

---

## Executive Committee

<b>Meeting No.</b>	36	<b>Contact</b>	Patsy Morris, Committee Administrator
<b>Meeting Date</b>	Monday, November 2, 2009	<b>Phone</b>	416-392-9151
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	exc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall	<b>Chair</b>	Mayor David Miller

---

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

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

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

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

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

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

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

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

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

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

**Confirmation of Minutes – October 5, 2009****Communications/Reports****Public Meeting**

<b>EX36.1</b>	ACTION	10:00 AM		Ward: All
---------------	--------	----------	--	-----------

**Development Charge By-law - Technical Amendment****Origin**

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

**Recommendations**

The Deputy City Manager and Chief Financial Officer recommends that:

1. Council adopt the proposed amendment to Development Charge By-law 275-2009, attached to this report as Appendix 1.
2. Council authorize the City Solicitor, in consultation with the Deputy City Manager and Chief Financial Officer, to make such stylistic and minor changes to the attached amendment to Development Charge Bylaw 275-2009 as necessary to give effect to the recommendations contained herein.

**Summary**

This report presents a proposed amendment to Development Charge Bylaw 275-2009 for consideration at a statutory public meeting. The purpose of the amendment is solely to clarify the definition of “Ground Floor” that is used in calculating the non-residential charge as described in section 415-7 B. of the bylaw.

This technical amendment to the bylaw is required because, in certain circumstances, it is possible to avoid the payment of non-residential development charges by raising the exterior grade surrounding a building, or lowering the average level of the first floor. The City Solicitor recommends the proposed amendment to the bylaw in order to prevent this circumvention of the intent of the bylaw.

**Financial Impact**

As the development charge bylaw is currently worded, there is the potential that, in certain cases, the City may not be able to collect non-residential development charges as intended. The proposed amendment will ensure that all non-exempt non-residential development will be subject to a development charge as originally intended when Council considered and adopted the City’s new development charge bylaw earlier this year.

## Background Information

Development Charge Bylaw - Technical Amendment

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24556.pdf>)

Development Charge Bylaw - Technical Amendment - Proposed Bylaw

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24638.pdf>)

Development Charge By-law - Technical Amendment - Addendum

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24639.pdf>)

Development Charge Bylaw - Technical Amendment - Background Study

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24640.pdf>)

EX36.2	ACTION			Ward: 19
--------	--------	--	--	----------

## Fort York Pedestrian/Cycle Bridge Class Environmental Assessment

### Origin

(October 19, 2009) Report from the Deputy City Manager, Cluster B

### Recommendations

The Deputy City Manager, Bluster B, recommends that:

1. City Council grant authority to the Deputy City Manager whose responsibilities include Waterfront Revitalization, to issue a Notice of Study Completion following completion of the Environmental Study Report to the satisfaction of the Director, Waterfront Secretariat and the General Manager, Transportation Services, substantially in the form outlined in this report, and to file the Environmental Study Report for the Fort York Pedestrian/Cycle Bridge Class Environmental Assessment Study on the public record for 30 days in accordance with the requirements of the Municipal Class Environmental Assessment;
2. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

A significant number of planning studies since 2000 have included consideration of, and recommendations for a pedestrian/cycle link across the two rail corridors north of Fort York, in the area of Bathurst Street and Strachan Avenue. The preparations of the War of 1812 Bicentennial Steering Committee have included such a link as a related legacy project that should be completed in time for the Bicentennial celebrations in 2012. A Class Environmental Assessment (EA) Study has, therefore, been undertaken to address opportunities for a pedestrian/cycle connection from Fort York to Stanley Park, across the existing rail corridors.

The evaluation of a reasonable range of alternative solutions and concepts through the EA process, which included comprehensive consultation with the public and review agencies, resulted in a recommended pedestrian/cycle bridge as the preferred option, with a contemporary design that evokes the historical alignment of Garrison Creek. The design involves a bridge supported by inclined arches that offers a signature design statement, but does not overpower the cultural or historical attributes of the Fort.

This report summarizes the results of the information and discussion that has been provided as part of the extensive public consultation process associated with the EA. An Environmental Study Report (ESR) is being completed by the consultant to the City that documents and describes in detail the results of all of the work undertaken, and will be submitted to the City for review. Once staff has completed its review, in accordance with the contents of this staff report and its recommendations, a Notice of Study Completion will be issued by the City. The ESR is to be filed on the public record for a 30-day review period in accordance with the requirements of the Municipal Class Environmental Assessment.

### **Financial Impact**

Funding in the amount of \$0.440 million for the completion of the Fort York Environmental Assessment is included in the Waterfront Revitalization Initiative 2009 Capital Budget for Transportation Initiatives – Fort York Pedestrian Bridge.

In addition, funding in the amount of \$17.0 million for the detailed design and construction of the Fort York bridge is also included in the Transportation Initiatives – Fort York Pedestrian Bridge sub-project. The preliminary estimate for the design and construction of the bridge is approximately \$19.5 million. Final costs will be determined through the detailed design process in 2010. Staff will report back on funding for any costs in excess of the approved \$17.0 million.

The total funding of \$17.44 million for the Fort York Pedestrian Bridge was approved by Council in October 2008 in a staff report entitled “Toronto Waterfront Revitalization Initiative Five-Year Business Plan/Ten Year Forecast (2008-2017).

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

### **Background Information**

Fort York Pedestrian/Cycle Bridge Class Environmental Assessment  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24510.pdf>)

Appendix 1 - Evaluation of Alternative Solutions  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24511.pdf>)

Appendix 2 - Alternative Design Concepts Alignment and Structure  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24512.pdf>)

Appendix 3 - Evaluation of Alternative Design Concepts  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24513.pdf>)

Appendix 4 - Recommended Preferred Design Concepts  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24514.pdf>)

EX36.3	ACTION			
--------	--------	--	--	--

## **Exhibition Place Hotel Development Plan and Agreement to Lease**

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

### **Origin**

(October 14, 2009) Report from the Chief Executive Officer, Exhibition Place

### **Recommendations**

The Chief Executive Officer, Exhibition Place recommends that City Council:

1. Approve of the Board of Governors entering into a 49-year lease agreement with HKH substantially on the terms and conditions contained in this report, Appendix “A” and in the Confidential Attachment 1 to this report and such other terms and conditions satisfactory to the Board’s Chief Executive Officer and the City Solicitor.
2. Direct that the confidential information contained in Attachment 1 to this report not be released publicly in order to protect the competitive position and future economic interests of Exhibition Place and the City of Toronto.
3. Subject to the alternative site plan review process developed for Exhibition Place by City Planning, approve of the HKH Design Proposal for the first phase of a hotel development consisting generally of a podium and tower (approximately 26 floors for the tower) as set out in the proposed design plan and situated on the Phase I lands all as provided in Appendices “A”, “B” and “C” attached.
4. Request the City of Toronto to complete all necessary steps to declare the hotel lands surplus.

### **Summary**

In November 2006, a Request for Expressions of Interest for a Hotel Development at Exhibition Place (REOI) was released publicly through City of Toronto Purchasing Department. Three proposals were received. One term of the REOI stated that only proponents responding to the REOI would be considered qualified to respond to the subsequent Request for Proposal (RFP).

A RFP was released through the City of Toronto Purchasing on April 17, 2007. Both of the two hotel developers short-listed through the previous REOI process submitted a proposal and the Board approved HK Hotels LLC (“HKH”) as the successful proponent. In March 2008, the Board approved a Letter of Intent (LOI) between the Board and HKH which set out general terms along with an exclusivity to negotiate.

In the summer of 2008, a Stage 2 Archeological Investigation was conducted on the proposed hotel site by Archeological Services Inc. engaged jointly by Exhibition Place and HKH. The full archeological report was received from the consultant in March 2009.

Subsequent to receipt of the full Stage 2 Archeological Study, HKH engaged an architect, Maragna Architects Inc., to do a preliminary hotel design for the first phase of the proposed hotel. A summary of the proposed design plan is attached as Appendix “B” to this report along with a full set of drawings as Appendix “C”. HKH has also engaged Archeological Services Inc. to provide input to the design of the heritage elements and how the project relates to these elements and has engaged Urban Strategies to address planning issues.

Also attached to this report is:

1. Appendix “D” is an opinion by the Board’s consultant, Cameron Hawkins & Associates Inc., on the economics of constructing a hotel in Toronto and at Exhibition Place in 2009
2. Appendix “E” from the Board’s hospitality industry consultant, Horwath HTL, outlines the potential uplift to business opportunities at Direct Energy Centre and Allstream Centre from an on-site hotel
3. Appendix “F” is a letter of support from Mr. David Whittaker, Tourism Toronto
4. Appendix “G” is a letter from Mr. Williams, General Manager, Economic Development, Culture & Tourism
5. Appendix “H” is a letter from Mr. Wright, Chief Planner & Executive Director, City Planning
6. Appendix “I” is an assessment by Cameron Hawkins & Associates Inc., on the direct and indirect economic impact of the hotel construction and operations

Finally, Appendix “J” is a confidential report from the Board’s consultant on the rental structure proposed in the LOI.

Since the meeting of the Exhibition Place Business Development Committee on September 3, 2009, meetings have been held to present the proposal and receive input - with the community on September 14, 2009, the archeological community on September 10, 2009 and City Planning staff on September 25 and 28, 2009.

The Confidential Attachment I details the financial terms of the proposed lease with a report from the Board’s consultant reviewing these terms.

### **Financial Impact**

The financial terms of the LOI as set out in the Confidential Attachment provide both a fixed minimum rent and additional percentage rent to the Board increasing over the initial 49-year term. In addition, it is estimated that the Hotel will pay approximately \$700,000 annually in property taxes (municipal share is 50%).

The positive economic impact from this project is as follows:

1. During the construction period the hotel will create the equivalent of 628 full-time jobs and generate almost \$27.0M in total tax revenues.
2. On an ongoing basis and based on Year 2 operations of the hotel with 65% occupancy, the hotel operations will create 186 full-time jobs and \$7.9M in total tax revenues.

As important as the positive financial return to the Board in the form of rent and percentage rent and the economic impact for the City of Toronto, as detailed below, the hotel will be a huge marketing benefit for Direct Energy Centre and Allstream Centre.

Finally, with respect to parking inventory which will be displaced because of the hotel construction and operations, the Phase I hotel footprint represents a temporary loss of 700 parking spaces in Lot 1 during construction. However, it is likely that these vehicles will be relocated to other parking lots and thus no lost income will result to Exhibition Place.

### Background Information

Exhibition Place Hotel Development Plan and Agreement to Lease

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24463.pdf>)

Appendix "A" - Letter of Intent

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24464.pdf>)

Appendix "B" - HKH Design

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24465.pdf>)

Appendix "C" - HKH Plans

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24466.pdf>)

Appendix "D" - C. Hawkins - Current Climate Re Hotel

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24467.pdf>)

Appendix "E" Horwath - Hospitality Industry

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24468.pdf>)

Appendix "F" - Toronto Tourism Support

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24469.pdf>)

Appendix "G" - City/Economic Development, Culture Tourism Support

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24470.pdf>)

Appendix "H" - City Planning Support

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24471.pdf>)

EX36.4	ACTION			Ward: All
--------	--------	--	--	-----------

### 2010 Interim Operating Budget Estimates

#### Origin

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

#### Recommendations

The Deputy City Manager and Chief Financial Officer recommends that Council:

1. Approve the 2010 Interim Operating Gross Budget Estimates totalling \$3.407 billion as detailed by City Program, Agency, Board and Commission in the attached Appendix 1.

