

Authority: Executive Committee Item 27.1, adopted as amended,
by City of Toronto Council on December 10, 2008
Enacted by Council: January 28, 2009

CITY OF TORONTO

BY-LAW No. 66-2009

To amend City of Toronto Municipal Code Chapter 227, Reserves and Reserve Funds to create new reserves, reserve funds, reserve fund accounts and reserve fund groups, to reorganize, rename and to close certain reserves, reserve funds, and reserve funds accounts.

WHEREAS City Council has approved the creation of new reserves, reserve funds, reserve fund groups and reserve fund accounts, and the reorganization, renaming and closing of certain reserves, reserve funds, and reserve fund accounts; and

WHEREAS City of Toronto Municipal Code Chapter 227, Reserves and Reserve Funds requires amendment to reflect these decisions;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. (1) The Ward 9 Parkland Reserve Fund is hereby established for the purpose of providing a source of funding for parkland improvements within Ward 9 to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Ward Councillor.
- (2) The Alternative Parkland Dedication Reserve Fund is hereby established for the purpose of providing a source of funding to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development.
- (3) The Conservation Management Reserve Fund is hereby established for the purpose of receiving funds on a periodic basis from the Ontario Power Authority (OPA) for the purpose of disbursing financial incentives to eligible conservation program participants in the Better Building Partnership – Existing Buildings and Better Buildings Partnership – New Construction Programs.
- (4) (a) The Climate Change Reserve Fund Group is hereby established for the purpose of providing revolving loan funds for projects that improve energy efficiency in buildings or generate renewable energy in Toronto.
- (b) The Energy Conservation Reserve Fund account is hereby established within the Climate Change Reserve Fund Group for the purpose of providing a revolving loan fund to provide support for energy conservation initiatives in City facilities and buildings in the Municipal, Academic, Social Services and Health entities (MASH sector) and not-for-profit sector in Toronto.

- (c) The Green Energy Reserve Fund account is hereby established within the Climate Change Reserve Fund Group for the purpose of providing a revolving loan fund to provide support for renewal energy installations in City facilities and buildings in the Municipal, Academic, Social Services and Health entities (MASH sector) and not-for-profit sector in Toronto.
 - (d) The Home Energy Loan Program Fund account is hereby established within the Climate Change Reserve Fund Group for the purpose of financing sustainable energy retrofits in single family and small commercial building sectors across the City.
 - (e) The Environment Protection Reserve Fund account is hereby established within the Climate Change Reserve Fund Group for the purpose of supporting: (a) the development of a long-term, climate change adaption strategy; (b) funding the operating budget of the Environment Office and the capital and operating budget of the Energy Efficiency Office; (c) funding initiatives that will reduce the production of green house gas including: deepwater cooling for City facilities, energy upgrades for City facilities and enhancement and protection of the City's tree canopy.
- (5)
- (a) The Extreme Weather Reserve Group is hereby established for the purpose of mitigating the financial impacts arising from extreme weather conditions on the operating and capital budgets of the City's programs and services, by providing funding at the end of the year to offset partly a budget deficit resulting from unbudgeted and uninsured weather-related costs incurred during the year.
 - (b) The Transportation Services Extreme Weather Reserve account is hereby established within the Extreme Weather Reserve Group for the purpose of mitigating the financial impacts arising from extreme weather conditions on the operating and capital budgets of Transportation Services, by providing funding at the end of the year to offset partly a budget deficit resulting from unbudgeted and uninsured weather-related costs incurred during the year.
 - (c) The Corporate Extreme Weather Reserve account is hereby established within the Extreme Weather Reserve Group for the purpose of mitigating the financial impacts arising from extreme weather conditions on the operating and capital budgets of the Parks, Forestry and Recreation Division or any other City program which does not have a stabilization reserve of its own subject to the approval of the Chief Financial Officer under the Surplus Management Policy, by providing funding at the end of the year to offset partly a budget deficit resulting from unbudgeted and insured weather-related costs incurred during the year.
 - (d) The Winter Control Stabilization Reserve be deleted.

