that the revenues derived from the leasing of City lands in the revitalization zone be made available to Waterfront Toronto in order to fund revitalization activities.

The proposed amendments will also not result in any financial impact on the City during the remainder of the lease period as long as George Brown College exercises its option to develop the Block 3 lands. If the option is exercised, the land rents paid to the City by George Brown College for both Phases during this period are to be based on the market value for similar land being applied for a similar use, as per the original lease terms.

If, however, George Brown College chooses not to exercise the option to lease the Block 3 lands, the financial returns the City will experience for these lands, following dissolution of Waterfront Toronto, will depend on what alternative arrangements have been made for these lands.

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

Background Information

Revised Ground Lease - George Brown College Waterfront Campus - East Bayfront
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23755.pdf>

EX35.10	Information			Ward: All
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Occupational Health and Safety Report - First Quarter, 2009

Origin

(June 11, 2009) Report from the Employee and Labour Relations Committee

Recommendations

The Employee and Labour Relations Committee recommended to the Executive Committee that the Occupational Health and Safety Report - First Quarter, 2009 be forwarded to City Council for information.

Summary

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the first quarter of 2009. There were no significant changes in the number of lost time injuries, recurrences or injury frequency relative to the first quarter of 2008. The number of injuries where health care only was sought decreased significantly by 27.4%. Information is provided where there have been significant changes in accident experience and costs within divisions, as well as actions, specific and general, being taken to improve health and safety performance.

On April 20th, 2009, Bill 168 (An Act to amend the *Occupational Health and Safety Act* with respect to violence and harassment in the workplace and other matters) received first reading in the provincial legislature. Information with respect to Bill 168, its background, content and impact on the City, is provided in this report.

Financial Impact

There are no financial impacts to this report beyond what have already been approved in the current year's budget.

Background Information

Occupational Health and Safety Report - First Quarter, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23756.pdf>)

Occupational Health and Safety Report First Quarter, 2009 - Staff Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23757.pdf>)

Appendix A - First Quarter WSIB Incidents Data, by Division

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23758.pdf>)

Appendix B - Toronto Public Service LTI Frequency Report (1st Quarters, 2007-2009)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23759.pdf>)

Appendix C - Summary of WSIB Costs for all Firm Numbers (First Quarters 2005-2009)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23760.pdf>)

Appendix D(i) - Q1 WSIB Invoiced Costs by Division (Cost <\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23761.pdf>)

Appendix D(ii) - Q1 WSIB Invoiced Costs by Division (Costs >\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23762.pdf>)

EX35.11	ACTION			Ward: All
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The Corporation of the City of York Employee Pension Plan – Actuarial Report as at December 31, 2008

Origin

(September 17, 2009) Report from the Government Management Committee

Recommendations

The Government Management Committee on September 17, 2009:

1. recommended to the Executive Committee that City Council:
 - a. receive the report on the “Actuarial Valuation for Funding Purposes as at December 31, 2008” prepared by Mercer Human Resource Consulting with respect to The Corporation of the City of York Employee Pension Plan.
 - b. grant authority for City officials to increase the existing special payments of \$2,945,530 in 2009 to \$3,495,862 in order to fund the additional going-concern and solvency deficiencies which developed in 2008.
 - c. grant authority for City officials to make interest payments of \$9,288 which are required because the increase in special payments will not be processed until November 1, 2009.
 - d. authorize the appropriate City officials to make special annual payments of \$1,066,332 per year for 2010-2012 and \$550,332 for 2013 for the going-concern and solvency deficiency.

- e. increase the 2009 non-program budget for “Programs funded from Reserve Funds” by \$559,620 gross and \$0 net, funded by a draw from the Employee Benefits Reserve Fund (XR1002), to accommodate the new special payment requirements resulting from the 2008 Actuarial Valuation for The City of York Employee Pension Plan.
 - f. authorize the appropriate City officials to take the necessary action to give effect to the foregoing recommendations.
2. Requested the Acting Treasurer to provide an information report to the Government Management Committee on the structure and mandate of the City’s Pension Boards, the City’s responsibility for them and potential assistance that could be provided by OMERS or the Ontario Teacher’s Pension Plan.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Corporation of the City of York Employee Pension Plan (the Plan) and requests additional funding in the form of special annual payments to the Plan as required under the Ontario pension legislation with respect to the solvency and going-concern deficiencies.

