
Executive Committee

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Executive Committee

Meeting No.	33	Contact	Patsy Morris, Committee Administrator
Meeting Date	Tuesday, June 2, 2009	Phone	416-392-9151
Start Time	9:30 AM	E-mail	exc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Mayor David Miller

EX33.1	ACTION			Ward: All
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Implementation Report #2: New Model to Enhance Toronto's Economic Competitiveness

Committee Recommendations

The Executive Committee recommends that City Council approve the following:

Build and Invest Toronto

1. Council approve the Shareholder Direction for Build Toronto Inc., as set out in Appendix A of the report (May 16, 2009) from the City Manager, and for Invest Toronto Inc., as set out in Appendix B of the report.
2. Build Toronto Inc. and Invest Toronto Inc. be exempted from the Lobbyist Registry and that the City Solicitor be authorized to introduce the necessary Bill in Council amending Chapter 140 of the Municipal Code, adding Build Toronto Inc. and Invest Toronto Inc. to the list of exempted organizations in the By-law under Schedule A of "Exempted Municipal Level Corporations and Other Bodies."
3. The Deputy City Manager responsible for affordable housing issues periodically report to the Affordable Housing Committee on the agreed upon affordable housing targets for properties transferred to Build Toronto.

TEDCO

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

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

Origin

(May 16, 2009) Report from the City Manager

Summary

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

This report addresses five specific implementation requirements as follows:

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

Background Information

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

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

Appendix A - Build Toronto Shareholder Direction

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

Appendix B - Invest Toronto Shareholder Direction

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

EX33.2	ACTION			Ward: All
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Toronto Community Housing Corporation 2009 - 2011 Community Management Plan

Committee Recommendations

The Executive Committee recommends that:

1. City Council, in its role as Shareholder of the Toronto Community Housing Corporation, receive Toronto Community Housing Corporation's 2009 – 2011 Community Management Plan.
2. The City Clerk forward a copy of this report and City Council's decision to the Board of Directors of the Toronto Community Housing Corporation as the City's comments on the Plan.
3. City Council request the Toronto Community Housing Corporation to incorporate the planning and implementation of the AODA requirements into the 2009-2011 Community Management Plan.

Origin

(May 13, 2009) Report from the City Manager

Summary

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

Background Information

Toronto Community Housing Corporation 2009 - 2011 Community Management Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21482.pdf>)

Attachment 2 - Transmittal Letter from Toronto Community Housing Corporation's Chief Executive Officer

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21483.pdf>)

Attachment 3 - 2009-2011 TCHC Community Management Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21484.pdf>)

EX33.3	ACTION			Ward: All
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Status Report - 2008 Access, Equity and Human Rights (AEHR) Achievements

Committee Recommendations

The City Manager recommends that:

1. City Council direct Division Heads to expedite the implementation of initiatives in areas requiring action in Appendix 1 and Appendix 2 of the report (May 13, 2009) from the City Manager, and that the results of implementation be reported in the next status report to Council scheduled for September 2010.
2. City Council request the City Manager's Office to meet with representatives from equity seeking groups within the next year to provide information on the status report on access, equity and human rights, in order to obtain and include community input in future reports.

Decision Advice and Other Information

Joe Pennachetti, City Manager, gave a presentation to the Executive Committee on the Status Report - 2008 Access, Equity and Human Rights (AEHR) Achievements.

Origin

(May 13, 2009) Report from the City Manager

Summary

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

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

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

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

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

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

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

Background Information

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

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

Appendix 1: Cover Page

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

Appendix 1 - Indicators - Summary of 2008 AEHR Achievements

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

Appendix 2 - Details of 2008 AEHR Achievements

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

Communications

(June 2, 2009) submission from Melissa Leslie Wong, Toronto Women's City Alliance (EX.Main.EX33.3.1)

Speakers

(June 2, 2009) Ms. Melissa Wong, Toronto Women's City Alliance (Submission Filed)
Councillor Mike Del Grande, Ward 39, Scarborough-Agincourt

EX33.4	ACTION			Ward: All
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Accessibility Requirements: Accessibility for Ontarians with Disabilities Act, 2005 (AODA)

Committee Recommendations

The Executive Committee recommends that:

1. Toronto City Council endorse the Statement of Commitment Regarding Persons with Disabilities, Appendix A of the report (May 7, 2009) from the City Manager for posting in City facilities.

2. The City Manager expedite the provision of a training program for staff who have responsibilities under the AODA.
3. The City Manager remind all Agencies, Boards, Commissions and Corporations to meet compliance requirements of the accessible standards established under the AODA.

Decision Advice and Other Information

The Executive Committee:

1. Forwarded the report (May 7, 2009) from the City Manager to the Disability Issues Committee for its meeting on June 18, 2009.
2. Requested the City Manager to submit a supplementary report to the July 6, 2009 meeting of City Council with any additional amendments, and consider the comments from Executive Committee members in his supplementary report.

Origin

(May 7, 2009) Report from the City Manager

Summary

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

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

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

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

Background Information

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

EX33.5	ACTION			Ward: All
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Development of an Urban Aboriginal Strategy for Toronto

Committee Recommendations

The Executive Committee recommends that:

1. City Council receive and forward the report (May 11, 2009) from the City Manager to the Aboriginal Affairs Committee for information.

Decision Advice and Other Information

The Executive Committee referred the following motion by Councillor Kelly to the City Manager for consideration in the development of an Urban Aboriginal Strategy:

1. The Aboriginal Affairs Committee be requested to look at the possibility of creating an Aboriginal Affairs Office in City Hall.
2. The Board of Education be requested to look into a Mentoring Program for Aboriginal youth.

Origin

(May 11, 2009) Report from the City Manager

Summary

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

Background Information

Development of an Urban Aboriginal Strategy for Toronto
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21490.pdf>)

EX33.6	ACTION			Ward: All
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Indemnification Policy for Members of Council and Defamation

Committee Recommendations

The Executive Committee recommends that:

1. City Council determine that amendments to the Indemnification Policy for Members of Council regarding defamation are necessary, and approve the amendments set out in Appendix B of the report (May 11, 2009) from the City Manager.

2. City Council request the Integrity Commissioner to report on any related amendments to the Code of Conduct Complaint Protocol for Members of Council.
3. City Council not extend the amendments set out in Appendix B of the report (May 11, 2009) from the City Manager to directors of agencies, boards, commissions, corporations and special purpose bodies.

Decision Advice and Other Information

The Executive Committee requested the City Manager and the City Solicitor to report directly to City Council on the following matters:

1. In view of the short time lines to give notice of defamation actions, amendments to the proposed policy in order to expedite Member versus Third Party Claims, including possible delegation to staff or officials of parts of the proposed process.
2. In view of the short time lines, an examination of the particular situation faced by Councillor Bussin in respect of the potential defamation and suggest a course of action to address approval and reimbursement of her legal expenses.
3. The motion by Councillor Mammoliti, that if a Council Member feels that he or she needs immediate legal advice to proceed with any legal matter, the Member be able to access the cost of legal fees up to \$10,000 prior to approval under the proposed policy.
4. The motion by Councillor Moscoe, that:
 - a. The Members of Council shall be entitled to select their own legal representation subject to their legal bills being reviewed by the City Solicitor.
 - b. This policy also apply to Members of Council when they are serving as a Council Appointee on any ABC or any other body to which they have been appointed by Council.
 - c. This matter be forwarded to all ABC's with a request that they review their own policies.
 - d. The external lawyer who makes the recommendations in connection with the process for (i) Member versus Third Party, and (ii) Member versus Member, , or anyone connected to them, shall be prohibited from acting for any of the parties to the matter.