2. Authorize the Deputy City Manager and Chief Financial Officer to make net disbursements of \$2.822 billion during the period January 1, to April 30, 2010, including cash transfers of \$588 million to Agencies, Boards and Commissions as detailed in the attached Appendix 1.
3. Authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

### Summary

The purpose of this report is to request Council's approval of the 2010 Interim Operating Budget Estimates in order to enable City Programs and Agencies, Boards and Commissions to carry out their ongoing (base) operations during the period January 1 to April 30, 2010.

In accordance with the Financial Control By-Law, an Interim Operating Budget must be approved prior to January 1, 2010 to ensure that appropriate Council approval is granted to fund the continuance of the City's business during the period January 1 to April 30, 2010. The 2010 Interim Operating Budget Estimates total \$3.407 billion gross; and require cash outflows of \$2.822 billion net.

### Financial Impact

2010 Interim Operating Budget Estimates For Period January 1 to April 30, 2010 \$000s		
	<b>Gross</b>	<b>Net</b>
City Operations	1,877,693.0	1,877,693.0
Agencies, Boards and Commissions	1,146,137.8	588,048.4
Corporate Accounts	356,745.4	356,745.4
Levy Operations	3,380,576.3	2,822,486.9
Toronto Parking Authority	26,264.5	0.0
<b>Total City</b>	<b>3,406,840.8</b>	<b>2,822,486.9</b>

The 2010 Interim Operating Gross Budget Estimates of \$3.407 billion recommended in this report will establish spending authority for City Programs, Agencies, Boards and Commissions during the period January 1, to April 30, 2010 as detailed in the attached Appendix 1 and summarized in the Table above. For City Programs and Agencies, Boards and Commissions (ABCs), the 2010 Interim Operating Budget is estimated at 40% of the 2009 Council Approved Gross Operating Budget.

Estimated cash outflows required from January 1 to April 30, 2010 total \$2.822 billion (see Appendix 1 and Table 1 above). Funding for City Operations will approximate \$1.878 billion and \$356.745 million for Corporate Accounts. Most ABCs are only partially funded by the City. These include the Toronto Transit Commission (TTC) for which approximately 73% of expenditures are funded from its own receipts. As detailed in Appendix 1, transfers to ABCs to



enable them to meet their cash obligations are estimated at \$588.048 million.

### Background Information

2010 Interim Operating Budget Estimates

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24472.pdf>)

Appendix 1 - 2010 Interim Operating Gross Budget Estimates

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24473.pdf>)

EX36.5	ACTION			Ward: All
--------	--------	--	--	-----------

### Property Taxes: 2010 Interim Levy By-law

#### Origin

(October 15, 2009) Report from the Treasurer

#### Recommendations

The Treasurer recommends that:

1. The 2010 interim levy for all property classes be based on 50 per cent of the total 2009 taxes billed for each property, adjusted, as necessary, to reflect any additional taxes added to the previous year's taxes as a result of assessment added to the tax roll.
2. The 2010 interim levy by-law provide that the interim levy will apply to assessments added to the tax roll for 2009 that were not on the assessment roll when the by-law was passed.
3. The Interim Bill payment due dates for property tax accounts paid on the eleven (11) instalment pre-authorized payment plan be: February 16, March 15, April 15, May 17, and June 15, 2010.
4. The Interim Bill payment due date for the two (2) instalment pre-authorized payment plan be March 1, 2010.
5. The Interim Bill payment due dates for all other property tax accounts on the regular instalment option or on the six (6) instalment pre-authorized payment plan be: March 1, April 1, and May 3, 2010.
6. Council provide authority for:
  - a. the collection of interim taxes;
  - b. imposing a penalty charge for non-payment of interim taxes at a rate of 1.25 per cent of taxes due and unpaid and the addition of such charges on the first day of default; and
  - c. imposing an interest charge on all outstanding taxes accruing from the first day of default at a rate of 1.25 per cent per month;

7. Authority be granted for the introduction of the necessary bill in Council on November 30 and December 1, 2009, providing for the levying and collection of the 2010 interim taxes prior to the adoption of the estimates for 2010, which by-law, when enacted, will be effective as of January 1, 2010.
8. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### Summary

This report requests Council authority to adopt the necessary by-law to levy interim property taxes for all property classes for 2010 and to prescribe applicable interim bill payment due dates. The 2010 interim levy will provide for the cash requirements of the City until such time as the 2010 Operating Budget and 2010 final property tax levy are approved by Council.

### Financial Impact

This is an annual report which is procedural in nature. Enacting a by-law that establishes an interim tax levy will permit the City to raise the property tax revenues needed to fund its operations until such time as the 2010 Operating Budget and 2010 final tax levy are approved by Council.

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

### Background Information

Property Taxes: 2010 Interim Levy By-law

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24474.pdf>

EX36.6	ACTION			Ward: 20
--------	--------	--	--	----------

### Preservation of the Former Canada Malting Silos and Phased Development Plan for Silos Site - 5 Eireann Quay

#### Origin

(October 26, 2009) Report from Richard Butts, Deputy City Manager and the Deputy City Manager and Chief Financial Officer

#### Recommendations

The Deputy City Manager, Cluster B and Deputy City Manager and Chief Financial Officer recommend that City Council:

1. Approve a phased plan to preserve the Canada Malting silos and a master planning exercise to complete improvements to the remainder of the site for public and private use as described in this report.
2. Direct staff to proceed immediately with Phase I improvements which have been funded in the Approved 2009 Capital Budget

- the remediation of the east face of the silos to facilitate the opening of the East Promenade to Ireland Park including removal and storage of the marine leg
  - repairs to the eastern dockwall, and
  - demolition of the structures to the immediate west of the 1929 and 1944 concrete silo structures
3. Direct staff to prepare a Phase II Master Plan for the silos site and surrounding parkland identifying additional improvements and funding sources including a potential private development site in accordance with the framework outlined in this report.
  4. Authorize the Chief Corporate Officer, in consultation with the Chief Planner and Executive Director, City Planning Division, to explore the private development potential for a portion of the site.
  5. Authorize the Chief Planner and Executive Director to proceed at the appropriate time with all necessary planning studies required to consider and/or accommodate the proposed redevelopment on the Canada Malting site.
  6. Direct that any redevelopment of the Canada Malting site retain the 1929 and 1944 silos as iconic, landmark elements and that proceeds from any sale or lease of adjacent lands be directed to complete the required restoration as a first priority.
  7. Authorize the Chief Corporate Officer to enter into negotiations with the Toronto District School Board to amend the lease and licence agreements and any other relevant agreements between the parties on such terms and conditions as are deemed appropriate by the Chief Corporate Officer to facilitate any proposed redevelopment of the Canada Malting site; and
  8. Authorize the Chief Corporate Officer, in consultation with the Chief Planner and Executive Director, City Planning Division to take the necessary steps to amend or remove the restrictive covenants on title to the Canada Malting site to allow for the proposed redevelopment, on such terms and conditions as are deemed appropriate by them, in a form satisfactory to the City Solicitor.

## Summary

This report recommends that City Council direct staff to pursue a two-phased plan for the Canada Malting site. Phase 1 would include improvements to the site to secure safe waterfront access to Ireland Park, dockwall repairs and removal of the structures to the west of the Canada Malting silos. Phase 2 would involve developing a master plan for the site that would incorporate the sale of a portion of the site to permit private development and use of the funds from the development to complete parkland improvements to the entire site and stabilize the 1929 and 1944 Silos.

## Financial Impact

The Facilities and Real Estate 2009 Approved Capital Budget included a project for \$12.2 million with \$3 million of cash flow in 2009 and \$9.2 in 2010 to carry out the Phase I improvements to the site. \$3.8 million of this amount is required for the east dock wall repairs,

\$6 million is required for demolition of buildings to the west of the silos, \$1.5 million for removal of the marine leg and stabilization of the east face of the silos to secure a safe walkway with the remaining \$900,000 to be spent on necessary stabilization and repair work designed to address the rapid decay of the silo structures. Facilities and Real Estate will retain responsibility for ongoing operational costs relating to the site that are estimated at approximately \$140,000 annually and will be provided from the current Base budget of the program.

Any additional improvements to the area are anticipated to follow a successful process to facilitate redevelopment of a portion of the site. Assumptions to guide a restoration plan for the silos are not yet firm. Estimates for that aspect of the work are in the order of \$9.0 million. It is anticipated that other funding sources such as a land sale and other contributions could yield in excess of \$10 million.

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

### **Background Information**

Preservation of the Former Canada Malting Silos and Phased Development Plan for Silos Site - 5 Eireann Quay  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24719.pdf>)

## **6a Preservation Alternatives for the Former Canada Malting Complex**

### **Origin**

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

### **Recommendations**

The Chief Corporate Office recommends that:

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-24475.pdf>

## **6b 5 Eireann Quay - Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act**

### **Origin**

(April 21, 2009) Report from the 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 20, 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 ý Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - Letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24476.pdf>)

5 Eireann Quay ý Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24477.pdf>)

5 Eireann Quay ý Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - Toronto Preservation Board Letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24478.pdf>)

5 Eireann Quay ý Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act - YONA Letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24479.pdf>)

EX36.7	ACTION			Ward: All
--------	--------	--	--	-----------

### Cost/Benefit Analysis of the Artscape Wychwood Barns

#### Origin

(October 14, 2009) Report from the Deputy City Manager and Chief Financial Officer

#### Recommendations

1. The Deputy City Manager and Chief Financial Officer recommends that this report be received for information.

#### Summary

This report provides a summary of the costs and benefits associated with the construction of Artscape's Wychwood Barns, a City asset.

#### Financial Impact

This report has no financial impact.

## Background Information

Cost/Benefit Analysis of the Artscape Wychwood Barns Project  
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24480.pdf>)

EX36.8	ACTION			Ward: All
--------	--------	--	--	-----------

## A Governance Model for Nathan Phillips Square Governance

### Origin

(October 19, 2009) Report from the City Manager

### Recommendations

The City Manager recommends that City Council:

1. endorse the concepts presented in the proposed governance framework for the effective management and renewal of Nathan Phillips Square described in the report from the Nathan Phillips Square Revitalization Public Advisory Group, Attachment 1;
2. reconstitute the NPSRPAG as the Nathan Phillips Square Community Advisory Committee, comprised of 15 members and adopt Attachment 2 as the Terms of Reference for the Committee;
3. amend the Public Appointments Policy to incorporate Nathan Phillips Square Community Advisory Committee along with other City-wide, Council-appointed committees using information from Attachment 2 regarding term, composition, qualifications, and an open, advertised selection process including diversity objectives;
4. appoint the current members of the NPSRPAG to the new Nathan Phillips Square Community Advisory Committee and direct the City Clerk and the Civic Appointments Committee to begin the recruitment process for the additional members of the Committee; and
5. direct staff to review the by-laws governing Nathan Phillips Square, with a view to enabling implementation of the vision for revitalization, effective management and future programming of the Square.

### Summary

This report transmits the report of the Nathan Phillips Square Revitalization Public Advisory Group (NPSRPAG) that recommends a governance framework to manage Nathan Phillips Square, in recognition of the strategic importance of the Square as the City government's front door and to enhance the programming opportunities and coordinate improved quality standards once the Square is revitalized. This staff report provides the administrative recommendations to implement the NPSRPAG proposal. It is recommended that the citizen advisory committee be reconstituted immediately and that a Nathan Phillips Square management function be assembled during the revitalization phase starting in 2010

## Financial Impact

There will be a minor advertising cost to recruit new members of the Nathan Phillips Square Community Advisory Committee. Funding is available in the 2009 Approved Operating Budget for the City Clerk's Office for this purpose. A number of options will be pursued for staffing the Nathan Phillips Square management function in the Cultural Services Section of the Economic Development, Culture and Tourism Division. The functions will be phased in over a number of years during the revitalization process. The goal is that any incremental costs will be either re-allocated from other existing program budgets and/or off-set by additional revenues, with no or minimal net costs to the City. A business case will be presented in the budget process to justify any revenue and cost increases for 2010 and beyond.

