
Executive Committee

Meeting No.	36	Contact	Patsy Morris, Committee Administrator
Meeting Date	Monday, November 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

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EX36.1	ACTION			Ward: All
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Development Charge By-law - Technical Amendment

Statutory - Development Charges Act, SO 1997

Committee Recommendations

The Executive Committee recommends that:

1. City Council adopt the proposed amendment to Development Charge By-law 275-2009, attached to the report (October 16, 2009) from the Deputy City Manager and Chief Financial Officer as Appendix 1.
2. City Council authorize the City Solicitor, in consultation with the Deputy City Manager and Chief Financial Officer, to make such stylistic and minor changes to the amendment to Development Charge Bylaw 275-2009 attached to the report (October 16, 2009) from the Deputy City Manager and Chief Financial Officer as necessary to give effect to the recommendations contained herein.

Decision Advice and Other Information

The Executive Committee held a public meeting on November 2, 2009, and notice was given in accordance with the Development Charges Act.

Origin

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

Summary

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

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

Background Information

Development Charge Bylaw - Technical Amendment

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

Development Charge Bylaw - Technical Amendment - Proposed Bylaw

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

Development Charge By-law - Technical Amendment - Addendum

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

Development Charge Bylaw - Technical Amendment - Background Study

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

Speakers

Mr. Martin Shoom

EX36.2	ACTION			Ward: 19
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Fort York Pedestrian/Cycle Bridge Class Environmental Assessment

Committee Recommendations

The Executive Committee recommends that:

1. City Council grant authority to the Deputy City Manager whose responsibilities include Waterfront Revitalization, to issue a Notice of Study Completion following completion of the Environmental Study Report to the satisfaction of the Director, Waterfront Secretariat and the General Manager, Transportation Services, substantially in the form outlined in the report (October 19, 2009) from the Deputy City Manager, Cluster B, and to file the Environmental Study Report for the Fort York Pedestrian/Cycle Bridge Class Environmental Assessment Study on the public record for 30 days in accordance with the requirements of the Municipal Class Environmental Assessment.
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Origin

(October 19, 2009) Report from the Deputy City Manager, Cluster B2.

Summary

A significant number of planning studies since 2000 have included consideration of, and recommendations for a pedestrian/cycle link across the two rail corridors north of Fort York, in the area of Bathurst Street and Strachan Avenue. The preparations of the War of 1812 Bicentennial Steering Committee have included such a link as a related legacy project that

should be completed in time for the Bicentennial celebrations in 2012. A Class Environmental Assessment (EA) Study has, therefore, been undertaken to address opportunities for a pedestrian/cycle connection from Fort York to Stanley Park, across the existing rail corridors.

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

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

Background Information

Fort York Pedestrian/Cycle Bridge Class Environmental Assessment
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24510.pdf>)
Appendix 1 - Evaluation of Alternative Solutions
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24511.pdf>)
Appendix 2 - Alternative Design Concepts Alignment and Structure
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24512.pdf>)
Appendix 3 - Evaluation of Alternative Design Concepts
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24513.pdf>)
Appendix 4 - Recommended Preferred Design Concepts
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24514.pdf>)

EX36.3	ACTION			
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Exhibition Place Hotel Development Plan and Agreement to Lease

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 entering into a 49-year lease agreement with HKH substantially on the terms and conditions contained in Appendix "A" in the report (October 14, 2009) from the Chief Executive Officer, Exhibition Place, and in the Confidential Attachment 1 to the aforementioned report, and such other terms and conditions satisfactory to the Board's Chief Executive Officer and the

City Solicitor.

2. City Council direct that the confidential information contained in Attachment 1 to the report (October 14, 2009) from the Chief Executive Officer, Exhibition Place, not be released publicly in order to protect the competitive position and future economic interests of Exhibition Place and the City of Toronto.
3. City Council approve the HKH Design Proposal for the first phase of a hotel development consisting generally of a podium and tower (approximately 26 floors for the tower) as set out in the proposed design plan and situated on the Phase I lands all as provided in Appendices "A", "B" and "C" attached to the report (October 14, 2009) from the Chief Executive Officer, Exhibition Place, subject to the alternative site plan review process developed for Exhibition Place by City Planning.
4. City Council request the City of Toronto to complete all necessary steps to declare the hotel lands surplus.
5. City Council direct that the Hotel make provisions for a taxi stand on site, large enough to accommodate the needs of hotel patrons and related venues.

Decision Advice and Other Information

The Executive Committee:

1. Referred the following motion by Mayor Miller, on behalf of Councillor Minnan-Wong, to the Integrity Commissioner, with a request that she:
 - i. meet with Councillor Minnan-Wong to determine what facts, if any, he can provide to her in support of his motion;
 - ii. meet with Mr. Rocco Maragna to determine if his actions were in accordance with the relevant Code of Conduct;
 - iii. undertake such other steps as she deems appropriate; andsubmit a report directly to City Council on November 30, 2009, on her findings.

Motion by Mayor Miller, on behalf of Councillor Minnan-Wong:

That the Integrity Commissioner be requested to investigate and report back to the Executive Committee on the involvement of Mr. Rocco Maragna in this matter; and that the report (October 14, 2009) from the Chief Executive Officer, Exhibition Place, be deferred until such time as the Integrity Commissioner reports and makes recommendations.

2. Referred the issues surrounding the Ukrainian Community raised by Councillor Lindsay Luby, together with a copy of the report entitled "Recalling Canada's first

national internment operations: Annual report of the Canadian First World War Internment Recognition Fund", provided by Councillor Lindsay Luby, to the Board of Governors of Exhibition Place with a request that the Chief Executive Officer, Exhibition Place, submit a report directly to City Council.

Origin

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

Summary

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

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

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

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

Also attached to this report is:

1. Appendix "D" is an opinion by the Board's consultant, Cameron Hawkins & Associates Inc., on the economics of constructing a hotel in Toronto and at Exhibition Place in 2009.
2. Appendix "E" from the Board's hospitality industry consultant, Horwath HTL, outlines the potential uplift to business opportunities at Direct Energy Centre and Allstream Centre from an on-site hotel.
3. Appendix "F" is a letter of support from Mr. David Whittaker, Tourism Toronto.
4. Appendix "G" is a letter from Mr. Williams, General Manager, Economic Development, Culture & Tourism.

5. Appendix "H" is a letter from Mr. Wright, Chief Planner & Executive Director, City Planning.
6. Appendix "I" is an assessment by Cameron Hawkins & Associates Inc., on the direct and indirect economic impact of the hotel construction and operations.

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

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

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

Background Information

Exhibition Place Hotel Development Plan and Agreement to Lease

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

Appendix "A" - Letter of Intent

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

Appendix "B" - HKH Design

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

Appendix "C" - HKH Plans

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

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

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

Appendix "E" Horwath - Hospitality Industry

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

Appendix "F" - Toronto Tourism Support

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

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

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

Appendix "H" - City Planning Support

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

Communications

(July 16, 2007) Letter from Paul Clifford, President, UNITE HERE Local 75 (EX.Main.EX36.3.1)

Speakers

Mr. Fred Braida, Chairman, Carlton International (Submission Filed)

Ms. Kathy Traill

Councillor Gloria Lindsay Luby, Ward 4, Etobicoke Centre (Submission Filed)

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

EX36.4	ACTION			Ward: All
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2010 Interim Operating Budget Estimates

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the 2010 Interim Operating Gross Budget Estimates totalling \$3.407 billion as detailed by City Program, Agency, Board and Commission in Appendix 1 attached to the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer.
2. City Council authorize the Deputy City Manager and Chief Financial Officer to make net disbursements of \$2.822 billion during the period January 1, to April 30, 2010, including cash transfers of \$588 million to Agencies, Boards and Commissions as detailed in the attached Appendix 1, to the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer.
3. City Council authorize and direct the appropriate City Officials to take the necessary action go give effect thereto.