Origin

(May 11, 2009) Report from the City Manager

Summary

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

Background Information

Indemnification Policy for Members of Council and Defamation
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21491.pdf>)

Speakers

Councillor Sandra Bussin, Ward 32, Beaches-East York
Councillor Adam Vaughan, Ward 20, Trinity-Spadina

EX33.7	ACTION			Ward: All
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Toronto Hydro Corporation - Annual General Meeting and Audited Annual Financial Statements

Committee Recommendations

The Executive Committee recommends that City Council:

1. Consider the Council meeting to be the Annual General Meeting of the Shareholder for Toronto Hydro Corporation by:
 - a. adopting the recommendations in the Toronto Hydro Corporation report, dated April 30, 2009, forming Attachment 1 to the report, to appoint Ernst and Young LLP, Chartered Accountants, as the auditor for Toronto Hydro Corporation, to authorize the Corporation’s Board of Directors to fix their remuneration, and to receive the report from the Chair of the Board of Directors; and
 - b. receiving the information report of the Deputy City Manager and Chief Financial Officer, dated May 19, 2009, “Toronto Hydro Corporation – Financial Statements”, forming Attachment 2 to the report and receiving the financial statements forming Appendix A to the report; and
2. Refer Toronto Hydro Corporation’s Consolidated 2008 Annual Financial Statements in Attachment 2 to the report (May 19, 2009) from the Deputy City Manager and Chief Financial Officer to the Audit Committee for review.

Origin

(May 14, 2009) Report from the City Manager

Summary

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

Background Information

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

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

Attachment 1 - Toronto Hydro Corporation Report April 30, 2009

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

Attachment 2 - Report of Deputy City Manager and Chief Financial Officer dated May 19, 2009 entitled "Toronto Hydro Corporation - Financial Statements"

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

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

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

EX33.8	ACTION			Ward: All
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Toronto Hydro Corporation - Unaudited 1st Quarter 2009 Financial Results**Committee Recommendations**

The Executive Committee recommends that City Council receive Toronto Hydro Corporation's unaudited Financial Statements for the period ended March 31, 2009.

Origin

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

Summary

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

Background Information

Toronto Hydro Corporation - Unaudited 1st Quarter 2009 Financial Results

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

EX33.9	ACTION			Ward: 37
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Development Charge Agreement - South-West Corner of Midland Avenue and Lawrence Avenue East

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize entering into an agreement to provide Arsandco Investments Limited with an exemption from the payment of the parks and recreation, water, sanitary sewer and storm water management components of development charges payable with respect to the development of its lands at the south-west corner of Midland Avenue and Lawrence Avenue East, such agreement to be substantially in the form attached as Appendix 1 to this report, and in a form satisfactory to the City Solicitor.
2. City Council direct and authorize appropriate City staff to take the necessary action to give effect thereto.

Origin

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

Summary

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

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

Background Information

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

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

EX33.13	ACTION			Ward: All
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Delegation of Council's Debenture By-law Enacting Authority

Committee Recommendations

The Executive Committee recommends that:

1. City Council create a Debenture Committee, consisting of the Mayor, Budget Chair, City Manager and Deputy City Manager and Chief Financial Officer to serve for the term of Council, and delegate to the Debenture Committee:
 - a. The authority to issue debentures and revenue bonds, and enter into bank loans up to the annual limit established by Council in the City's annual borrowing by-law; and
 - b. the authority to adopt the requisite borrowing by-laws to approve debenture issue authorized by the Debenture Committee, in accordance with the City's Financing of Capital Works Policy and Goals (The "Financing Policy") and with all legislative requirements
2. City Council amend the "City of Toronto Financing of Capital Works Policy and Goals" to reflect Recommendation 1 of the report and adopt the amended Policy as set out in Appendix A of the report (May 19, 2009) from the Deputy City Manager and Chief Financial Officer.
3. City Council direct By-law 1326-2008, the City's 2009 Borrowing Limit By-law, be amended to reflect Recommendation 1 of the report (May 19, 2009) from the Deputy City Manager and Chief Financial Officer.
4. City Council grant authority for the introduction of the necessary bills in Council to give effect to the recommendations.

Decision Advice and Other Information

The Executive Committee requested:

1. the Deputy City Manager and Chief Financial Officer to report annually to City Council, through the Executive Committee, on the activities of the Debenture Committee.

Origin

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

Summary

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

Background Information

Delegation of Council's Debenture Bylaw Enacting Authority

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

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

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

EX33.14	ACTION			Ward: All
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2009 Levy on Railway Roadways and Rights of Way and on Power Utility Transmission and Distribution Corridors

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize the levy and collection of taxes for the 2009 taxation year on railway roadways and rights of way and on land used as transmission or distribution corridors owned by power utilities, in accordance with subsection 280(1) of the City of Toronto Act, 2006 and subsection 257.7 (1) of the Education Act.
2. City Council grant authority for the introduction of the necessary bill to give effect thereto;
3. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.
4. City Council approve seeking an amendment to:
 - a. Regulation 387/98 and 392/98 to require an annual inflationary adjustment in the “mature rate”.
 - b. the “mature rate” prescribed by Regulation so as to phase in rate changes that more properly reflect the market value of the land over a period of time be reviewed
5. City Council request the City Manager to actively pursue this matter in concert with other municipalities in Ontario.

Decision Advice and Other Information

The Executive Committee requested:

1. the Deputy City Manager and Chief Financial Officer to report directly to Council on developing an advocacy position to the Province whereby the value of the railway roadways and rights of way on power utility transmission lines be calculated on a CVA basis.
2. the Acting Treasurer to report to the Executive Committee on the revenue collected by the City from land used as transmission and distribution corridors owned by power utilities and payments for lease of these same lands leased by the City and its ABCs for providing municipal services.

Origin

(May 15, 2009) Report from the Acting Treasurer

Summary

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

Background Information

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

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

Speakers

Councillor Adam Vaughan, Ward 20, Trinity-Spadina

EX33.15	ACTION			Ward: All
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2009 Heads and Beds Levy on Institutions**Committee Recommendations**

The Executive Committee recommends that:

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

Origin

(May 15, 2009) Report from the Acting Treasurer

Summary

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

Background Information

2009 Heads and Beds Levy on Institutions

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

EX33.16	ACTION			Ward: All
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The City's Statement of Commodity Hedging Policies and Goals

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve The City of Toronto's Statement of Commodity Hedging Policies and Goals, as contained in Appendix A of the report (May 19, 2009) from the Deputy City Manager and Chief Financial Officer.
2. City Council delegate the Deputy City Manager and Chief Financial Officer with the authority to determine whether a particular commodity price hedging agreement is advantageous for the City while applying the policy contained in Appendix A of the report to ensure that the financial position of the City will be enhanced by the use of such an agreement.
3. City Council designate the Deputy City Manager and Chief Financial Officer as the person responsible for administrative matters pertaining to commodity price hedging and will delegate certain administrative duties and responsibilities to internal staff and external agents.
4. City Council designate the Deputy City Manager or his/her designate(s) to:
 - a. enter into contracts for the purpose of securing a physical supply of commodities that are required by the City in its normal course of operation and in accordance with the policy in Appendix A of the report, and
 - b. enter into Agency Agreements and/or other contracts and/or arrangements with Contract Agents (as defined in the Statement of Commodity Hedging Policies and Goals in Appendix A of the report) for the purpose of purchasing, securing and/or delivery of commodities in accordance with the City's purchasing policies.
5. City Council establish a reserve called the "Commodity Price Stabilization Reserve" as outlined in Appendix B of the report to moderate the budgetary impact of commodities that are purchased in accordance with the City's Statement of Commodity Hedging Policies and Goals.
6. City Council amend Municipal Code Chapter 227 (Reserves and Reserve Funds) by adding the "Commodity Price Stabilization Reserve" to Schedule '3' – Stabilization Reserves.

7. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Origin

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

Summary

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

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

Background Information

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

EX33.17	ACTION			Ward: All
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Draft Terms of Reference for the Gardiner Expressway and Lake Shore Boulevard Reconfiguration EA Study

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization, on behalf of the City, to jointly submit with Waterfront Toronto the Terms of Reference for the Gardiner Expressway and Lake Shore Boulevard Reconfiguration Environmental Assessment Study to the Ontario Minister of the Environment for review and approval.
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto
3. City Council direct that a cost/benefit study be conducted as part of the Environmental Assessment Study.
4. City Council direct that the Environmental Study also address the barrier of the railway lands and identify solutions for overcoming that barrier.