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

## Background Information

A Governance Model for Nathan Phillips Square Governance  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24580.pdf>

EX36.9	ACTION			Ward: All
--------	--------	--	--	-----------

## The Power to Live Green: Toronto's Sustainable Energy Strategy

### Origin

(October 19, 2009) Report from Richard Butts, Deputy City Manager and the Deputy City Manager and Chief Financial Officer

### Recommendations

Richard Butts, Deputy City Manager and Cam Weldon, Deputy City Manager and Chief Financial Officer recommend that:

RE: VISION, PRINCIPLES, AND TARGETS FOR THE POWER TO LIVE GREEN

1. Building upon its adopted goals for reducing greenhouse and smog causing emissions, City Council adopt the following as its vision, principles and targets for Toronto's sustainable energy future:

- a. Vision Statement

In the year 2050 Toronto is a low carbon city, having achieved the greenhouse gas emission reduction targets adopted unanimously by City Council in 2007. At the same time the city has a clean, reliable and affordable energy supply that meets our environmental, economic, social and consumer needs in 2050 and beyond.

- b. Principles

Implementation of the Power to Live Green: Toronto's Sustainable Energy Strategy will be built upon the following key principles:



- i. Energy conservation and efficiency – the cleanest form of energy is the one that was never produced and our first priority.
- ii. Renewable energy – replacing polluting fossil fuel sources with sufficient clean renewable energy sources.
- iii. Smart energy distribution – will improve reliability, provide security of supply, reduce waste, and promote energy efficiency and conservation

c. Cumulative Targets

(Based on 2007 levels of 5,000 Megawatts (MW) of electricity consumption and 4,200 Million cubic metres (Mm<sup>3</sup>) of natural gas consumption.)

<b>SOURCE</b>	<b>By 2012</b>	<b>By 2020</b>	<b>By 2050</b>
Conservation – Electricity	Reduce by 200 MW	Reduce by 550 MW	Reduce by 1050 MW
Conservation – Natural Gas Heat	Reduce by 240 Mm <sup>3</sup>	Reduce by 730 Mm <sup>3</sup>	Reduce by 1560 Mm <sup>3</sup>
Renewable Electricity Generation	Increase by 120 MW	Increase by 550 MW	Increase by 1000 MW
Renewable Thermal Energy	Displace 20 Mm <sup>3</sup> of Natural Gas	Displace 90 Mm <sup>3</sup> of Natural Gas	Displace 200 Mm <sup>3</sup> of Natural Gas

Note: Conservation targets are in addition to existing Ontario Power Authority Toronto directive for 330 MW reduction.

RE: MAKING IT POSSIBLE TO LIVE GREEN

2. City Council work with all appropriate stakeholders to make it possible for residents and businesses to take action on climate change and energy and water conservation and efficiency, and renewable energy programs by facilitating a one-window approach through the following directions:
  - a. Direct the Deputy City Manager, Cluster B, to facilitate before the end of 2010 the formation of an active partnership, to be called the ‘Live Green Toronto Energy and Water Efficiency Initiative’, among the City of Toronto and its Agencies, Boards, Commissions, Corporations, and Divisions, such as Toronto Water and Toronto Hydro, and other appropriate stakeholders, such as Enbridge and Enwave. This initiative will see the parties involved working collaboratively in the design, delivery and co-ordination of energy efficiency and water conservation programs and renewable energy programs for all market sectors in Toronto and would include:

- i. coordination of programs, policies and resources.
  - ii. building upon existing community support programs, door-to-door and marketing efforts and other outreach activities to more fully engage residents and businesses in taking action;
  - iii. development of new programs and initiatives to address emerging issues associated with supporting residents and businesses in taking action;
  - iv. investigation and development of new financing tools and options to support residents and businesses in taking action;
  - v. coordination of initiatives that involve installation of simple energy efficiency, water conservation, and climate change adaptation measures;
  - vi. establishing of reporting guidelines to track performance against the targets of the Sustainable Energy Strategy and the Climate Change Action Plan; and
  - vii. providing a one-stop resource to access information and resources on, but not limited to:
    - Grants, finance options and financial incentives;
    - Options for completing energy and water consumption audits;
    - Assistance in the preparation of conservation and renewable energy plans;
    - Identification of and advice on obtaining required permits;
    - Advice on how to find qualified contractors and installers; and
    - Educational programs.
- b. Direct the Deputy City Manager, Cluster B and the Deputy City Manager and Chief Financial Officer, to work with all appropriate City Agencies, Boards, Commissions, Corporations and Divisions to ensure:
- i. Conformity of all existing policies, programs and initiatives with the vision, principles, targets, and recommendations from this staff report and the Power to Live Green: Toronto's Sustainable Energy Strategy;
  - ii. Integration of the goal and objectives of the Power to Live Green: Toronto's Sustainable Energy Strategy into planning efforts; and
  - iii. Integration of the goal and objectives of the Power to Live Green: Toronto's Sustainable Energy Strategy in the design of sustainable community planning frameworks used for community based neighbourhood redevelopment planning;

## RE: IMPROVING ENERGY EFFICIENCY IN EXISTING BUILDINGS

3. City Council recognize that to achieve the 80% greenhouse gas reduction target by 2050, the majority of existing homes, businesses and industries will need to become much more energy efficient - net zero in terms of their emissions and, therefore, City Council:
  - a. Direct the Deputy City Manager, Cluster B, to develop by 2011, a phased-in implementation plan for a by-law(s) that will eventually establish an energy efficiency standard for all buildings, both for new construction and existing retrofits that will assist in the achievement of the City of Toronto's stated greenhouse gas emission reduction targets and that this plan address the following:
    - i. Strategy for phase-in of the by-law(s);
    - ii. Proposes energy efficiency standards for both new and existing buildings;
    - iii. Thresholds that trigger application of the by-law(s);
    - iv. Economic impact of the plan and a stakeholder engagement process;
    - v. Financial and other supports that will be provided to property owners to bring their buildings into compliance with the by-law(s); and
    - vi. Timelines for the phased-in implementation of the by-law(s);
  - b. Direct the Deputy City Manager, Cluster B, to identify all opportunities where the City could encourage residents and businesses to consider implementing energy efficiency retrofits (e.g. Committee of Adjustment; building permit applications; licensing applications) and create the necessary operational changes to take advantage of those opportunities;
  - c. Direct the Chief Corporate Officer to build upon existing programs and successes and prepare in 2010 a plan to further enhance the building efficiency and integration of renewable energy in all City-owned facilities;
  - d. Direct the Director of the Toronto Environment Office to coordinate advocacy efforts to federal and provincial regulators and the banking industry to allow for and offer, respectively, more competitive lending practices for energy retrofits and renewable energy projects;
  - e. Direct the Chief Planner to consider during the 2011 review of the City's Official Plan changes, including implementation plans, strategies and guidelines, that will help advance the objectives of the Climate Change Action Plan and the Sustainable Energy Strategy; and

- f. Direct the Deputy City Manager, Cluster B, to undertake the actions necessary in 2010 for the City to evaluate and implement a building energy benchmarking and energy use labelling program, initially for institutional buildings and subsequently for commercial/multi-unit and residential buildings;

RE: GREENING THE GRID FOR TORONTO TO BECOME THE RENEWABLE ENERGY CAPITAL OF CANADA

4. City Council work with key stakeholders and the community to aggressively “green the grid” by embracing new renewable energy opportunities under the Green Energy and Green Economy Act and its related Feed-in-Tariff provisions and that City Council:
  - a. Direct the Deputy City Manager, Cluster B, to ensure that all City, Agency, Board, Commissions and Corporation by-laws, permit processes, policies and operational procedures are designed to accommodate and streamline the installation of renewable energy systems on public and private property;
  - b. Direct the Chief Planner to consider during the 2011 review of the City’s Official Plan changes, including implementation plans, strategies and guidelines, that will help advance the renewable energy goals and targets set by Climate Change Action Plan and the Sustainable Energy Strategy;
  - c. Direct the Deputy City Manager and Chief Financial Officer to coordinate the actions necessary, including accessing the Feed-in Tariff, that will see by 2020 the installation of renewable energy systems, where feasible, on all City owned buildings and properties; and
  - d. Direct the General Managers of Solid Waste Management and Toronto Water, to implement all viable opportunities for utilizing the bio-gas generated from the processing of waste at landfills, source separated organic facilities and waste water treatment facilities;

RE: INVESTING IN DISTRIBUTED ENERGY INFRASTRUCTURE

5. City Council facilitate the development of district/distributed energy system in existing and new neighbourhoods to reduce greenhouse gas emissions and enhance energy security of supply and that City Council:
  - a. Direct the Deputy City Manager, Cluster B, to work with key stakeholders to establish in 2010 the system potential, identify barriers and potential mechanisms to facilitate the installation of district/distributed energy infrastructure including:
    - i. Identifying the geographic areas with the greatest potential for district/distributed energy installations, based on energy utilization mapping and other research, experiences of existing programs, such as the Mayor’s Tower Renewal, and assessments of neighbourhood interest;

- ii. Identifying and assessing appropriate energy sources for the district/distributed energy systems that will help achieve the greenhouse gas and smog causing emission reduction targets set in the Climate Change Action Plan;
- iii. Coordinating the installation of the infrastructure with other City infrastructure and stakeholder work, in order to reduce start-up costs;
- iv. Identifying and addressing any issues associated with existing City of Toronto by-laws and policies;
- v. Advocating for any required changes or investments from the Province of Ontario, the Ontario Power Authority, the Ontario Energy Board or other relevant provincial bodies; and
- vi. Developing any necessary provisions, as permitted, under the City of Toronto Act;

#### RE: SUPPORTING DEVELOPMENT OF A SMART GRID

6. City Council acknowledge that Toronto Hydro is investing in the development and implementation of a smart grid in the City of Toronto that will modernize an aging infrastructure, significantly improve the efficiency of the existing electricity distribution system, provide access for renewable energy and smart grid technology, prepare for electrified transportation, and empower customers with information, options, and control, to manage their electricity and reduce their carbon footprint, and that City Council:
  - a. Direct the City Manager to continue to monitor and encourage the development by Toronto Hydro and provincial and federal authorities of smart grid technologies and innovations;
  - b. Direct the Director of the Toronto Environment Office to collaborate with Toronto Hydro to support Toronto Hydro's Smart Grid education, outreach and advocacy plan to enhance the public profile of Smart Grid and its relevance to the City's Energy Strategy;
  - c. Direct the Chief Corporate Officer to ensure all City owned buildings are fully equipped and enabled to take advantage of the smart grid, innovative technology and pending rate options;

#### RE: FOSTERING THE GREEN ECONOMY AND GREEN JOBS

7. City Council build upon its adoption in July 2007 of the Green Economic Sector Development Strategy and its recognition of the significant job creation and economic opportunities being created by the shift to energy conservation/efficiency and renewable energy and that City Council;