Origin

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

Summary

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

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

Background Information

2010 Interim Operating Budget Estimates

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

Appendix 1 - 2010 Interim Operating Gross Budget Estimates

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

EX36.5	ACTION			Ward: All
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Property Taxes: 2010 Interim Levy By-law

Committee Recommendations

The Executive Committee recommends that:

1. City Council direct that the 2010 interim levy for all property classes be based on 50 per cent of the total 2009 taxes billed for each property, adjusted, as necessary, to reflect any additional taxes added to the previous year's taxes as a result of assessment added to the tax roll.
2. City Council direct that the 2010 interim levy by-law provide that the interim levy will apply to assessments added to the tax roll for 2009 that were not on the assessment roll when the by-law was passed.
3. City Council direct that the Interim Bill payment due dates for property tax accounts paid on the eleven (11) instalment pre-authorized payment plan be: February 16, March 15, April 15, May 17, and June 15, 2010.
4. City Council direct that the Interim Bill payment due date for the two (2) instalment pre-authorized payment plan be March 1, 2010.
5. City Council direct that the Interim Bill payment due dates for all other property tax accounts on the regular instalment option or on the six (6) instalment pre-authorized payment plan be: March 1, April 1, and May 3, 2010.
6. City Council provide authority for:
 - a. the collection of interim taxes;
 - b. imposing a penalty charge for non-payment of interim taxes at a rate of 1.25 per cent of taxes due and unpaid and the addition of such charges on the first day of default; and
 - c. imposing an interest charge on all outstanding taxes accruing from the first day of default at a rate of 1.25 per cent per month;
7. City Council grant authority for the introduction of the necessary bill in Council on November 30 and December 1, 2009, providing for the levying and collection of the 2010 interim taxes prior to the adoption of the estimates for 2010, which by-law, when enacted, will be effective as of January 1, 2010.
8. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Origin

(October 15, 2009) Report from the Treasurer

Summary

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

Background Information

Property Taxes: 2010 Interim Levy By-law

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

EX36.6	ACTION			Ward: 20
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Preservation of the Former Canada Malting Silos and Phased Development Plan for Silos Site - 5 Eireann Quay

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve a phased plan to preserve the Canada Malting silos and a master planning exercise to complete improvements to the remainder of the site for public and private use as described in the report (October 26, 2009) from the Deputy City Manager, Cluster B, and the Deputy City Manager and Chief Financial Officer.
2. City Council direct staff to proceed immediately with Phase I improvements which have been funded in the Approved 2009 Capital Budget
 - i. the remediation of the east face of the silos to facilitate the opening of the East Promenade to Ireland Park including removal and storage of the marine leg;
 - ii. repairs to the eastern dockwall; and
 - iii. demolition of the structures to the immediate west of the 1929 and 1944 concrete silo structures.
3. City Council direct staff to prepare a Phase II Master Plan for the silos site and surrounding parkland identifying additional improvements and funding sources including a potential private development site in accordance with the framework outlined in this report.
4. City Council authorize the Chief Corporate Officer, in consultation with the Chief Planner and Executive Director, City Planning Division, to explore the private development potential for a portion of the site.
5. City Council authorize the Chief Planner and Executive Director to proceed at the appropriate time with all necessary planning studies required to consider and/or accommodate the proposed redevelopment on the Canada Malting site.

6. City Council direct that any redevelopment of the Canada Malting site retain the 1929 and 1944 silos as iconic, landmark elements and that proceeds from any sale or lease of adjacent lands be directed to complete the required restoration as a first priority.
7. City Council authorize the Chief Corporate Officer to enter into negotiations with the Toronto District School Board to amend the lease and licence agreements and any other relevant agreements between the parties on such terms and conditions as are deemed appropriate by the Chief Corporate Officer to facilitate any proposed redevelopment of the Canada Malting site.
8. City Council authorize the Chief Corporate Officer, in consultation with the Chief Planner and Executive Director, City Planning Division to take the necessary steps to amend or remove the restrictive covenants on title to the Canada Malting site to allow for the proposed redevelopment, on such terms and conditions as are deemed appropriate by them, in a form satisfactory to the City Solicitor.

Origin

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

Summary

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

Background Information

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

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24719.pdf>

6a Preservation Alternatives for the Former Canada Malting Complex

Origin

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

Summary

Facilities and Real Estate Division (F&RE) was directed by Executive Committee at its meeting of June 03, 2008, item EX21.1.10 to provide long-term options for the silos and structures of the former Canada Malting Complex in support of future development of this site

and to facilitate public access to Ireland Park. The silo facilities are on the City's inventory list of heritage properties.

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

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

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

Background Information

Preservation Alternatives for the Former Canada Malting Complex
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24475.pdf>)

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

Origin

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

Summary

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

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

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

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

Background Information

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

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

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

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

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

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

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

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

EX36.8	ACTION			Ward: All
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A Governance Model for Nathan Phillips Square Governance

Committee Recommendations

The Executive Committee recommends that:

1. City Council endorse the concepts presented in the proposed governance framework for the effective management and renewal of Nathan Phillips Square described in the report from the Nathan Phillips Square Revitalization Public Advisory Group (NPSRPAG), Attachment 1 contained in the report (October 19, 2009) from the City Manager.
2. City Council reconstitute the NPSRPAG as the Nathan Phillips Square Community Advisory Committee, comprised of 15 members and adopt Attachment 2 of the report (October 19, 2009) from the City Manager as the Terms of Reference for the Committee.
3. City Council amend the Public Appointments Policy to incorporate Nathan Phillips Square Community Advisory Committee along with other City-wide, Council-appointed committees using information from Attachment 2 in the report (October 19, 2009) from the City Manager regarding term, composition, qualifications, and an open, advertised selection process including diversity objectives.
4. City Council appoint the current members of the NPSRPAG to the new Nathan Phillips Square Community Advisory Committee and direct the City Clerk and the Civic Appointments Committee to begin the recruitment process for the additional members of the Committee.
5. City Council direct staff to review the by-laws governing Nathan Phillips Square, with a view to enabling implementation of the vision for revitalization, effective management and future programming of the Square.

6. City Council request the City Manager to evaluate the model after one full year of operation, and at that time, give consideration to either replicating it for other Civic Squares (e.g. Mel Lastman Square, Metro Hall Square) or extending the responsibility for other Civic Squares to the NPSCA Committee.

Origin

(October 19, 2009) Report from the City Manager

Summary

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

Background Information

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

Speakers

Mr. Scott Mullin, Chair, Nathan Phillips Square Revitalization Public Advisory Group

EX36.9	ACTION			Ward: All
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The Power to Live Green: Toronto's Sustainable Energy Strategy

Committee Recommendations

The Executive Committee recommends that:

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

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

- a. Vision Statement

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

meets our environmental, economic, social and consumer needs in 2050 and beyond.

b. Principles

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

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

c. Cumulative Targets

(Based on 2007 levels of 5,000 Megawatts (MW) of electricity consumption and 4,200 Million cubic metres (Mm³) of natural gas consumption.)

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

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

RE: MAKING IT POSSIBLE TO LIVE GREEN

- 2. City Council work with all appropriate stakeholders to make it possible for residents and businesses to take action on climate change and energy and water conservation and efficiency, and renewable energy programs by facilitating a one-window approach through the following directions:
 - a. Direct the Deputy City Manager, Cluster B, to facilitate before the end of 2010 the formation of an active partnership, to be called the 'Live Green Toronto

Energy and Water Efficiency Initiative', among the City of Toronto and its Agencies, Boards, Commissions, Corporations, and Divisions, such as Toronto Water and Toronto Hydro, and other appropriate stakeholders, such as Enbridge and Enwave. This initiative will see the parties involved working collaboratively in the design, delivery and co-ordination of energy efficiency and water conservation programs and renewable energy programs for all market sectors in Toronto and would include:

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

- iii. Integration of the goal and objectives of the Power to Live Green: Toronto's Sustainable Energy Strategy in the design of sustainable community planning frameworks used for community based neighbourhood redevelopment planning.
- c. Direct the Deputy City Manager, Cluster B and other city staff to make local procurement and manufacturing a priority by:
 - i. Identifying the potential products that will be used for the "Live Green Toronto Energy and Water Efficiency Initiative," potential local manufacturers of these products and opportunities for creating new manufacturing capacity for these products within Toronto.
 - ii. Integrating this information in the development of the "Live Green Toronto Energy and Water Initiative" in such a way that local procurement and local manufacturing are promoted as much as possible.