Decision Advice and Other Information

The Executive Committee requested:

1. Deputy City Manager Richard Butts, in consultation with Waterfront Toronto, to revise the last sentence of Section 5.1, Transportation System Study Area (page 21 of the Terms of Reference) to read as follows:

“Further, transportation initiatives and traffic behaviours and modal splits at a City-wide or regional level will also be considered in the transportation assessment.”

2. Staff, as part of the EA process, to continue to ensure that north-south pedestrian movements impacted by the design or enhanced, be measured as options are explored, with particular attention being paid to the neighbourhoods north and south of the road corridor.

Origin

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

Summary

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

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

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

Background Information

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

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

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

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

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

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21511.pdf>)

Attachment 2 - Consultation Record for the Terms of Reference
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21512.pdf>)

Attachment 3 - Preliminary TOR and EA Study Schedule
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21513.pdf>)

Communications

(June 1, 2009) e-mail from Martin Koob (EX.Main.EX33.17.1)

(June 2, 2009) submission from Robert Cishecki (EX.Main.EX33.17.2)

(June 2, 2009) submission from Simon Wookey (EX.Main.EX33.17.3)

Speakers

(June 2, 2009) Mr. Robert Cishecki, Better Planning For All (Submission Filed)

(June 2, 2009) Ms. Julie Beddoes, West Don Lands Committee

(June 2, 2009) Mr. Simon Wookey (Submission Filed)

Councillor Denzil Minnan-Wong, Ward 34, Don Valley East

Councillor Adam Vaughan, Ward 20, Trinity-Spadina

EX33.18	ACTION			Ward: 20
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Queens Quay Revitalization Environmental Assessment and East Bayfront Transit Environmental Assessment

Committee Recommendations

The Executive Committee unanimously recommends that:

With respect to the Queens Quay Revitalization Environmental Assessment:

1. City Council grant authority to Waterfront Toronto to issue a Notice of Completion following completion of the Environmental Study Report to the satisfaction of the General Manager, Transportation Services, substantially in the form outlined in the report (May 14, 2009) from the Deputy City Manager, Richard Butts, and to file the ESR for the Queens Quay Revitalization Environmental Assessment Study in the public record for 30 days in accordance with the requirements of the Municipal Class Environmental Assessment.
2. City Council direct the General Manager, Transportation Services and Waterfront Toronto, in consultation with the relevant City divisions, to study the opportunity to provide a new north-south road connection linking Queens Quay West to Lake Shore Boulevard opposite the Fire/EMS driveway, west of Rees Street, and if feasible, to bring forward the necessary report(s) to Council for consideration.
3. City Council direct the General Manager, Transportation Services, the Director, Waterfront Secretariat and Waterfront Toronto, in consultation with the relevant City divisions, local Councillors and impacted stakeholders, to continue to refine the Preliminary Curb Management Plan appearing in Appendix 6 of the report (May 14, 2009) from the Deputy City Manager, Richard Butts, together with the development of

a waterfront bus management strategy consistent with the timing of detailed design and the reconstruction of Queens Quay.

4. City Council authorize and direct the appropriate City officials take the necessary action to give effect thereto.
5. City Council direct that a traffic consultant be jointly hired by the Deputy City Manager for Waterfront Revitalization and the Chief General Manager of the Toronto Transit Commission, to address the various detailed design issues identified in the report.

With respect to the East Bayfront Transit Environmental Assessment:

6. City Council authorize the Chief General Manager of the TTC and the General Manager of Transportation Services to issue a Notice of Completion for the East Bayfront Transit Environmental Assessment, following the completion of the Environmental Study Report (ESR) substantially in the form outlined in the report (May 28, 2009) from the General Manager, Toronto Transit Commission, and place the report in the public record for a minimum 30-day period in accordance with the requirements under the Municipal Class Environmental Assessment Act.
7. City Council authorize the installation of traffic control signals at only the following intersections on Queens Quay East: Freeland Street, the westerly-most access to 95 Queens Quay East, Richardson Street, Sherbourne Street, and Proposed Street "D" (as shown in Exhibit 11) of the report (May 28, 2009) from the General Manager, Toronto Transit Commission, coincident with the reconstruction of Queens Quay East.
8. City Council require that any future proposals for the installation of additional signals on this section of Queens Quay East be supported by an independent technical audit, completed to the satisfaction of the General Manager, Transportation Services and the Chief General Manager of the TTC, to ensure that such signals can be installed in a way that does not negatively affect streetcar operations. This includes the signals suggested for Small Street, Bonnycastle Street and proposed "Street A" as shown in Exhibit 11 of the report (May 28, 2009) from the General Manager, Toronto Transit Commission.
12. City Council direct that the truck-movement control gate required for the eastern, egress-only, access from Redpath Sugar, be owned and operated by the TTC to ensure that priority for streetcar operations is maintained to optimal design.

Decision Advice and Other Information

The Executive Committee requested:

1. The Deputy City Manager Responsible for the Waterfront and the Project Director, Waterfront Secretariat, working with the Chief General Manager of TTC and the President and CEO of Waterfront Toronto, report directly to Council on:
 - a. A resolution to issues between Waterfront Toronto and the TTC related to the funding of the Union Station Streetcar Loop;

- b. Confirmation that safety and operational issues raised by Redpath Sugar concerning the proposed gate at the plant's easterly driveway have been satisfactorily addressed in the East Bayfront Transit EA; and
 - c. Confirmation that issues surrounding the right hand turn to Harbour Square at York Street have been discussed.
2. The General Manager of Transportation Services, in consultation with relevant City Divisions, to study and report on the opportunity to extend the path system south of Union Station to Queens Quay;
 3. Staff to consider and report directly to City Council on the Mayor's motion to approve the following amendments:
 - a. Robertson Crescent - Create a controlled intersection for northbound buses only on the east segment of Robertson Crescent.
 - b. Dan Leckie Way - No change be made to this intersection at this time.
 - c. Buses - Request that the Police explore the use of the "Denver Boot" as an enforcement tool for illegally parked buses.
 - d. New Road - Staff accelerate the process to build a new north-south street running between Queens Quay West and Lake Shore Boulevard, between Rees and Spadina, and explore metered on-street parking for the new street.
 - e. Yo Yo Ma Lane - Request Transportation staff to report on the cost and ramifications of extending Yo Yo Ma Lane north to Lake Shore Boulevard.
 4. Staff to discuss the concerns raised by Brax Menezes, York Quay Neighbourhood Association, and attempt to come to a resolution.
 5. Referred the matter of the cycling gap in the Martin Goodwin Trail outlined by the Toronto Bicycling Network, to staff for consultation to determine how the issues raised can be resolved.
 6. Requested staff to report on the operational and safety concerns of the TTC.

Elaine Baxter-Trahair, Director, Waterfront Secretariat, and Chris Glaisek, Vice President, Planning and Design, Waterfront Toronto, gave a presentation to the Executive Committee on Queens Quay Revitalization Environmental Assessment.

Mitch Stambler, Toronto Transit Commission, answered questions from the Executive Committee.