- a. Direct the Deputy City Manager, Cluster B, to work with stakeholder partners and renewable energy business associations to ensure that any mechanical, structural, and related inspection requirements specific to Toronto and/or Ontario are integrated into existing and contemplated national and provincial training programs;
- b. Direct the General Manager of Economic Development, Culture and Tourism to market and promote existing energy efficiency and renewable energy certification programs available in Toronto and the GTA;
- c. Direct the Director of the Toronto Environment Office to work with local school boards on the design of a training course as part of the Specialty High School Majors program in the area of energy efficiency retrofits and renewable energy generation;
- d. Direct the Director of the Toronto Environment Office to work with appropriate stakeholders to develop a program that will provide job placement support to the community for skilled tradespeople positions in the areas of retrofitting buildings and generating renewable energy;
- e. Direct the Director of the Toronto Environment Office to work with local Community Colleges in the design, development and marketing of training programs that will generate people with the skills necessary to assist property owners in complying with emerging energy efficiency and renewable energy by-laws and regulations; and
- f. Direct the Deputy City Manager and Chief Financial Officer, to establish in 2010 the business processes necessary for internal coordination within the City of Toronto to more proactively evaluate, pilot and implement new and emerging energy conservation and renewable energy technologies;

**RE: SUSTAINABLE TRANSPORTATION AND DEPLOYMENT OF ELECTRIC VEHICLE INFRASTRUCTURE**

8. City Council continue to build upon its existing efforts in the area of sustainable transportation and that City Council;
  - a. Direct the Deputy City Manager, Cluster B, to ensure that the first priority for transportation planning and infrastructure development is for net zero energy modes of commuting such as walking and cycling, and, as a second priority, for alternatives such as telecommuting, public transit and car-pooling;
  - b. Direct the Director of the Toronto Environment Office, working with all appropriate internal and external stakeholders, to complete an analysis of mobile source emissions among trucks, cars, rail, airports, and other sources to help inform the design of and priorities for mitigation measures, including potential by-laws, as previously authorized under the Climate Change Plan;

- c. Direct the Chief Corporate Officer to ensure the City's Green Fleet Plan incorporates the integration and utilization of electric vehicles, where appropriate for City operations;
- d. Direct the Deputy City Manager, Cluster B, building upon the existing work of the City of Toronto, the Toronto Atmospheric Fund, Toronto Hydro and others, to initiate and undertake economically viable actions necessary to support and facilitate the utilization of electric powered motor vehicles in corporate and commercial fleets; and
- e. Direct the Chief Planner to consider during the 2011 review of the City's Official Plan policies and guidelines changes, including implementation plans, strategies and guidelines, that will help advance infrastructure requirements for and deployment of electric vehicles;

#### RE: INNOVATIVE FINANCIAL TOOLS

- 9. City Council direct the Deputy City Manager, Cluster B, and the Deputy City Manager and Chief Financial Officer to explore with key stakeholder partners all viable funding options including, but not limited to, revenue bond financing, grants, tax incentives, funding from the Federation of Canadian Municipalities, funding from the rate-base through Ontario Energy Board, and funding from Ontario Power Authority, in particular the new Municipal Renewable Energy Program;

#### RE: ADVOCATING FOR ACTION PROVINCIALY, NATIONALLY AND INTERNATIONALLY

- 10. City Council continue to show leadership in advocating for action on climate change, energy conservation and efficiency and renewable energy generation and that City Council;
  - a. Direct the City Manager to engage provincial and federal authorities on the following Sustainable Energy Strategy issues and, if necessary, pursue alternative, local measures as permitted under the City of Toronto Act:
    - i. Amendments of the Planning Act, Building Code Act and/or related laws to remove barriers to more widespread energy efficiency, renewable energy, and "smart" distribution;
    - ii. Amendments of the City of Toronto Act, the Planning Act, Building Code Act and/or related laws to explicitly authorize application of the appropriate elements in the Toronto Green Standard to existing residential, commercial, institutional, and industrial buildings, triggered by action such as renovations or changes in ownership;

- iii. Amendments of provincial laws to require energy audits and disclosure of energy consumption of buildings at point of sale and that the Province of Ontario fund the required energy audits;
  - iv. Higher energy efficient standards for appliances and heating and cooling systems;
  - v. Economic support and other measures to remove barriers hindering the growth of the local, green building materials industry;
  - vi. Allowing more competitive lending practices to the commercial, institutional, and industrial sectors for conservation and demand management processes;
  - vii. City representation on the advisory board established under the Green Energy and Green Economy Act for reforming the Ontario Building Code to assure greater energy efficiency;
  - viii. Stronger incorporation of renewable energy into the provincial and federal governments' long-term energy reliability planning so that aspects of the City's future energy and climate change actions, that may contribute to an increase on the load (e.g. increased number of street cars/light rail cars; promotion of electric vehicles) do not generate substantial increases in greenhouse gas emissions;
  - ix. Reduction and removal of barriers that hinder growth and competitiveness of a locally produced, low carbon, green building materials;
  - x. Reducing and removing barriers that contravene City policies or adopted targets or otherwise limit the City's ability to secure Ontario Power Authority funding for renewable energy generation projects and conservation measures undertaken by the City;
  - xi. Implement stricter standards for corporate average fuel economy (CAFE) standards and alternative fuel development for internal combustion vehicles;
- b. Direct the Chief Corporate Officer and the Director of the Toronto Environment Office with support from Legal Services to intervene when needed to support City objectives at the Ontario Energy Board in connection with the City's Climate Change Action Plan and Sustainable Energy Strategy goals;



RE: MONITOR AND REPORT REGULARLY ON PROGRESS

11. City Council direct the Deputy City Manager, Cluster B, to prepare, starting in 2010, an annual environmental achievements and challenges report that:
  - a. integrates reporting on the implementation of the Climate Change Action Plan, the Sustainable Energy Strategy and related initiatives, such as the Green Economic Development Sector Strategy, the Sustainable Transportation Initiatives and the Water Efficiency Plan;
  - b. identifies the outcomes of these policy, program and other activities; and
  - c. identifies emerging issues and challenges and makes recommendations for new or amended actions required to further achieve the targets established in the Climate Change Action Plan and the Sustainable Energy Strategy; and
12. Direct the Director of the Toronto Environment Office to augment its existing responsibilities to monitor, inventory and report on the greenhouse gas and smog causing emissions reductions within the context of the targets set in the Climate Change Action Plan, by also monitoring and reporting, with the cooperation of stakeholders, on energy consumption and renewable energy generation within the context of the targets set in the Sustainable Energy Strategy.

**Summary**

In 2007, City Council established an international benchmark with its adoption of “Change is in the Air,” Toronto’s Climate Change Action Plan, complete with progressive targets for greenhouse gas emission reductions and improved air quality. To achieve those targets, a comprehensive energy strategy is required for the City of Toronto and the Toronto urban area, founded on conservation, renewable energy, and “smart” energy distribution. This report and the strategy attached as Attachment A, entitled “The Power to Live Green: Toronto’s Sustainable Energy Strategy,” together address that need through a four-track process of:

- i. meeting the energy requirements of our businesses and homes;
- ii. reducing dependence on fossil fuels;
- iii. investing in green technology, supporting the creation of green jobs and global marketing of sustainable energy goods and services, and
- iv. partnering with industry, businesses, institutions, non-profits, other levels of government, utilities, and residents.

**Financial Impact**

There are no immediate financial implications associated with this report. As implementation occurs of the adopted recommendations, there may be financial implications and these will be reported on as part of the implementation process.

## Background Information

The Power to Live Green: Toronto's Sustainable Energy Strategy

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24583.pdf>)

Attachment A: The Power to Live Green: Toronto's Sustainable Energy Strategy.

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24584.pdf>)

Attachment B: Toronto Hydro 500/500: Renewable Power and Conservation Plan - Summary

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24585.pdf>)

Toronto's Sustainable Energy Strategy, October 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24947.pdf>)

EX36.10	ACTION			Ward: All
---------	--------	--	--	-----------

## Live Green Toronto: Update Report

### Origin

(October 19, 2009) Report from the Director, Toronto Environment Office

### Recommendations

The Director of the Toronto Environment Office recommends that:

1. City Council amend the framework for the Live Green Toronto Capital Projects Fund, adopted by City Council in May 2008, by reducing the minimum threshold for financial assistance from \$25,000 to \$10,000.
2. City Council authorize the Director of the Toronto Environment Office to make financial contributions of up to \$75,000 directly to Green Living Enterprises for the annual Green Toronto Awards as required in Chapter 71 of the Financial Control By-law.

### Summary

This report provides an update on the progress being made in the development and implementation of the Live Green Toronto initiative, established as part of Toronto's Climate Change, Clean Air and Sustainable Energy Action Plan.

Officially launched in May 2008, Live Green Toronto has become an initiative that is:

- i. supporting neighbourhoods and community groups in taking action through the provision of community animation services and access to financial assistance;
- ii. catalyzing action through a social marketing campaign, provision of incentives, and by profiling the innovative and successful efforts being made by residents, organizations and businesses to green our city; and
- iii. it easier for residents and businesses to take action by creating forums where information is easily accessed, either through web-based tools or through person to person contact at community events.

With the assistance and supports provided through the Live Green Toronto initiative, neighbourhoods and community groups are taking action on climate change by planting trees, installing renewable energy systems, constructing green-roofs, creating community gardens, facilitating energy conservation activities, creating opportunities to utilize low or non-polluting forms of transportation and much more. To improve the Live Green Toronto initiative and its effectiveness, some minor modifications require authorization by City Council and have been requested in this report.

### **Financial Impact**

There are no net financial implications for the Toronto Environment Office as all funds are included in the program's annual budget.

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

### **Background Information**

Live Green Toronto: Update Report

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24481.pdf>

EX36.11	ACTION			Ward: 1
---------	--------	--	--	---------

## **Agreement with Humber College Institute of Technology and Advanced Learning to Provide Funding from the Federation of Canadian Municipalities for the Humber Arboretum Project**

### **Origin**

(October 16, 2009) Report from the General Manager, Parks, Forestry and Recreation, and the Deputy City Manager and Chief Financial Officer

### **Recommendations**

The General Manager of Parks, Forestry and Recreation and the Deputy City Manager and Chief Financial Officer recommend that:

1. The City enter into a grant agreement with Humber College Institute of Technology & Advanced Learning ("Humber College") to provide to Humber College grant funds to be received from FCM for the purposes of financing the eligible project costs of the Humber Arboretum Centre for Urban Ecology (the "Project").
2. The agreement shall require Humber College to comply with the terms of the City's loan and grant agreements with FCM, and shall be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer, and the General Manager of Parks, Forestry and Recreation (the "General Manager").
3. The City enter into an agreement to obtain an irrevocable licence from Humber College to use all intellectual property and other materials associated with the Project for non-commercial purposes, on terms and conditions satisfactory to the City Solicitor and the General Manager.

4. Release of the funds to Humber College be conditional upon Humber College signing the agreements and submitting all necessary reporting information to FCM.
5. Once Humber College has signed the agreements with the City, and submitted the reports required by FCM, the Deputy City Manager and Chief Financial Officer be authorized to pay Humber College the full amount of the grant as and when received from FCM.
6. The grant recommended in Recommendation 1 be deemed to be in the interests of the City.

### Summary

This report seeks City Council approval for the City to enter into an agreement with Humber College Institute of Technology & Advanced Learning to provide grant funds to be received by the City from the Federation of Canadian Municipalities (“FCM”) for the purposes of financing some of the eligible project costs of the Centre for Urban Ecology (“The Project”) at the Humber Arboretum.

### Financial Impact

FCM has approved a \$187,500 grant and a \$187,500 loan to the City for the Project, as well as a \$30,000 grant towards the cost of preparing the reports required by FCM. The City will enter into a grant and loan agreement with FCM and transfer the grant funds to Humber College.

The City is required by FCM to issue a debenture for the loan which debenture will require the approval of the Debenture Committee. The City is long term financing its capital contribution to the Project through the issuance of the debenture.