RE: IMPROVING ENERGY EFFICIENCY IN EXISTING BUILDINGS

- 3. City Council recognize that to achieve the 80% greenhouse gas reduction target by 2050, the majority of existing homes, businesses and industries will need to become much more energy efficient - net zero in terms of their emissions and, therefore, City Council:
 - a. Direct the Deputy City Manager, Cluster B, to develop by 2011, a by-law(s) that will establish an energy efficiency standard for all buildings, both for new construction and existing retrofits that will assist in the achievement of the City of Toronto's stated greenhouse gas emission reduction targets and that this plan address the following:
 - i. Strategy for phase-in of the by-law(s);
 - ii. Proposes energy efficiency standards for both new and existing buildings;
 - iii. Thresholds that trigger application of the by-law(s);
 - iv. Economic impact of the plan and a stakeholder engagement process;
 - v. Financial and other supports that will be provided to property owners to bring their buildings into compliance with the by-law(s); and
 - vi. Timelines for the phased-in implementation of the by-law(s);
 - b. Direct the Deputy City Manager, Cluster B, to identify all opportunities where the City could encourage residents and businesses to consider implementing energy efficiency retrofits (e.g. Committee of Adjustment; building permit

applications; licensing applications) and create the necessary operational changes to take advantage of those opportunities.

- c. Direct the Chief Corporate Officer to build upon existing programs and successes and prepare in 2010 a plan to further enhance the building efficiency and integration of renewable energy in all City-owned facilities.
- d. Direct the Director of the Toronto Environment Office to coordinate advocacy efforts to federal and provincial regulators and the banking industry to allow for and offer, respectively, more competitive lending practices for energy retrofits and renewable energy projects.
- e. Direct the Chief Planner to consider during the 2011 review of the City's Official Plan changes, including implementation plans, strategies and guidelines, that will help advance the objectives of the Climate Change Action Plan and the Sustainable Energy Strategy.
- f. Direct the Deputy City Manager, Cluster B, to undertake the actions necessary in 2010 for the City to evaluate and implement a building energy benchmarking and energy use labelling program, initially for institutional buildings and subsequently for commercial/multi-unit and residential buildings.

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

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

- e. Direct the Deputy City Manager, Cluster B and other city staff to make local procurement and manufacturing a priority by:
 - i. identifying the potential products that will be used for "greening the grid," potential local manufacturers of these products and opportunities for creating new manufacturing capacity for these products within Toronto; and
 - ii. integrating this information into the development of the green grid in such a way that local procurement and local manufacturing are promoted as much as possible.

RE: INVESTING IN DISTRIBUTED ENERGY INFRASTRUCTURE

- 5. City Council facilitate the development of district/distributed energy system in existing and new neighbourhoods to reduce greenhouse gas emissions and enhance energy security of supply and that City Council:
 - a. Direct the Deputy City Manager, Cluster B, to work with key stakeholders to establish in 2010 the system potential, identify barriers and potential mechanisms to facilitate the installation of district/distributed energy infrastructure including:
 - i. Identifying the geographic areas with the greatest potential for district/distributed energy installations, based on energy utilization mapping and other research, experiences of existing programs, such as the Mayor's Tower Renewal, and assessments of neighbourhood interest.
 - ii. Identifying and assessing appropriate energy sources for the district/distributed energy systems that will help achieve the greenhouse gas and smog causing emission reduction targets set in the Climate Change Action Plan.
 - iii. Coordinating the installation of the infrastructure with other City infrastructure and stakeholder work, in order to reduce start-up costs.
 - iv. Identifying and addressing any issues associated with existing City of Toronto by-laws and policies.
 - v. Advocating for any required changes or investments from the Province of Ontario, the Ontario Power Authority, the Ontario Energy Board or other relevant provincial bodies.
 - vi. Developing any necessary provisions, as permitted, under the City of Toronto Act.

- vii. Identifying the potential products that will be used for creating a distributed energy infrastructure, potential local manufacturers of these products and opportunities for creating new manufacturing capacity for these products within Toronto.

RE: SUPPORTING DEVELOPMENT OF A SMART GRID

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

RE: FOSTERING THE GREEN ECONOMY AND GREEN JOBS

- 7. City Council build upon its adoption in July 2007 of the Green Economic Sector Development Strategy and its recognition of the significant job creation and economic opportunities being created by the shift to energy conservation/efficiency and renewable energy and that City Council:
 - a. Direct the Deputy City Manager, Cluster B, to work with stakeholder partners and renewable energy business associations to ensure that any mechanical, structural, and related inspection requirements specific to Toronto and/or Ontario are integrated into existing and contemplated national and provincial training programs.
 - b. Direct the General Manager of Economic Development, Culture and Tourism to market and promote existing energy efficiency and renewable energy certification programs available in Toronto and the GTA.
 - c. Direct the Director of the Toronto Environment Office to work with local school boards on the design of a training course as part of the Specialty High School Majors program in the area of energy efficiency retrofits and renewable energy

generation.

- d. Direct the Director of the Toronto Environment Office to work with appropriate stakeholders to develop a program that will provide job placement support to the community for skilled trades people positions in the areas of retrofitting buildings and generating renewable energy.
- e. Direct the Director of the Toronto Environment Office to work with local Community Colleges in the design, development and marketing of training programs that will generate people with the skills necessary to assist property owners in complying with emerging energy efficiency and renewable energy by-laws and regulations.
- f. Direct the Deputy City Manager and Chief Financial Officer, to establish in 2010 the business processes necessary for internal coordination within the City of Toronto to more proactively evaluate, pilot and implement new and emerging energy conservation and renewable energy technologies.
- g. Direct the City Manager to prioritize local procurement and manufacturing, where feasible, in the implementation of the recommendations in this report by:
 - i. Ensuring all procurement decisions made by City Divisions, Agencies, Boards and Commissions as a result of implementing these recommendations give priority to local manufacturing, where feasible.
 - ii. Working with industry associations to identify and promote local manufacturing opportunities that emerge out of the implementation of these recommendations.

RE: SUSTAINABLE TRANSPORTATION AND DEPLOYMENT OF ELECTRIC VEHICLE INFRASTRUCTURE

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

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

RE: INNOVATIVE FINANCIAL TOOLS

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

RE: ADVOCATING FOR ACTION PROVINCIALY, NATIONALLY AND INTERNATIONALLY

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

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

RE: MONITOR AND REPORT REGULARLY ON PROGRESS

11. City Council direct the Deputy City Manager, Cluster B, to prepare, starting in 2010, an annual environmental achievements and challenges report that:
- a. Integrates reporting on the implementation of the Climate Change Action Plan, the Sustainable Energy Strategy and related initiatives, such as the Green Economic Development Sector Strategy, the Sustainable Transportation

Initiatives and the Water Efficiency Plan.

- b. Identifies the outcomes of these policy, program and other activities.
 - c. Identifies emerging issues and challenges and makes recommendations for new or amended actions required to further achieve the targets established in the Climate Change Action Plan and the Sustainable Energy Strategy.
12. City Council direct the Director of the Toronto Environment Office to augment its existing responsibilities to monitor, inventory and report on the greenhouse gas and smog causing emissions reductions within the context of the targets set in the Climate Change Action Plan, by also monitoring and reporting, with the cooperation of stakeholders, on energy consumption and renewable energy generation within the context of the targets set in the Sustainable Energy Strategy.
13. City Council request Deputy City Manager, Cluster B, and the Deputy City Manager and Chief Financial Officer to include in the next annual review, specifics on how the community will be involved in implementing Toronto's Sustainable Energy Strategy, including residents and communities marked by marginalization and social exclusion.

Decision Advice and Other Information

The following persons gave a presentation to the Executive Committee respecting The Power to Live Green: Toronto's Sustainable Energy Strategy:

Mr. Joe Pennachetti, City Manager
Mr. Richard Butts, Deputy City Manager
Mr. Cam Weldon, Deputy City Manager and Chief Financial Officer
Mr. Anthony Haines, President, Toronto Hydro Electric System Inc.
Ms. Susan Clinesmith, Manager, High Performance New Construction Program, Enbridge Gas Distribution Inc.
Mr. Chris Tyrrell, President, Toronto Hydro Energy Services
Mr. Lawson Oates, Director, Toronto Environment Office

and submitted a document entitled "the power to live green, Toronto Sustainable Energy Strategy, October 2009" and also submitted a copy of their presentation.