Origin

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

Summary

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

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

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

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

Background Information

Queens Quay Revitalization Environmental Assessment Study

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

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

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

Appendix 2 - Evaluation Matrix of Alternative Planning Solutions

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

Appendix 3 - Alternative Design Concept Cross Sections

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

Appendix 4 - Evaluation Matrix of Alternative Design Concepts

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

Appendix 5 - The Recommended Design

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

Appendix 6 - Preliminary Curb Management Plan

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

Communications

(June 1, 2009) e-mail from Martin Koob (EX.Main.EX33.18.1)

(June 1, 2009) e-mail from Ron Fletcher, Toronto Bicycling Network (EX.Main.EX33.18.2)

- (June 1, 2009) e-mail from Donna Flemming (EX.Main.EX33.18.3)
 (June 1, 2009) e-mail from Ulla Colgrass (EX.Main.EX33.18.4)
 (June 1, 2009) e-mail from Braz Menezes (EX.Main.EX33.18.5)
 (June 1, 2009) letter from Cynthia A. MacDougall, McCarthy Tetrault (EX.Main.EX33.18.6)
 (June 1, 2009) submission from Mark Flowers, Davies Howe Partners (EX.Main.EX33.18.7)
 (June 2, 2009) submission from Kevin Currie, Chair, Queens Quay Revitalization
 Environmental Assessment (EX.Main.EX33.18.8)
 (May 28, 2009) memo from Derek Dalgleish, Director, Transportation Planning, ENTRA
 Consultants (EX.Main.EX33.18.9)
 (June 2, 2009) e-mail from Dennis Findlay (EX.Main.EX33.18.10)
 (June 2, 2009) petition from V. Patel, Radisson Admiral Hotel and Deepak Ruparell, President,
 Silver Hotels (EX.Main.EX33.18.11)
 (June 2, 2009) submission from Julie Beddoes, West Don Lands
 Committee (EX.Main.EX33.18.12)
 (May 25, 2009) submission from James Harbell, Solicitor for Redpath Sugar
 Ltd. (EX.Main.EX33.18.13)
 (June 2, 2009) presentation from Christopher Glaisek, VP Planning and Design, Waterfront
 Toronto (EX.Main.EX33.18.14)

Speakers

- Mr. Kevin Currie, Chair, Queens Quay Harbourfront BIA (Submission Filed)
 (June 2, 2009) Mr. Deepak Ruparell, Radisson Admiral Hotel, Toronto
 Harbourfront (Submission Filed)
 (June 2, 2009) Ms. Julie Beddoes, West Don Lands Committee (Submission Filed)
 (June 2, 2009) Ms. Vicki Barron, Waterfront Regeneration Trust
 (June 2, 2009) Mr. Mark Flowers, Davies Howe Partners (Submission Filed)
 (June 2, 2009) Mr. Clay McFayden
 (June 2, 2009) Mr. Jonathan Bamberger, President, Redpath Sugar Ltd
 Mr. Ron Fletcher, Toronto Bicycling Network (Submission Filed)
 (June 2, 2009) Mr. Braz Menezes, York Quay Neighbourhood Association (Submission Filed)
 (June 2, 2009) Ms. Ulla Colgrass, Chair,, York Quay Neighbourhood Association (Submission
 Filed)
 (June 2, 2009) Ms. Cynthia MacDougall, McCarthy Tetrault LLP (Submission Filed)
 (June 2, 2009) Mr. Dermot McKeown, General Manager, Radisson Hotel
 (June 2, 2009) Mr. James Harbell, Stikeman Elliott (Submission Filed)
 (June 2, 2009) Mr. Dennis Findlay (Submission Filed)
 Councillor Adam Vaughan, Ward 20, Trinity-Spadina

18a East Bayfront Transit Environmental Assessment: Streetcar Service on Queens Quay East Between Yonge Street and Parliament Street

Origin

- (May 28, 2009) Report from the General Manager, Toronto Transit Commission

Summary

- (May 28, 2009) Letter from the General Secretary, Toronto Transit Commission.

Background Information

East Bayfront Transit Environmental Assessment: Streetcar Service on Queens Quay East
Between Yonge Street and Parliament Street

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21653.pdf>)

Report 14 from the May 28, 2009 meeting of the TTC

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21654.pdf>)

EX33.19	ACTION			Ward: 28
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West Don Lands Phase 1 Securities & Indemnities**Committee Recommendations**

The Executive Committee recommends that:

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

Origin

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

Summary

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

Waterfront Toronto (WT) and the other orders of government have asked the City to modify its usual security requirements (120% of the estimated costs of municipal infrastructure work to be completed) because of the special circumstances relating to waterfront renewal. This report recommends that the City accept financial security provisions from WT in an amount that is not less than 20% of the estimated annual costs for constructing and installing all municipal infrastructure, including parks and public spaces. Security requirements will be confirmed

annually and on a rolling basis as part of the five-year Financial planning process for waterfront renewal and will remain on file for the duration of the construction and warranty period to address emergency and repair requirements should they arise.

The City and the Province have jointly addressed indemnity requirements to protect the City from future environmental, flood protection land form, and subdivision agreement liabilities related to West Don Lands land transfers to the City for roads, services and parks. It is recommended that the City enter into an Indemnification Agreement with the Province of Ontario, containing all indemnity requirements imposed by the City as outlined in the conditions of draft plan of subdivision approval for Phase 1 West Don Lands.

Background Information

West Don Lands Phase 1 Securities & Indemnities

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21521.pdf>

EX33.20	ACTION			Ward: 13, 14
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Western Waterfront Master Plan

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the May 2009 Western Waterfront Master Plan which is to guide future decisions related to improvements to the public realm within this area.
2. City Council direct the General Manager of Transportation Services to include for consideration in the 2010 Capital Budget for Transportation Services as a new project, \$2.0 million in new capital funding (\$1.0 million in 2010 and \$1.0 million in 2011) in order to initiate in 2010 the environmental assessment for reconfiguration of Lake Shore Boulevard between the Humber River and Exhibition Place.
3. City Council request the Chief Planner to consider inclusion of the Western Waterfront Master Plan Area within the jurisdiction of the City of Toronto Design Review Panel.
4. City Council authorize the Waterfront Project Director to issue the Notice of Completion and file the May 2009 Western Waterfront Master Plan in the public record in accordance with the requirements of the Municipal Class Environmental Assessment.
5. City Council direct the Waterfront Project Director to establish an inter-divisional staff committee to coordinate and identify resource requirements for implementation of the Master Plan.
6. City Council authorize the creation of community advisory committees for major projects within the Western Waterfront to provide advice on future phasing and design.

7. City Council direct the General Managers of Toronto Water, Parks, Forestry and Recreation and Transportation Services, and the Executive Directors of Technical Services and City Planning, to identify new projects that could expedite implementation of the Master Plan in the short term, for consideration as part of the 2010 Capital Budget process.
8. City Council direct City staff to consult with impacted stakeholders to address operational and other issues when designing road realignments and improvements required to enhance public access to the water's edge.
9. City Council authorize and direct appropriate City Officials to take the necessary action to give effect thereto.

Decision Advice and Other Information

The Executive Committee requested staff to report directly to City Council on the submissions from various speakers to the Executive Committee.

Origin

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

Summary

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

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

Background Information

Western Waterfront Master Plan

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

Attachment 1 - Concept Plan

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

Attachment 2 - Implementation Plan

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

Communications

(June 1, 2009) e-mail from Roger Brook, Chair, Parkdale-High Park Residents Waterfront Group (EX.Main.EX33.20.1)

(June 1, 2009) e-mail from Judy Sutcliffe, Secretary, Argonaut Rowing Club (EX.Main.EX33.20.2)

(June 2, 2009) letter from Robin B. Schwill, President, The Boulevard Club Limited (EX.Main.EX33.20.3)

(June 2, 2009) submission from Madeleine McDowell, Chair, Humber Heritage

Committee (EX.Main.EX33.20.4)
(June 2, 2009) submission from Norman McLeod, Etobicoke York Preservation
Panel (EX.Main.EX33.20.5)

Speakers

(June 2, 2009) Ms. Kathy Kunsmann, Western Waterfront Committee
(June 2, 2009) Ms. Madeline McDowell, Chair, Humber Heritage Committee (Submission
Filed)
(June 2, 2009) Mr. Norman McLeod, President, Swansea Historical Society (Submission Filed)
(June 2, 2009) Mr. Christopher Holcroft
(June 2, 2009) Ms. Abby Bushby
(June 2, 2009) Mr. Roger Brook, Parkdale-Highpark Waterfront Group (Submission Filed)
(June 2, 2009) Mr. David White
Councillor Gord Perks, Ward 14, Parkdale-High Park
Councillor Bill Saundercook, Ward 13, Parkdale-High Park

EX33.22	ACTION			Ward: All
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Costs Requests against Community and Resident Public Interest Groups at Public Tribunals

Committee Recommendations

The Executive Committee recommends to City Council that:

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

Origin

(May 8, 2009) Report from the City Solicitor

Summary

At the January 27 and 28, 2009, City Council meeting, Council referred Motion MM30.9 to Executive Committee, which recommended that the City Solicitor provide a report to Council, through the Executive Committee, with respect to the City of Toronto's (the "City") policy on seeking litigation costs against community and resident public interest groups at public tribunals.