### Background Information

Agreement with Humber College Institute of Technology & Advanced Learning to Provide Funding from the Federation of Canadian Municipalities for the Humber Arboretum Project (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24482.pdf>)

EX36.12	ACTION			Ward: 28
---------	--------	--	--	----------

### Staff Review of Waterfront Toronto's Proposed Sale of City Lands for Waterfront Revitalization - Parkside

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

### Origin

(October 21, 2009) Report from Richard Butts, Deputy City Manager

### Recommendations

The Deputy City Manager, Cluster B, recommends that:

1. Council grant authority for the City, as vendor of the City-owned lands shown as Parts 1 and 2 on Figure 1, together with WT, as vendor of the WT-owned lands shown as Part 4 on Figure 1, to enter into an Agreement of Purchase and Sale (APS) with GGH, as purchaser, for:
  - a. the sale of the City-owned lands shown as Part 1 on Figure 1.
  - b. the sale of portions of Bonnycastle Street and Lake Shore Boulevard East shown as Part 2 on Figure 1 subject to Council authorizing the permanent closure of said portions of the public highways.
  - c. an access easement in favour of GGH over the City-owned lands fronting onto Queens Quay East shown as Part 3 on Figure 1 until such time as the easement lands are dedicated as public highway.
  - d. all other ancillary agreements including any licence, encroachment, easement, closing agreement, or other agreement, contemplated under the APS

(collectively, the “Sale Transaction”) substantially on the terms and conditions set out in Attachment 2, 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 2. of this Report.

2. Prior to the City entering into the APS, the following matters be completed or provided for to the satisfaction of the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the City Solicitor and other City officials as appropriate:
  - a. Council shall have authorized the permanent closure of the public highway lands shown as Part 2 on Figure 1, or in the alternative, the General Manager of Parks, Forestry and Recreation shall have settled the major terms and conditions for an encroachment by GGH of that part of Sherbourne Park being not greater than one metre along the western boundary of Parts 1 and 4 on Figure 1 for the purposes of below grade parking.
  - b. WT and GGH having entered into the Development Agreement and WT shall have provided the City with an undertaking that WT will circulate all amendments to the Development Agreement and associated agreements to the City for input on all matters which materially affect the City’s interest as vendor.
  - c. WT shall have provided an undertaking to the City that funds received from GGH under the Sale Transaction in accordance with Part 3 shall be used for re-investment in the revitalization of the waterfront in accordance with Policy and Finance Committee Report 9, Clause 1, headed “Governance Structure for Toronto Waterfront Revitalization” adopted by Council at its meeting of November 30, December 1 and 2, 2004.

- d. T shall have provided an undertaking to the City to pay, on behalf of the City, all costs and expenses payable or incurred by the City under the Sale Transaction, including purchase price adjustments, interest charges, costs of surveys and reference plans, registration and closing costs and out of pocket expenses pertaining to highway closings.
  - e. WT shall have provided an undertaking to the City to take the lead in the management of the APS on behalf of both WT and the City as vendors under the APS, including monitoring the performance of GGH under the APS and consulting with the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the City Solicitor and other City officials as appropriate.
  - f. WT shall have provided confirmation to the City that it has completed a satisfactory due diligence review of GGH and its ability to complete its obligations under the Sale Transaction.
3. Council grant authority for the City to direct GGH to pay all deposits, the balance of the purchase price and all other amounts payable to the City under the Sale Transaction to WT;
  4. Council direct the Waterfront Project Director that the following amounts shall be recognized as part of the City's overall contribution to waterfront renewal, and be reported by WT in its quarterly funding reports submitted to the three orders of government as part of the Waterfront Renewal Accounting Protocol:
    - a. the City's proportionate share of the purchase price under the APS based on the City's land contribution of Parts 1 and 2 on Figure 1 as compared to WT's land contribution of Part 4 on Figure 1.
    - b. any other amounts payable by GGH to the City for any ancillary agreements under the Sale Transaction;
    - c. the value of the parkland contribution as would apply to the development parcels, being Parts 1 to 4 on Figure 1.
    - d. the value of the affordable housing and infrastructure contribution as would apply to the development parcels, being Parts 1 to 4 on Figure 1.
  5. Council deem the values attributed to the parkland dedication as provided for in this transaction to satisfy all parkland dedication requirements for this development.
  6. Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the Chief Corporate Officer and City Solicitor, to have executed the APS, including any amendments in relation to the agreement not materially inconsistent with the major terms and conditions described in Attachment 2

to this report as approved by Council.

7. If the APS is not finalized and executed by December 31, 2010, the Deputy City Manager whose responsibilities include Waterfront Revitalization, be directed to report back to the Executive Committee with a recommended course of action.
8. Council grant authority for the Chief Corporate Officer, his successor/designate, in consultation with the Waterfront Project Director, to provide any consents, approvals, waivers, and notices under the APS provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.
9. Subject to Part 10. of this Report, and with the written consent of WT, the City consent to GGH acting as the City's agent as owner of the City lands described in Part 1. of this Report to sign any planning or development applications and agreements in furtherance of the development and construction of the City-owned lands provided the APS has been executed and all requirements and obligations of GGH therein are in good standing; or alternatively, that the City itself execute such documentation solely in its capacity as owner of the lands, on terms satisfactory to the Deputy City Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor.
10. All actions described in this report shall be taken by or on behalf of the City in its capacity as land owner and not in its capacity as a planning authority under the *Planning Act*, the *City of Toronto Act, 2006*, or otherwise and such actions are not intended to and do not fetter the City's planning and municipal rights and responsibilities.
11. City consent to WT acting as the City's agent as owner of the City lands described in Part 1. of this Report to sign any planning and development, infrastructure, servicing or any other applications and agreements including agreements with Toronto Hydro, Enbridge Gas or any third party utility provider, required for the development of the lands or alternatively that the City itself execute such documentation solely in its capacity as land owner, provided WT agrees to assume all obligations including costs and liabilities under such documentation and subject to such other terms satisfactory to the Deputy Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor;
12. The Chief Corporate Officer and the Deputy City Manager whose responsibilities include Waterfront Revitalization, be authorized severally to execute and deliver all such documentation described in Parts 9. and 11. of this Report, on behalf of the City;
13. City Council authorize the public release of the confidential information in Attachment 4 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;
14. The appropriate City officials be authorized and directed to take the necessary action to

give effect thereto.

## **Summary**

The Toronto Waterfront Revitalization Corporation (WT), as Council's designated revitalization lead in East Bayfront (EBF), has endorsed the sale of certain WT and City-owned lands included in the development parcel known as Parkside to Great Gulf (Downtown Properties) Ltd. (GGH), subject to the approval of Toronto City Council.

Parkside is the area bounded by Lower Sherbourne St., Queens Quay East, Bonnycastle St. and Lake Shore Boulevard East (see Figure 1). The district will house Sherbourne Park (north) and the lands subject to this transaction identified as Parts 1 to 4 on Figure 1. The City lands proposed to be conveyed in fee simple are Parts 1 and 2. Together the City lands represent approximately 40% (0.41 acres) of the 0.97 acre development site. The remaining 0.56 acres, shown as Part 4 on Figure 1, are in WT's ownership and will also be conveyed to GGH in fee simple. Part 3 represents a future widening block of Queens Quay East and will remain in the City's ownership. However, until such time as this parcel is dedicated as public highway, GGH will be granted an easement for access purposes.

This report provides the results of City staff's review of WT's proposal and seeks authorization to enter into a sale transaction, together with WT as vendors, with GGH, the major terms of which are contained in Attachment 2. GGH is proposing a mixed-use development consisting of approximately 540,000 sq. ft. of residential, retail, child care and commercial/office uses. In accordance with the governance structure for Waterfront Toronto, previously approved by Council, all funds from the sale will be reinvested by WT in waterfront revitalization.

Terms relating to the construction and development of the site are set out in a Development Agreement between WT, as revitalization lead with responsibility for the overall coordination of waterfront projects and infrastructure, and GGH, as future owner and builder of the development. The major terms of the Development Agreement are summarized in Attachment 3. Although the City is not a party to this agreement, many of the waterfront revitalization aspirations to be delivered by WT are secured through this agreement and addressed in this staff report.

As of the writing of this report, WT advises that it has in its possession, both the executed Agreement of Purchase of Sale (APS) and Development Agreement. This signals that the negotiation has been successfully completed and all terms have been finalized by WT and GGH, subject to Toronto City Council approval. Once executed by the City, GGH will commence its design and approval process.

## **Financial Impact**

The sale of the subject lands will not result in a direct financial impact on the City. In accordance with Policy and Finance Committee Report 9, Clause 1, headed "Governance Structure for Toronto Waterfront Revitalization" adopted by Council at its meeting of November 30, December 1 and 2, 2004, the revenues derived from the sale of City lands in the Designated Waterfront Area (DWA) are to be reinvested in the revitalization of the waterfront through WT.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with



the financial impact information.

### Background Information

Staff Review of Waterfront Toronto's Proposed Sale of City Lands for Waterfront Revitalization - Parkside

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24608.pdf>)

EX36.13	ACTION			Ward: All
---------	--------	--	--	-----------

### Update on the Avenues and Mid-Rise Buildings Action Plan

#### Origin

(September 30, 2009) Report from the Planning and Growth Management Committee

#### Recommendations

The Planning and Growth Management Committee, amongst other things, referred the following motion by Councillor Milczyn to the Executive Committee for consideration.

1. That the Chief Planner report to the Executive Committee on the possibility of reducing development charges for smaller scale avenue intensification projects.

#### Summary

The purpose of this report is to update the members of the Planning and Growth Management Committee on the progress of the Mid-Rise Buildings Action Plan and to initiate the public consultation process.

The two primary components of the Action Plan are:

1. Staff consultation with the Mid-Rise Buildings Interdivisional Team, currently being undertaken by City Planning; and
2. the Avenues and Mid-Rise Buildings Study currently being undertaken by the consultant team of Brook McIlroy Planning + Urban Design/Pace Architects together with Quadrangle Architects. The Executive Summary, draft Mid-Rise Buildings Performance Standards and a summary of completed Avenue Studies from this study is attached.

Public consultation will form an essential part of the Avenues and Mid-Rise Buildings Study. Planning Staff recognize the importance of providing the public with meaningful opportunities to learn about the Study, ask questions and provide comment and will be hosting City-wide consultation sessions once the full Consultant Study is complete and available on the internet by the late summer, 2009.

#### Financial Impact

There are no financial implications resulting from this report.

## Background Information

Update on the Avenues and Mid-Rise Buildings Action Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24486.pdf>)

Update on the Avenues and Mid-Rise Buildings Action Plan - Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24487.pdf>)

EX36.14	ACTION			Ward: All
---------	--------	--	--	-----------

## Occupational Health and Safety Report - Second Quarter, 2009

### Origin

(September 29, 2009) Report from the Employee and Labour Relations Committee

### Recommendations

The Employee and Labour Relations Committee on September 29, 2009, recommended to the Executive Committee that City Council receive the report entitled "Occupational Health and Safety Report - Second Quarter, 2009".

### Summary

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the second quarter of 2009. There was a minimal decrease in the number of lost time injuries (0.4%) and a 9.8% decrease in the number of recurrence injuries relative to the first two quarters of 2008. The number of injuries where health care only was sought decreased significantly by 17.3%. WSIB invoiced costs were \$2.3 million lower than those for the same time period in 2008, due to a reduction in costs associated with firefighter cancer claims.

Information is provided where there have been significant changes in accident experience and costs within divisions, as well as actions taken to improve health and safety performance.

Bill 168 (An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace) is still awaiting second reading in the provincial legislature. A consultative review of the City's existing Workplace Violence and Anti-harassment policies will be initiated following second reading of the Bill.