Origin

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

Summary

In 2007, City Council established an international benchmark with its adoption of "Change is in the Air," Toronto's Climate Change Action Plan, complete with progressive targets for greenhouse gas emission reductions and improved air quality. To achieve those targets, a comprehensive energy strategy is required for the City of Toronto and the Toronto urban area, founded on conservation, renewable energy, and "smart" energy distribution. This report and the strategy attached as Attachment A, entitled "The Power to Live Green: Toronto's

Sustainable Energy Strategy,” together address that need through a four-track process of:

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

Background Information

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

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

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

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

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

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

Toronto's Sustainable Energy Strategy, October 2009

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

Communications

(November 1, 2009) E-mail from Martin Rovers, Business Development, Better Place Canada (EX.Main.EX36.9.1)

(November 2, 2009) Letter from Franz Hartmann, Executive Director, Toronto Environmental Alliance (EX.Main.EX36.9.2)

Speakers

Mr. Franz Hartmann, Toronto Environmental Alliance

EX36.10	ACTION			Ward: All
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Live Green Toronto: Update Report

Committee Recommendations

The Executive Committee recommends that:

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

law.

Origin

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

Summary

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

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

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

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

Background Information

Live Green Toronto: Update Report

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

EX36.11	ACTION			Ward: 1
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Agreement with Humber College Institute of Technology and Advanced Learning to Provide Funding from the Federation of Canadian Municipalities for the Humber Arboretum Project

Committee Recommendations

The Executive Committee recommends that:

1. The City enter into a grant agreement with Humber College Institute of Technology & Advanced Learning (“Humber College”) to provide to Humber College grant funds to be received from FCM for the purposes of financing the eligible project costs of the Humber Arboretum Centre for Urban Ecology (the “Project”).
2. The agreement shall require Humber College to comply with the terms of the City’s loan and grant agreements with FCM, and shall be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer, and the General Manager of Parks, Forestry and Recreation (the “General Manager”).
3. The City enter into an agreement to obtain an irrevocable licence from Humber College to use all intellectual property and other materials associated with the Project for non-commercial purposes, on terms and conditions satisfactory to the City Solicitor and the General Manager.
4. The release of the funds to Humber College be conditional upon Humber College signing the agreements and submitting all necessary reporting information to the Federation of Canadian Municipalities (FCM).
5. City Council direct that once Humber College has signed the agreements with the City, and submitted the reports required by (FCM), the Deputy City Manager and Chief Financial Officer be authorized to pay Humber College the full amount of the grant as and when received from (FCM).
6. City Council direct that the grant recommended in Recommendation 1 be deemed to be in the interests of the City.

Origin

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

Summary

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

Background Information

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

EX36.12	ACTION			Ward: 28
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Staff Review of Waterfront Toronto's Proposed Sale of City Lands for Waterfront Revitalization - Parkside

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

Committee Recommendations

The Executive Committee recommends that:

1. City Council grant authority for the City, as vendor of the City-owned lands shown as Parts 1 and 2 on Figure 1 attached to the report (October 21, 2009) from Deputy City Manager, Cluster B, together with the Toronto Waterfront Revitalization Corporation (WT), as vendor of the WT-owned lands shown as Part 4 on Figure 1, attached to the aforementioned report, to enter into an Agreement of Purchase and Sale (APS) with Great Gulf (Downtown Properties) Ltd. (GGH), as purchaser, for:
 - a. The sale of the City-owned lands shown as Part 1 on Figure 1 contained in the report.
 - b. The sale of portions of Bonnycastle Street and Lake Shore Boulevard East shown as Part 2 on Figure 1 subject to Council authorizing the permanent closure of said portions of the public highways.
 - c. An access easement in favour of GGH over the City-owned lands fronting onto Queens Quay East shown as Part 3 on Figure 1 until such time as the easement lands are dedicated as public highway.
 - d. All other ancillary agreements including any licence, encroachment, easement, closing agreement, or other agreement, contemplated under the APS

(collectively, the “Sale Transaction”) substantially on the terms and conditions set out in Attachment 2 of the report (October 21, 2009) from Deputy City Manager, Cluster B, together with such other terms and conditions as may be deemed appropriate by the Deputy City Manager whose responsibilities include Waterfront Revitalization in consultation with the Chief Corporate Officer and in a form satisfactory to the City Solicitor, subject to Part 2. of the aforementioned report.
2. City Council direct that prior to the City entering into the APS, the following matters be completed or provided for to the satisfaction of the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the City Solicitor

and other City officials as appropriate:

- a. Council shall have authorized the permanent closure of the public highway lands shown as Part 2 on Figure 1 attached to the report (October 21, 2009) from Deputy City Manager, Cluster B, or in the alternative, the General Manager of Parks, Forestry and Recreation shall have settled the major terms and conditions for an encroachment by GGH of that part of Sherbourne Park being not greater than one metre along the western boundary of Parts 1 and 4 on Figure 1 of the aforementioned report for the purposes of below grade parking.
 - b. WT and GGH having entered into the Development Agreement and WT shall have provided the City with an undertaking that WT will circulate all amendments to the Development Agreement and associated agreements to the City for input on all matters which materially affect the City's interest as vendor.
 - c. WT shall have provided an undertaking to the City that funds received from GGH under the Sale Transaction in accordance with Part 3 of the aforementioned report shall be used for re-investment in the revitalization of the waterfront in accordance with Policy and Finance Committee Report 9, Clause 1, headed "Governance Structure for Toronto Waterfront Revitalization" adopted by Council at its meeting of November 30, December 1 and 2, 2004.
 - d. T shall have provided an undertaking to the City to pay, on behalf of the City, all costs and expenses payable or incurred by the City under the Sale Transaction, including purchase price adjustments, interest charges, costs of surveys and reference plans, registration and closing costs and out of pocket expenses pertaining to highway closings.
 - e. WT shall have provided an undertaking to the City to take the lead in the management of the APS on behalf of both WT and the City as vendors under the APS, including monitoring the performance of GGH under the APS and consulting with the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the City Solicitor and other City officials as appropriate.
 - f. WT shall have provided confirmation to the City that it has completed a satisfactory due diligence review of GGH and its ability to complete its obligations under the Sale Transaction.
3. City Council grant authority for the City to direct GGH to pay all deposits, the balance of the purchase price and all other amounts payable to the City under the Sale Transaction to WT.
 4. City Council direct the Waterfront Project Director that the following amounts shall be recognized as part of the City's overall contribution to waterfront renewal, and be reported by WT in its quarterly funding reports submitted to the three orders of government as part of the Waterfront Renewal Accounting Protocol:

- a. The City's proportionate share of the purchase price under the Agreement of Purchase and Sale (APS) based on the City's land contribution of Parts 1 and 2 on Figure 1 attached to the report (October 21, 2009) from Deputy City Manager, Cluster Bas compared to WT's land contribution of Part 4 on Figure 1.
 - b. Any other amounts payable by GGH to the City for any ancillary agreements under the Sale Transaction.
 - c. The value of the parkland contribution as would apply to the development parcels, being Parts 1 to 4 on Figure 1 of the aforementioned report.
 - d. The value of the affordable housing and infrastructure contribution as would apply to the development parcels, being Parts 1 to 4 on Figure 1 of the aforementioned report.
5. City Council deem the values attributed to the parkland dedication as provided for in this transaction to satisfy all parkland dedication requirements for this development.
 6. City Council authorize the Deputy City Manager whose responsibilities include Waterfront Revitalization, in consultation with the Chief Corporate Officer and City Solicitor, to have executed the APS, including any amendments in relation to the agreement not materially inconsistent with the major terms and conditions described in Attachment 2 attached to the report (October 21, 2009) from Deputy City Manager, Cluster B, as approved by Council.
 7. City Council direct that if the APS is not finalized and executed by December 31, 2010, the Deputy City Manager whose responsibilities include Waterfront Revitalization, be directed to report back to the Executive Committee with a recommended course of action.
 8. City Council grant authority for the Chief Corporate Officer, his successor/designate, in consultation with the Waterfront Project Director, to provide any consents, approvals, waivers, and notices under the APS provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.
 9. City Council direct that subject to Part 10 of the report (October 21, 2009) from Deputy City Manager, Cluster B, and with the written consent of WT, the City consent to GGH acting as the City's agent as owner of the City lands described in Part 1. of the aforementioned report to sign any planning or development applications and agreements in furtherance of the development and construction of the City-owned lands provided the APS has been executed and all requirements and obligations of GGH therein are in good standing; or alternatively, that the City itself execute such documentation solely in its capacity as owner of the lands, on terms satisfactory to the Deputy City Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor.