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

Background Information

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

EX33.23	ACTION			Ward: All
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Development of a City-wide Recreation Service Plan

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the development of a City-wide, multi-year Recreation Service Plan guided by the following principles:
 - a. Equitable Access -- providing equitable recreation access on a geographic and demographic basis for all residents of Toronto.
 - b. Quality -- providing the highest quality of programs and services to enhance the health, quality of life and well-being of residents.
 - c. Inclusion -- ensuring that everyone has the opportunity to access and participate in programs and services that are planned, delivered, and managed to recognize diversity and encourage participation of marginalized and racialized people and groups.
 - d. Capacity Building -- providing programs and services of social, economic and physical benefit to all participants and that create a sense of community, belonging, and vitality.

Origin

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

Summary

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

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

Background Information

Development of a City-wide Recreation Service Plan

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

EX33.24	ACTION			
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Procurement Authorization Kipling Station East Entrance Contract F7-25

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the 2010 cashflow and project cost for the City Project (CTT130) – Kipling Station Improvements to be increased by \$1.2 million in the 2009-2013 Approved Capital Budget and Plan, and be offset by a decrease in the 2010 cashflow and project cost in the Other Buildings and Structures project (CTT110) to reflect the Kipling Station Improvements project's latest spending estimate and increasing the project cost to \$12.0 million.
2. City Council advise the Toronto Transit Commission and Metrolinx that the four spot taxi stand is not an adequate size for a terminal station.

Origin

(April 24, 2009) Report from the Budget Committee

Summary

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

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

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

1. acceptance of the tender submitted by Bondfield Construction Company Limited in the amount \$8,708,750.00 for Contract F7-25, Kipling Station East Entrance;
2. additional project budget in the amount of \$1.2M due to cost increase in the project 3.9 Buildings Structures, Kipling Station Improvement – East Entrance and PPUDO increasing the project budget from \$10.8M to \$12.0M;
3. forwarding this report to the City via the City Budget Committee requesting additional budget and project cost approval in the amount of \$1.2M for City Project CTT130- Kipling Station Improvement – East Entrance and PPUDO bringing the total to \$12.0M, to be accommodated by an increase of \$1.2 million in the Unspecified Budget Reduction for which TTC staff will subsequently identify project reductions to accommodate this increase;

4. forwarding this report to Metrolinx and the Province and direct staff to pursue the Province for additional \$6.5M for full project funding.

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

Background Information

Procurement Authorization Kipling Station East Entrance Contract F7-25

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

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

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

EX33.25	ACTION			Ward: All
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Toronto Water Capital Budget: 2008 Carry Forward Funding and 2009 Cashflow Reallocations

Committee Recommendations

The Executive Committee recommends that:

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

Origin

(April 24, 2009) Report from the Budget Committee

Summary

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

Background Information

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

EX33.26	ACTION			Ward: All
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Toronto Water Capital Budget: Additional 2009 Cashflow Reallocations**Committee Recommendations**

The Executive Committee recommends that:

1. City Council approve the cashflow adjustments and budget reallocations detailed in Appendix 1 of the report (May 8, 2009) from the General Manager, Toronto Water, which have no impact on the Toronto Water's total approved 2009 Capital Budget and 2010-2013 Capital Plan.
2. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

Background Information

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

EX33.27	ACTION			Ward: All
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Facilities and Real Estate - 2009 Capital Budget Adjustments**Committee Recommendations**

The Executive Committee recommends that:

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

Origin

(April 24, 2009) Report from the Budget Committee

Summary

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

Background Information

Facilities & Real Estate - 2009 Capital Budget Adjustments

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21535.pdf>)

Facilities & Real Estate - 2009 Capital Budget Adjustments - Staff Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21836.pdf>)

Facilities & Real Estate - 2009 Capital Budget Adjustments - Shedule A

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21842.pdf>)

EX33.28	ACTION			Ward: All
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Capital Variance Report for the Quarter Ended March 31, 2009

Committee Recommendations

The Executive Committee recommends that:

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

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

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

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

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

Background Information

Capital Variance Report for the Quarter Ended March 31, 2009

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

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

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

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

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

Appendix 2 - Budget and Technical Adjustments

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

Appendix 3.1 - 2008 Carry Forwards Funding Adjustments

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

Appendix 3.2 - 2007 Carry Forwards Funding Adjustments

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

EX33.29	ACTION			Ward: 41, 42
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Capital Budget Amendment to Allow Commencement of Storm Sewer and Watermain Work Related to Sheppard East LRT

Committee Recommendations

The Executive Committee recommends that:

1. City Council direct that Toronto Water's 2009 Capital Budget be increased by up to \$2.8 million funded from Water Capital Reserve Fund XR6003 to include a new sub-project entitled CPW542-05 – Sheppard Avenue Infrastructure Relocation, to fund the cost of reconstructing the existing watermain on Sheppard Avenue East from 100m west of Scunthorpe Road to Gateforth Drive.
2. City Council direct that Toronto Water's 2009 Capital Budget be increased by an additional \$3.0 million funded from Water Capital Reserve Fund XR6003 to increase funding to the new sub-project entitled CPW542-05 – Sheppard Avenue Infrastructure Relocation to fund the cost of relocating the existing storm sewer on Sheppard Avenue East from Scunthorpe Road to Gateforth Drive, to be recovered from the Province (Metrolinx) on the confirmation of details of their funding contribution.
3. City Council direct that when the \$3-Million is recovered from Metrolinx, the amount be returned to the Water Capital Reserve Fund XR6003.
4. City Council request the Toronto Transit Commission to provide a clean statement of who is funding each of the utility relocates to accommodate the construction of the Sheppard East LRT including all of the private sector owned utilities.

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

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

Background Information

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

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

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

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

EX33.30	ACTION			Ward: All
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City Transfer Stations: Loading Services and Fees**Committee Recommendations**

The Executive Committee recommends that:

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

Origin

(April 24, 2009) Report from the Budget Committee

Summary

The purpose of this report is to seek approval to:

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

Background Information

City Transfer Stations: Loading Services and Fees

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

EX33.31	ACTION			Ward: All
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Arena Boards of Management 2007 Operating Surpluses/(Deficits) Settlement

Committee Recommendations

The Executive Committee recommends that City Council direct that:

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

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

Background Information

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

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

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

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

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

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

EX33.32	ACTION			Ward: All
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Transportation Services - 2009 Cash Flow Reallocations and Deferrals**Committee Recommendations**

The Executive Committee recommends that:

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

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

The impact on project costs resulting from the cash flow reallocations is an increase of \$2,750,000 million. An equivalent amount of project costs will either be funded from other sources or there will be an offsetting reduction in future year project costs. In view of the foregoing, Transportation staff, as part of the upcoming 2010 budget process and consistent with the Divisional submission, has reassessed all ongoing and imminent project cash flows

and all available funding sources in order that the increase in project costs will have no net impact on the approved five year debt targets for Transportation Services.

Background Information

Transportation Services - 2009 Cash Flow Reallocations and Deferrals

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21549.pdf>)

Staff Report (May 7, 2009) from the General Manager, Transportation Services

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21550.pdf>)

Attachment 1 - Transportation Services - Capital Budget Adjustments and Reallocation - Debt Funded Programs

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21551.pdf>)

EX33.33	ACTION			Ward: All
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Diabetes Prevention Strategy - Update

Committee Recommendations

The Executive Committee recommends that:

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

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

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

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

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

Background Information

Diabetes Prevention Strategy – Update

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

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

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

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

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

EX33.34	ACTION			Ward: All
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The Live Green Toronto Home Energy Efficiency Incentive Program

Committee Recommendations

The Executive Committee recommends that:

1. City Council establish a Home Energy Efficiency Incentive Program:
 - a. whereby property owners of low rise residential properties in the City of Toronto will be eligible for a financial grant up to a maximum of \$1,000 for a selected set of energy efficiency retrofits; and
 - b. that will conclude by March 31, 2012.
2. City Council authorize the Director of the Toronto Environment Office to sign a Memorandum of Understanding, satisfactory to the City Solicitor, with appropriate officials of Natural Resources Canada to integrate delivery of the recommended Home Energy Efficiency Incentive Program with the ecoENERGY program delivered by Natural Resources Canada.
3. City Council request the Director of the Toronto Environment Office to report to Council on the establishment and design of a Home Energy Efficiency Incentive Program for low-income homeowners once the Province of Ontario, utility companies and others have articulated what program(s) will be delivered for this group and that up to \$2.0 million of the total \$9.0 million be allocated for the low-income homeowners.