### 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 - Second Quarter, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24312.pdf>)

Appendix A - WSIB Claims Data, by Division (Jan-Jun)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24313.pdf>)

Appendix B - LTI Frequency

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24314.pdf>)

Appendix C - WSIB Costs for All Firm Numbers (2005-2009)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24315.pdf>)

Appendix Di - WSIB Invoice Costs by Division (Jan-Jun) Less than \$100,000

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24316.pdf>)

Appendix Dii - WSIB Invoiced Costs by Division (Jan-Jun) More than \$100,000

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24317.pdf>)

EX36.15	ACTION			Ward: All
---------	--------	--	--	-----------

## **Integrated By-law Enforcement - Municipal Licencing and Standards 2009 In-Year Budget Adjustments**

### **Origin**

(October 19, 2009) Report from the Budget Committee

### **Recommendations**

The Budget Committee recommended to the Executive Committee that:

1. City Council adopt the in-year technical budget adjustments for the 70% Solid Waste Diversion Program, itemized in Appendix A of the report (October 7, 2009) from the Executive Director, Municipal Licensing and Standards to provide:
  - a. Gross Expenditures of \$1,316,090 for the establishment of 11 staff positions and related non-staff costs;
  - b. Inter-Divisional Recoveries of \$1,316,090 from the Solid Waste Management Division; and
  - c. Resulting in a Net Zero Budget Expenditure in Municipal Licensing and Standards Division, with no Net financial impact to the City's Operating Budget.
  
2. City Council adopt the in-year technical budget adjustments for Parks By-law Enforcement, itemized in Appendix B of the report (October 7, 2009) from the Executive Director, Municipal Licensing and Standards to provide:
  - a. Gross Expenditures of \$1,119,971 for the transfer of 14 staff positions and related non-staff costs;
  - b. Sundry Revenues of \$1,250; and
  - c. Resulting in a Net Budget Expenditure of \$1,118,721 in Municipal Licensing and Standards Division, with no Net financial impact to the City's Operating Budget.

## Summary

The purpose of this report is to recommend to Council, approval of 2009 Operating Budget technical adjustments related to the Integrated Bylaw Enforcement initiative that would:

- Transfer budget resources from the Solid Waste Management Services Division to provide for Bylaw Enforcement related to the 70% Waste Diversion Program.
- Transfer budget resources from the Parks, Forestry and Recreation Division to provide for Bylaw Enforcement related to Parks.
- Supports the Council approved program review initiative to realize efficiencies resulting from consolidating Bylaw Enforcement within the Municipal Licensing and Standards Division.

It is necessary to make several technical Operating Budget adjustments to reflect the transfer of staffing and non-staff resources required to implement Integrated Bylaw Enforcement. The budget adjustments reflect transfers between Municipal Licensing and Standards, Solid Waste Management Services and Parks, Forestry and Recreation Divisions. There is no net financial impact on the City's operating budget.

The General Managers of Solid Waste Management and Parks, Forestry and Recreation have been consulted in the preparation of this report and concur with these recommendations.

## Financial Impact

There are no financial implications associated with the Integrated Bylaw Enforcement initiative. This reflects an internal re-allocation of operating budget funding from the Solid Waste Management Services Division and the Parks, Forestry and Recreation Division.

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

## Background Information

Integrated By-law Enforcement y Municipal Licencing and Standards 2009 In-Year Budget Adjustments - Letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24491.pdf>)

Integrated By-law Enforcement y Municipal Licencing and Standards 2009 In-Year Budget Adjustments - report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24492.pdf>)

Integrated By-law Enforcement y Municipal Licencing and Standards 2009 In-Year Budget Adjustments - Appendices A and B

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24493.pdf>)

EX36.16	ACTION			Ward: All
---------	--------	--	--	-----------

## 5-Cent Plastic Bag Tax - Environmental Initiative

### Origin

(October 7, 2009) Administrative Inquiry from Councillor Michael Walker

### Summary

Councillor Michael Walker, Ward 22, St. Paul's submitted an Administrative Inquiry of the City Manager, headed "5-Cent Plastic Bag Tax - Environmental Initiative", asking the following questions:

1. How is the City measuring the success of this new bylaw?
2. Since June 2009, how many plastic bags have been charged for under this new bylaw?
3. How many times per year does a business report to the City regarding the number of plastic bags it dispenses to its customers?
4. If a retail business does not offer an alternative to a plastic bag and contravenes the bylaw, how does Municipal Licensing & Standards take enforcement action - what is the process followed?
5. If the City has enforced this bylaw, how many Orders and Fines have been issued to businesses in contravention of this bylaw since June 2009?

### Background Information

5-Cent Plastic Bag Tax - Environmental Initiative - Admin. Inquiry

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24641.pdf>)

5-Cent Plastic Bag Tax and Environmental Initiative-City Manager letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24497.pdf>)

5-cent Plastic Bag Tax - Environmental Initiative - Walker letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24498.pdf>)

## 16a Clarification to "5-Cent Plastic Bag Tax - Environmental Initiative" Answers

### Origin

(October 16, 2009) Report from the General Manager, Solid Waste Management Services

### Summary

This report is intended to clarify an answer given by the City Manager in response to Councillor Walker's Administrative Inquiry – "5-Cent Plastic Bag Tax – Environmental Initiative."

### Financial Impact

This report has no financial impacts.

## Background Information

Clarification to 5-Cent Plastic Bag Tax and Environmental Initiative Answers  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24499.pdf>

EX36.17	ACTION			Ward: All
---------	--------	--	--	-----------

## Request for amendment to the Municipal Elections Act to permit a Referendum question on the Harmonized Sales Tax (HST) - 2010 Municipal Election

### Origin

(October 7, 2009) Member Motion from City Council

### Recommendations

Councillor Walker, seconded by Councillor Jenkins, recommends that:

1. City Council request the Province of Ontario to amend the Municipal Elections Act to permit the City to ask a referendum question during the 2010 municipal election about the repeal (or amendment) of the Harmonized Sales Tax (HST) .

### Summary

The Provincial government will be harmonizing the Provincial Sales Tax (PST) with the Federal Goods and Services Tax (GST) effective July 1, 2010. After implementing the largest single tax increase in Ontario's history with the Health Tax several years ago, this Provincial government is now going ahead with an even bigger tax increase with the Harmonized Sales Tax (HST). It amounts to a 160% tax increase.

Currently, Ontario's economy is still very unstable and it is debatable whether it is truly experiencing an upswing after the recession trends of the last year. Whatever economic recovery we are experiencing, many people still are out of a job; many are subsisting very close to the poverty line and cannot accommodate an increase in the cost to purchase everyday items. The rate of unemployment in Toronto is 10% - one in ten people do not have a job.

The Provincial government states the revenue from this tax will go toward creating jobs for Ontarians. The Federal government is giving the Provincial government \$4.6 billion to ease the transition to this tax harmonization.

Many items we purchase are only subject to the 5% Federal Goods and Services Tax (GST); starting next year, these will now be subject to an additional 8% Provincial Sales Tax, (PST) for a total of 13% in taxes.

This new tax will increase the cost of everyday items such as new home sales; gasoline; energy/tenant utility costs; labour costs of construction; fees for lawyers, accountants and architects; prepared foods under \$4.00; audio books for the legally blind; nicotine replacement therapy; personal services such as hair cuts; used car sales and car repairs; real estate commissions; fitness club memberships; newspapers and magazines; taxi and limousine fares;

internet access fees; live theatre admissions; and vitamins, to name just a few.

Top economists say that “the tax burden will shift from businesses to consumers, who will now pay the flat HST on a broader array of goods and services than before... and the overall price level will increase by 0.7%... [this] impact will lead to a permanent 0.4% increase in Canada’s average annual consumer price level relative to where it would have been without harmonization... we have estimated that Ontario consumers will experience an 8% increase in the posted tax rate on approximately 19% of their expenditures.” Nearly one in every five purchases will go up by 8% resulting in “2.5 – 3 billion in additional costs that households will be paying” under this new tax scheme.

It will be the cumulative effect of this new tax that impacts us most. No matter how many income tax offsets the government implements – and the federal government is effectively paying Ontario to support this new tax – we will be paying out more than we were. It is wrong for this government to impose this tax on Ontarians at time when so many are losing their jobs and making due with less. It will further raise the cost of living for many who are on the edge already.

The HST is very controversial with Torontonians and Ontarians. Many are not convinced that it will be fair, equitable or effective in creating jobs.

City Council has an opportunity to ask Torontonians whether they favour this new tax or not by including a plebiscite question to that effect on the 2010 municipal election ballot. The City of Toronto has the power to include any question on its election ballot provided that the Provincial government approves the wording of the question asked on the ballot.

City Council now has the duty to provide Torontonians with a voice on this important issue, albeit after the tax comes into effect.

Executive Committee.

### **Background Information**

Request for amendment to the Municipal Elections Act to permit a Referendum question on the Harmonized Sales Tax (HST) - 2010 Municipal Election

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24500.pdf>

**(Deferred from October 5, 2009 - 2009.EX35.3)**

<b>EX36.18</b>	ACTION			Ward: All
----------------	--------	--	--	-----------

### **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-24318.pdf>)



EX36.19	ACTION			Ward: 27
---------	--------	--	--	----------

## Proposed Amendments to Municipal Code Chapter 636 - Yonge Dundas Square

### Origin

(October 19, 2009) Report from the City Manager

### Recommendations

The City Manager recommends that City Council:

1. amend Chapter 636 of the Toronto Municipal Code, *Public Squares*, substantially as set out in Appendix 1, in accordance with the Yonge Dundas Square Board's request to:
  - a. increase the number of members of the Board of Management from 13 to 14, by adding a position to be nominated from Massey Hall by the Corporation of Massey Hall and Roy Thompson Hall.
  - b. include a provision to redefine quorum, so that the ward Councillor appointed to the Board shall not be included for the purpose of determining what constitutes a quorum of the Board, but the Ward Councillor attending a meeting of the Board may be counted in order to achieve quorum.
  - c. update the names of two member organizations as follows: from "Ryerson Polytechnic University" to "Ryerson University", and from "Toronto Theatre Alliance" to "Toronto Alliance for the Performing Arts".
  - d. clarify that the member representing the Toronto Parking Authority is on the Board in a non-voting capacity, which is not currently specified in the Municipal Code as intended.
2. grant authority to the City Solicitor to submit any bills required to amend Chapter 636 of the Municipal Code, and for the City Manager to amend the Relationship Framework to reflect these changes.

### Summary

This report recommends that Chapter 636 of the Toronto Municipal Code, Public Squares, be amended to add a provision respecting quorum for the Yonge Dundas Square Board of Management (the Board), and to increase the size of the Board from 13 to 14 members by adding a position to be nominated from Massey Hall by the Corporation of Massey Hall and Roy Thompson Hall. The report also recommends housekeeping changes to Chapter 636, and provides for the City Manager to make the corresponding amendments to the Relationship Framework between the City of Toronto and Yonge Dundas Square Board of Management.

## Financial Impact

There are no financial impacts resulting from the adoption of these recommendations.

## Background Information

Proposed Amendments to Municipal Code Chapter 636 - Yonge Dundas Square  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24613.pdf>

EX36.20	ACTION			Ward: 20
---------	--------	--	--	----------

## Authority for Licence Agreement with Toronto Community Housing Corporation for Construction on Blocks 32 and 36 of the Railway Lands

### Origin

(October 21, 2009) Report from the Chief Corporate Officer and Deputy City Manager Responsible for the Affordable Housing Office

### Recommendations

The Chief Corporate Officer and the Deputy City Manager responsible for the Affordable Housing Office recommend that:

1. Council authorize a licence agreement (the “Licence Agreement”) with Toronto Community Housing Corporation (“TCHC”) for construction staging and access at Fort York Boulevard east of Bathurst Street on an area shown on Appendix “C”, for a three (3) year term with a one (1) year renewal option, substantially on the terms and conditions outlined in Appendix “A” to this report and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form acceptable to the City Solicitor.
2. Council authorize a licence agreement (the “Blocks 32 and 36 Licence Agreement”) with TCHC to facilitate the beginning of the affordable housing development on Blocks 32 and 36 of the Railway Lands on the area shown on Appendix “C” to this report for a period of six months or until the lands are transferred to TCHC, substantially on the terms and conditions outlined in Appendix “B” to this report and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form acceptable to the City Solicitor.
3. The Chief Corporate Officer be authorized to administer and manage the Licence Agreement and Blocks 32 and 36 Licence Agreement and any extension thereof, including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.
4. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Licence Agreements on behalf of the City.