The 2008 Valuation sets forth the financial position of the Plan for the year ended December 31, 2008. The report outlines both the solvency deficiency and a going-concern deficiency of the Plan and outlines an amortization schedule of payments required to eliminate the deficiency within the mandatory five years. As a result of the financial position of the Plan, staff are recommending that no cost of living increase be provided to pensioners in 2009.

Financial Impact

As a result of the 2007 Actuarial Valuation and previous valuations, the City of Toronto was required to make special annual payments to the Plan in the amount of \$3,121,264 for 2008 and \$2,945,530 in 2009.

The 2008 Actuarial Valuation shows deterioration in both the going-concern and solvency position of the Benefit Fund. As a result, the City of Toronto is required to increase the special payments for 2009 to a minimum of \$3,505,150 which includes the required interest. The total amount of interest owing that has been calculated using an interest rate of 4.625%, which is the discount rate used for the solvency valuation, is \$9,288. The interest amount in addition to the catch-up payment and the required monthly contribution totals \$764,231 and is required on November 1st, 2009 to meet the financial obligation of the plan.

Funding for these special annual payments will come from the Employee Benefits Reserve. For 2009, \$2,945,530 has been budgeted from this account. Therefore, there is an additional 2009 budget imperative of \$559,620 as a result of the new annual special payment requirements resulting from the 2008 Actuarial Valuation.

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

Background Information

The Corporation of the City of York Employees Pension Plan - Actuarial Report as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23763.pdf>)

The Corporation of the City of York Employee Pension Plan - Actuarial Report as at December 31, 2008 - Staff Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23764.pdf>)

Attachment - Mercer Report on the Actuarial Valuation for Funding Purposes as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23765.pdf>)

Report (May 29, 2009) from the City of York Employee Pension Plan Committee

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23766.pdf>)

EX35.12	ACTION			Ward: All
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Metropolitan Toronto Police Benefit Fund – Actuarial Valuation as at December 31, 2008

Origin

(September 17, 2009) Report from the Government Management Committee

Recommendations

The Government Management Committee on September 17, 2009:

1. recommended to the Executive Committee that City Council:
 - a. receive the “Report on the Actuarial Valuation for Funding Purposes as at December 31, 2008” prepared by Mercer Human Resource Consulting with respect to the Metropolitan Toronto Police Benefit Fund.
 - b. grant authority for City officials to increase the existing special payments of \$772,200 in 2009 to \$5,425,800 beginning on November 1, 2009 in order to fund the solvency deficiency of the Plan based on the 2008 actuarial valuation.
 - c. grant authority for City officials to make interest payments of \$82,660 which is required as the increase in special payments will not be processed until November 1, 2009.
 - d. authorize the appropriate City officials to make special annual payments in the amount of \$4,653,600 for the solvency deficiency for years 2010-2013.
 - e. increase the 2009 non-program budget for “Programs funded from Reserve Funds” by \$3,508,460 gross and \$0 net, funded by a draw from the Employee Benefits Reserve Fund (XR1002), to accommodate the new special payment requirements resulting from the 2008 Actuarial Valuation for the Metropolitan Police Benefit Fund.

- f. authorize the appropriate City officials to take the necessary action to give effect to the foregoing recommendations.
2. Requested the Acting Treasurer to provide an information report to the Government Management Committee on the structure and mandate of the City's Pension Boards, the City's responsibility for them and potential assistance that could be provided by OMERS or the Ontario Teacher's Pension Plan.

Summary

This report submits the Actuarial Valuation as at December 31, 2008 for the Metropolitan Toronto Police Benefit Fund (MTPBF) and requests additional funding in the form of special annual payments as required under Ontario pension legislation when a plan has a "solvency deficiency".