4. City Council request the Director of the Toronto Environment Office to report to Council as part of the regular reporting on the progress of the Live Green Toronto initiatives on the outcomes of the program and any proposed changes deemed necessary to improve the performance of the Home Energy Efficiency Incentive Program.
5. City Council direct that the funds in the Home Energy Loan Reserve Fund be returned to the Strategic Infrastructure Partnership Reserve Fund, the Home Energy Loan Reserve Fund be closed (Attachment 2) and it be deleted from the Municipal Code Chapter 227, Reserves and Reserve Funds and the 2009 - 2013 Approved Capital Budget and Capital Plan for the Sustainable Energy Program be amended to remove the funds in the amount of \$9.0 million.
6. City Council establish and amend Toronto Municipal Code Chapter 227, Reserves and Reserve Fund – by adding a discretionary reserve fund called the ‘Home Energy Assistance Toronto Reserve Fund’ - as set out in Attachment 1 of the report (May 11, 2009) from the Deputy City Manager, Richard Butts and the Deputy City Manager and Chief Financial Officer within Schedule 7 – Corporate Discretionary Reserve Funds as part of the Climate Change Reserve Fund Group to be used to finance sustainable energy retrofit grants and associated administrative costs for single family and small commercial building sectors across the City.
7. City Council authorize the Deputy City Manager and Chief Financial Officer to transfer funds from the Strategic Infrastructure Partnership Reserve Fund to the Home Energy Assistance Toronto Reserve Fund up to a limit of \$9.0 million, consistent with the approved 2009 Capital and Operating Budgets and subsequent budget approvals.
8. City Council direct that the 2009 Approved Operating Budget of the Toronto Environment Office be increased by \$0.500 million for a net \$0 increase, funded from Home Energy Assistance Toronto Reserve Fund for the Home Energy Efficiency Incentive Program.
9. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto; and that leave be granted for the introduction of any necessary bills in Council.

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

At that time the proposed program was contemplated to be a revolving loan fund. In light of the changing economy and associated drop in interest rates, staff recognized that an alternative

program design would be required because owners of low-rise residential buildings now have access to low interest loans and would not seek assistance from the City for similar loan rates. Therefore, this report recommends that the program be shifted from a revolving loan fund to a grants program in order to: address the availability of low interest loans; keep administrative costs to a minimum; and maximize participation by eligible residents.

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

Background Information

The Live Green Toronto Home Energy Efficiency Incentive Program
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21555.pdf>)
Staff Report (May 11, 2009) from the Deputy City Manager, Richard Butts and the Deputy City Manager and Chief Financial Officer
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21556.pdf>)

EX33.35	ACTION			Ward: All
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Amendments to Solid Waste Management Services Diversion Contracts

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

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve an increase in the maximum contracted single stream recycling tonnage to be processed by Canada Fibers Ltd. by an additional 20,000 tonnes to 105,000 tonnes per year at an additional \$16.00 per tonne above the current processing rate with CPI adjustments on the new tonnes effective January 1, 2010 and annually thereafter, all net of GST.
2. City Council approve an increase in the maximum contracted source separated organic tonnage to be hauled and processed by OrgaWorld Canada Ltd. by 25,000 tonnes to 75,000 tonnes per year at a rate reduced by \$5.00 per tonne from the current processing rate of \$112.50 per tonne to \$107.50 per tonne on both the currently committed tonnes and the new tonnes with CPI adjustments effective June 1, 2009 and annually thereafter and no change in the current contracted rate of \$17.25 per tonne for haulage, all net of GST.
3. Subject to the adoption of Recommendation 2, City Council approve a put or pay commitment of 70% of the full 75,000 tonnes until May 31, 2013, provided that OrgaWorld Canada Ltd. is capable of processing the full amount.

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

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

Background Information

Amendments to Solid Waste Management Services Diversion Contracts
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21557.pdf>)
Report (May 5, 2009) from the Public Works and Infrastructure Committee
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21558.pdf>)
Staff Report (April 21, 2009) from the General Manager, Solid Waste Management Services
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21559.pdf>)

EX33.36	ACTION			Ward: All
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Budget Adjustments to the Toronto Public Health 2009 Approved Operating Budget**Committee Recommendations**

The Executive Committee recommends that:

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

Origin

(May 19, 2009) Report from the Budget Committee

Summary

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

- a. Confirmation of funding from various Provincial ministries and external sources received after the submission of the 2009 Operating Budget request in September 2008; and

- b. Unspent 2008 funds for 100% externally funded programs required in 2009.

Background Information

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

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

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

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

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

EX33.37	ACTION			Ward: All
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Budget Adjustments to the Toronto Public Health 2009 Approved Operating Budget and Delegation of Authority to Receive and Spend Grants

Committee Recommendations

The Executive Committee recommends that:

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

6. The authority delegated to the Medical Officer of Health by Recommendations 2 and 3 be subject to the following conditions:
 - a. the exercise of the delegated authority is limited to the period of the summer recess, being the period from when Council breaks for the summer until the first agenda closing deadline for the appropriate standing committee following the break;
 - b. the acceptance and spending of the grant does not impact the current or future net operating or capital budgets (i.e., \$0 net impact on the budget)
 - c. the acceptance and spending of the grant does not commit or expose the City to future expenditures, financial risks or obligations;
 - d. the grant is for purposes consistent with programs or services that are within the division's service mandate, does not exceed the amount of \$500,000 and the specific purpose for which the grant is made is limited to use within the current fiscal year; and
 - e. the exercise of the delegated authority in any instance has the approval of the Deputy City Manager and Chief Financial Officer.
7. The Deputy City Manager and Chief Financial Officer, in consultation with the City Solicitor, determine the conditions under which authority may be delegated to staff to receive and spend grants in accordance with the City of Toronto Act while maintaining transparency and accountability and report back to the Executive Committee by the fall of 2009.

Origin

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

Summary

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

This report also seeks City Council authority for the Medical Officer of Health to accept grants with no maximum limit, and to enter into contractual agreements with organizations for the purposes of accepting grants covering 100 percent of the program costs.

Background Information

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

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21563.pdf>)

EX33.39	ACTION			Ward: All
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Fees/Charges Relief Request for Caribana 2009

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize appropriate City staff to waive the City fees that would have been otherwise charged to the organizer of the Scotiabank Caribana Festival 2009, the Festival Management Committee(FMC):
 - a. rental fee and ferry service fees for Olympic Island on August 2, 2009;
 - b. rental fees and staffing costs for Lamport Stadium for use on July 30 and July 31, 2009;
 - c. rental fee, staffing and fencing costs and city cleanup for Budapest Park on August 1, 2009;
 - d. additional costs associated with city cleanup and fencing needs for Marilyn Bell Park on August 1, 2009.

Decision Advice and Other Information

The Executive Committee requested:

1. the General Manager, Parks, Forestry and Recreation to bring forward her report on a policy for waiving of fees for community festivals to the October 5, 2009 meeting of the Executive Committee.