## Summary

The purpose of this report is to obtain Council's authority to enter into a non-exclusive licence agreement with Toronto Community Housing Corporation on a City-owned, unopened portion of Fort York Boulevard, east of Bathurst Street, and to enter into a separate licence for Block 32 and 36 of the Railway Lands. The licences are required to facilitate the construction of affordable housing on Blocks 32 and 36 of the Railway Lands, which is slated to commence by December 1, 2009.

The purpose of the licence for Fort York Boulevard is to provide a construction staging area for a three (3) year term with a one (1) year renewal option while the licence for Blocks 32 and 36 will allow for construction activities to start for a building that will contain 220 units of affordable housing. Both licences are to be at a nominal cost as the proponent is a non-profit corporation, wholly owned by the City of Toronto.

## Financial Impact

The proposed license agreements are for a nominal fee. TCHC will be responsible for all taxes, maintenance and operating costs.

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

## Background Information

Authority for Licence Agreement with Toronto Community Housing Corporation for Construction on Blocks 32 and 36 of the Railway Lands

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24642.pdf>)

Appendix A - Terms and Conditions of Licence Agreement for a Portion of Fort York Boulevard

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24643.pdf>)

Appendix B - Terms and Conditions of Blocks 32 and 36 Licence Agreement

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24644.pdf>)

Appendix C - Site Maps

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24645.pdf>)

## **20a Authority for Licence Agreement with Toronto Community Housing for Construction on Blocks 32 and 36**

### Origin

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

### Recommendations

The Affordable Housing recommended to the Executive Committee that the Deputy City Manager, Sue Corke and Chief Corporate Officer report directly to the Executive Committee at its meeting on November 2, 2009, seeking authority to enter into a licence agreement with Toronto Community Housing Corporation for a portion of Fort York Boulevard adjacent to Bathurst Street, in order to facilitate the start of construction of affordable housing on Blocks 32 and 36 of the Railway Lands by December 1, 2009.

## Summary

The Affordable Housing Committee considered a Member Motion (October 20, 2009) from Councillor Vaughan, Ward 20 Trinity-Spadina, respecting the above matter.

## Background Information

Authority for Licence Agreement with Toronto Community Housing for Construction on Blocks 32 and 36 of the Railway Lands y Portion of Fort York Boulevard

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24504.pdf>)

Authority for Licence Agreement with Toronto Community Housing for Construction on Blocks 32 and 36 of the Railway Lands y Portion of Fort York Boulevard - Attachment

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24505.pdf>)

EX36.21	ACTION			
---------	--------	--	--	--

## Multi-Faith Alliance to End Homelessness

### Origin

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

### Recommendations

The Affordable Housing Committee recommended to the Executive Committee, for its meeting on November 2, 2009 that:

1. City Council endorse in principle Bill C-304 - A Bill to Establish a National Housing Strategy and the contents therein.
2. City Council so advise the Prime Minister of Canada, Federal and Provincial Ministers of Housing and Member of Parliament Libby Davies (BC).
3. City Council urge the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities to schedule public hearings on Bill C-304, and request to appear before that Committee.

## Summary

The Affordable Housing Committee considered a memorandum (September 23, 2009) from Councillor Moscoe, Ward 15 – Eglinton-Lawrence, forwarding a request from the MultiFaith Alliance to End Homelessness, for support for a national housing strategy (Bill C-304).

## Financial Impact

The proposed license agreements are for a nominal fee. TCHC will be responsible for all taxes, maintenance and operating costs.

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

## Background Information

MultiFaith Alliance to End Homelessness - Letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24506.pdf>)

Bill C-304

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24507.pdf>)

EX36.22	ACTION			Ward: All
---------	--------	--	--	-----------

## Toronto Water 2010 - 2019 Capital Program

### Origin

(October 23, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the 2010 Recommended Capital Budget for Toronto Water with a total project cost of \$1.491 billion, and 2010 cash flow of \$720.672 million and future year commitments of \$2.894 billion comprised of the following:
  - a. New Cash Flow Funding for:
    - i. 239 new/change in scope sub-projects with a 2010 total project cost of \$1.491 billion that requires cash flow of \$114.417 million in 2010 and a future year commitment of \$220.295 million in 2011; \$238.098 million in 2012; \$157.527 million in 2013; \$322.225 million in 2014; \$120.454 million in 2015; \$105.022 million in 2016; \$87.163 million in 2017; \$67.065 million in 2018; and, \$58.837 million in 2019;
    - ii. 201 previously approved sub-projects with a 2010 cash flow of \$555.488 million and a future year commitment of \$513.422 million in 2011; \$452.962 million in 2012; \$355.610 million in 2013; \$104.954 million in 2014; \$76.534 million in 2015; \$13.552 million in 2016; and, \$0.620 million in 2017;
  - b. 2009 approved cash flow for 36 previously approved sub-projects with carry forward funding from 2009 into 2010 totalling \$50.767 million.
2. City Council approve that no new debt be issued to finance the 2010 cash flow requirement for the capital program and that the 2010 Recommended Toronto Water Capital Budget be fully funded from service charges; available reserve funds; Infrastructure Stimulus Fund (IFS); development charges; and other revenues.
3. City Council approve the 2011-2019 Recommended Capital Plan for Toronto Water totalling \$8.016 billion in project estimates, comprised of \$791.863 million in 2011; \$827.695 million in 2012; \$835.068 million in 2013; \$873.154 million in 2014; \$907.109 million in 2015; \$918.496 million in 2016; \$913.508 million in 2017;

\$959.178 million in 2018; and, \$989.930 million in 2019.

4. City Council approve operating impacts of (\$29.884) million from 2010 to 2019 emanating from the approval of the 2010 Recommended Capital Budget, for inclusion in the 2010 and future year operating budgets.
  
5. The report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Toronto Water 2010-2019 Capital Program", be considered concurrently with the 2010 Water and Wastewater Service Rate Report (October 13, 2009), from the Deputy City Manager and Chief Financial Officer and the General Manager for Toronto Water.

**Summary**

This report provides information regarding water and wastewater development charges in the Greater Toronto Area (GTA). Development charges for these services are predominantly collected by upper tier municipalities in the GTA. Most lower tier municipalities either impose no charge for water and wastewater services, or impose a charge that applies only to limited areas within the municipality.

The new development charge bylaw adopted by Council earlier this year provided a freeze in the development charge rates for two years and a phase-in of the increase starting in 2011. As a result, Toronto’s water and wastewater charges are currently the lowest in the GTA.

**Financial Impact**

There are no financial implications associated with this report.

**Background Information**

Toronto Water 2010-2019 Capital Program - Budget Letter  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24678.pdf>  
 Water and Wastewater Development Charges in the Greater Toronto Area - staff report  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24674.pdf>  
 Toronto Water 2010 - 2019 Capital Program - Analyst Briefing Notes, October 19, 2009  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24675.pdf>

EX36.23	ACTION			Ward: All
---------	--------	--	--	-----------

**Solid Waste Management Services 2010 Operating Budget**

**Origin**

(October 23, 2009) Report from the Budget Committee

**Recommendations**

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the 2010 Recommended Operating Budget for Solid Waste Management Services of \$319.821 million gross funded by \$319.821 million in solid

waste user rates and other recoveries comprised of the following services:

Service:	Gross (\$000s)	Net (\$000s)
Program Support	66,388.5	(195,743.5)
Collection	109,022.1	104,203.8
Transfer	26,480.8	17,154.2
Processing	52,112.9	30,289.2
Disposal	65,817.2	44,096.3
Total Program Budget	319,821.4	0.0

2. The General Manager of Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer develop a multi-year fee strategy and report to Budget Committee as part of the 2011 Budget process.
3. The General Manager of Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer report to Budget Committee as part of the 2010 Year-End Variance Report on the actual net contribution to the Waste Management Reserve Fund.
4. Solid Waste Management Services, in consultation with the Financial Planning Division, review the long-term adequacy of the Waste Management Reserve Fund including contribution levels required to fund the Solid Waste Management Capital Plan prior to the 2011 Operating Budget process.
5. The report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Solid Waste Management Services 2010 Operating Budget", be considered concurrently with the "Recommended 2010 Solid Waste Rates" (October 16, 2009) report from the Deputy City Manager and Chief Financial Officer and the General Manager of Solid Waste Management Services.

### Summary

As requested by City Council, this report is to provide an annual update to the Budget Committee on the exercise of the delegated authority by the Director of Transfer and Disposal Operations, Solid Waste Management, for the period from October 1, 2008 to September 30, 2009 in determining disposal fees for the Green Lane Landfill.

A second review of a similar nature by the City's Internal Audit Division will take place in 2010.

### Financial Impact

There are no Financial Impacts as a result of this report.

### Background Information

Solid Waste Management Services 2010 Operating Budget  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24679.pdf>

Review of Landfill Disposal Fees Delegation  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24676.pdf>

Solid Waste Management 2010 Operating Budget Analyst Briefing Notes  
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24677.pdf>

<b>EX36.24</b>	<b>ACTION</b>			Ward: All
----------------	---------------	--	--	-----------

## 2010 Water and Wastewater Service Rate

### Origin

(October 23, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that :

1. City Council approve the following:
  - a. Effective January 1, 2010, the water and wastewater rates charged to metered consumers shall be as shown below and in Appendix A (Schedule 1) attached to the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water.

Annual Consumption	Paid on or before the due date, \$/m <sup>3</sup>	Paid after the due date, \$/m <sup>3</sup>
Block 1 - All consumers, including Industrial consumption of first 6,000 m <sup>3</sup>	\$2.0616	\$2.1701
Block 2 - Industrial tax class, volumes consumed over 6,000 m <sup>3</sup> , representing 28.6% reduction from the Block 1 Rate	\$1.4726	\$1.5501

- b. The water and wastewater rates charged to flat rate consumers be, effective January 1, 2010, increased by 9.0%, to the rates shown in Appendix A (Schedule 2) attached to the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water.
  - c. The necessary amendments be made to Municipal Code Chapter 441, Fees and Charges and Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, to give effect to a. and b. above; and

that the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water, entitled "2010 Water and Wastewater Service Rate", be considered concurrently with the 2010-2019 Capital Plan and the 2010 Operating Budget.



2. With respect to assistance for low-income seniors and low-income disabled persons:
  - a. The 2010 rebate for eligible low-income seniors and low-income disabled persons be set at a rate of \$0.5890 /m<sup>3</sup>, representing a 28.6% reduction from the Block 1 Rate.
  - b. The due date for submitting an actual meter reading to the City and/or allowing access to City staff to obtain an actual meter reading as required under Municipal Code Chapter 849-14.3 be extended from December 31st, of the year for which the rebate is sought, to January 31st of the following year.
  - c. The necessary amendments be made to Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, to give effect to a. and b. above.
3. Authority be granted to the City Solicitor to introduce any necessary Bills required to implement these recommendations, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor, the Deputy City Manager and Chief Financial Officer and General Manager, Toronto Water.
4. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

### **Summary**

This report recommends the 2010 water and wastewater service rates arising from concurrent adoption of the 2010 Toronto Water Recommended Operating and Capital Budgets. The 2010 Block 1 rate is recommended to increase by 9%, and in accordance with previously adopted Enhancing Toronto's industrial competitiveness initiatives, Block 2 rate is to be one third of Block 1 rate, resulting in a 3% increase.