10. City Council direct that all actions described in the report (October 21, 2009) from the Deputy City Manager, Cluster B shall be taken by or on behalf of the City in its capacity as land owner and not in its capacity as a planning authority under the Planning Act, the City of Toronto Act, 2006, or otherwise and such actions are not intended to and do not fetter the City's planning and municipal rights and responsibilities.
11. City Council direct that the City consent to WT acting as the City's agent as owner of the City lands described in Part 1. attached to the report (October 21, 2009) from Deputy City Manager, Cluster B report to sign any planning and development, infrastructure, servicing or any other applications and agreements including agreements with Toronto Hydro, Enbridge Gas or any third party utility provider, required for the development of the lands or alternatively that the City itself execute such documentation solely in its capacity as land owner, provided WT agrees to assume all obligations including costs and liabilities under such documentation and subject to such other terms satisfactory to the Deputy Manager whose responsibilities include Waterfront Revitalization, and in form satisfactory to the City Solicitor.
12. City Council authorize severally the Chief Corporate Officer and the Deputy City Manager whose responsibilities include Waterfront Revitalization, to execute and deliver all such documentation described in Parts 9. and 11. attached to the report (October 21, 2009) from Deputy City Manager, Cluster B, on behalf of the City.
13. City Council authorize the public release of the confidential information in Attachment 4 attached to the report (October 21, 2009) from Deputy City Manager, Cluster B, upon the completion of the development of the publicly-owned lands in East Bayfront (EBF) as determined by the Deputy City Manager whose responsibilities include Waterfront Revitalization.
14. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Origin

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

Summary

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

Parkside is the area bounded by Lower Sherbourne St., Queens Quay East, Bonnycastle St. and Lake Shore Boulevard East (see Figure 1). The district will house Sherbourne Park (north) and the lands subject to this transaction identified as Parts 1 to 4 on Figure 1. The City lands proposed to be conveyed in fee simple are Parts 1 and 2. Together the City lands represent approximately 40% (0.41 acres) of the 0.97 acre development site. The remaining 0.56 acres, shown as Part 4 on Figure 1, are in WT's ownership and will also be conveyed to GGH in fee

simple. Part 3 represents a future widening block of Queens Quay East and will remain in the City's ownership. However, until such time as this parcel is dedicated as public highway, GGH will be granted an easement for access purposes.

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

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

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

Background Information

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

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

EX36.14	ACTION			Ward: All
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Occupational Health and Safety Report - Second Quarter, 2009

Committee Recommendations

The Executive Committee recommends that City Council receive, for information, the report (September 29, 2009) from the Employee and Labour Relations Committee entitled "Occupational Health and Safety Report - Second Quarter, 2009".

Origin

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

Summary

This report provides information on the status of the City's health and safety system, specifically on activities, priorities and performance during the second quarter of 2009. There

was a minimal decrease in the number of lost time injuries (0.4%) and a 9.8% decrease in the number of recurrence injuries relative to the first two quarters of 2008. The number of injuries where health care only was sought decreased significantly by 17.3%. WSIB invoiced costs were \$2.3 million lower than those for the same time period in 2008, due to a reduction in costs associated with firefighter cancer claims.

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

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

Background Information

Occupational Health and Safety Report - Second Quarter, 2009

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

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

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

Appendix B - LTI Frequency

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

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

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

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

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

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

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

EX36.15	ACTION			Ward: All
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Integrated By-law Enforcement - Municipal Licencing and Standards 2009 In-Year Budget Adjustments

Committee Recommendations

The Executive Committee recommends that:

1. City Council adopt the in-year technical budget adjustments for the 70% Solid Waste Diversion Program, itemized in Appendix A of the report (October 7, 2009) from the Executive Director, Municipal Licensing and Standards to provide:
 - a. Gross Expenditures of \$1,316,090 for the establishment of 11 staff positions and related non-staff costs.
 - b. Inter-Divisional Recoveries of \$1,316,090 from the Solid Waste Management Division.

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

Origin

(October 19, 2009) Report from the Budget Committee

Summary

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

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

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

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

Background Information

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

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

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

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

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

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

EX36.19	ACTION			Ward: 27
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Proposed Amendments to Municipal Code Chapter 636 - Yonge Dundas Square

Committee Recommendations

The Executive Committee recommends that:

1. City Council amend Chapter 636 of the Toronto Municipal Code, Public Squares, substantially as set out in Appendix 1 in the report (October 19, 2009) from the City Manager, in accordance with the Yonge Dundas Square Board's request to:
 - a. Increase the number of members of the Board of Management from 13 to 14, by adding a position to be nominated from Massey Hall by the Corporation of Massey Hall and Roy Thompson Hall.
 - b. Include a provision to redefine quorum, so that the ward Councillor appointed to the Board shall not be included for the purpose of determining what constitutes a quorum of the Board, but the Ward Councillor attending a meeting of the Board may be counted in order to achieve quorum.
 - c. Update the names of two member organizations as follows: from "Ryerson Polytechnic University" to "Ryerson University", and from "Toronto Theatre Alliance" to "Toronto Alliance for the Performing Arts".
 - d. Clarify that the member representing the Toronto Parking Authority is on the Board in a non-voting capacity, which is not currently specified in the Municipal Code as intended.
2. City Council grant authority to the City Solicitor to submit any bills required to amend Chapter 636 of the Municipal Code, and for the City Manager to amend the Relationship Framework to reflect these changes.

Origin

(October 19, 2009) Report from the City Manager

Summary

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

Background Information

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

EX36.20	ACTION			Ward: 20
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Authority for Licence Agreement with Toronto Community Housing Corporation for Construction on Blocks 32 and 36 of the Railway Lands

Committee Recommendations

The Executive Committee recommends that:

1. City Council authorize a licence agreement (the “Licence Agreement”) with Toronto Community Housing Corporation (“TCHC”) for construction staging and access at Fort York Boulevard east of Bathurst Street on an area shown on Appendix “C” attached to the report (October 21, 2009) from the Chief Corporate Officer and the Deputy City Manager Responsible for the Affordable Housing Office, for a three (3) year term with a one (1) year renewal option, substantially on the terms and conditions outlined in Appendix “A” to the aforementioned report and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form acceptable to the City Solicitor.
2. City Council authorize a licence agreement (the “Blocks 32 and 36 Licence Agreement”) with TCHC to facilitate the beginning of the affordable housing development on Blocks 32 and 36 of the Railway Lands on the area shown on Appendix “C” to the attached report (October 21, 2009) from the Chief Corporate Officer and the Deputy City Manager Responsible for the Affordable Housing Office for a period of six months or until the lands are transferred to TCHC, substantially on the terms and conditions outlined in Appendix “B” to the aforementioned report and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form acceptable to the City Solicitor.
3. City Council authorize the Chief Corporate Officer to administer and manage the Licence Agreement and Blocks 32 and 36 Licence Agreement and any extension thereof, including the provision of any consents, approvals, notices and notices of

termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

4. City Council authorize severally each of the Chief Corporate Officer and the Director of Real Estate Services to execute the Licence Agreements on behalf of the City.