Origin

(May 19, 2009) Letter from Councillor Joe Mihevc

Summary

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

Background Information

Fees/Charges Relief Request for Caribana 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21565.pdf>)

EX33.44	ACTION			Ward: 28
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Union Station Revitalization Implementation and Head Lessee Selection

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize the Chief Corporate Officer to undertake the Union Station Revitalization Project in the amount of \$640 million (excluding GST) substantially in accordance with the financial plan detailed in Confidential Attachment 1 (the “Financial Plan”) of the report (May 28, 2009) from the City Manager and the Deputy City Manager and Chief Financial Officer, subject to:
 - a. Treasury Board approval of Federal funding in an amount substantially consistent with the Financial Plan and execution by the City and the Federal government of a contribution agreement in respect thereof;
 - b. Treasury Board and Cabinet approval of Provincial funding in an amount substantially consistent with the Financial Plan and execution of the various agreements to be entered into by the City and the Greater Toronto Transit Authority (“GO Transit”) in respect of Union Station; and
 - c. Council’s approval of the report respecting the Head Lessee and the Commercial Premises Head Lease Agreement, referred to in Recommendation 4 of the report (May 28, 2009) from the City Manager and the Deputy City Manager and Chief Financial Officer.
2. City Council authorize the City to enter into a contribution agreement with the Federal government for the Federal funding to be provided for Union Station, on terms and conditions satisfactory to the City Manager and Deputy City Manager and Chief Financial Officer, and in a form satisfactory to the City Solicitor, and authorize the City Manager to execute the contribution agreement on behalf of the City.
3. City Council authorize the City to enter into the West Wing Strata Sale Agreement, the Concourse Strata Sale Agreement and the office space Lease with GO Transit, that were previously authorized by City Council at its meeting on December 1, 2 and 3, 2008 (GM 19.11), on certain revised terms and conditions, substantially as set out in the Transaction Summary in Attachment 8 and Confidential Attachment 1, and authorize the City to enter into any other related or ancillary agreements with GO Transit (including the Northwest PATH Agreement, as previously authorized by Council) as may be necessary in connection with the Revitalization, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.

4. City Council authorize the City Manager and Deputy City Manager and Chief Financial Officer to report directly to City Council at its meeting to be held on July 6 and 7, 2009 on the recommended Head Lessee and the key terms to be included in the Commercial Premises Head Lease Agreement for the commercial space within Union Station.
5. City Council authorize the City to extend contracts of contractors /consultants/ professionals, in a form satisfactory to the Chief Corporate Officer and the City Solicitor until the Federal contribution agreement has been executed, in accordance with the details outlined in Attachment 6 (excluding taxes) of the report (May 28, 2009) from the City Manager and the Deputy City Manager and Chief Financial Officer as specified below:
 - a. extend the retainer of Davies Ward Phillips & Vineberg LLP at a cost not to exceed \$300,000 ;
 - b. extend the retainer of Deloitte & Touche LLP to undertake ongoing negotiations at a cost not to exceed \$300,000;
 - c. extend the retainer of ARUP Canada Inc. at a cost not to exceed \$350,000;
 - d. extend the retainer of NORR Limited Architects & Engineers, at a cost not to exceed \$8.3 million for completion of the design development and tender documentation for Stage 1 construction, including all the necessary heritage approvals;
 - e. extend the retainer of Osler, Hoskin & Harcourt LLP to provide construction law services at a cost not to exceed \$200,000;
 - f. extend the retainer of PCL Constructors Canada in the amount of \$1.1 million to complete interim improvements to the fire alarm systems; and
 - g. extend the retainer of Clifford Restoration to relocate the existing sanitary sewer within the northeast Moat and initiate building envelope investigation/restoration work in advance of the construction pending on the TTC Union Station Subway , at a cost not to exceed \$1.4 million; and
 - h. personnel services/consulting services at a cost not to exceed \$2.1 million as detailed in Attachment 6.
6. City Council authorize the Deputy City Manager and Chief Financial Officer to set up the obligatory Capital Reserve Funds to allow for tracking and management of any 3rd party funding to be received from the Federal government, VIA Rail and the Provincial government/GO Transit.

7. City Council authorize the City to enter into any necessary agreements and/or amending agreements with GO Transit, VIA Rail, The Bank of Nova Scotia, Maple Leaf Sports & Entertainment Ltd., the TTC and others, including those listed in Attachment 7 of the report (May 28, 2009) from the City Manager and the Deputy City Manager and Chief Financial Officer as may be necessary to achieve the Revitalization of Union Station, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor, and authorize the Chief Corporate Officer to administer and manage any existing or new agreements or leases at Union Station, 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.
8. City Council authorize the City to enter into an agreement, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor for the lease or licence of space within the ground floor of the Station for the Air/Rail Link lobby space.
9. City Council authorize the City, to enter into easement and maintenance agreements as may be required, with Enwave Energy Corporation and third party users related to certain sections of the steam pipe within Union Station, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
10. City Council authorize the City, to enter into new or renewed steam services agreements related to Union Station, as may be required, with Enwave Energy Corporation and third party users, on terms and conditions satisfactory to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
11. City Council authorize the Chief Corporate Officer, in a form satisfactory to the City Solicitor to register any necessary trademark or branding or other form of “official mark” for Union Station.
12. City Council authorize the City to enter into agreements/contracts with respect to a project specific insurance program for the Union Station construction project, on terms and conditions satisfactory to the Deputy City Manager/Chief Financial Officer, the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
13. City Council authorize the public release of the confidential information in Attachment 1, after the announcements of Federal and Provincial funding, the execution of the GO Transit Strata Sale Agreements for the West Wing and Concourses as well as the office leases, and after the Head Lease Agreement with the Head Lessee has been signed.

Decision Advice and Other Information

Bruce Bowes, Chief Corporate Officer, and Paul Noskiewicz, Project Manager, NORR, gave a presentation to the Executive Committee on Union Station Revitalization Implementation and Head Lessee Selection and filed a copy of their presentation.

Origin

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

Summary

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

Background Information

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

44a Union Station Revitalization Implementation**Confidential Attachment - A proposed or pending acquisition or sale of land for municipal or local board purposes****Origin**

(May 28, 2009) Report from the City Manager and the Deputy City Manager and Chief Financial Officer

Summary

This report recommends approval of the Union Station Revitalization Project subject to approvals of funding from the Federal and Provincial Governments, execution of various documents with GO Transit and execution of a Commercial Premises Head Lease Agreement with a Head Lessee for the commercial space within the Station.

The report establishes a calendar of construction milestones to achieve completion of the project in 2015, including the "dig down" to create two new GO Transit Concourses with a new pedestrian/retail level below. The Revitalization Project also includes renovation of the West Wing office space for GO Transit, the renovation and restoration of VIA Rail areas and the revitalization of all the public spaces within the Station including the Great Hall and the ground floor of the East and West Wings. The Northwest PATH extension from the Station north up York Street will also be built simultaneously. The Revitalization will bring the entire building into a state of good repair with significant new pedestrian routes and improvements that will facilitate direct connections to other transit improvements in the area.

Background Information

Union Station Revitalization Implementation
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21638.pdf>)

EX33.45	ACTION			Ward: 6, 10
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Acquisition of Toronto District School Board's 3495 Lake Shore Boulevard West and 432 Horner Avenue Sites

Committee Recommendations

The Executive Committee recommends that:

1. City Council grant authority to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 3495 Lakeshore Boulevard West at a purchase price of \$1,350,000.00 plus applicable taxes and registration fees, estimated at \$19,000.00 substantially on the terms outlined in Appendix "A" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
2. City Council amend the 2009 Capital Budget of Children's Services by designating project New Child Care Centre D as "Thomas Berry Child Care Centre Acquisition" for \$1,369,000.00 with funding provided from the Child Care Capital Reserve Fund (XR-1103).
3. City Council grant authority to enter into an Agreement of Purchase and Sale with the Toronto District School Board to acquire the property municipally known as 432 Horner Avenue at a purchase price of \$4,300,000.00 plus applicable taxes, environmental testing and registration fees, estimated at \$164,000.00 substantially on the terms outlined in Appendix "C" to this report and on such other terms and conditions as may be acceptable to the Chief Corporate Officer and in a form satisfactory to the City Solicitor.
4. City Council amend the 2009 Capital Budget of Parks, Forestry and Recreation by the addition of a project "Franklin Horner Community Centre Acquisition" for \$4,464,000.00 with funding provided from the Parkland Acquisition – West District Accounts in the following amounts: the balance of Parkland Acquisition – Etobicoke Reserve Fund (XR-2037) estimated at \$404,000.00; the balance of the Parkland Acquisition – Etobicoke Reserve Fund (XR-2035) estimated at \$108,000.00; the balance of the Parkland Acquisition – West District Local Land Reserve Fund (XR-2202) estimated at \$1,131,000.00 and \$2,821,000.00 from the Parkland Acquisition Reserve Fund – City Wide Land Acquisition (XR-2210).
5. City Council direct that the \$2,821,000.00 to be drawn from the Parkland Acquisition Reserve Fund – City Wide Land Acquisition (XR-2210) be repaid through allocation of future cash-in-lieu of parkland dedication from developments in Ward 6 exceeding the base 5% contribution.