The 2008 Valuation sets forth the financial position of the Benefit Fund for the year ended December 31, 2008, outlines its solvency deficiency at that date, provides an amortization schedule for eliminating the deficiency within the mandatory five years and recommends no cost-of-living increase for pensioners for 2009.

Financial Impact

As a result of the 2007 Actuarial Valuation and previous valuations, the City of Toronto was required to make special annual payments to the Benefit Fund in the amount of \$2,416,200 for 2008 and \$772,200 in 2009.

The 2008 Actuarial Valuation shows a deterioration in the solvency position of the Benefit Fund. As a result the City of Toronto is required to increase the special payments for 2009 to a minimum of \$5,508,460 which includes required interest. The total amount of interest owing that has been calculated using an interest rate of 4.625%, which is the discount rate used for the solvency valuation, is \$82,660. The interest amount, in addition to the catch-up payment of \$4,477,160, are required on November 1, 2009 to meet the financial obligation of the plan.

Funding for these special annual payments will come from the Employee Benefits Reserve. For 2009, \$2,000,000 has been budgeted from this account. Therefore, there is an additional 2009 budget imperative of \$3,508,460 as a result of the new annual special payment requirements resulting from the 2008 Actuarial Valuation.

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

Background Information

Metropolitan Toronto Police Benefit Fund - Actuarial Valuation as at December 31, 2008
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23767.pdf>)

Metropolitan Toronto Police Benefit Fund - Actuarial Valuation as at December 31, 2008
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23768.pdf>)

Attachment - Mercer Report on the Actuarial Valuation for Funding Purposes as at December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23769.pdf>)

Report (April 24, 2009) from the Metropolitan Toronto Police Benefit Fund Board of Trustees
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23770.pdf>)

EX35.13	ACTION			Ward: All
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2008 Final Year-end Capital Variance Report and Capital Variance Report for the Six-Months Ended June 30, 2009

Origin

(September 18, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve additional carry forward funding for Toronto Public Library for unspent 2008 capital projects totalling \$1.126 million as detailed in Appendix 3.1 of the report (September 15, 2009) from the Deputy City Manager and Chief Financial Officer, in order to continue work on 2008 approved capital projects.
2. City Council approve carry forward funding for unspent 2007 and prior year capital projects totalling \$0.295 million with no incremental increase on the 2009 Council approved debt funding as detailed in Appendix 3.2 of the report (September 15, 2009) from the Deputy City Manager and Chief Financial Officer, and that the 2009 Approved Capital Budget be adjusted accordingly.
3. City Council approve closure of the completed capital projects detailed in Appendix 4 of the report (September 15, 2009) from the Deputy City Manager and Chief Financial Officer, and that uncommitted funds from under-spent completed projects be utilized to fund overspent completed projects with no incremental impact on debt, after which any remaining unspent funds be returned to the original funding source.
4. City Council approve the technical adjustments to the 2009 Approved Capital Budget as detailed in Appendices 2.1 and 2.2 of the report (September 15, 2009) from the Deputy City Manager and Chief Financial Officer.

Summary

The purpose of this report is to provide the City of Toronto 2008 Final Year-end Capital Variance Report, the 2009 Capital Variance for the Six Months Ended June 30, 2009 and projected actual expenditures to December 31, 2009. Furthermore, the report seeks Council's approval for in-year budget adjustments, additional 2008 carry-forward funding and project closures. 2008 Final Year-end Capital Variance was prepared using audited accounting information for the year ended December 31, 2008.

The 2008 Final Year-End Capital Expenditure totalled \$1.754 billion or 69.9% of the 2008 Council Approved Capital Budget of \$2.509 billion. This represents an increase of \$0.147 million over the expenditures reported in the 2008 Preliminary Year-End Capital Variance report. The increase is attributed to final year-end adjustments proposed by the external auditors and final year end transactions processed primarily by TTC and Toronto Water.