Origin

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

Summary

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

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

Background Information

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

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

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

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

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

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

Appendix C - Site Maps

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

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

Origin

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

Summary

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

Background Information

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

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

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

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

EX36.21	ACTION			
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Multi-Faith Alliance to End Homelessness

Committee Recommendations

The Executive Committee recommends that:

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

Origin

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

Summary

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

Background Information

MultiFaith Alliance to End Homelessness - Letter

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

Bill C-304

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

EX36.22	ACTION			Ward: All
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Toronto Water 2010 - 2019 Capital Program

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the 2010 Recommended Capital Budget for Toronto Water with a total project cost of \$1.491 billion, and 2010 cash flow of \$720.672 million and future year commitments of \$2.894 billion comprised of the following:
 - a. New Cash Flow Funding for:
 - i. 239 new/change in scope sub-projects with a 2010 total project cost of \$1.491 billion that requires cash flow of \$114.417 million in 2010 and a future year commitment of \$220.295 million in 2011; \$238.098 million in 2012; \$157.527 million in 2013; \$322.225 million in 2014; \$120.454 million in 2015; \$105.022 million in 2016; \$87.163 million in 2017; \$67.065 million in 2018; and, \$58.837 million in 2019;
 - ii. 201 previously approved sub-projects with a 2010 cash flow of \$555.488 million and a future year commitment of \$513.422 million in 2011; \$452.962 million in 2012; \$355.610 million in 2013; \$104.954 million in 2014; \$76.534 million in 2015; \$13.552 million in 2016; and, \$0.620 million in 2017;
 - b. 2009 approved cash flow for 36 previously approved sub-projects with carry forward funding from 2009 into 2010 totalling \$50.767 million.
2. City Council approve that no new debt be issued to finance the 2010 cash flow requirement for the capital program and that the 2010 Recommended Toronto Water Capital Budget be fully funded from service charges; available reserve funds; Infrastructure Stimulus Fund (IFS); development charges; and other revenues.
3. City Council approve the 2011-2019 Recommended Capital Plan for Toronto Water totalling \$8.016 billion in project estimates, comprised of \$791.863 million in 2011; \$827.695 million in 2012; \$835.068 million in 2013; \$873.154 million in 2014; \$907.109 million in 2015; \$918.496 million in 2016; \$913.508 million in 2017; \$959.178 million in 2018; and, \$989.930 million in 2019.

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

Decision Advice and Other Information

The Executive Committee referred the communication (November 2, 2009) from Mr. Mark Ferguson, President, Toronto Civic Employees' Union, CUPE Local 416, to the Employee and Labour Relations Committee with a request that the Committee review the concerns outlined in the communication and make recommendations related to any health and safety issues raised within this communication.

Mr. Lou Di Gironimo, General Manager, Toronto Water, gave a presentation to the Executive Committee concerning Toronto Water 2010-2019 Capital Program and filed a copy of his presentation.

Origin

(October 23, 2009) Report from the Budget Committee

Summary

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

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

Background Information

Toronto Water 2010-2019 Capital Program - Budget Letter

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24678.pdf>)

Water and Wastewater Development Charges in the Greater Toronto Area - staff report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24674.pdf>)

Toronto Water 2010 - 2019 Capital Program - Analyst Briefing Notes, October 19, 2009

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24675.pdf>)

Communications

(November 2, 2009) Presentation on the 2010 Operating Budget and the 2010-2019 Capital Budget from Toronto Water (EX.Main.EX36.22.1)

(November 2, 2009) Letter from Mark Ferguson, President, CUPE Local 416 (EX.Main.EX36.22.2)

Speakers

Mr. Dave Hewitt, Vice-President, CUPE, Local 416

Ms. Bozena Mathlin, TECU Local 416

Declared Interests

The following member(s) declared an interest:

Councillor Pam McConnell - In that her daughter's partner is an employee of Toronto Water.

EX36.23	ACTION			Ward: All
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Solid Waste Management Services 2010 Operating Budget

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the 2010 Recommended Operating Budget for Solid Waste Management Services of \$319.821 million gross funded by \$319.821 million in solid waste user rates and other recoveries comprised of the following services:

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

2. City Council request the General Manager of Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer to develop a multi-year fee strategy and report to the Budget Committee as part of the 2011 Budget process.
3. City Council request the General Manager of Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer to report to the Budget Committee as part of the 2010 Year-End Variance Report on the actual net contribution to the Waste Management Reserve Fund.

4. City Council direct that Solid Waste Management Services, in consultation with the Financial Planning Division, review the long-term adequacy of the Waste Management Reserve Fund including contribution levels required to fund the Solid Waste Management Capital Plan prior to the 2011 Operating Budget process.
5. City Council direct that the report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Solid Waste Management Services 2010 Operating Budget", be considered concurrently with the "Recommended 2010 Solid Waste Rates" (October 16, 2009) report from the Deputy City Manager and Chief Financial Officer and the General Manager of Solid Waste Management Services.

Decision Advice and Other Information

The Executive Committee referred the following motions by Councillor Moscoe and Councillor Davis to the General Manager, Solid Waste Management Services, with a request that he submit a report to the Public Works and Infrastructure Committee:

Motion by Councillor Moscoe

The Executive Committee request the General Manager, Solid Waste Management Services, to evaluate the solid waste collection for tenants who reside above commercial businesses in each Ward in conjunction with the Ward Councillor and the Business Improvement Area's where they exist.

Motion by Councillor Davis

The Executive Committee direct the General Manager, Solid Waste Management Services, to provide a briefing note to the Public Works and Infrastructure Committee for its meeting on April 20, 2010, on the implementation of the changes to commercial solid waste pick up in Business Improvement Areas.

Mr. Geoff Rathbone, General Manager, Solid Waste Management Services, gave a presentation to the Executive Committee concerning Solid Waste Management Services 2010 Operating Budget and filed a copy of his presentation.

Origin

(October 23, 2009) Report from the Budget Committee

Summary

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

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

Background Information

Solid Waste Management Services 2010 Operating Budget

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24679.pdf>)

Review of Landfill Disposal Fees Delegation

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24676.pdf>)

Solid Waste Management 2010 Operating Budget Analyst Briefing Notes

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24677.pdf>)

Communications

(November 2, 2009) Presentation on Solid Waste Management Services 2010 Capital & Operating Budget (EX.Main.EX36.23.1)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/comm/communicationfile-12605.pdf>)

(November 2, 2009) Letter from Mark Ferguson, President, CUPE Local 416 (EX.Main.EX36.23.2)

Speakers

Mr. Dave Hewitt, Vice-President, CUPE, Local 416

Ms. Baozena Mathlin, TCEU, Local 416

EX36.24	ACTION			Ward: All
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2010 Water and Wastewater Service Rate

Committee Recommendations

The Executive Committee recommends that :

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

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

- b. The water and wastewater rates charged to flat rate consumers be, effective January 1, 2010, increased by 9.0%, to the rates shown in Appendix A (Schedule 2) attached to the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water.
 - c. The necessary amendments be made to Municipal Code Chapter 441, Fees and Charges and Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, to give effect to a. and b. above; and
 2. City Council direct that with respect to assistance for low-income seniors and low-income disabled persons:
 - a. The 2010 rebate for eligible low-income seniors and low-income disabled persons be set at a rate of \$0.5890 /m³, representing a 28.6% reduction from the Block 1 Rate.
 - b. The due date for submitting an actual meter reading to the City and/or allowing access to City staff to obtain an actual meter reading as required under Municipal Code Chapter 849-14.3 be extended from December 31st, of the year for which the rebate is sought, to January 31st of the following year.
 - c. The necessary amendments be made to Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, to give effect to a. and b. above.
 3. City Council grant authority to the City Solicitor to introduce any necessary Bills required to implement these recommendations, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor, the Deputy City Manager and Chief Financial Officer and General Manager, Toronto Water.
 4. the report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water, entitled "2010 Water and Wastewater Service Rate", be considered concurrently with the 2010-2019 Capital Plan and the 2010 Operating Budget.
 5. City Council authorize and direct the appropriate City officials to take the necessary actions to give effect thereto.

Decision Advice and Other Information

The Executive Committee referred the communication (November 2, 2009) from Mr. Mark Ferguson, President, Toronto Civic Employees' Union, CUPE Local 416, to the Employee and Labour Relations Committee with a request that the Committee review the concerns outlined in the communication and make recommendations related to any health and safety issues raised within this communication.

Mr. Lou Di Gironimo, General Manager, Toronto Water, gave a presentation to the Executive Committee concerning 2010 Water and Wastewater Service Rate and filed a copy of his presentation.

Origin

(October 23, 2009) Report from the Budget Committee

Summary

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

Background Information

2010 Water and Wastewater Service Rate

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

2010 Water and Wastewater Service Rate - Staff Report

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

Communications

(November 2, 2009) Presentation on the 2010 Operating Budget and the 2010-2019 Capital Budget from Toronto Water (EX.Main.EX36.24.1)

(November 2, 2009) Letter from Mark Ferguson, President, CUPE Local 416 (EX.Main.EX36.24.2)

Speakers

Mr. Dave Hewitt, Vice-President, CUPE Local 416

Ms. Bozena Mathlin, TCEU, Local 416

Declared Interests

The following member(s) declared an interest:

Councillor Pam McConnell - In that her daughter's partner is an employee of Toronto Water.