- (6) The Section 37 Reserve Fund is hereby established for the purpose of holding funds from Agreements entered into pursuant to Section 37 of the *Planning Act*.
 - (7) The Section 45 Reserve Fund is hereby established for the purpose of holding funds from Agreements and Decisions on minor variances pursuant to section 45 of the *Planning Act*.
 - (8)
 - (a) The North York Centre for the Performing Arts Capital Maintenance Reserve Funds is hereby renamed the Toronto Centre for the Performing Arts Improvement Reserve Fund, and its purpose is changed to providing funding to finance major and minor repairs, replacements and improvements to the Toronto Centre for the Performing Arts.
 - (b) The Hummingbird Centre Capital Improvement Reserve Fund is hereby renamed the Sony Centre Improvement Reserve Funds, and its purpose is changed to providing funding to finance major and minor repairs, replacements and improvements to the Sony Centre.
 - (c) The St. Lawrence Centre for the Arts Reserve Fund is hereby renamed the St. Lawrence Centre for the Arts Improvement Reserve Fund, and its purpose is changed to providing funding to finance major and minor repairs, replacements and improvements to the St. Lawrence Centre for the Arts.
2. City of Toronto Municipal Code Chapter 227, Reserves and Reserve Funds is amended as follows:
- (1) The purpose of the Arbitration and Legal Awards Reserve within Schedule No. 1 – Corporate Reserves be changed from “Provides funding for the costs of arbitration, awards and legal claims” to “Provides funding for the costs of, or receives funds from, arbitration, awards and legal claims” by deleting the words “Provides funding for the costs of arbitration, awards and legal claims” and substituting the words “Provides funding for the costs of, or receives funds from, arbitration, awards and legal claims”.
 - (2) Schedule No. 1 – Corporate Reserves be amended by deleting the following reserve accounts from the Vehicle and Equipment Replacement Group:
 - Shelter, Support & Housing Adm.
 - HFA
 - Public Health
 - Facilities & Real Estate
 - Fleet Services
 - Clerks – Vehicle
 - Human Resources
 - Legal
 - Council
 - Mayor’s Office

Treasurer
 Economic Dev. & Culture
 Parks, Forestry & Recreation
 Building
 City Planning
 Business Support Serv.
 Municipal Licensing & Standards
 Solid Waste
 Transportation
 Tech Services
 Support Services
 Fire – Vehicle
 E.M.S. – Vehicle
 Library
 Police
 Exhibition Place
 Zoo
 Arena Boards
 Wheel-Trans
 Vehicle Insurance Top Up
 Clerks – Equipment
 IT – Equipment
 E.M.S. – Equipment
 Fire – Equipment
 Solid Waste-Equipment

- (3) Schedule No. 1 – Corporate Reserves be amended by adding the following reserve accounts to the Vehicle and Equipment Replacement Group:

Solid Waste
 Transportation
 Technical Services
 Fire – Vehicle
 E.M.S. – Vehicle
 E.M.S. – Equipment
 Fire – Equipment
 Shelter, Support & Housing Admin.
 Public Health
 Economic Development, Culture & Tourism
 Parks, Forestry, and Recreation
 Toronto Building
 Municipal Licensing & Standards
 PPF&A
 Facilities and Real Estate
 Fleet
 Clerks – Vehicle
 Human Resources
 Legal

Clerks – Equipment
 IT – Sustainment
 IT – Vehicle
 Revenue Services
 Insurance Top Up
 Library
 Police
 Exhibition Place
 Zoo
 Wheel-Trans
 Arena Boards
 Mayor's Office
 Council
 Long-Term Care Homes & Services
 Purchasing and Materials Management
 Toronto Animal Services

- (4) (a) Schedule No. 3 – Stabilization Reserves be amended by adding the following reserve group:

“Extreme Weather Reserve Group	Chief Financial Officer	Mitigates the financial impacts arising from extreme weather conditions on the operating and capital budgets of the City's programs and services, by providing funding at the end of the year to offset partly a budget deficit resulting from unbudgeted and uninsured weather-related costs incurred during the year.”
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- (b) Schedule No. 3 – Stabilization Reserves be amended by adding the following reserves to the Extreme Weather Reserve Group:

“Corporate Extreme Weather	Chief Financial Officer	Mitigates the financial impacts arising from extreme weather conditions on the operating and capital budgets of the Parks, Forestry and Recreation Division or any other City program which does not have a stabilization reserve of its own subject to the approval of the Chief Financial Officer under the
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		Surplus Management Policy, by providing funding at the end of the year to offset partly a budget deficit resulting from unbudgeted and insured weather-related costs incurred during the year.”
“Transportation Services Extreme Weather	Transportation	Mitigates the financial impacts arising from extreme weather conditions on the operating and capital budgets of Transportation Services by Providing funding at the end of the year to offset partly a budget deficit resulting from unbudgeted weather-related costs incurred during the year.”

- (c) Schedule No. 3 – Stabilization Reserves be amended by deleting the following reserve:

“Winter Control Stabilization	Transportation	Provides funding for unbudgeted snow removal operating costs and to smooth the operating expenditures from year to year.”
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- (5) Schedule No. 10 – Parkland Acquisition/New Development Obligatory Reserve Funds be amended by adding the following reserve funds:

“Ward 9 Parkland Reserve Fund	Parks, Forestry & Recreation	Provides a source of funding for parkland improvements within Ward 9 to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Ward Councillor.
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Alternative Parkland Dedication Reserve Fund	Parks, Forestry & Recreation	Provides a source of funding to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development.”
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- (6) Schedule No. 12 – Planning Act Obligatory Reserve Funds is amended by adding the following reserve funds:

“Section 37	City Planning	Holds funds from Agreements entered into pursuant to Section 37 of the <i>Planning Act</i> .
Section 45	City Planning	Holds funds from Agreements and Decisions on minor variances pursuant to Section 45 of the <i>Planning Act</i> ”.

- (7) Schedule No 12 – Planning Act Obligatory Reserve Funds be amended by deleting the following reserve funds:

Bloor Street Transformation Project Group	Economic Development & Culture	Provides fund for the implementation of the Bloor Street Transformation Project.
Davisville/June Rowlands Park	City Planning/Parks, Forestry & Recreation	Provides funding to be used for the design and construction of a new splashpad or a retrofit conversion of the existing wading pool in Davisville/June Rowlands Park to a splashpad or to be used otherwise for general improvements in said park.
Dundas Street West Streetscape Improvement	BIA	Fund is to be received under the Section 37 agreement with the City and Port Royal Place Development Inc. and to be used to fund streetscape improvements along Dundas Street West in proximity to the development.

East of Bay & Vicinity Park	Parks, Forestry & Recreation	Fund is to be used solely for the purposes of permanent improvements to the East of Bay Parklands, as well as parkland acquisitions and improvements within the boundaries of Ward 24, in accordance with the recommendation of the General Manager, Parks and Recreation.
Jarvis Street Corridor Group	City Planning	Provides funding for supporting the implementation of a heritage strategy for that portion of Jarvis Street Corridor (Jarvis Street south of Isabella Street).
King-Parliament Community Improvement Plan Group	City Planning	Provides funding for the implementation of the King-Parliament community improvement projects as outlined in the King-Parliament Community Improvement Plan.
247 Richmond Street East	City Planning	Being a repository for funds collected through a Section 45 Agreement under the <i>Planning Act</i> , and intended to support implementation of the King-Parliament Community Improvement Plan.