Capital expenditures for the six months ended June 30, 2009 totalled \$592.634 million or 21.5% of the 2009 Approved Capital Budget of \$2.752 billion. Tax Supported Programs spent \$392.111 million, representing 18.3% of their collective 2009 Approved Capital Budget of \$2.148 billion (see Appendix 1). City Operations spent \$122.592 million or 12.9% of the 2009 Approved Capital Budget of \$948.191 million; while Agencies, Boards and Commissions (ABCs) spent \$269.519 million or 22.5% of their collective 2009 Approved Capital Budget of \$1.2 billion. In total, Rate Supported Programs spent \$200.523 million or 33.2% of their 2009 Approved Capital Budget of \$603.744 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 significantly during the second half of the year, consistent with capital project plans and schedules.

As detailed in Appendix 1, projected actual expenditures to year-end are estimated at \$2.132 billion or 77.5% of the total 2009 Approved Capital Budget of \$2.752 billion. Tax Supported Programs project spending to year end of 78.1%; while Rate Supported Programs project spending of 75.1% of their total 2009 Approved Capital Budget

In accordance with the City's Carry Forward Policy, this report requests Council's approval to carry forward funds for unspent 2008 approved capital project budget as well as for 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 \$1.126 million as detailed in Appendix 3.1 for 2008 approved capital projects; funding for 2007 and prior years approved capital projects totals \$0.295 million with no increase to the 2009 Council Approved debt funding as shown in Appendix 3.2.

Financial Impact

2008 Final Year-End Capital Variance

The 2008 Final Year-End Capital Expenditure was \$1.754 billion which exceeded the 2008 Preliminary Year-End Capital Expenditure of \$1.752 billion by \$1.472 million as illustrated in Chart 1 below. This additional capital expenditure was due to the final 2008 year-end accounting entries and adjustments processed after the 2008 Preliminary Capital Variance report was prepared.

Capital Variance for the Six Months Ended June 30, 2009

As summarized in Table 1 below, for the six months ended June 30, 2009, actual expenditures for Tax Supported Programs totalled \$392.111 million or 18.3% of the 2009 Approved Capital Budget of \$2.148 billion. Rate Supported Programs spent \$200.523 million or 33.2% of their 2009 Approved Capital Budget of \$603.744 million.

Table 1 Corporate Capital Variance Summary for the Six Months Ended June 30, 2009 (\$000s)						
	2009 Approved Budget	Actual Expenditures - January 1 to June 30, 2009		Projected Actual to Year-End		
		\$000	%	\$000	% of Plan	
Tax Supported Programs:						
Citizen Centred Services - "A"	202,983	30,531	15.0	161,372	79.5%	
Citizen Centred Services - "B"	469,438	46,223	9.8	367,528	78.3%	
Internal Services	179,309	25,461	14.2	139,958	78.1%	
Other City Programs	96,462	20,378	21.1	78,998	81.9%	
Agencies, Boards & Commissions	1,200,139	269,519	22.5	930,620	77.5%	
Total - Tax Supported	2,148,330	392,111	18.3	1,678,475	78.1%	
Rate Supported Programs:						
Toronto Parking Authority	30,495	5,172	17.0	12,971	42.5%	
Solid Waste Management	69,011	5,372	7.8	55,157	79.9%	
Toronto Water	504,238	189,979	37.7	385,083	76.4%	
Total Rate Supported	603,744	200,523	33.2	453,211	75.1%	
Total	2,752,074	592,635	21.5	2,131,686	77.5%	

Background Information

2008 Final Year-end Capital Variance Report and Capital Variance Report for the Six-Months Ended June 30, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23772.pdf>

2008 Final Year-end Capital Variance Report and Capital Variance Report for the Six-Months Ended June 30, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23773.pdf>

Appendix 1 - Consolidated Capital Variance Report for the Quarter Ended June 30, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23774.pdf>

Appendix 1.1 - Consolidated Capital Variance Report the Quarter Ended June 30, 2009 - SOGR