EX36.25	ACTION			Ward: All
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Solid Waste Management Services 2010-2019 Capital Program

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve the 2010 Recommended Capital Budget for Solid Waste Management Services with a total project cost of \$51.576 million and a 2010 cash flow

of \$75.128 million and future year commitments of \$96.389 million. The 2010 Recommended Capital Budget consists of the following:

- a. New Cash Flow Funding for:
 - i. 11 new sub-projects with a 2010 total project cost of \$51.576 million that requires cash flow of \$40.700 million in 2010 and future year commitments of \$8.626 million in 2011, \$1.350 million in 2012 and \$0.900 million in 2013;
 - ii. 13 previously approved sub-projects with a 2010 cash flow of \$21.213 million and future year commitments of \$78.313 million in 2011 and \$7.200 million in 2012; and
 - b. 2009 approved cash flow for 7 previously approved sub-projects with carry forward funding from 2009 into 2010 totalling \$13.115 million.
2. City Council approve the operating impacts of \$5.790 million in 2011 to 2019 including \$4.774 million in 2011, \$0.195 million in 2012, \$0.228 million in 2013, \$0.103 million in 2014, \$0.105 million in 2015, \$0.107 million in 2016, \$0.053 million in 2017, \$0.111 million in 2018 and \$0.114 million in 2019 that emanate from the approval of the 2010 Recommended Capital Budget be considered within the overall scope of Solid Waste Management Services' 2011 Operating Budget and future year operating budgets.
 3. City Council approve that all sub-projects with third party financing be approved conditionally, subject to the receipt of such funding and if such financing is not forthcoming, their priority and funding be reassessed by City Council relative to other City-financed priorities and needs.
 4. City Council approve the 2011-2019 Capital Plan for Solid Waste Management Services totalling \$473.975 million in project estimates, comprised of \$158.249 million in 2011, \$131.326 million in 2012, \$65.078 million in 2013, \$33.409 million in 2014; \$16.250 million in 2015, \$14.852 million in 2016, \$14.918 million in 2017, \$20.193 million in 2018, and \$19.700 million in 2019.
 5. City Council request the General Manager of Solid Waste Management Services to report to the Public Works and Infrastructure Committee by May 2010, to provide a status update of the assessment appeal related to the Green Lane Land Transfer Tax and on the likelihood of recouping the reserve funding.
 6. City Council direct that the report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Solid Waste Management Services 2010-2019 Capital Program", be considered concurrently with the 2010 Recommended Residential Solid Waste Rate Report (October 16, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager for Solid Waste Management Services.

Decision Advice and Other Information

Mr. Geoff Rathbone, General Manager, Solid Waste Management Services, gave a presentation to the Executive Committee concerning Solid Waste Management Services 2010-2019 Capital Program and filed a copy of his presentation.

Origin

(October 23, 2009) Report from the Budget Committee

Summary

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

Background Information

Solid Waste Management Services 2010-2019 Capital Program

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

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

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

Communications

(November 2, 2009) Presentation on Solid Waste Management Services - 2010 Capital & Operating Budget (EX.Main.EX36.25.1)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/comm/communicationfile-12616.pdf>)

(November 2, 2009) Letter from Mark Ferguson, President, CUPE Local 416 (EX.Main.EX36.25.2)

Speakers

Mr. Dave Hewitt, Vice-President, CUPE, Local 416

Ms. Bozena Mathlin, TCEU, Local 416

EX36.26	ACTION			Ward: All
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Recommended 2010 Solid Waste Rates

Committee Recommendations

The Executive Committee recommends that:

1. City Council adopt the fees outlined in Appendix A of the report (October 29, 2009) from the Deputy City Manager and Chief Financial Officer.

Decision Advice and Other Information

Mr. Geoff Rathbone, General Manager, Solid Waste Management Services, gave a presentation to the Executive Committee concerning Labour Disruption Savings Allocation to the

Recommended 2010 Solid Waste Residential Rates and filed a copy of his presentation.

Origin

(October 23, 2009) Report from the Budget Committee

Summary

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

Background Information

Recommended 2010 Solid Waste Rates

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

Recommended 2010 Solid Waste Rates - Staff Report

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

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

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

Appendix B - Diversion Projections Based on 2% Rate Increase

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

Appendix C - Summary Impact of 2% Rate Increase

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

Communications

(November 2, 2009) Presentation on Solid Waste Management Services - 2010 Capital & Operating Budget (EX.Main.EX36.26.1)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/comm/communicationfile-12620.pdf>)

(November 2, 2009) Letter from Mark Ferguson, President, CUPE Local 416 (EX.Main.Ex36.26.2)

Speakers

Mr. Dave Hewitt, Vice-President, CUPE, Local 416

Ms. Bozena Mathlin, TCEU, Local 416

26a Impact of Labour Disruption Savings Allocation to the Recommended 2010 Solid Waste Residential Rates

Origin

(October 29, 2009) Report from the City Clerk

Summary

Communication (October 29, 2009) from City Council forwarding Council's decision respecting Executive Committee Item 35.6 - 2009 Labour Disruption Costs and Savings (Ward All)

Background Information

2009 Labour Disruption Costs and Savings

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24966.pdf>)

26b Labour Disruption Savings Allocation to the Recommended 2010 Solid Waste Residential Rates

Origin

(October 29, 2009) Report from the Deputy City Manager and Chief Financial Officer

Summary

At its meeting on October 26 and 27, 2009 the City Council adopted the recommendation to allocate \$4.8 million from the 2009 labour disruption savings to the 2010 Solid Waste Management Services (SWMS) budget to offset the proposed 2% increase to the Residential Solid Waste Management Rates.

This report rescinds the Budget Committee's recommended rates for 2010 Solid Waste fees and replaces them with the rates that comply with City Council direction.

Background Information

Labour Disruption Savings Allocation to the Recommended 2010 Solid Waste Residential Rates

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-25309.pdf>)

Appendix A - Recommended 2010 Residential Solid Waste Rates

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-25308.pdf>)

EX36.27	ACTION			Ward: All
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Toronto Water 2010 Operating Budget

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

Committee Recommendations

The Executive Committee recommends that:

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

Executive Committee Report - Meeting No. 36
For City Council Consideration on November 30, 2009

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

2. City Council consider the report (October 19, 2009) from the City Manager and Chief Financial Officer, entitled "Toronto Water 2010 Operating Budget", concurrently with the 2010 Water and Wastewater Service Rate Report (October 13, 2009) from the Deputy City Manager and Chief Financial Officer and the General Manager for Toronto Water.
3. City Council direct that the information contained in confidential attachment 1 of the report (October 19, 2009) from the City Manager and Chief Financial Officer, remain confidential until Council's approval of the Toronto Water 2010 Operating Budget.

Decision Advice and Other Information

The Executive Committee referred the communication (November 2, 2009) from Mr. Mark Ferguson, President, Toronto Civic Employees' Union, CUPE Local 416, to the Employee and Labour Relations Committee with a request that the Committee review the concerns outlined in the communication and make recommendations related to any health and safety issues raised within this communication.

Mr. Lou Di Gironimo, General Manager, Toronto Water, gave a presentation to the Executive Committee concerning Toronto Water 2010 Operating Budget and filed a copy of his presentation.

Origin

(October 23, 2009) Report from the Budget Committee

Summary

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

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

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

Background Information

Toronto Water 2010 Operating Budget

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

Letter (October 20, 2009) from CUPE Local 79

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

Toronto Water 2010 Operating Budget - Briefing Notes

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

Communications

(November 2, 2009) Presentation on the 2010 Operating Budget and the 2010-2019 Capital Budget from Toronto Water (EX.Main.EX36.27.1)

(November 2, 2009) Letter from Mark Ferguson, President, CUPE Local 416 (EX.Main.EX36.27.2)

Speakers

Mr. Dave Hewitt, Vice-President, CUPE Local 416

Ms. Bozena Mathlin, TCEU, Local 416

Declared Interests

The following member(s) declared an interest:

Councillor Pam McConnell - In that her daughter's partner is an employee of Toronto Water.