### **Financial Impact**

The City of Toronto Water and Wastewater Program (the "Program") is fully funded on a 'pay-as-you-go' basis through a combined water and wastewater rate without any reliance on borrowing/debenture financing. The property tax budget is not impacted by adoption of the recommendations contained in this report.

Based on the recommended 2010 Toronto Water Operating and Capital Budgets, and updated consumption forecast, a rate increase of 9.0% for 2010 is necessitated in the Block 1 domestic-use rate for all consumers (the "Block 1 Rate") to the rate of \$2.0616 per cubic meter, and a rate increase of 3% is necessitated in the Block 2 process-use rate for eligible industrial users on their volumes over 6,000 m<sup>3</sup>/year (the "Block 2 Rate") to the rate of \$1.4726 per cubic meter. The effective increase from the combined blocks is 8.6% in rate supported revenue and necessary to support the Program's recommended 2010 Operating Budget and 2010-2019 Capital Budget requirements.

The average home consuming 300 m<sup>3</sup>/year, being a Block 1 Rate consumer, will see an increase of 9% or \$51 in their water bill (from \$567 in 2009 to \$618 for 2010), which is in the range of annual increases previously forecasted and widely publicized. The average impact for typical consumers is shown in Chart 1 below.

**Chart 1 – 2010 Water Rate Impact**

Type of property	Consumption	2009 cost	Projected 2010 cost	2010 impact	2010 impact
	m3/y	\$/y	\$/y	\$/y	%
Residential	300	\$567	\$618	\$51	9.00%
Industrial	100,00	\$145,744	\$150,797	\$5,053	3.47%
	1,000,000	\$1,432,513	\$1,476,169	\$43,656	3.05%

Pursuant to Council’s previously approved industrial water user competitive strategy, to phase-in their water rate to the target of a 30% reduction over domestic consumers, for 2010, the City’s Block 2 Rate differential below the Block 1 will increase from 24.4% to 28.6%, and this reduced rate increase will continue over the next year when the target of 30% differential below the Block 1 Rate will be achieved. An eligible industrial consumer who, for example, consumes 1,000,000 m3/year, will see an effective increase in their water bill of 3.05% in 2010. The policy also provides for a rebate equivalent to the difference between the Block 1 and Block 2 Rates to assist eligible low-income seniors and low-income disabled persons.

**Background Information**

2010 Water and Wastewater Service Rate

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24680.pdf>

2010 Water and Wastewater Service Rate - Staff Report

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24681.pdf>

<b>EX36.25</b>	ACTION			Ward: All
----------------	--------	--	--	-----------

**Solid Waste Management Services 2010-2019 Capital Program**

**Origin**

(October 23, 2009) Report from the Budget Committee

**Recommendations**

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the 2010 Recommended Capital Budget for Solid Waste Management Services with a total project cost of \$51.576 million and a 2010 cash flow of \$75.128 million and future year commitments of \$96.389 million. The 2010 Recommended Capital Budget consists of the following:
  - a. New Cash Flow Funding for:
    - i. 11 new sub-projects with a 2010 total project cost of \$51.576 million that requires cash flow of \$40.700 million in 2010 and future year commitments of \$8.626 million in 2011, \$1.350 million in 2012 and

\$0.900 million in 2013;

- ii. 13 previously approved sub-projects with a 2010 cash flow of \$21.213 million and future year commitments of \$78.313 million in 2011 and \$7.200 million in 2012; and
  - b. 2009 approved cash flow for 7 previously approved sub-projects with carry forward funding from 2009 into 2010 totalling \$13.115 million.
2. City Council approve the operating impacts of \$5.790 million in 2011 to 2019 including \$4.774 million in 2011, \$0.195 million in 2012, \$0.228 million in 2013, \$0.103 million in 2014, \$0.105 million in 2015, \$0.107 million in 2016, \$0.053 million in 2017, \$0.111 million in 2018 and \$0.114 million in 2019 that emanate from the approval of the 2010 Recommended Capital Budget be considered within the overall scope of Solid Waste Management Services' 2011 Operating Budget and future year operating budgets.
  3. City Council approve that all sub-projects with third party financing be approved conditionally, subject to the receipt of such funding and if such financing is not forthcoming, their priority and funding be reassessed by City Council relative to other City-financed priorities and needs.
  4. City Council approve the 2011-2019 Capital Plan for Solid Waste Management Services totalling \$473.975 million in project estimates, comprised of \$158.249 million in 2011, \$131.326 million in 2012, \$65.078 million in 2013, \$33.409 million in 2014; \$16.250 million in 2015, \$14.852 million in 2016, \$14.918 million in 2017, \$20.193 million in 2018, and \$19.700 million in 2019.
  5. The General Manager of Solid Waste Management Services report to the Public Works and Infrastructure Committee by May 2010, to provide a status update of the assessment appeal related to the Green Lane Land Transfer Tax and on the likelihood of recouping the reserve funding.
  6. The report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Solid Waste Management Services 2010-2019 Capital Program", be considered concurrently with the 2010 Recommended Residential Solid Waste Rate Report (October 16, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager for Solid Waste Management Services.

## Summary

The Budget Committee on October 23, 2009, considered a report (October 19, 2009) from the Deputy City Manager and Chief Financial Officer, entitled "Solid Waste Management Services 2010 – 2019 Capital Program".

## Background Information

Solid Waste Management Services 2010-2019 Capital Program

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24682.pdf>)

Solid Waste Management 2010 - 2019 Capital Program Analyst Briefing Notes - October 19, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24683.pdf>)

EX36.26	ACTION			Ward: All
---------	--------	--	--	-----------

## Recommended 2010 Solid Waste Rates

### Origin

(October 23, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the 2010 Residential Solid Waste Rates and Solid Waste Management Fees for Agencies, Boards, Commissions, Departments and Schools, as set out in Appendix A of the report (October 16, 2009) from the General Manager, Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer.

### Summary

This report outlines the proposed 2010 Residential Solid Waste Rates and 2010 Solid Waste Management (SWM) Fees for Agencies, Boards, Commissions and Departments (ABCD's) and Schools. The proposed rates and fees represent a 2% increase from 2009.

### Financial Impact

The recommended 2010 Residential Solid Waste Rates are expected to generate \$244.3 million in volume-based rate revenue or a \$4.8 million increase over the 2009 approved utility revenue. In addition, the recommended 2010 Solid Waste Management Fees for ABCD's and Schools are expected to generate an increase of \$0.1 million over the 2009 approved revenues

These revenues will provide full funding to support Solid Waste Management operations, capital work and the initiatives to achieve the 70% waste diversion goal. The recommended rates are reflected in the 2010 Recommended Operating Budget for Solid Waste Management Services.

### Background Information

Recommended 2010 Solid Waste Rates

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24684.pdf>

Recommended 2010 Solid Waste Rates - Staff Report

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24685.pdf>

Appendix A - Proposed 2010 Residential Solid Waste Rates and Solid Waste Management Fees for ABCD's and Schools

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24686.pdf>

Appendix B - Diversion Projections Based on 2% Rate Increase

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24687.pdf>

Appendix C - Summary Impact of 2% Rate Increase

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24688.pdf>

<b>EX36.27</b>	ACTION			Ward: All
----------------	--------	--	--	-----------

## Toronto Water 2010 Operating Budget

**Confidential Attachment - Personal matters about an identifiable individual, including municipal or local board employees**

### Origin

(October 23, 2009) Report from the Budget Committee

### Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the 2010 Recommended Operating Budget of \$767.708 million with gross operating expenditures of \$384.516 million and a capital-from-current contribution of \$383.192 million, as funded by the water and wastewater user rates and other recoveries, comprised of the following services:

Service:	Gross (\$000s)	Net (\$000s)
Water Supply & Treatment	62,446	0
Wastewater Treatment	101,702	0
District Operations	94,632	0
Water Infrastructure Management	9,883	0
Capital-from-Current Contribution	383,192	0
Business Operations Management	23,159	0
Operational Support	32,943	0
Program Support	59,751	0
<b>Total Toronto Water</b>	<b>767,708</b>	<b>0</b>

2. The report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Toronto Water 2010 Operating Budget", be considered concurrently with the 2010 Water and Wastewater Service Rate Report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager for Toronto Water.
3. The information contained in confidential attachment I remain confidential until Council's approval of the Toronto Water 2010 Operating Budget.

### Summary

The Budget Committee on October 23, 2009, considered the following:

- a. Report (October 19, 2009) from the Deputy City Manager and Chief Financial Officer, entitled "Toronto Water 2010 Operating Budget";
- b. Letter (October 20, 2009) from Ann Dembinski, President, Local 79, Canadian Union of Public Employees, entitled "2010 Operating Budget – Water/Solid Waste"; and

- c. Briefing Notes (October 22, 2009) from the General Manager, Toronto Water, entitled “Voluntary Downspout Disconnection Program and the City-Wide Mandatory Program”.

(A copy of the confidential attachment referred to in the aforementioned report from the Budget Committee was distributed to all Members of Council with the October 23, 2009 Budget Committee Agenda).

### Background Information

Toronto Water 2010 Operating Budget

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24689.pdf>)

Letter (October 20, 2009) from CUPE Local 79

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24690.pdf>)

Toronto Water 2010 Operating Budget - Briefing Notes

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24691.pdf>)

EX36.28	ACTION			Ward: All
---------	--------	--	--	-----------

### Capital Variance Report for the Nine-month Period Ended September 30, 2009

#### Origin

(October 26, 2009) Report from the Budget Committee

#### Summary

This is to advise that the recommendations of the Budget Committee respecting the Capital Variance Report for the Nine-month Period Ended September 30, 2009 will be distributed on the Supplementary Agenda for the Executive Committee meeting of November 2, 2009.

### Background Information

Capital Variance Report for the Nine-month Period Ended September 30, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24692.pdf>)

EX36.29	ACTION			
---------	--------	--	--	--

### Operating Variance Report for the Nine-month Period Ended September 30, 2009

#### Origin

(October 26, 2009) Report from the Budget Committee

#### Summary

This is to advise that the recommendations of the Budget Committee respecting the Operating Variance Report for the Nine-month Period Ended September 30, 2009 will be distributed on the Supplementary Agenda for the Executive Committee meeting of November 2, 2009.

**Background Information**

Operating Variance Report for the Nine-month Period Ended September 30, 2009 - Notice of Pending Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24693.pdf>)

EX36.30	ACTION			Ward: All
---------	--------	--	--	-----------

**Budget Adjustment to the Toronto Public Health 2009 Approved Operating Budget and Confirmation of Authority to Sign Agreements - Board of Health Item HL25.8**

**Origin**

(October 26, 2009) Report from the Budget Committee

**Summary**

This is to advise that the recommendations of the Budget Committee respecting the Budget Adjustment to the Toronto Public Health 2009 Approved Operating Budget and Confirmation of Authority to Sign Agreements – Board of Health Item HL25.8, will be distributed on the Supplementary Agenda for the Executive Committee meeting of November 2, 2009.

**Background Information**

Letter Budget Adjustment to the Toronto Public Health 2009 Approved Operating Budget and Confirmation of Authority to Sign Agreements

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24699.pdf>)

Attachment 1 - Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24700.pdf>)

Attachment 2 - Letter from Board of Health Budget Sub-Committee

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24701.pdf>)