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23775.pdf>

Appendix 2.1 - Budget and Technical Adjustment for Year Ended December 31, 2008

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23776.pdf>

Appendix 2.2 - Budget and Technical Adjustments for Quarter Ended June 30, 2008

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23777.pdf>

Appendix 3.1 - 2008 Carry Forwards Funding Adjustments

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23778.pdf>

Appendix 3.2 - 2007 Carry Forwards Funding Adjustments

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23779.pdf>

Appendix 4 - Capital Projects Recommended for Closure

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23780.pdf>

EX35.14	ACTION			
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2008 Final Year-end Operating Variance Report and Operating Variance Report for the Six-Months Ended June 30, 2009

Origin

(September 18, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the allocation of the additional 2008 year-end net operating surplus of \$9.051 million to the Exhibition Place Conference Centre Reserve Fund (\$0.942 million), Building Code Act Service Improvement Reserve (\$0.127 million) and the 2010 Operating Budget – Prior Year Surplus Revenue (\$7.982 million).
2. City Council approve an expenditure increase of \$0.033 million in the 2008 Theatres Operating Budget funded from the Sony Centre Improvement Reserve Fund to cover the legal expenses for the Sony Centre Redevelopment project.
3. City Council approve an increase of \$75.0 million gross and \$0 net to the Shelter, Support and Housing Administration 2009 Operating Budget with funding from the Toronto Community Housing Corporation (TCHC) State of Good Repair Reserve Fund (XR1062) for state of good repair expenditures associated with the backlog of capital maintenance with TCHC.
4. City Council approve the budget adjustments including the approved position changes detailed in Appendix G of the report (September 8, 2009) from the Deputy City Manager and Chief Financial Officer, to amend the 2009 Council Approved Operating Budget between Programs with no Net Budget impact.

Summary

The purpose of this report is to provide City Council with the 2008 Final Year-End Operating Variance which was prepared based on audited accounting information; and to obtain approval for the allocation of the additional 2008 year-end operating surplus. The report also provides City Council with the 2009 2nd Quarter Operating Variance for the six-month period ended June 30, 2009 and requests Council's approval for amendments to the 2009 Council Approved Operating Budget with no change to the Net Operating Budget.

The 2008 Final Year-End Operating surplus totals \$88.577 million or 2.7 per cent under the 2008 Council Approved Net Operating Budget. The final year-end surplus exceeds the amount reported in the 2008 Preliminary Year-End Operating Variance by \$9.051 million which is primarily attributed to a reduction of \$4.8 million of bad debt provisions in Parking Tag Enforcement and Operation; an increase of \$1.260 million in Shelter, Support & Housing Administration recovery of overpayments from Toronto Community Housing Corporation; and Toronto Employment & Social Services' final reconciliation of Ontario Municipal Partnership Fund (OMPF) that has increased OMPF funding by \$0.802 million. It is recommended that the

additional 2008 year-end operating surplus be allocated as follows: \$0.127 million to the Building Code Act Service Improvement Reserve to meet future legislated performance requirements as provided for in the Building Code Act Section 7 (2); \$0.942 million to the Exhibition Place Conference Centre Reserve Fund to help guarantee repayment of a loan for the new conference centre as approved by City Council; and that the uncommitted balance of \$7.982 million be used as a funding source for the 2010 Operating Budget in compliance with the City of Toronto Act Section 228 (5b).

Actual net expenditures for the six-month period ended June 30, 2009 were over budget by \$2.214 million or 0.2 per cent. Analysis indicates that the unfavourable results were primarily driven by the impact of the recession on key non-tax revenues. It is noted that the recession resulted in the underachievement of revenues in Programs such as Toronto Building, City Planning, Municipal Land Transfer Tax (MLTT) and the Toronto Transit Commission (TTC). The Deputy City Manager and Chief Financial Officer will continue working with Division Heads to explore opportunities to mitigate the impact of these revenue losses.