EX36.28	ACTION			Ward: All
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Capital Variance Report for the Nine-month Period Ended September 30, 2009

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve in-year adjustments to the 2009 Approved Capital Budget as detailed in Appendix 2 of the report (October 26, 2009) from the Deputy City Manager and Chief Financial Officer.
2. City Council approve additional carry forward funding for 311 Customer Service Strategy and Financial Services for unspent 2008 capital projects totalling \$1.835 million as detailed in Appendix 3 of the report (October 26, 2009) from the Deputy City Manager and Chief Financial Officer, in order to continue work on 2008 approved capital projects.

Origin

(October 29, 2009) Report from the Budget Committee

Summary

The purpose of this report is to provide the City of Toronto 2009 Capital Variance for the nine months ended September 30, 2009 and projected actual expenditures to December 31, 2009. Furthermore, the report seeks Council's approval for in-year adjustments and additional 2008 carry-forward funding.

Capital expenditures for the Nine months ended September 30, 2009 totalled \$950.184million or 34.4% of the 2009 Approved Capital Budget of \$2.766 billion. Tax Supported Programs spent \$688.579 million, representing 31.9% of their collective 2009 Approved Capital Budget of \$2.162 billion (see Appendix 1). City Operations spent \$251.881 million or 26.2% of the 2009 Approved Capital Budget of \$961.548 million; while Agencies, Boards and Commissions (ABCs) spent \$436.699 million or 36.4% of their collective 2009 Approved Capital Budget of \$1.2 billion. In total, Rate Supported Programs spent \$261.604 million or 43.3% of their 2009 Approved Capital Budget of \$604.310 million (see Chart 1). The under spending is primarily attributed to completion of projects under budget, delays in acquiring appropriate sites, delays in receiving funds from cost-sharing partners and the impact of labour disruption

As detailed in Appendix 1, projected actual expenditures to year-end are estimated at \$1.902 billion or 68.7% of the total 2009 Approved Capital Budget of \$2.766 billion. Tax Supported Programs project a spending rate of 67.5 to year-end; while Rate Supported Programs project spending of 73.3% of their total 2009 Approved Capital Budget.

See Report Chart 1.

In accordance with the City's Carry Forward Policy, this report requests Council's approval to carry forward funds for unspent 2008 approved capital projects not previously identified and included in the 2009 Approved Capital Budget. The additional carry forward funding request totals \$1.835 million as detailed in Appendix 3.

Background Information

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

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

Capital Variance Report for the Nine-Months Ended September 30, 2009 - Staff Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24953.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24954.pdf>)

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

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24955.pdf>)

Appendix 2 - Budget and Technical Adjustments for Quarter Ended September 30, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24956.pdf>)

Appendix 3 - 2008 Carry Forwards Funding Adjustments

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24957.pdf>)

EX36.29	ACTION			Ward: All
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Operating Variance Report for the Nine-month Period Ended September 30, 2009

Committee Recommendations

The Executive Committee recommends that:

1. City Council approve a reduction of \$0.196 million to the net Tax-Levy Program savings presented in the “2009 Labour Disruption Costs and Savings” report (September 24, 2009) from the Deputy City Manager and Chief Financial Officer (EX35.6).
2. City Council approve a reduction of \$0.130 million to the net Toronto Water savings presented in the “2009 Labour Disruption Costs and Savings” report (September 24, 2009) from the Deputy City Manager and Chief Financial Officer (EX35.6).
3. City Council approve an increase of \$0.069 million to the net Solid Waste Management Services costs presented in the “2009 Labour Disruption Costs and Savings” report (September 24, 2009) from the Deputy City Manager and Chief Financial Officer (EX35.6).
4. City Council approve the budget adjustments including the approved position transfers as detailed in Appendix D of the report (October 26, 2009) from the Deputy City Manager and Chief Financial Officer, to amend the 2009 Council Approved Operating Budgets between Programs with no net impact to the Tax-Levy Operating Budgets.

Origin

(October 29, 2009) Report from the Budget Committee

Summary

The purpose of this report is to provide City Council with the Operating Variance for the nine-month period ended September 30, 2009 and to request Council’s approval for amendments to the 2009 Council Approved Operating Budget with no change to the Net Operating Budget. In addition, the report also provides final financial information with respect to costs incurred and savings realized during the 2009 labour disruption by CUPE Local 79 and TCEU Local 416.

Actual net expenditures for the nine-month period ended September 30, 2009 were under budget by \$90.037 million or 3.8 per cent. Projections to year-end indicate that the 2009 Council Approved Net Operating Budget will be under-spent by \$81.292 million or 2.4 per cent. The favourable variance projected at year-end will be largely due to significant net savings of \$35.890 million arising from the 2009 labour disruption in Tax-Levy Programs and under-expenditures of \$29.510 million resulting from Council’s compensation policy for management/non-union staff and ratification the 2009 Cost of Living Adjustment (COLA) increase for union staff in accordance with the Memoranda of Agreement and Settlement. Projections also indicate that Corporate Accounts will recognize a favourable variance attributed to a one-time contribution of \$20.0 million in parking revenue by the Toronto

Parking Authority and stronger than forecasted rate of return in interest and investment earnings of \$15.0 million.

These favourable variances, however, will be partially offset by a projected over expenditure of \$16.646 million net in Operating Budgets for Agencies, Boards and Commissions (ABCs) directly due to passenger revenue shortfall in Toronto Transit Commission (TTC) and a projected over expenditure of \$9.117 million net in City Operations mainly attributed to revenue losses in Toronto Building and City Planning due to the impact of the recession on the development industry. The Deputy City Manager and Chief Financial Officer will continue working with Division Heads to explore opportunities to mitigate the impact of these revenue losses.

Background Information

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

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

Operating Variance Report for the Nine-Month Period Ended September 30, 2009 - Staff Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24958.pdf>)

EX36.30	ACTION			Ward: All
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Budget Adjustment to the Toronto Public Health 2009 Approved Operating Budget and Confirmation of Authority to Sign Agreements - Board of Health Item HL25.8

Committee Recommendations

The Executive Committee recommends that:

1. City Council increase the Toronto Public Health 2009 Operating Budget for one-time funding of \$500.2 thousand gross and \$0.0 net, that is provided by the Ministry of Health and Long-Term Care to cover the cost of implementation of the PECS Solution used to manage electronic record keeping at the planned pH1N1 mass immunization clinics.
2. City Council confirm the authority of the Medical Officer of Health to execute the Protocol for Electronic Clinic System (PECS) License Agreement and the PECS Training and Service Agreement, between the Regional Municipality of Niagara and the City of Toronto, dated September 29, 2009.

Origin

(October 29, 2009) Report from the Budget Committee

Summary

The purpose of this report is to request a budget adjustment to Toronto Public Health's (TPH) 2009 Operating Budget due to confirmation of 100 per cent funding from the Ontario Ministry

of Health and Long Term Care (MOHLTC), for implementation of the Protocol for Electronic Clinic System (PECS), an integral part of which is the software solution known as Clinic Event Management System (CEMS). This system and software was developed by the Niagara Region Public Health Unit and is being recommended and funded for the use of Ontario Public Health Units by the Ontario Ministry of Health and Long Term Care for the purpose of managing the electronic record keeping associated with the mass immunization clinics that are being planned as part of the pandemic H1N1 (pH1N1) response.

This report also seeks City Council's confirmation of the Medical Officer of Health's authority to enter into a licence agreement and an agreement for training and support with the Regional Municipality of Niagara for the purpose of implementing the PECS Solution to support electronic record keeping at the pH1N1 mass immunization clinics.

Background Information

Budget Adjustment to the Toronto Public Health 2009 Approved Operating Budget and Confirmation of Authority to Sign Agreements - Board of Health Item HL25.8- October 29, 2009

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-24959.pdf>

Letter Budget Adjustment to the Toronto Public Health 2009 Approved Operating Budget and Confirmation of Authority to Sign Agreements - October 19, 2009

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

Attachment 1 - Report

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

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

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

Noted and Filed Items

EX36.7 Cost/Benefit Analysis of the Artscape Wychwood Barns

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

*Submitted Monday, November 2, 2009
Mayor David Miller, Chair, Executive Committee*