226 King Street East	City Planning	Being a repository for funds collected through Section 45 Agreement under the <i>Planning Act</i> , and intended to support implementation of the King-Parliament Community Improvement Plan.
University Theatre	City Planning	To hold funds secured by the Section 37 agreement for 86-100 Bloor Street West to be used to partially fund the Bloor Street Transformation Project, improve a TTC entrance in the area, fund a transportation study and provide community services and facilities in the nature of local area improvements.
Winchester Square Capital Facilities Recreation	Parks, Forestry & Recreation	Provides funds to support capital projects related to recreation facilities in the vicinity of the Winchester Square lands, located at 225 Wellesley Street East and 550 Ontario Street.
Wychwood Car Barns	Economic Development & Culture	Provides funding for the redevelopment of the Wychwood Car Barns site.

- (8) Schedule No. 14 – State of Good Repair Obligatory Reserve Funds be amended by adding the following reserve funds:

“Toronto Centre for the Arts Improvement	Toronto Centre For Arts	Provides funding to finance major and minor repairs, replacements and improvements to the Toronto Centre for the Arts.
Sony Centre Improvement	Sony Centre	Provides funding to finance major and minor repairs, replacements and improvements to the Sony Centre.

St. Lawrence Centre for the Arts Improvement	St. Lawrence Centre	Provides funding to finance major and minor repairs, replacements and improvements to the St. Lawrence Centre for the Arts.
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- (9) Schedule No. 14 – State of Good Repair Obligatory Reserve Funds be amended by deleting the following reserve funds:

“North York Performing Arts Centre Capital Maintenance	NYPAC	Provides funding for major repairs and capital replacements at the North York Performing Arts Centre.
Hummingbird Centre Capital Improvement	Hummingbird Centre	Provides funding to finance major renovations and improvements.
St. Lawrence Centre for the Arts	St. Lawrence Centre for the Arts	Provides funding for capital improvements at the St. Lawrence Centre.

- (10) Schedule No. 15 – Third Party Agreements Obligatory Reserve Funds is amended by adding the following reserve fund:

“Conservation Management Reserve Fund	Facilities and Real Estate	Receives funds on a periodic basis from the Ontario Power Authority (OPA) for the purpose of disbursing financial incentives to eligible conservation program participants in the Better Building Partnership – Existing Buildings and Better Buildings Partnership - New Construction Programs.”
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- (11) (a) Schedule No. 7 – Corporate Discretionary Reserve Funds be amended by adding the following reserve fund group:

“Climate Change Reserve Fund Group	Chief Corporate Officer	Provides revolving loan funds for projects that improve energy efficiency in buildings or generate renewable energy in Toronto.”
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- (b) Schedule No. 7 – Corporate Discretionary Reserve Funds be amended by adding the following reserve funds to the Climate Change Reserve Fund Group:

“Energy Conservation	Chief Corporate Officer	Provides a revolving loan fund to provide support for energy conservation initiatives in City facilities and buildings in the Municipal, Academic, Social Services and Health entities (MASH sector) and not-for-profit sector in Toronto.
Green Energy	Chief Corporate Officer	Provides a revolving loan fund to provide support for renewal energy installations in City facilities and buildings in the Municipal, Academic, Social Services and Health entities (MASH sector) and not-for-profit sector in Toronto.”
Home Energy Loan Program	Chief Corporate Officer	Finance sustainable energy retrofits in single family and small commercial building sectors across City. The City will provide a lower interest rate on loans to homeowners than can be obtained from a financial institution.

Environment Protection	Chief Financial Officer	Supports (a) the development of a longer-term, climate adaptation strategy; (b) funding the operating budget of the Environment Office and the capital and operating budget of the Energy Efficiency Office; (c) the funding of initiatives that will reduce the production of green house gas including: <ol style="list-style-type: none">1. deepwater cooling for City facilities.2. energy upgrades for City facilities.3. enhancement and protection of the City's tree canopy.
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ENACTED AND PASSED this 28th day of January, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)