Projections to year-end indicate that the 2009 Council Approved Net Operating Budget will be under-spent by \$32.651 million or 0.9 per cent. The favourable variance projected at year-end will be largely due to a one-time contribution of \$20.0 million from the Toronto Parking Authority; higher than budgeted interest and investment earnings of \$10.0 million; under expenditures in a number of City Programs resulting from the 2009 labour disruption, to be significantly offset by TTC's projected passenger and advertising revenue shortfall and revenue losses arising from both the labour disruption and the 2009 recession. A separate report on the 2009 labour disruption impact on revenues and expenditures will be submitted to the Executive Committee for its October 2, 2009 meeting; however, the final impact will be included in the 2009 3rd Quarter Operating Variance Report for the Nine-Months Ending September 30, 2009.

Financial Impact

2008 Final Year-End Operating Variance:

The 2008 Final Year-End Operating Surplus is \$88.577, which exceeds the 2008 Preliminary Year-End Operating Surplus by \$9.051 million as illustrated in Table 1 below. This additional operating surplus was due to final 2008 year-end accounting entries and adjustments made by Accounting Services and the external auditors after the 2008 Preliminary Operating Variance report was prepared. The attached Appendices A, B and C detail final year-end gross expenditures, revenues, and net expenditures by City Program and ABC.

Table 1			
City of Toronto			
2008 Operating Surplus - Final versus Preliminary			
(\$ millions)			
	Final Y/E	Preliminary Y/E	Difference
City Operations	(6.225)	(4.720)	1.505
Agencies, Boards and Commissions	(15.423)	(14.426)	0.997
Corporate Accounts	(66.930)	(60.381)	6.549
Year-end Operating Surplus	(88.577)	(79.526)	9.051

Table 2 below outlines the recommended allocation of the additional 2008 Final Year-End Operating surplus:

Table 2	
2008 Operating Surplus Allocation (\$ millions)	
Final Adjusted Year-End Operating Surplus	88.577
Council Approved Allocation of Preliminary Surplus:	
2009 Operating Budget - Prior Year Surplus Revenue	(74.178)
Social Assistance Stabilization Reserve Fund	(2.433)
Waste Management Reserve Fund	(1.460)
Exhibition Place Conference Centre Reserve Fund	(1.455)
Total Preliminary Surplus Allocated	(79.526)
Additional Unallocated Year-End Surplus	9.051
Recommended Allocation of Additional Surplus:	
Exhibition Place Conference Centre Reserve Fund	(0.942)
Building Code Act Service Improvement Reserve	(0.127)
	(1.070)
Capital Financing Reserve	7.982

Operating Variance for the Six Months Period Ended June 30, 2009:

Net expenditures for the six-month period ended June 30, 2009 were over budget by \$2.214 million or 0.2 per cent (See Table 3). Projections to year-end, however, indicate a favourable net operating budget variance of \$32.651 million or 0.9 per cent. The attached Appendices D, E and F summarize gross expenditures, revenues, and net expenditures by City Program and ABC as at June 30, 2009 and projections to year-end.

Table 3		
Net Expenditure Variance (\$ Millions)		
	June 2009	Projected Y/E 2009
	Over/(Under)	Over/(Under)
Citizen Centred Services "A"	(1.1)	(20.6)
Citizen Centred Services "B"	9.7	14.7
Internal Services	(1.1)	(8.2)
City Manager	0.0	(1.0)
Other City Programs	(1.7)	(4.9)
Council Appointed Programs	(0.2)	(0.0)
Total - City Operations	5.6	(20.0)
Agencies, Boards and Commissions	6.0	16.0
Corporate Accounts	(9.4)	(28.6)
Sub-Total	(3.4)	(12.6)
Total Variance	2.2	(32.7)

Background Information

2008 Final Year-end Operating Variance Report and Operating Variance Report for the Six-Months Ended June 30, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23781.pdf>

2008 Final Year-end Operating Variance Report and Operating Variance Report for the Six-Months Ended June 30, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23782.pdf>

EX35.15	ACTION			Ward: All
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In Year Budget Adjustment for Economic Stimulus Funding Investments in Social Housing Renovation and Retrofit: Shelter, Support and Housing Administration

Origin

(September 18, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council increase the Shelter, Support and Housing Administration 2009 Approved Operating Budget by \$98,676,948 gross and \$0 net to reflect the funding of the Social Housing Renovation and Retrofit Program.