6. City Council authorize each of the Chief Corporate Officer and the Director of Real Estate Services severally to execute, on behalf of the City, the Agreement of Purchase and Sale(s) with the Toronto District School Board.
7. City Council authorize the City Solicitor to complete the transaction(s) on behalf of the City including making payment of any necessary expenses and amending the closing date and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
8. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Decision Advice and Other Information

The Executive Committee:

1. requested City staff to report directly to City Council on the results of discussions with the Toronto District School Board and the Toronto Lands Corporation, and seek any further direction and/or authorization to acquire 1135 Dundas Street West for affordable housing.

Origin

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

Summary

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

Background Information

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

45a Acquisition of Toronto District School Board's 3495 Lake Shore Boulevard West and 432 Horner Avenue Sites

Origin

(May 27, 2009) Report from the Chief Corporate Officer

Summary

The Toronto District School Board (TDSB), at its meeting of June 25, 2008, adopted a resolution pursuant to Section 194(3) of the Education Act to declare 16 properties as not required for the purposes of the Board. Pursuant to Ontario Regulation 444/98, the Toronto Lands Corporation (TLC) which is the real estate arm of the TDSB circulated these properties

under a Proposal for Sale. Children's Services identified an interest in acquiring the site at 3495 Lakeshore Boulevard (Thomas Berry child care centre) which it currently leases from the Board. Parks, Forestry and Recreation identified an interest in acquiring 432 Horner Avenue (Franklin Horner community centre) which they currently lease from the Board and 819 Sheppard Avenue West which is in an area of low parkland provision. The Toronto Parking Authority expressed an interest in 140 Borough Drive and is independently pursuing acquisition of that property.

Negotiations with the Toronto District School Board (TDSB) have been ongoing since April of 2009. The City and TDSB have agreed to the Terms and Conditions as shown on Appendices "A" and "C" to this report and describe the salient terms of these proposed acquisitions which are considered fair and reasonable.

Real Estate Services seeks authority for the City to acquire the properties municipally known as 3495 Lakeshore Boulevard West and 432 Horner Avenue. A report regarding the potential acquisition of 819 Sheppard Avenue West is targeted for the September 17, 2009 meeting of the Government Management Committee.

Background Information

Acquisition of Toronto District School Board's 3495 Lake Shore Boulevard West, 432 Horner Avenue and 819 Sheppard Avenue West Sites

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-21637.pdf>)

EX33.46	ACTION			Ward: 28
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Sony Centre - Bridge Loan Increase/Extension

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

Committee Recommendations

The Executive Committee submits this matter to City Council without recommendation.

Decision Advice and Other Information

The Executive Committee:

1. referred the item to the Deputy City Manager and Chief Financial Officer for report directly to City Council; and
2. requested The Board of Directors and the Chief Executive Officer of the Sony Centre for the Performing Arts to report directly to City Council on the status of its real estate transaction.

Origin

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

Summary

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

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

Background Information

Sony Centre - Bridge Loan Increase/Extension

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

EX33.47	ACTION			Ward: All
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Housing Opportunities Toronto: An Affordable Housing Action Plan 2010-2020**Committee Recommendations**

The Executive Committee recommends that:

1. City Council amend Recommendation 47 in Attachment 1 of the report (May 6, 2009) from the Deputy City Manager by adding a new section e to read as follows:
 - “e. Non-profit and non-profit co-operative housing providers because they provide long term affordability and stability for residents.”
2. City Council amend Recommendation 48a in Attachment 1 of the report (May 6, 2009) from the Deputy City Manager by adding:
 - i. the word “commercial” to the phrase “live/work studios” so that it reads as follows:
 - “a. Encouraging the creation of affordable commercial live/work studios to foster the development of Creative Toronto.”
 - ii. a new section c to read as follows:

- “c. work with providers of affordable housing to ensure that small non-profit commercial space be created alongside or integrated into new projects to increase business opportunities and renew streams for housing projects and residents.”
3. City Council endorse "Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 - 2020" as the plan to address Toronto's affordable housing challenges over the next 10 years, including the 67 proposed actions as provided in Attachment 1 of the report (May 6, 2009) from the Deputy City Manager.
 4. City Council direct that a ten-year implementation plan arising from the 67 proposed actions be developed as part of the 2010 Budget process and that any City investment be subject to Council approval and the annual capital and operating budget processes.
 5. City Council direct the Deputy City Manager to forward “Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 – 2020” to the Ontario Ministry of Municipal Affairs and Housing as Toronto’s contribution to the creation of a provincial long- term housing strategy; and.
 6. City Council direct the Deputy City Manager to forward “Housing Opportunities Toronto: An Affordable Housing Action Plan 2010 – 2020” to the Minister of Human Resources and Skills Development, other Ontario municipalities, the Federation of Canadian Municipalities, the Canadian Housing and Renewal Association and the Association of Municipalities of Ontario, to inform local housing strategies and advocacy efforts, including influencing provincial and federal action on affordable housing.

Decision Advice and Other Information

Councillor Giorgio Mammoliti, Chair, Affordable Housing Committee, and Sean Gadon, Director, Affordable Housing Office, gave a presentation to the Executive Committee on Housing Opportunities: An Affordable Housing Action Plan 2010-2020 and filed a copy of their presentation.

Origin

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

Summary

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

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

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

Background Information

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

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

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

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

Presentation (June 2, 2009) from Housing Opportunities Toronto

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-22103.pdf>)

EX33.49	ACTION			Ward: All
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Contribution Rebate Program for the 2006 Election

Committee Recommendations

The Executive Committee recommends that:

1. City Council receive the letter (April 14, 2009) from Councillor Jenkins for information.

Origin

(April 14, 2009) Letter from Councillor Cliff Jenkins

Summary

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

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

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

Background Information

Memo (April 14, 2009) from Councillor Cliff Jenkins

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

Speakers

Councillor Cliff Jenkins, Ward 25, Don Valley West

EX33.50	ACTION			
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Agreement for the Existing Strachan Outdoor Billboard Sign- Clarity Outdoor Media Inc.

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

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve of the Board of Governors of Exhibition Place entering in an agreement with Clarity Outdoor Media Inc on the terms and conditions outlined in the report (May 26, 2009) from the Chief Executive Officer, Exhibition Place and the Confidential Attachment I and such other terms and conditions as may be satisfactory to the Chief Executive Officer of the Board and the City Solicitor;
2. City Council direct that the confidential information in Attachment 1 not be released publicly in order to protect the competitive position and the future economic interests of Exhibition Place; and
3. City Council authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

Origin

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

Summary

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

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

The Request for Proposals (RFP) called for a qualified outdoor billboard operator to purchase, operate and maintain the existing Strachan Billboard for a period of 15 years commencing September 1, 2009 was released through the City of Toronto Purchasing Division on March 27, 2009. Proposals were received from three companies: Clarity Outdoor Media Inc, CBS Outdoor

Ltd and Pattison Outdoor Advertising. The Clarity offer being recommended to the Board meets or exceeds all key market values as set out in the Allvision assessment.

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

Background Information

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

Submitted Tuesday, June 2, 2009

Mayor David Miller, Chair, Executive Committee