Summary

This report updates Budget Committee on “details of any additional projects and final provincial approvals for the Social Housing Renovation and Retrofit Program” as requested by City Council at its meeting of May 25-27, 2009.

This report also requests budget adjustments of \$98,676,948 gross and \$0 net to Shelter, Support and Housing Administration’s 2009 Approved Operating Budget to reflect the additional revenues from the Federal and Provincial Governments

Financial Impact

Approval of the recommendation will amend the approved 2009 operating budget of Shelter, Support and Housing Administration, from \$724,488,629 gross to \$823,165,577 gross, an increase of \$98,676,948. There is no net impact to the City.

All funding for the two-year Social Housing Renovation and Retrofit Program (SHRRP) will be received directly from the Provincial Government. 2009 funding details are outlined below:

2009 SHRRP Funding	Gross \$(000)	Net \$(000)
Year 1 Funding (Jul. 29, 2009 to Dec. 31, 2009)	\$98,576,948	0
Year 1 Administration Fee (Jul. 29, 2009 to Dec. 31, 2009)	\$100,000	0
Total	\$98,676,948	0

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

Background Information

In Year Budget Adjustment for Economic Stimulus Funding Investments in Social Housing Renovation and Retrofit: Shelter, Support and Housing Administration
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23783.pdf>

EX35.16	ACTION			
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Facilities and Real Estate 2009 Capital Budget Adjustments and Accelerations / Deferrals

Origin

(September 18, 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 and Real Estate capital budget in the amount of \$503,000, as illustrated in schedule “A” of the report (September 3, 2009) from the Chief Corporate Officer, with zero gross and net impact.
2. City Council authorize deferral and acceleration of funds in the 2009 Approved Facilities and Real Estate Capital Budget and 2010-2013 Capital Plan in the amount of \$352,000 as illustrated in Schedule “B” of the report (September 3, 2009) from the Chief Corporate Officer, with a 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 and 2010-2013 Capital Plan by reallocating funding within the budget and plan, to better meet program requirements. The adjustment of funds will have a zero net impact corporately and will better align 2009 and future 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 \$503,000 (see Schedule “A”). These amendments will have a zero net impact. It will also authorize the deferral and acceleration of funds in the 2009 Approved F&RE Capital Budget and 2010-2013 Capital Plan in the total amount of \$352,000, as illustrated in Schedule “B” attached.

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

Background Information

Facilities and Real Estate 2009 Capital Budget Adjustments and Accelerations/Deferrals

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23784.pdf>)

EX35.17	ACTION			Ward: All
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Toronto Waterfront Renewal Revised 2009 Capital Budget

Origin

(September 18, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the following adjustments with no net impact to sub-projects within the “Waterfront Revitalization Initiative” Project in the Waterfront Renewal 2009 Approved Capital Budget:
 - a. an increase of \$3.358 million in 2009 funding for Waterfront Toronto Corporate Costs;
 - b. an increase of \$7.460 million in 2009 funding for Portlands Preparation;
 - c. an increase of \$1.887 million in 2009 funding for Sports Fields, Facilities and Parks Development;
 - d. an increase of \$0.513 million in 2009 funding for Lake Ontario Park (Phase 1);
 - e. a decrease of \$0.843 million in 2009 funding for Port Union Linear Park;
 - f. a decrease of \$0.871 million in 2009 funding for Mimico Linear Park;
 - g. a decrease of \$9.388 million in 2009 funding for Precinct Implementation Projects;
 - h. a decrease of \$1.226 million in 2009 funding for Transportation Initiatives;
 - i. a decrease of \$0.681 million in 2009 funding for the West Don Lands/East Bayfront District Energy;
 - j. a decrease of \$0.020 million in 2009 funding for Pier 4 Rehabilitation;
 - k. a decrease of \$0.055 million in 2009 funding for Urban Planning Resources; and
 - l. a decrease of \$0.134 million in 2009 funding for the Waterfront Project Secretariat;

2. City Council approve that the City act as “Eligible Recipient”, and approve the creation of a new project, entitled “Regional Sports Complex Planning and Design”, in the 2009 Capital Budget for Waterfront Renewal with total funding of \$3.511 million (\$1.231 million in 2009 and \$2.280 million in 2010), fully funded by Waterfront Toronto, which has asked the City to act as an “Eligible Recipient” on its behalf.
3. City Council request staff to report to Council as part of the 2010 capital budget process on total project costs, confirmed and projected project revenues and the critical path for delivery of the Regional Sports Complex.
4. City Council authorize and direct appropriate City officials to take the necessary action to give effect thereto.

Summary

This report seeks approval to reallocate \$13.218 million of funding among various sub-projects within the “Waterfront Revitalization Initiative” Project in the 2009 Approved Capital Budget for Waterfront Renewal. This change reflects Waterfront Toronto’s updated financial requirements for the year, and ensures that Federal funds are expended by March 31, 2011, the current Federal sunset date for the Waterfront Initiative.

The proposed adjustments will not affect implementation of any on-going priority Waterfront projects.

The City’s contribution to the 2009 Capital Budget for the “Waterfront Revitalization Initiative” Project will remain unchanged at the approved level of \$70.713 million. The City’s overall net contribution to Waterfront Renewal will also remain unchanged at \$500.000 million.

The report also seeks approval for the creation of a new project in the Capital Budget for Waterfront Renewal entitled “Regional Sports Complex Planning and Design” with a total funding of \$3.511 million, fully funded by Waterfront Toronto. The City has been asked by Waterfront Toronto to implement this initiative on its behalf as the “Eligible Recipient”. Initial activities will focus on planning, design, environmental work and business planning. This work is included in the tri-government Long-Term Funding Plan for Waterfront Renewal. It is also recommended that staff report to Council as part of the 2010 capital budget process on total project costs, confirmed and projected revenue sources and the critical path for delivery of the Regional Sports Complex.

Financial Impact

This report seeks approval to reallocate \$13.218 million of funding among various sub-projects under the “Waterfront Revitalization Initiative” Project in the 2009 Approved Capital Budget for Waterfront Renewal to reflect Waterfront Toronto’s updated financial requirements for the year, and to ensure that Federal funds are expended by March 31, 2011, the current Federal sunset date for this Initiative.

The City’s contribution to the 2009 Capital Budget for the “Waterfront Revitalization Initiative” Project will remain unchanged at the approved funding level of \$70.713 million.

The City's overall net contribution to Waterfront Renewal will also remain unchanged at \$500.000 million.

The table below summarizes the recommended adjustments:

Sub-Projects (\$000's)	Adjustments
Waterfront Toronto Corporate Costs	3,358
Portlands Preparation	7,460
Sports Fields, Facilities & Parks Development	1,887
Lake Ontario Park (Phase 1)	513
Sub-Total Proposed Increases	13,218
Port Union	(843)
Mimico	(871)
Precinct Implementation Projects	(9,388)
Transportation Initiatives	(1,226)
WDL/EBF District Energy	(681)
Pier 4 Rehabilitation	(20)
Urban Planning Resources	(55)
Waterfront Project Secretariat	(134)
Sub-Total Proposed Decreases	(13,218)
Total Adjustments	0

The report also seeks approval for the creation of a new project in the Capital Budget for Waterfront Renewal entitled "Regional Sports Complex Planning and Design" with total funding of \$3.511 million (\$1.231 million in 2009 and \$2.280 million in 2010), fully funded by Waterfront Toronto, which has asked the City to implement this initiative on its behalf as an "Eligible Recipient".

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

Background Information

Toronto Waterfront Renewal Revised 2009 Capital Budget
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23785.pdf>